

SENATE BILL 335

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6lr1840
CF HB 315

By: **Senators Love, Charles, Henson, Hettleman, Lam, Muse, and Sydnor**

Introduced and read first time: January 23, 2026

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 2026

CHAPTER _____

1 AN ACT concerning

2 ~~Human Relations – Discrimination in Housing – Income-Based Housing~~
3 ~~Subsidies~~

4 Landlord and Tenant – Discrimination in Housing for Income-Based Housing
5 Subsidies and Positive Rental History Reporting

6 FOR the purpose of providing that a certain landlord may not refuse to rent to a prospective
7 tenant who pays rent with the assistance of an income-based housing subsidy under
8 certain circumstances, subject to a certain exception; establishing that a violation of
9 this Act is a discriminatory housing practice and is subject to enforcement by the
10 Maryland Commission on Civil Rights; requiring that a certain landlord of
11 residential real property offer a certain tenant the option of having positive rental
12 payment history reported to a certain consumer reporting agency; and generally
13 relating to housing discrimination and rental history reporting.

14 BY repealing and reenacting, without amendments,
15 Article – State Government
16 Section 20–701(a) and 20–1020(a)
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Government
21 Section 20–701(c) and 20–1020(e)
22 Annotated Code of Maryland
23 (2021 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY adding to
 2 Article – State Government
 3 Section 20–705.1
 4 Annotated Code of Maryland
 5 (2021 Replacement Volume and 2025 Supplement)

6 BY adding to
 7 Article – Real Property
 8 Section 8–208.4
 9 Annotated Code of Maryland
 10 (2023 Replacement Volume and 2025 Supplement)

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

13 **Article – State Government**

14 20–701.

15 (a) In this subtitle the following words have the meanings indicated.

16 (c) “Discriminatory housing practice” means an act that is prohibited under §
 17 20–705, § **20–705.1**, § 20–706, § 20–707, or § 20–708 of this subtitle.

18 **20–705.1.**

19 (A) (1) IN THIS SECTION, “INCOME–BASED HOUSING SUBSIDY” MEANS
 20 RECURRING MONETARY ASSISTANCE TO A LANDLORD FROM A GOVERNMENTAL
 21 ENTITY OR NONPROFIT ORGANIZATION THAT IS INTENDED TO DEFRAY, IN WHOLE
 22 OR IN PART, A TENANT’S RENT OBLIGATION.

23 (2) “INCOME–BASED HOUSING SUBSIDY” INCLUDES LOW–INCOME
 24 HOUSING ASSISTANCE CERTIFICATES AND VOUCHERS ISSUED UNDER THE UNITED
 25 STATES HOUSING ACT OF 1937.

26 (B) EXCEPT AS AUTHORIZED UNDER FEDERAL LAW, A LANDLORD OR
 27 RESIDENTIAL RENTAL PROPERTY THAT USES FINANCIAL INFORMATION, INCLUDING
 28 CREDIT HISTORY, AS PART OF A PROSPECTIVE TENANT’S RENTAL APPLICATION MAY
 29 NOT REFUSE TO RENT TO A PROSPECTIVE TENANT WHO PAYS RENT WITH THE
 30 ASSISTANCE OF AN INCOME–BASED HOUSING SUBSIDY ON THE BASIS OF:

31 (1) THE PROSPECTIVE TENANT’S INCOME;

1 (2) THE PROSPECTIVE TENANT'S CREDIT SCORE OR LACK OF CREDIT
2 SCORE; OR

3 (3) ANY ADVERSE CREDIT HISTORY THAT AROSE DURING A PERIOD
4 WHEN THE PROSPECTIVE TENANT DID NOT HAVE AN INCOME-BASED HOUSING
5 SUBSIDY, ~~IF THE LANDLORD COULD REASONABLY HAVE KNOWN THE DATE ON WHICH~~
6 ~~THE SUBSIDY WAS RECEIVED~~ THE PERIOD DURING WHICH THE TENANT DID NOT
7 HAVE THE SUBSIDY IS CONFIRMED BY:

8 (I) THE APPLICANT;

9 (II) VOUCHER PAPERWORK;

10 (III) DOCUMENTS PROVIDED BY A PUBLIC HOUSING AUTHORITY;

11 OR

12 (IV) A PUBLIC HOUSING AUTHORITY IN RESPONSE TO A REQUEST
13 BY THE LANDLORD.

