MDCEP
MARYLAND CENTER ON ECONOMIC POLICY

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Marylanders Deserve a Fair Chance to Access Housing

Position Statement in Favor of House Bill 1073

Given before the House Economic Matters Committee

House Bill 1073 establishes clear, fair standards governing how landlords may use criminal history information in residential leasing decisions. The bill prohibits landlords from requesting or considering criminal history information before extending a conditional offer of housing, with limited exceptions for specific serious offenses. Access to stable housing is foundational to economic mobility, employment, health, and public safety. Yet Marylanders with criminal records—many of whom have completed their sentences and are working to rebuild their lives—are routinely denied housing based on broad, automatic screening policies. These blanket exclusions often prevent individuals from even being considered on their merits. Without stable housing, individuals face higher risks of homelessness, unemployment, and recidivism. Housing stability is one of the strongest predictors of successful reentry and safer communities. **For these reasons, the Maryland Center on Economic Policy respectfully requests that the House Economic Matters Committee issue a favorable report for HB 1073.**

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Many states and Washington, D.C. have passed similar "Fair Chance" housing laws. Research from these jurisdictions has shown that these policies successfully increase access to housing without leading to an increase in adverse incidents for landlords. Furthermore, implementation has not resulted in significant administrative burdens, proving that such policies are both feasible and effective. Maryland must follow suit to ensure fair access to housing for all its residents.

The inequitable impact of broad criminal history screening policies is particularly concerning. Due to longstanding disparities in policing and sentencing, Black Marylanders are disproportionately represented in arrest and conviction data. As a result, policies that automatically exclude applicants with criminal records operate as structural barriers that disproportionately harm Black and Brown communities. HB 1073 does not eliminate landlords' ability to consider serious safety concerns. Instead, it narrows consideration to serious offenses and requires an individualized review, striking an appropriate balance between community safety and fair access to housing.

Importantly, the bill also provides clarity and protection for landlords. It explicitly states that a landlord's decision to lease to an individual with a criminal history, or not to conduct a criminal history check, cannot itself be the basis for a claim against the landlord. his provision ensures that landlords who choose to adopt fair and inclusive practices are not exposed to additional liability.

Maryland continues to face a severe affordable housing shortage and persistent racial disparities in housing access. Excluding large segments of our workforce and community members from rental housing only deepens instability and undermines economic growth. Fair chance housing policies recognize that people are more than their past mistakes and that housing stability strengthens families and communities.

For these reasons, the Maryland Center on Economic Policy respectfully urges a favorable report on House Bill 1073.

Equity Impact Analysis: House Bill 1073

Bill summary

House Bill 1073, the *Maryland Fair Chance Housing Act*, establishes guardrails on how and when landlords may use criminal history information in residential leasing decisions. The bill prohibits landlords from inquiring into or requiring disclosure of criminal history before extending a conditional offer of housing, with limited exceptions for specific serious offenses. After a conditional offer, landlords may consider only a narrow set of convictions and must conduct an individualized assessment that accounts for rehabilitation, mitigating factors, and the age and severity of the offense.

Background

Access to stable housing is one of the strongest predictors of economic mobility, workforce participation, and public safety. Yet Marylanders with criminal records—many of whom have already served their sentences—face widespread, often automatic exclusion from rental housing. Blanket "no record" policies or early-stage screening practices frequently deny applicants housing before landlords consider rehabilitation, time elapsed, or the nature of the offense.

These practices undermine reentry efforts and increase the risk of homelessness. Research consistently shows that stable housing reduces recidivism and supports successful reintegration. By structuring when and how criminal history can be considered, HB 1073 aligns Maryland's housing policies with evidence-based reentry and public safety strategies.

Equity Implications

Criminal legal system involvement is not evenly distributed. Due to longstanding structural inequities in policing, prosecution, and sentencing, Black Marylanders are disproportionately represented in arrest and conviction data. As a result, blanket criminal history screening policies function as a racial barrier to housing opportunity, even when not explicitly framed as such. HB 1073 does **not** prohibit landlords from considering serious safety concerns. Instead, it requires individualized assessment and limits automatic disqualification to a narrow set of serious offenses. This approach promotes safety while preventing overly broad exclusions that perpetuate racial disparities.

For families seeking stability after incarceration—particularly Black and Brown families already disproportionately burdened by eviction and housing instability—access to housing is foundational. Without it, employment, health, and child well-being are all compromised.

Impact

House Bill 1073 will likely **improve racial, health and economic equity** in Maryland.