

March 5, 2026

The Honorable Kriselda Valderrama
Chair, House Economic Matters Committee
230 Taylor House Office Building
Annapolis, Maryland 21401

RE: MBIA Letter of Opposition HB 1073 - Landlord and Tenant - Residential Leases - Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act)

Dear Chair Valderrama,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding **HB1073**. The industry is submitting testimony in opposition to the proposed legislation restricting the use of criminal history information in tenant screening.

While the goal of expanding access to housing is important and commendable, this bill creates significant practical and legal concerns for housing providers and may unintentionally increase risk for residents and property owners alike. Landlords have a responsibility to provide safe living environments for their tenants. Limiting when and how criminal history information may be requested or considered constrains a landlord's ability to fully evaluate potential risks before entering into a lease agreement. Housing providers must make decisions that affect not only their property, but also the safety and well-being of other residents in multi-family settings. Artificial restrictions on screening tools may expose landlords to liability if foreseeable risks are overlooked.

Additionally, the administrative complexity created by the bill — including restrictions on requesting information and mandates regarding how certain records must be considered — may increase compliance burdens, particularly for small “mom-and-pop” housing providers who lack in-house legal counsel. Increased uncertainty around permissible screening practices may discourage some property owners from participating in the rental market, ultimately reducing available housing supply.

There is also concern that limiting objective screening criteria could result in more subjective decision-making, which may create inconsistency and unintended consequences in tenant selection.

Rather than adopting rigid statutory limitations, a more balanced approach would focus on clear guidance, incentives, and best practices that protect public safety while encouraging fair access to housing.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the House Economic Matters Committee