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DATE: February 28, 2025
BILL NO.: House Bill 1257
TITLE: Landlord and Tenant – Residential Leases – Fee Disclosures
COMMITTEE: House Environment and Transportation Committee

Letter of Support With Amendment

Description of Bill:

As written, House Bill 1257 prohibits landlords that offer five or more dwelling units for rent from advertising dwelling units for rent without including information on mandatory fees, and requires such landlords to provide prospective tenants with a written, itemized list identifying and explaining all fees the landlord may impose on the prospective tenant. The bill prohibits landlords from imposing any mandatory fees that were not disclosed, and, as written, requires DHCD to assist tenants and prospective tenants with understanding the fee disclosure requirements and reporting any violations by landlords. It also authorizes DHCD to impose administrative penalties against landlords who violate the section.

Background and Analysis:

Undisclosed mandatory fees, or “junk fees” imposed by landlords, are a substantial burden on many Maryland renters. These fees, which often only become known to renters after they have paid application fees and been presented with a lease, include, for example, “convenience fees” or online rent payments, “amenity fees” for use of facilities, and trash collection fees. Often, renters choose a home that is within their budget based on the advertised rent, only to find that the actual monthly costs are significantly higher due to mandatory monthly fees that were not disclosed. According to a [September 2024 report](#) by the National Consumer Law Center, these fees disproportionately burden renters of color and low-income renters.

Existing statutes limit the amount landlords may charge for fees related to processing a rental application (Real Property Article §§ 8-213 and 8-218), late fees for overdue rent (Real Property Article § 8-208(d)(3)), and the amount a landlord may require a tenant to pay to occupy the premises and commence the lease (Real Property Article § 8-208(d)(11)), but they do not speak to other undisclosed, mandatory fees charged after the commencement of the tenancy. Repairing this statutory deficiency will allow residential tenants across Maryland to know in advance exactly how much they will need to pay each month to stay in their homes and discourage the use of “junk fees” to inflate actual housing costs above and beyond advertised rental rates.

While DHCD is supportive of legislation requiring disclosure of such fees in rental advertisements or listings, enforcement of these provisions is outside of the scope of the Department’s role and would require increased staff capacity and corresponding budgetary expenditure. Additionally, the existing statutory mandate for the Office of Tenant and Landlord Affairs (Housing & Community Development Article § 5-104) already provides that the Office develop resources to aid tenants in understanding and exercising their legal rights. Civil liability for treble damages against a landlord who violates the provisions of this bill would likely be an adequate deterrent against the imposition of undisclosed mandatory fees. Aside from this proposed amendment, DHCD views House Bill 1257 favorably.

DHCD Position

The Maryland Department of Housing and Community Development respectfully requests a **favorable with amendment** report on House Bill 1257. The proposed amendment is included below.



On pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 5 on page 4, inclusive, and substitute

“(E) (1) IF A LANDLORD VIOLATES THIS SECTION, THE TENANT MAY RECOVER UP TO THREE TIMES THE AMOUNT OF ANY FEES CHARGED TO THE TENANT IN VIOLATION OF THIS SECTION, PLUS REASONABLE ATTORNEY’S FEES.

(2) AN ACTION UNDER THIS SECTION MAY BE BROUGHT AT ANY TIME DURING THE TENANCY OR WITHIN 2 YEARS AFTER ITS TERMINATION.”

