



Testimony
SENATE BILL 57
Senate Judicial Proceedings Committee
January 30, 2024
Position: FAVORABLE

Dear Chairman Smith and Members of the Judicial Proceedings 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.

SB57 - This bill would create a narrowly-tailored exemption to the all-party consent law. It would enable qualified organizations to conduct fair housing testing without all party consent.

Today, Maryland is behind 39 states when it comes to fair housing tests using the US. Department of Housing and Urban Development guideline for best practices. The guidelines recommend equipping testers with recording devices to faithfully and incontrovertibly capture interactions with housing agents.

Maryland's all party consent requirement means that fair housing organizations in the state cannot use recommended best practices. This creates significant challenges for Maryland fair housing organizations and for fair housing enforcement in the state. It doubles the cost of testing. Maryland organizations must hire two testers for each test. It makes testers must rely on their memory of the event to write a detailed report soon after the interaction. Maryland is one of only 11 states that don't allow one party recordings for fair housing.

Fair housing tests are crucial for:

Detection of Discrimination: Fair housing tests help detect instances of housing discrimination based on factors such as race, ethnicity, gender, disability, familial status, and other protected characteristics **Enforcement of Fair Housing Laws:** These tests play a critical role in enforcing fair housing laws and regulations and documenting instances of discrimination, authorities can take legal action against individuals or entities that violate fair housing laws.

Policy Evaluation: The data collected through fair housing tests can be used to evaluate the effectiveness of existing fair housing policies. If discrimination is consistently identified, it may indicate a need for new policies to address specific issues.

We ask for your favorable report on SB 57.

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