



## House Bill 251

Committee: Economic Matters

Date: January 26, 2022

Position: **Unfavorable**

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This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

House Bill 251 requires the Commissioner of Financial Regulation to adopt regulations that would require additional information matching before a public record may be included in a report from a consumer reporting agency. Specifically, to be included in a report, the public record must match the *full* name of the consumer and one of the following: (1) the *full* social security number of the consumer; (2) the *full* date of birth plus another piece of personally identifiable information; or (3) the address of the consumer's primary residence plus another piece of personally identifiable information.

Last year's version of the bill, which received an unfavorable report from the committee, included examples of the personally identifiable information that would meet the additional information requirements, including gender, race, ethnicity, or physical description. This year's bill does not include that example provision, but the practical nature of the bill remains the same. As such, MMHA continues to have concerns regarding the bill.

MMHA fully supports an inclusive housing industry. As public records do not normally include full social security numbers, MMHA is concerned that in order to comply with the additional personal identifiable information provisions, HB 251 will encourage or even require businesses to request information that may be prohibited by state or federal law.

Maryland's Office of the Commissioner of Financial Regulation recently concluded a two-year rulemaking process for credit reporting agencies that was designed to promote accuracy in consumer reports. Included within this rulemaking was a requirement for credit reporting agencies to "devise procedures to identify inaccurate information in consumer credit information submitted to it by a person who furnishes information to a credit reporting agency."<sup>1</sup> Moreover, the rules provide the Commissioner of Financial Regulation with additional investigative tools and a system for receiving complaints. These new rules provide extensive protection to Maryland's consumers and further ensure the accuracy of reports.

Due to concerns about collecting information that may be prohibited by federal law and with consideration to the Commissioner of Financial Regulation's recent rulemaking that ensures consumer protection, MMHA respectfully requests an unfavorable report from the committee on HB 251.

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<sup>1</sup> COMAR § 09.03.07.01.