14 (C) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A LANDLORD
15 MAY NOT REQUIRE THAT A PUBLIC HOUSING AUTHORITY VERIFY APPLICABLE DATES
16 FOR THE SUBSIDY FOR PURPOSES OF ASSESSING THE TENANT'S CREDIT HISTORY.

17 ~~(D)~~ (D) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A
18 LANDLORD THAT RECEIVES FUNDING FROM A GOVERNMENTAL ENTITY, A
19 QUASI-GOVERNMENTAL ENTITY, OR A NONPROFIT ORGANIZATION THAT REQUIRES
20 INCOME QUALIFICATION FOR TENANTS IN INCOME-RESTRICTED RENTAL UNITS MAY
21 COLLECT FINANCIAL INFORMATION FROM A PROSPECTIVE TENANT IF THE
22 COLLECTION OF FINANCIAL INFORMATION IS A CONDITION OF THE FUNDING.

23 (E) NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, A LANDLORD OF
24 RESIDENTIAL RENTAL PROPERTY MAY REQUIRE VERIFICATION THAT A TENANT HAS
25 SUFFICIENT INCOME TO PAY THE PORTION OF RENT AND UTILITIES NOT COVERED
26 BY THE INCOME-BASED HOUSING SUBSIDY USING AN INCOME TO TENANT'S PORTION
27 OF RENT RATIO THAT IS SUBSTANTIALLY EQUIVALENT TO THE RATIO USED BY THE
28 LANDLORD FOR NONSUBSIDIZED TENANTS.

29 (F) A LANDLORD OR RESIDENTIAL RENTAL PROPERTY MAY REFUSE TO
30 RENT TO A PROSPECTIVE TENANT WHO PAYS RENT WITH THE ASSISTANCE OF AN
31 INCOME-BASED HOUSING SUBSIDY ON THE BASIS OF ANY COMMERCIALY
32 REASONABLE AND NONDISCRIMINATORY USE OF:

33 (1) A REFERENCE FROM A PREVIOUS OR CURRENT LANDLORD OF THE
34 TENANT; OR

1 **(2) (i) FOR LEASES ENTERED INTO BEFORE OCTOBER 1, 2026, THE**
2 **OFFER OF POSITIVE RENTAL PAYMENT HISTORY REPORTING SHALL BE MADE NOT**
3 **LATER THAN JANUARY 1, 2027, AND AT LEAST ONCE ANNUALLY THEREAFTER.**

4 **(ii) A LANDLORD SHALL DELIVER THE OFFER OF POSITIVE**
5 **RENTAL PAYMENT HISTORY REPORTING TO THE TENANT BY:**

6 **1. FIRST-CLASS MAIL WITH A CERTIFICATE OF MAILING;**

7 **2. A DELIVERY SERVICE PROVIDING DELIVERY**
8 **TRACKING AND CONFIRMATION; OR**

9 **3. ELECTRONIC DELIVERY, IF THE TENANT HAS**
10 **ELECTED TO RECEIVE NOTICES FROM THE LANDLORD IN THIS MANNER.**

11 **(D) THE OFFER OF POSITIVE RENTAL PAYMENT HISTORY REPORTING**
12 **SHALL BE IN THE FORM SPECIFIED IN REGULATIONS ADOPTED BY THE SECRETARY**
13 **UNDER SUBSECTION (I) OF THIS SECTION AND INCLUDE:**

14 **(1) A STATEMENT THAT REPORTING OF THE TENANT'S POSITIVE**
15 **RENTAL PAYMENT HISTORY IS OPTIONAL;**

16 **(2) THE NAME OF EACH CONSUMER REPORTING AGENCY TO WHICH**
17 **POSITIVE RENTAL PAYMENT HISTORY WILL BE REPORTED;**

18 **(3) THE AMOUNT OF ANY FEE CHARGED UNDER SUBSECTION (G) OF**
19 **THIS SECTION;**

20 **(4) INSTRUCTIONS ON HOW TO SUBMIT THE WRITTEN ELECTION OF**
21 **POSITIVE RENTAL PAYMENT HISTORY REPORTING TO THE LANDLORD;**

22 **(5) A STATEMENT THAT THE TENANT MAY OPT INTO POSITIVE**
23 **RENTAL PAYMENT HISTORY REPORTING AT ANY TIME FOLLOWING THE INITIAL**
24 **OFFER BY THE LANDLORD;**

