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February 4, 2025

To: The Honorable William C. Smith, Jr.  
Chair, Judicial Proceedings Committee

From: Kira Wilpone-Welborn, Assistant Attorney General  
Consumer Protection Division

Re: Senate Bill 514 – Landlord and Tenant - Residential Leases - Prospective Tenant Criminal  
History Records Check (Maryland Fair Chance Housing Act) (SUPPORT IN CONCEPT)

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The Consumer Protection Division of the Office of the Attorney General (the “Division”) supports in concept Senate Bill 514 sponsored by Senator Shaneka Henson. Senate Bill 514 admirably seeks to prevent unlawful discrimination in tenant screening practices, including in the use of criminal background checks to deprive marginalized communities meaningful opportunities to access housing. Limiting the reasons a landlord can use to reject qualified applicants is necessary to reduce barriers to access safe and stable housing. However, Senate Bill 514 requires the Division to develop a uniform notice for landlords, as well as receive, investigate, and report substantiated complaints of violations. Last session, the General Assembly created an Office of Tenant and Landlord Affairs (the “Office”) within the Department of Housing and Community Development. “The purpose of the Office is to,” among other things:

- (1) ensure that tenants have access to educational resources to aid in understanding and exercising the tenants’ rights under State law;
- (2) provide tenants with information on how to report a violation of their legal rights as tenants and facilitate referrals of reported violations to appropriate enforcement agencies;
- (3) provide tenants with information on how to obtain financial counseling; and

- (4) notify appropriate authorities regarding housing discrimination and other unfair or illegal housing practices.

Housing and Community Development Article § 5-102.

The Division believes that Senate Bill 514's requirements of the Division are better suited for the Office of Tenant and Landlord Affairs. Accordingly, the Division supports Senate Bill 514 in concept.

cc: The Honorable Shaneka Henson  
Members, Judicial Proceedings Committee