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Anne Arundel County

Judicial Proceedings Committee

Joint Committee on Children,
Youth, and Families



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THE SENATE OF MARYLAND
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SPONSOR TESTIMONY
SB 514 Landlord and Tenant - Residential Leases
- Prospective Tenant Criminal History Check
(Maryland Fair Chance Housing Act)

Chairman Smith and Committee Members

Thank you for the opportunity to introduce and provide key details regarding SB 514 - Residential Leases - Prospective Tenant Criminal History Check -- also being referred to as the Maryland Fair Chance Housing Act.

For the record, I am Senator Shaneka Helson from the 30th Legislative District of Anne Arundel County, MD.

This bill is also cross-filed and co-sponsored by Delegate Adrian Boafu from the 23rd District of Prince George's County, MD.

With us today and presenting real-life reasons this Bill is essential to an impacted segment of state residents are the following panelists representing key organizations.

1. Zafar Shah, Maryland Legal Aid
2. John Bae, Vera Institute of Justice
3. Minister Thomas Anderson, B.U.I.L.D. and Impacted Person
4. David Wheaton, NAACP LDF
5. Al-Tariq Witcher, Fair Share Housing, New Jersey (virtual)

Senate Bill 514 – the Maryland Fair Chance Housing Act – addresses the barriers often placed on our returned residents (formerly incarcerated persons) – who are employed in essential jobs, in their attempts to obtain housing to both maintain their employment status and protect the stability of their families. We know from the organizations working to provide returning citizens with a second chance to turn their lives around that obtaining housing is one of the largest obstacles before them. In general, this Bill addresses the use of criminal history records checks being applied in the application process for the residential leasing of apartments, houses, and boarding facilities.

Please understand — this legislation is not intended to mask or ignore the person's prior history of incarceration. But at the same time, there are certain circumstances relating to that incarceration that need to be considered based on the individual's performance to change their life's practices. Because of their commitment to change their lives, this Bill recognizes and gives value to the fact that if they verify the stability of their employment and are transparent about their prior issues, that they are indeed working with sincerity to change their prior life's patterns. Just as we are giving this group of returning citizens support with second chances for employment – we need to do so with obtaining much needed housing.

As described in the accompanying information as to how the new rental housing application process will work, this Bill requires a landlord to first extend a conditional offer to the prospective tenant, and then only consider certain criminal history information within the individual's record, relating to the criminal history records check upon receipt of the completed form.

Also included is a fact sheet that clearly defines the scope of the housing issues faced by this group of residents throughout our state. I want to quote and call to your attention the critically important benefits to residents in our state and communities from this Bill.

“Every Marylander deserves a place to call home. And for the more than one million state residents (22 percent of the population) with criminal legal system involvement, finding a home can be exceedingly difficult.

Many people with conviction histories are shut out of the rental market. But studies show that securing housing is crucial to education, health, and economic mobility.

Stable housing has also been linked to decreased crime and improved public safety. With the Fair Chance Housing Act (SB 514), Maryland can give people with conviction histories access to housing and a chance to thrive.”

In closing, I respectfully urge a FAVORABLE report for SB 514 to address essential housing for our residents.

Two Attachments

1. Maryland Fair Chance Housing Rental Application Process
2. Maryland Fair Chance Housing Facts