

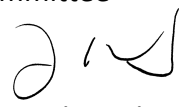
Robin Truiett-Theodorson
Chairperson | Board of Commissioners

Janet Abrahams
President | Chief Executive Officer



February 4, 2025

TO: Members of the Judicial Proceedings Committee

FROM: Janet Abrahams, HABC President & CEO 

RE: Senate Bill 514 - Landlord and Tenant - Residential Leases - Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act)

POSITION: Support with Amendments

Chair Smith, Vice Chair Waldstreicher, and Members of the Committee, please be advised that the Housing Authority of Baltimore City (HABC) supports with amendments SB 514 – Landlord and Tenant – Residential Leases – Prospective Tenant Criminal History Records Check (Maryland Fair Housing Chance Act).

SB 514 alters the number of years of criminal history that are reviewed in a tenant screening report from seven years to three years; and requires a landlord that denies the lease application of a prospective tenant to provide the individual with a physical document stating with particularity each reason for the denial. This bill also prohibits a landlord from publishing any oral or written statement that would reasonably discourage a prospective tenant with a criminal history from applying for a lease.

The Housing Authority of Baltimore City (HABC) is the country's 5th largest public housing authority and Baltimore City's largest provider of affordable housing opportunities. HABC serves over 43,000 of Baltimore City's low-income individuals through its Public Housing and Housing Choice Voucher programs. HABC's public housing inventory currently consists of just under 6,000 units located at various developments and scattered sites throughout the city. HABC is federally funded and regulated by the U.S. Department of Housing and Urban Development (HUD). HABC is subject to federal laws and regulations that pertain to the operation of its housing programs.

HABC already follows a three-year criminal history lookback period, and our current policies and procedures for admission to our Public Housing and Housing Choice Voucher programs are consistent with those contained within the bill. However, HUD requirements mandate that all Public Housing Authorities (PHAs) establish lifetime bans on the admission to the Public Housing and Housing Choice Voucher (Tenant-Based Section 8) programs for:

- Individuals found to have manufactured or produced methamphetamine on the premises of federally assisted housing (24 CFR 960.204, 24 CFR 982.553); and

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- Sex offenders subject to a lifetime registration requirement under a State sex offender registration program (24 CFR 960.204, 24 CFR 982.553)

We request that the language be consistent with this requirement be added to the bill.

Additionally, we request clarifying language in SECTION 8–2A–06 of the bill that prohibits a landlord from publishing any oral or written statement that would reasonably discourage a prospective tenant with a criminal history from applying for a lease.

Federal statutes and regulations require PHAs to adopt certain governing and operating policies for the Public Housing Program. PHAs communicate those policies, rules, and requirements concerning their operations, programs, and services through the Public Housing Admissions and Continued Occupancy Policy (ACOP) and the Housing Choice Voucher Program Administrative Plan. These documents describe in detail the PHA’s policies with respect to key topics such as eligibility, tenant selection, admissions preferences, waitlist procedures, rent determination, utilities, transfers, occupancy guidelines, grievance procedures, pet ownership, and the community service and self-sufficiency requirement. Both documents are updated annually and published on our website, and they both contain information regarding ineligibility due to criminal history. Therefore, we request that it be made clear in the bill that a landlord does not violate SECTION 8–2A–06 by publishing its admissions policies that comply with applicable laws.

In sum, HABC is in support of SB 514, but requests the addition of clarifying language as discussed above.

Respectfully submitted.

Janet Abrahams, HABC President & CEO