



410-223-2222

www.brhp.org

100 North Charles Street, 2nd floor
Baltimore, Maryland 21201

April 2, 2026

The Honorable Kris Valderrama, Chair
House Economic Matters Committee
Room 250, Taylor House Office Building
Annapolis, Maryland 21401
cc: Members, House Economic Matters

Re: SB 274 Fair Housing and Housing Discrimination – Regulations, Intent, and Discriminatory Effect

Position: Favorable with Amendments

Chair Valderrama, Vice Chair Charkoudian, and Members of the Committee:

On behalf of the Baltimore Regional Housing Partnership (BRHP), thank you for the opportunity to submit testimony in support of SB 274, provided the bill is amended to restore key protections consistent with federal fair housing law and longstanding Maryland precedent. We respectfully urge the Committee to adopt the targeted amendments detailed below and advance SB 274 in a form that strengthens, rather than weakens, fair housing protections in Maryland.

BRHP is a nonprofit organization that expands housing choice for low-income families who have historically been excluded from well-resourced neighborhoods. As the Regional Administrator of the Baltimore Housing Mobility Program, BRHP currently serves more than 4,300 households with Housing Choice Vouchers and counseling support across Baltimore City and the surrounding counties. Our work is grounded in decades of experience addressing the legacy of segregation and discriminatory housing practices in Maryland.

SB 274 plays a critical role in modernizing Maryland's fair housing framework in two important ways: by affirming the obligation to Affirmatively Further Fair Housing (AFFH) and by codifying disparate impact liability under the Maryland Fair Housing Act.

Why the Senate Amendments Must Be Corrected

As amended in the Senate, SB 274 departs from these principles and unintentionally weakens existing protections, creating conflicts with federal fair housing law and Maryland case law. The two requested amendments are necessary to prevent that outcome.

First, adding the phrase “regardless of intent” clarifies that policies may be unlawful based on discriminatory effects alone, consistent with federal law and decades of fair housing jurisprudence. Without this clarification, the statute could be misread to suggest that discriminatory effects are relevant only as evidence of intent, undermining the very purpose of disparate impact protections and reducing their effectiveness as a remedy for systemic exclusion.

Second, removing the word “or” from the phrase “substantial, legitimate, or nondiscriminatory” restores the well-established standard that a policy must serve a substantial, legitimate, and nondiscriminatory interest to justify a discriminatory effect. As currently drafted, the Senate amendment would allow policies with significant discriminatory impacts to remain in place based on a minimal or incomplete justification, a result that conflicts with federal regulations, Supreme Court precedent, and Maryland case law.

These corrections preserve the careful balance the law has long struck, allowing housing providers and governments to rely on necessary, well-reasoned policies while ensuring that unjustified barriers with disproportionate harms can be challenged and remedied.

At a time when federal fair housing protections are increasingly uncertain, it is more important than ever for Maryland to maintain clear, consistent, and enforceable state standards. SB 274 can serve as an essential tool to advance fair housing, promote inclusive communities, and address the lasting effects of discrimination, but only if it aligns with established law and does not roll back existing protections.

For these reasons, BRHP respectfully requests a favorable report for SB 274 with the amendments requested above.

Respectfully submitted,

Adria Crutchfield
Executive Director