



**HB 1073 - Landlord and Tenant – Residential Leases – Prospective Tenant Criminal History Records Check
(Maryland Fair Chance Housing Act)
Hearing before the House Economic Matters Committee,
March 5, 2026**

Position: FAVORABLE

The Pro Bono Resource Center of Maryland (“PBRC”), an independent 501(c)(3) non-profit organization, is the statewide thought leader and clearinghouse for pro bono civil legal services in Maryland. As the designated pro bono arm of the MSBA, PBRC provides training, mentorship, and pro bono service opportunities to members of the private bar and offers direct legal services to over 5,000 clients annually.

In May 2017, with a grant from the Maryland Judiciary’s Access to Justice Department, PBRC launched the Tenant Volunteer Lawyer of the Day (TVLD) Program, now called the Tenant Justice Program (TJP), in Baltimore City Rent Court to provide day-of-court legal representation to tenants. Since then, this continually expanding Program has allowed PBRC staff and volunteer attorneys to represent thousands of tenants in both Baltimore City and Baltimore County in multiple types of legal actions that could result in eviction. An overarching goal of this Program is to promote and preserve stable housing for low-income tenants in Maryland.

In addition to providing legal representation for low-income tenants facing eviction, PBRC provides assistance to our clients after court to help ensure long-term housing stability. For clients who will be evicted or have dangerous conditions in their home that cannot be remedied, we often support clients in their search for alternate affordable housing. Through this process we have witnessed the excessive burdens placed on tenants, especially low-income tenants, as they search for housing. We understand how scarce truly affordable housing is in the Baltimore area. We know that people with criminal records face even tougher barriers as they are often denied housing based upon records that are years—even decades—old. Housing is critical for people exiting incarceration as it serves as a foundation to obtain other critical needs such as employment and family reunification.¹ A criminal record has no bearing on tenancy outcomes, and denying housing to people with conviction histories undermines public safety and contributes to the cycle of justice system involvement, homelessness, and housing insecurity.² Therefore, it is crucial that those who have been through the criminal justice system have the opportunity to secure housing.

HB 1073 would (1) give prospective tenants fair consideration when trying to find a home, (2) reduce recidivism rates in Maryland thereby increasing public safety, and (3) give many more Marylanders the opportunity to pursue career and educational opportunities that they might otherwise be limited in obtaining due to limited housing opportunities for people with a criminal history. HB 1073 balances the prospective tenant’s need for fair housing with the landlord’s

¹ Demelza Baer, Avinash Bhati, Lisa Brooks, et al., *Understanding the Challenges of Prisoner Reentry: Research Findings from the Urban Institute’s Prisoner Reentry Portfolio* (Washington, DC: Urban Institute, 2006), 8–9, <https://www.urban.org/sites/default/files/publication/42981/411289-Understanding-the-Challenges-of-Prisoner-Reentry.PDF>

² Daniel K. Malone, “Assessing Criminal History as a Predictor of Future Housing Success for Homeless Adults with Behavioral Health Disorders,” *Psychiatric Services* 60, no. 2 (2009), 224–230, 227–229, <https://perma.cc/8ASPC98U>. See also Calvin Johnson, “Tenant Screening with Criminal Background Checks: Predictions and Perceptions Are Not Causality,” *Edge: Office of Policy Development and Research*, May 17, 2022, <https://perma.cc/ZX8E-M4Y8>; Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People* (Northampton, MA: Prison Policy Initiative, 2018), <https://perma.cc/T7R7-JEUB>

ability to screen for certain potentially relevant considerations related to criminal records by putting reasonable limits on a landlord's review of an applicant's criminal record and allowing a prospective tenant to present mitigating evidence.

Many states, Washington D.C., as well as Prince Georges and Montgomery Counties have passed Fair Chance bills similar to HB 1073. A number of these jurisdictions have reported success after implementation.³ Passing HB 1073 is a step in the right direction for all Marylanders. For these reasons, PBRC, a member of Renters United Maryland, urges a favorable report on HB 1073.

For the above reasons,

PBRC urges a FAVORABLE report on HB 1073.

Please contact Katherine Davis, Director of PBRC's Courtroom Advocacy Project, with any questions.

kdavis@probonomd.org • 443-703-3049

³ Vera Institute of Justice, Fair Chance Housing: Lessons in Implementation <https://www.vera.org/publications/fair-chance-housing#:~:text=Fair%20Chance%20Housing%20Lessons%20in%20Implementation&text=A%20person's%20conviction%20history%20should,especially%20after%20release%20from%20incarceration.>