25 **(6) A STATEMENT THAT THE TENANT MAY ELECT TO STOP POSITIVE**
26 **RENTAL PAYMENT HISTORY REPORTING AT ANY TIME, BUT THAT THE TENANT WILL**
27 **NOT BE ABLE TO RESUME POSITIVE RENTAL PAYMENT HISTORY REPORTING FOR AT**
28 **LEAST 6 MONTHS AFTER AN ELECTION TO OPT OUT;**

29 **(7) INSTRUCTIONS ON HOW TO OPT OUT OF POSITIVE RENTAL**
30 **PAYMENT HISTORY REPORTING; AND**

1 (8) A SIGNATURE BLOCK THAT THE TENANT SHALL DATE AND SIGN IN
2 ORDER TO ACCEPT THE OFFER OF POSITIVE RENTAL PAYMENT HISTORY
3 REPORTING.

4 (E) IF THE OFFER OF POSITIVE RENTAL PAYMENT HISTORY REPORTING IS
5 MADE BY FIRST-CLASS MAIL, THE LANDLORD SHALL PROVIDE THE TENANT WITH A
6 SELF-ADDRESSED, STAMPED ENVELOPE TO RETURN THE WRITTEN ELECTION OF
7 POSITIVE RENTAL PAYMENT HISTORY REPORTING.

8 (F) (1) A TENANT MAY SUBMIT THE TENANT'S COMPLETED WRITTEN
9 ELECTION AT ANY TIME AFTER THE TENANT RECEIVES THE OFFER OF POSITIVE
10 RENTAL PAYMENT HISTORY REPORTING FROM THE LANDLORD.

11 (2) (I) A TENANT MAY REQUEST ADDITIONAL COPIES OF THE
12 WRITTEN ELECTION OF POSITIVE RENTAL PAYMENT HISTORY REPORTING FROM
13 THE LANDLORD AT ANY TIME.

14 (II) A LANDLORD THAT RECEIVES A REQUEST FROM A TENANT
15 PURSUANT TO THIS PARAGRAPH SHALL COMPLY WITH THE REQUEST.

16 (G) (1) IF A TENANT ELECTS TO HAVE POSITIVE RENTAL PAYMENT
17 HISTORY REPORTED TO A CONSUMER REPORTING AGENCY THE LANDLORD MAY
18 REQUIRE THAT THE TENANT PAY A FEE NOT TO EXCEED THE LESSER OF THE ACTUAL
19 COST TO THE LANDLORD TO PROVIDE THE SERVICE OR \$10 PER MONTH.

20 (2) (I) THE PAYMENT OR NONPAYMENT OF A FEE UNDER THIS
21 SUBSECTION MAY NOT BE REPORTED TO A CONSUMER REPORTING AGENCY.

22 (II) A FEE COLLECTED UNDER THIS SUBSECTION IS NOT RENT
23 AND MAY NOT BE CREDITED TOWARDS FULL OR PARTIAL SATISFACTION OF RENT OR
24 ANY OTHER OBLIGATION UNDER THE LEASE.

25 (III) IF A TENANT FAILS TO PAY ANY FEE REQUIRED BY THE
26 LANDLORD UNDER THIS SUBSECTION FOR 30 DAYS OR MORE:

27 1. THE LANDLORD MAY STOP REPORTING THE TENANT'S
28 RENTAL PAYMENTS; AND

29 2. THE TENANT MAY NOT ELECT POSITIVE RENTAL
30 PAYMENT HISTORY REPORTING FOR A PERIOD OF AT LEAST 6 MONTHS AFTER THE
31 DATE ON WHICH THE FEE FIRST BECAME DUE.

32 (H) (1) A LANDLORD SHALL STOP REPORTING POSITIVE RENTAL
33 PAYMENT HISTORY ON WRITTEN REQUEST BY A TENANT.

1 **(2) A TENANT WHO ELECTS TO HAVE REPORTING STOPPED MAY NOT**
2 **ELECT POSITIVE RENTAL PAYMENT HISTORY REPORTING AGAIN FOR A PERIOD OF**
3 **AT LEAST 6 MONTHS AFTER THE DATE OF THE TENANT’S WRITTEN REQUEST TO HAVE**
4 **REPORTING STOPPED.**

5 **(1) THE SECRETARY SHALL ADOPT REGULATIONS TO CARRY OUT THIS**
6 **SECTION.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2026.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.