

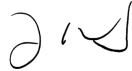
Robin Truiett-Theodorsen
Chairperson | Board of Commissioners

Janet Abrahams
President | Chief Executive Officer



March 5, 2026

TO: Members of the Economic Matters Committee

FROM: Janet Abrahams, HABC President & CEO 



RE: Bill 1073 – Landlord and Tenant - Residential Leases – Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act)

POSITION: Letter of Information/Request for Clarifying Language

Chair Valderrama, Vice Chair Charkoudian, and Members of the Economic Matters Committee, please be advised that the Housing Authority of Baltimore City (HABC) wishes to submit testimony on HB 1073 Landlord and Tenant – Residential Leases – Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act).

HB 1073 Landlord and Tenant – Residential Leases – Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act) proposes to prohibit a landlord from requiring or requesting from a prospective tenant certain information relating to criminal history and prohibiting a landlord from considering certain information when evaluating the prospective tenant; permitting a landlord to consider certain criminal history information prior to extending a conditional offer to a prospective tenant and requiring the landlord to consider certain information provided by a prospective tenant relating to a criminal history records check; authorizing a landlord to consider certain criminal convictions only after extending a conditional offer to a prospective tenant and authorizing a landlord to withdraw a conditional offer under certain circumstances; prohibiting a landlord from publishing certain housing advertisements; establishing that the lease of residential property to an individual with a criminal record or the decision of a landlord not to conduct a criminal history records check is not the basis of a claim against a landlord; requiring the Office of Tenant and Landlord Affairs in the Department of Housing and Community Development to develop and publish a certain model document; requiring the Office of Tenant and Landlord Affairs to collect and maintain certain data and publish certain information relating to collected data annually on the Office of Tenant and Landlord Affairs’ website; making a violation of this Act an unfair, abusive, or deceptive trade practice subject to enforcement and certain penalties under the Maryland Consumer Protection Act; and generally relating to the use of criminal history records checks in residential leasing.

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The Housing Authority of Baltimore City (HABC) is one of the country's largest public housing authorities (PHAs) and Baltimore City's largest provider of affordable housing opportunities. HABC serves over 46,000 individuals in Baltimore City through its Public Housing and Housing Choice Voucher (HCVP) programs. HABC is federally funded by the U.S. Department of Housing and Urban Development (HUD) and is subject to federal 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 in 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
- 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, HABC requests 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 their housing assistance programs. 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 admission policies that comply with applicable laws.

In sum, HABC is in support of HB 1073, but requests the addition of clarifying language as discussed above.

Respectfully submitted.