



**SB 514 - Real Property - Landlord and Tenant – Residential Leases- Prospective Tenant Criminal
History Records Check (Maryland Fair Chance Housing Act)
Hearing before the Senate Judicial Proceedings Committee,
Feb. 6, 2025**

Position: FAVORABLE

The Prince George's Branch of the Metro DC Chapter of the Democratic Socialists of America believes Senate Bill 514 is a critical measure to ensure that our returning Maryland residents are given a fair opportunity to secure housing.

Every Marylander deserves a safe and habitable roof over their head. There are thousands each year who have long been wrongly excluded from the housing market, and many others who have suffered from inadequate living conditions, for fear of their record being used against them. People who lack adequate housing in the first year after they return from incarceration are more than twice as likely to return to a life of crime than those with adequate housing. Therefore it is crucial that those who have been through the criminal justice system have the opportunity to secure a place to lay their heads.

SB 514 would (1) give prospective tenants fair consideration when trying to find a home, (2) reduce recidivism rates in Maryland, and (3) give many more Marylanders the opportunity to pursue career and educational opportunities that they might otherwise be limited in obtaining due to limited housing opportunities for people with a criminal history. Additionally, due to historic institutionalized racism in the criminal justice system criminal record discrimination has an enormous disparate impact on black households. Black people make up 32 percent of the state's population, yet they make up nearly 71 percent of the state's jail and prison population. SB 514 addresses this harm by ensuring that those who have already been discriminated against do not become homeless after release because of institutional racism in the criminal justice system.

This bill will ensure racism that, is latent in the criminal justice system, will not be able to affect someone's ability to secure a roof over their heads, long past when a sentence is fulfilled. Given the well-documented over-representation of people of color in our criminal legal system, denying people housing based on conviction records is often a proxy for denying people based on race. In fact, in 2016, HUD issued guidelines that, given the racial disparities of the criminal legal system, housing policies that include a blanket ban on people with conviction records violate federal fair housing laws.

Lastly, returning residents often have to deal with substandard living conditions: Unmaintained buildings, Unsanitary Conditions, Unsafe protections, and a lack of basic amenities: clean water, electricity, heating. When tenants feel they will be discriminated against, they will oftentimes not advocate to property management about their needs, for fear they will be out of places to live. Unfortunately, the barriers to securing housing for formerly incarcerated individuals are already significant, and finding a decent place to live can be even harder if they have limited options. A larger housing pool where a record is not held against the applicant will allow tenants to choose the best options for themselves, and voice whether the obligations of the rental contract and law are being fulfilled.

Many states, and Washington D.C., have passed Fair Chance bills that are similar to SB 514, and a number of these jurisdictions have reported success after implementation. Many have successfully ended this type of discrimination in labor and education. Studies have shown renters in these localities have been given wider access to housing. 3 Additionally landlords have not seen an increase in adverse incidents; nor has implementation of these laws resulted in significant capacity burdens for landlords. Passing SB 514 Fair Chance is a step in the right direction for all Marylanders.

We urge a favorable report on SB 442