



**House Bill 313 – Landlord and Tenant – Residential Housing – Rental Applications and Tenant Screening Report**

**Position: Unfavorable**

The Maryland REALTORS® oppose HB 313 which, among other provisions, shortens the time that tenants and landlords have when seeking a rental dwelling.

Maryland REALTORS® includes many property managers who mostly manage single-family rentals for mom and pop landlords. Like many of the landlord and tenant bills passed in the last 5 years, this legislation includes requirements that add increased complexity for landlords.

HB 313 prohibits a landlord from collecting an application or screening fee unless a rental unit is available for lease or will be available within 30 days. Maryland revised tenant notices of non-renewal by extending the renewal notice to 60 and 90 days depending on whether the lease is a monthly or annual lease. Now, if a tenant receives that notice, they will likely not be able to act on seeking new properties until they are closer to the 30-day window. Landlords will be reluctant to act on applications without a fee thereby compressing the time that the parties have to find a unit.

The bill additionally requires a dispute process for information the landlord uses to make determinations about a prospective tenant's application and would make landlords subject to fines and litigation, including damages for prospective tenants. Landlords already have tremendous liability for existing tenants and layering new liability on landlords for prospective tenants will further disincentivize property owners.

The reason that many tenants complain about the application process today is because Maryland does not have enough affordable housing for its residents making the application more competitive as more and more tenants apply for the same apartment. Given the difficulty building affordable housing, disincentivizing existing properties from entering the market only worsens the problem. For these reasons, the REALTORS® recommend an unfavorable report.

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