



Senate Bill 267 - Land Use - Residential Housing - Oversight, Regulation, and Taxation (Building Affordably in My Back Yard Act)

Position: Information

Maryland REALTORS® respectfully submits this testimony on Senate Bill 267 as amended.

In the Senate, Maryland REALTORS® raised significant concerns regarding provisions that would have imposed multiple new taxes and fees on housing while doing little to increase needed housing supply. The bill as introduced authorized local governments to increase transfer taxes on certain transactions and create new subclasses of property subject to higher tax rates. These measures would have directly increased the cost of buying, selling, and owning a home, with real financial consequences for Maryland consumers. Higher transaction costs reduce seller equity, limit mobility, and make it more difficult for families to achieve homeownership or move within the market.

Additionally, earlier iterations of the bill proposed policies that would have created an uneven playing field in the housing market and undermined fundamental property rights. Provisions such as preferential treatment for narrowly defined “qualified” housing projects and restrictions on who may purchase a home during an initial listing period would have distorted the marketplace, reduced competition, and introduced significant uncertainty into real estate transactions. These approaches risked creating confusion for buyers and sellers alike, while placing impractical compliance burdens on homeowners, real estate professionals, and settlement service providers.

As amended, SB 267 has been substantially narrowed to focus on two primary components: 1). requiring the submission of property ownership information for rental property owned by a corporate entity and 2). authorizing a local administrative approval process for certain housing developments. We will collaborate with the Maryland Department of Housing and Community Development (DHCD) to ensure that any annual ownership reporting requirement is implemented in a manner that imposes the lowest possible burden on rental housing providers.

The administrative approval pathway included in the amended bill has the potential to improve efficiency and predictability in the development process. To the extent that local jurisdictions utilize this authority to streamline approvals and reduce unnecessary delays, it may help facilitate the production of much-needed housing across a range of price points.

Maryland REALTORS® appreciates the work of the Senate to remove the many problematic provisions of SB 267 as it was introduced, and to protect Maryland’s home buyers, sellers, and owners from unnecessary new tax burdens.

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