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HB 313 - Landlord and Tenant - Residential Housing - Rental Applications and Tenant Screening

Hearing before the House Economic Matters Committee on Feb. 5, 2026

Position: Favorable

The Public Justice Center (PJC) is a nonprofit public interest law firm that stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing and their rights to fair and equal treatment by Maryland’s landlord-tenant laws, courts, and agencies. We represent or advise over 800 renter households each year, and we advocate to change laws that further a human right to housing.

Public Justice Center strongly supports HB 313, which will provide greater transparency and accountability in the tenant application screening process. We have seen numerous clients desperate to find new housing but unable to do so because of opaque, problematic landlord screening practices. These renting families pay hundreds of dollars in application fees, do not understand anything about the landlord’s screening criteria, and then are rejected by the landlord without an explanation. A renting family who is denied housing should have a right to transparency about the landlord’s reasons for denial just as anyone whose loan application is rejected has a right to see the credit report used to assess their application.

HB 313 requires landlords, before accepting a rental application fee, to explain to tenants in writing what information will be accessed in a tenant screening report. If a tenant is denied or offered conditional acceptance, the landlord must explain to the rental applicant in writing why they were denied and must include a copy of the report used to make the determination. In addition, HB 313 also prohibits the use of shielded, sealed, or suppressed eviction records as a reason for denial of tenancy.

The tenant screening service industry has ballooned into a billion-dollar industry in the past few decades, in no small part due to the rise of A.I. These A.I.-generated screening reports are filled

with errors and exacerbate racial disparities.¹ Research has found that many of these screening reports use inaccurate eviction filings, criminal records, and credit history data to deny an otherwise qualified renter.² Landlords blindly use this inaccurate data to deny qualified renters, leaving the unsuspecting renter less an application fee and without a home. Further, these reports generally do not allow applicants to correct mistakes or provide context for information in the report, with many landlords failing to inform applicants of their right to dispute this information.³

HB 313 would ensure that a prospective renter will know before they pay an application fee exactly what the landlord will use to qualify them for tenancy and will ensure that the landlord is using accurate information when evaluating the renter.

HB 313 also aligns with similar laws that have been passed in Illinois, Colorado, Washington D.C., and Pennsylvania; these laws have not disrupted rental markets.

HB 313 does **not** prohibit landlords from continuing to use tenant screening reports from screening companies. Instead, it ensures that applicants receive copies of these existing reports so they can identify any errors that need to be corrected or understand which aspects of their application need improvement before unnecessarily applying to another rental property. HB 313, gives prospective tenants the transparency and predictability they deserve in a rental application process increasingly dictated by black-box algorithms with no backstop to inaccurate reporting.

Tenants have a right to transparency, communication, and predictability in the rental application process. This can only come from accurate reporting and knowledge about the contents of screening reports.

Public Justice Center asks that the Committee issue a **Favorable** report on HB 313.

¹ The Discriminatory Impacts of AI-Powered Tenant Screening Programs, <https://www.law.georgetown.edu/poverty-journal/blog/the-discriminatory-impacts-of-ai-powered-tenant-screening-programs/>

² Digital Denials: How Abuse, Bias, and Lack of Transparency in Tenant Screening Harm Renters, <https://www.nclc.org/resources/digital-denials-how-abuse-bias-and-lack-of-transparency-in-tenant-screening-harm-renters/>

³ CFPB Reports Highlight Problems with Tenant Background Checks, <https://www.consumerfinance.gov/about-us/newsroom/cfpb-reports-highlight-problems-with-tenant-background-checks/>