

MARY-DULANY JAMES
Legislative District 34
Harford County



James Senate Office Building
11 Bladen Street, Room 103
Annapolis, Maryland 21401
410-841-3158 · 301-858-3158
800-492-7122 Ext. 3158
MaryDulany.James@senate.state.md.us

Judicial Proceedings Committee
Executive Nominations Committee

Senate Chair

Joint Committee on
Children, Youth, and Families

THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony of Senator Mary-Dulany James
February 23, 2023

Senate Judicial Proceedings Committee
The Honorable William C. Smith, Jr.
2 East Miller Senate Building
Annapolis, Maryland 21401

Re: Senate Bill – 535– Human Relations – Housing Discrimination – Service Dogs and Guide Dogs
Position: SUPPORT

Dear Chairman Smith and Members of the Committee,

Good afternoon fellow committee members, it is my pleasure to testify in support of SB535 Human Relations - Housing Discrimination - Service Dogs and Guide Dogs.

Service and Guide dogs are classified by the Americans with Disabilities Act (ADA) as being considered separate from pets, since these animals are trained to assist their owners with a diagnosed disability. With service animals falling under ADA and federal Fair Housing Act provisions, landlords are required to provide “reasonable accommodations” for their owners, meaning landlords must allow the disabled person to make full use of housing. For a disabled person needing a service animal, one deemed reasonable accommodation is an exception to the “no pets” policy.

These provisions have worked well for years, allowing users of service and guide dogs to find and select appropriate housing. Problems have arisen when the service animal is retired from duty. Tragically, some landlords holding a “no pet” policy have required the users to pay monetary compensation or get rid of the dog once it is retired and no longer under ADA and Fair Housing Act provisions. If a family member is unable to take the animal, they are often sent to rescues or euthanized.

SB535 would specifically permit service and guide dogs to stay with their owner when retired from service. Users would not be required to pay any additional rent or fee for the dog to the landlord. It is important to note that landlords currently and would continue to be allowed to seek money from the tenant if there is any damage caused by the animal to the property. Additionally, the Maryland Multi-housing Association has no problems with the bill.

This is a commonsense bill which would allow guide and service dog users to continue to love and enjoy these animals that have faithfully served them after retirement. Historically, retired dogs acclimate well to no longer being in service and enjoy their pet status, even when a new service or guide dog is in place within the household.

I urge a favorable report on Senate Bill 535. Thank you for your kind consideration.