



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 1223

**LANDLORD AND TENANT – SCREENING OF TENANTS AND RENEWAL OF
TENANCY – STANDARDS**

SUPPORT

MR. CHAIR, MR. VICE CHAIR AND COLLEAGUES, I AM HERE TO REQUEST YOUR FAVORABLE CONSIDERATION OF HB 1223. THE BILL CREATES NEW SAFEGUARDS FOR TENANTS UNDERGOING SCREENING FOR RENTAL HOUSING AND INCLUDES CONDITIONS UNDER WHICH LANDLORDS MAY NOT REFUSE TO RENEW A LEASE.

THE PROBLEM AND THE REMEDIES: THE COVID-19 PANDEMIC HAS LAID BARE MANY OF THE INEQUALITIES THAT TENANTS HAVE ENDURED UNDER THE STATE'S CURRENT RENTAL HOUSING LAWS. THIS BILL PROVIDES SCREENING AND LEASE RENEWAL REFORMS THAT ARE LONG OVERDUE.

SPECIFICALLY, LANDLORDS MAY NOT DENY A LEASE BASED ON:

- AN EVENT IN A BACKGROUND, CREDIT HISTORY, OR RENTAL HISTORY CHECK THAT IS MORE THAN SEVEN (7) YEARS OLD;
- INFORMATION RELATED TO A COURT RECORD THAT HAS BEEN SEALED BY A COURT; OR
- INFORMATION RELATED TO A PROSPECTIVE TENANT'S STATUS AS A VICTIM OF CRIME; OR A VICTIM OF DOMESTIC VIOLENCE.

TOOL FOR LANDLORDS THERE IS A NEW TOOL FOR LANDLORDS IN THE BILL, ALLOWING THEM TO REQUEST THAT A PROSPECTIVE TENANT SUBMIT A WRITTEN ADDENDUM TO THE LEASE APPLICATION THAT PROVIDES INFORMATION ON WHY HE OR SHE LACKS SUFFICIENT CREDIT OR RENTAL HISTORY. IF THE PROSPECTIVE TENANT FAILS TO SUBMIT THE ADDENDUM, THE APPLICATION MAY BE DENIED BASED ON INSUFFICIENT RENTAL OR CREDIT HISTORY.

WRITTEN ADMISSION POLICY REQUIREMENTS AND USES

ALSO UNDER THE BILL, LANDLORDS MUST ESTABLISH A WRITTEN RENTAL ADMISSIONS POLICY DESCRIBING THE CRITERIA THAT WILL BE CONSIDERED TO DETERMINE WHETHER THE LANDLORD WILL ENTER INTO A LEASE. THE CRITERIA CANNOT INCLUDE ANYTHING THAT VIOLATES FEDERAL, STATE OR LOCAL LAWS. THE WRITTEN POLICY MUST BE MADE AVAILABLE WITH THE LEASE APPLICATION AND POSTED ON THE LANDLORD'S WEBSITE IF SHE OR HE MAINTAINS ONE.

A LANDLORD WHO DENIES A LEASE APPLICATION OF A PROSPECTIVE TENANT MUST PROVIDE THE TENANT WITH A WRITTEN OR ELECTRONIC DOCUMENT STATING EACH SPECIFIC REASON FOR THE DENIAL. A LANDLORD MAY NOT DENY THE LEASE APPLICATION OF A PROSPECTIVE TENANT BASED ON A REASON NOT INCLUDED IN THE WRITTEN RENTAL ADMISSIONS POLICY.

LEASE RENEWAL IDENTICAL TO THE SCREENING LANGUAGE IN THE BILL, A LANDLORD MAY NOT FAIL TO RENEW A LEASE BASED ON A TENANT BEING THE VICTIM OF A CRIME OR THE VICTIM IN A DOMESTIC VIOLENCE CASE AS DEFINED UNDER THE STATE'S FAMILY LAW ARTICLE.

DAMAGES AVAILABLE TO TENANT

THE BILL HAS TWO SECTIONS DEFINING DAMAGES THAT MAY BE AWARDED TO A PROSPECTIVE TENANT OR A TENANT WHO IS DENIED A LEASE RENEWAL IN VIOLATION OF THE CRITERIA IN THE BILL. THOSE SECTIONS HAVE BEEN MADE CONSISTENT. THEY INCLUDE: DAMAGES NOT LESS THAN THREE (3) MONTHS' RENT; COURT COSTS; AND REASONABLE ATTORNEY'S FEES.

AMENDMENTS MR. CHAIRMAN, SEVERAL PROVISIONS OF THE ORIGINAL BILL HAVE BEEN STRUCK, INCLUDING AN ENTIRE SECTION THAT WAS NEVER INTENDED, AND SOME INCOME RATIO LANGUAGE. THE ONLY ADDITIONS TO THE BILL ARE TO THE DAMAGES SECTIONS.

MR. CHAIRMAN, THE TENANT SCREENING AND LEASE RENEWAL REFORMS IN THIS BILL WERE NEEDED PRIOR TO THE PANDEMIC. WITH THE HOUSING HARDSHIPS ASSOCIATED WITH COVID, THEY ARE EVEN MORE NECESSARY AND TIMELY.

THANK YOU AND I URGE A FAVORABLE REPORT ON HB 1223.