



Testimony HB 90

House Environment & Transportation

January 26, 2021

Position: FAVORABLE

Dear Chairman Barve & Members of the Environment and Transportation Committee:

The Community Development Network of Maryland (CDN) is the voice for Maryland's community development sector and serves nearly 200 member organizations. CDN—focuses on small affordable housing developers, housing counseling agencies and community-based non-profits across the state of Maryland. The mission of CDN is to promote, strengthen and advocate for the community development sector throughout Maryland's urban, suburban and rural communities. CDN envisions a state in which all communities are thriving and where people of all incomes have abundant opportunities for themselves and their families.

This legislation requires DHCD, local housing authorities, and political subdivisions to administer programs that affirmatively further fair housing as part of their duty under the Fair Housing Act of 1968, regardless of federal regulation.

In September 2020, the Department of Housing and Urban Development (HUD) finalized its harmful "disparate impact" rule which guts civil rights protections for vulnerable communities and makes it harder to challenge systemic racism by housing providers, financial institutions, and insurance companies that deprive people of the services and opportunities they need. The administration's final rule severely weakened this civil rights tool making it harder to tackle and systemic discrimination.

Disparate impact is a longstanding legal tool to fight discrimination and ensure equal housing opportunity under the Fair Housing Act. In a disparate impact case, a person can challenge unjustified policies or practices that harm people and treat them unfairly. Because there is currently no effective enforcement method at the federal level, Maryland must take action to continue working to affirmatively further fair housing. The state needs take proactive steps to deconcentrate poverty, combat discrimination and segregation, and invest in historically disinvested communities.

We urge the committee to:

- Require the Department of Housing and Community Development (DHCD) to strongly promote housing equality, fairness, and opportunity for African American and Hispanic Marylanders
- Provide a framework for local governments and local housing authorities to take concrete, data-driven, community member-oriented steps toward fostering healthy communities.

We respectfully request a favorable report.

Submitted by Claudia Wilson Randall, Executive Director, Community Development Network