

HOUSE BILL 434

N1, I3
HB 817/25 – ENT

6lr1919

By: **Delegates Palakovich Carr and Stewart**
Introduced and read first time: January 22, 2026
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Residential Leases – Use of Algorithmic Device by Landlord to Determine Rent,**
3 **Occupancy, and Lease Terms – Prohibition**

4 FOR the purpose of prohibiting a landlord from using certain algorithmic devices to
5 determine the amount of rent to charge, occupancy levels of, and lease terms and
6 conditions for a residential dwelling unit; making a violation of this Act an unfair,
7 abusive, or deceptive trade practice under the Maryland Consumer Protection Act;
8 and generally relating to a prohibition against the use of certain technology by
9 landlords to determine rent prices, occupancy levels, and lease terms and conditions.

10 BY repealing and reenacting, with amendments,
11 Article – Commercial Law
12 Section 13–301(14)(xlvii)
13 Annotated Code of Maryland
14 (2025 Replacement Volume)

15 BY repealing and reenacting, without amendments,
16 Article – Commercial Law
17 Section 13–301(14)(xlviii)
18 Annotated Code of Maryland
19 (2025 Replacement Volume)

20 BY adding to
21 Article – Commercial Law
22 Section 13–301(14)(xlix)
23 Annotated Code of Maryland
24 (2025 Replacement Volume)

25 BY adding to
26 Article – Real Property
27 Section 8–222

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



Annotated Code of Maryland
(2023 Replacement Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Commercial Law

13–301.

Unfair, abusive, or deceptive trade practices include any:

(14) Violation of a provision of:

(xlvii) Title 14, Subtitle 50 of this article; [or]

(xlviii) Section 13–411.1(c)(2) of the Transportation Article; or

(XLIX) SECTION 8–222 OF THE REAL PROPERTY ARTICLE;

OR

Article – Real Property

8–222.

**(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
INDICATED.**

**(2) (I) “ALGORITHMIC DEVICE” MEANS A DEVICE THAT USES ONE
OR MORE ALGORITHMS TO PERFORM CALCULATIONS OF DATA, INCLUDING DATA
CONCERNING LOCAL OR STATEWIDE RENT AMOUNTS BEING CHARGED TO TENANTS
BY LANDLORDS, TO:**

**1. ADVISE A LANDLORD ON THE AMOUNT OF RENT THAT
THE LANDLORD MAY CONSIDER CHARGING A TENANT; OR**

**2. RECOMMEND LEASE RENEWAL TERMS, IDEAL
OCCUPANCY LEVELS, OR OTHER LEASE TERMS AND CONDITIONS TO A RESIDENTIAL
RENTAL PROPERTY OWNER OR MANAGER.**

**(II) “ALGORITHMIC DEVICE” INCLUDES A PRODUCT THAT
INCORPORATES AN ALGORITHMIC DEVICE.**

(III) “ALGORITHMIC DEVICE” DOES NOT INCLUDE:

1 1. A PERIODIC REPORT PUBLISHED NOT MORE
2 FREQUENTLY THAN ONCE PER MONTH BY A TRADE ASSOCIATION THAT RECEIVES
3 RENTER DATA AND PUBLISHES IT IN AN AGGREGATED AND ANONYMOUS MANNER;

4 2. A PRODUCT USED FOR THE PURPOSE OF
5 ESTABLISHING RENT OR INCOME LIMITS IN ACCORDANCE WITH THE AFFORDABLE
6 HOUSING PROGRAM GUIDELINES OF A LOCAL GOVERNMENT, THE STATE, THE
7 FEDERAL GOVERNMENT, OR ANOTHER POLITICAL SUBDIVISION; OR

8 3. INFORMATION COLLECTED BY AND SHARED AMONG
9 WHOLLY OWNED SUBSIDIARIES OF THE SAME PARENT ENTITY, OR AMONG ENTITIES
10 OR PROPERTIES OWNED BY THE SAME OWNER, ON HISTORICAL OR
11 CONTEMPORANEOUS PRICES, SUPPLY LEVELS, OR LEASE OR RENTAL CONTRACT
12 TERMINATION AND RENEWAL DATES AND RESIDENTIAL DWELLING UNITS.

13 (3) (I) “NONPUBLIC COMPETITOR DATA” MEANS INFORMATION
14 THAT IS:

15 1. NOT WIDELY AVAILABLE OR EASILY ACCESSIBLE TO
16 THE PUBLIC REGARDLESS OF WHETHER THE INFORMATION IS ATTRIBUTABLE TO A
17 SPECIFIC COMPETITOR OR ANONYMIZED; AND

18 2. DERIVED FROM OR OTHERWISE PROVIDED TO A
19 PERSON BY ANOTHER PERSON THAT COMPETES IN THE SAME MARKET AS THE
20 PERSON, OR IN A RELATED MARKET.

21 (II) “NONPUBLIC COMPETITOR DATA” INCLUDES INFORMATION
22 REGARDING:

23 1. ACTUAL RENT PRICES;

24 2. OCCUPANCY RATES;

25 3. LEASE START AND END DATES; AND

26 4. OTHER SIMILAR INFORMATION.

27 (4) “RENT” MEANS THE FIXED, PERIODIC PAYMENTS THAT A TENANT
28 PAYS THE LANDLORD TO RESIDE IN A RENTAL UNIT.

29 (B) A LANDLORD MAY NOT EMPLOY, USE, OR RELY ON, OR CAUSE ANOTHER
30 TO EMPLOY, USE, OR RELY ON, AN ALGORITHMIC DEVICE THAT USES,
31 INCORPORATES, OR WAS TRAINED WITH NONPUBLIC COMPETITOR DATA TO SET:

1 **(1) THE AMOUNT OF RENT TO BE CHARGED FOR THE LEASE OF**
2 **RESIDENTIAL PROPERTY, INCLUDING DETERMINING ANY CHANGE IN RENT TO BE**
3 **CHARGED FOR THE RENEWAL OF A LEASE;**

4 **(2) LEASE RENEWAL TERMS;**

5 **(3) OCCUPANCY LEVELS; OR**

6 **(4) OTHER LEASE TERMS AND CONDITIONS.**

7 **(C) A VIOLATION OF THIS SECTION IS:**

8 **(1) AN UNFAIR, ABUSIVE, OR DECEPTIVE TRADE PRACTICE WITHIN**
9 **THE MEANING OF TITLE 13 OF THE COMMERCIAL LAW ARTICLE; AND**

10 **(2) SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS**
11 **CONTAINED IN TITLE 13 OF THE COMMERCIAL LAW ARTICLE.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
13 apply only prospectively and may not be applied or interpreted to have any effect on or
14 application to any landlord's calculation of the amount of rent that the landlord charges for
15 the occupancy of a residential property under a rental agreement that is executed before
16 the effective date of this Act.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2026.