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CONSUMER PROTECTION DIVISION  
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March 3, 2026

To: The Honorable Kriselda Valderrama  
Chair, Economic Matters Committee

From: Kira Wilpone-Welborn, Assistant Attorney General  
Consumer Protection Division

Re: House Bill 1073 – Landlord and Tenant - Residential Leases - Prospective Tenant  
Criminal History Records Check (Maryland Fair Chance Housing Act) (Letter of  
Information)

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The Consumer Protection Division of the Office of the Attorney General (the “Division”) applauds the goals of House Bill 1073 sponsored by Delegate Robbyn Lewis. House Bill 1073 admirably seeks to prevent unlawful discrimination in tenant screening practices, including in the use of criminal background checks to deprive marginalized communities of meaningful opportunities to access housing. Limiting the reasons a landlord can use to reject qualified applicants is necessary to reduce barriers to accessing safe and stable housing. However, House Bill 1073, as drafted, provides for two civil penalties based on the same conduct.

House Bill 1073 provides that a violation of the subtitle “(1) is an unfair, abusive, or deceptive trade practice within the meaning of Title 13 of the Commercial Law Article; and (2) is subject to the enforcement and penalty provisions contained in Title 13 of the Commercial Law Article, except § 13-411 of the Commercial Law Article.” (See page 10, lines 17-22). Presently, a violation of the Consumer Protection Act (Title 13 of the Commercial Law Article) is subject to a civil penalty of up to \$10,000 per violation. See Com. Law. § 13-410(a). As drafted, lines 17-22 on page 10 of House Bill 1073 provides that a violator could be subject to this \$10,000 per violation civil penalty, but not the potential criminal penalties provided for under Section 13-411.

However, the bill goes on to provide that “a person who violated this subtitle is subject to a civil penalty not exceeding \$1,000 for each violation.” (*See* page 10, line 23-24). This additional provision within House Bill 1073 provides for a civil penalty amount of \$1,000 per violation of House Bill 1073 and a \$10,000 civil penalty per violation for the corresponding violation of the Com. Law § 13-410(a).

The Division suggests that any civil penalty provided for within the bill be consistent with the civil penalties provided for at Commercial Law § 13-410(a) (*i.e.* \$10,000 per violation).

cc: The Honorable Robbyn Lewis  
Members, Economic Matters Committee