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## HB 1456 - Consumer Protection — Residential Property Advertisement — Ownership Verification

### Hearing before the Senate Finance Committee

April 1, 2026

**Position: FAVORABLE**

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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, and we believe that HB 1456 is a critical measure to do just that.

Through our work we often represent clients and receive calls on our hotline from Marylanders who have been victimized by rental fraud. Typically, they contact us after being served with a wrongful detainer action and learning that they have been paying rent to someone who does not own the property. They have a court date and are at risk of eviction. While we will often accept these cases, we recognize that, if the family is indeed a victim of a rental scam, we may be limited in our ability to help them stay housed because they have no legal right to remain in the property. In these cases, we try to negotiate settlements with the owners to allow our clients time to find alternative housing and avoid the trauma of an eviction.

Where affordable housing is extremely rare and people are desperate to find housing, fraudulent scammers have taken advantage by breaking into vacant, empty, or renovated homes to post these properties online and defraud an unsuspecting renter into paying thousands of dollars to move. **HB 1456 would reduce the prevalence of these rental scams by requiring commercial entities that publish or advertise residential property listings to verify that the person offering a property for rent is either the legal owner or the authorized agent of the owner. Amendments adopted by the Economic Matters Committee fully addressed the concerns of the Maryland Realtors and the Bankers, and there is no known opposition to the bill.**

We recently represented a mother of four who had fallen prey to such a scam. She is a medical tech at an OBGYN office who had found a home on Facebook Marketplace that was in a good school district and suitable for her family. She paid a security deposit equal to two months’ rent and met the alleged owner at the property to get the keys and sign the lease before moving in. After she moved in, she used the lease and utility bills to register her children in the local school and continued to pay rent monthly. The actual owner didn’t realize that anyone was living in the home for six months, at which point he filed a wrongful detainer to evict her and her family. Our client was shocked to find out that her lease

was a fraud. Luckily, she was able to come to court and obtain legal help. We negotiated a settlement wherein she has until April 1, 2026 to move out and avoid an eviction.

We recognize that there were two victims in our case, and HB 1456 would help both renters and owners by reducing the chances of similar things happening to others.

## States Regularly Require Platform Verification in Comparable Contexts

Maryland is not breaking new ground by requiring verification. States already impose verification requirements in multiple contexts where fraud or public harm is a concern. Whether it be political advertising<sup>1</sup> or age verification,<sup>2</sup> the Courts have found state laws that require online verification to not be a violation of the First Amendment and that regulations on “commercial speech”, or advertisements in this case, are permissible because they advance a substantial government interest and are narrowly tailored.<sup>3</sup>

## Verification is Technologically Feasible

Some Online rental platforms already use verification technology. Airbnb requires hosts to confirm identity through government-issued identification or facial recognition.<sup>4</sup> Similarly, Zillow requires first-time posters to verify their phone number. If a posting is flagged, Zillow uses a verification portal to confirm its legitimacy.<sup>5</sup> In the meantime, the listing is temporarily removed until verification is completed.<sup>6</sup> By comparison, places like Facebook Marketplace and Craigslist have no verification process and experience higher rates of fraudulent listings.<sup>7</sup>

By requiring platforms to verify ownership or agency before publishing rental information, HB 1456 adds a level of due diligence that shifts the burden away from individual renters trying to differentiate between legitimate and fraudulent

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<sup>1</sup> *In Washington State v. META Platforms, Inc.*, 33 Wash. App. 2d 138, 560 P.3d 217 (2024) (imposing a \$25 million penalty for Meta’s failure to comply with state political advertising disclosure requirements from 2018–2021; holding the law constitutional), review pending.

<sup>2</sup> *Free Speech Coalition, Inc. v. Paxton*, 606 U.S. 461, 145 S. Ct. 2291 (2025).

<sup>3</sup> *United States v. O’ Brien*, 391 U.S. 367 (1968); *Central Hudson Gas & Electric Corp. v. Public Service*, 447 U.S. 557 (1980).

<sup>4</sup> *Verifying Your Identity on Airbnb*, Airbnb Help Center: Verifying your identity on Airbnb, <https://www.airbnb.com/help/article/1237?> (last visited Feb. 3, 2026).

<sup>5</sup> *Zillow Rental Manager Account Verification*, Zillow: Listing a Property, <https://zillow.zendesk.com/hc/en-us/articles/4038881116179-Zillow-Rental-Manager-Account-Verification> (last visited Feb. 3, 2026).

<sup>6</sup> *Creating a Listing*, Zillow: Listing a Property, <https://zillow.zendesk.com/hc/en-us/articles/32915356424595-Creating-a-Listing?> (last visited Feb. 3, 2026); *What is a Verified Source listing?*, Zillow: Renter FAQs, <https://zillow.zendesk.com/hc/en-us/articles/216368218-What-is-a-Verified-Source-listing#:~:text=Verified%20Source%20indicates%20the%20listing,the%20most%20common%20red%20flags> (last visited Feb. 3, 2026).

<sup>7</sup> *Powell & Co. Property Management LTD, Which is better? Rental Agency or Facebook Market Place*, <https://powellandco.nz/which-is-better-rental-agency-or-facebook-market-place#:~:text=Some%20risks%20associated%20with%20using%20Facebook%20Marketplace,arranged%20through%20Facebook%20Marketplace%20poses%20safety%20risks> (last visited Feb. 3, 2026); *Better Business Bureau, Is That Rental Listing Real? BBB Study*, [https://www.bbb.org/all/scamstudies/is\\_that\\_rental\\_listing\\_real\\_scam/is\\_that\\_rental\\_listing\\_real\\_full\\_study#:~:text=Though%20newspaper%20classified%20ads%20have,he%20had%20no%20more%20problems.](https://www.bbb.org/all/scamstudies/is_that_rental_listing_real_scam/is_that_rental_listing_real_full_study#:~:text=Though%20newspaper%20classified%20ads%20have,he%20had%20no%20more%20problems.) (last visited Feb. 3, 2026); *Lethub, Spotting and Preventing Lockbox Rental Scams*, <https://www.lethub.co/blog/lockbox-rental-scams#:~:text=FAQs%20Which%20sites%20are%20known%20for%20most,anyone%20can%20post%20listings%20without%20much%20verification> (last visited Feb. 3, 2026).

ads, as well as protecting property owners from unauthorized occupants. It also improves accountability for the platforms where these harmful listings appear.

For the above reasons,

**PBRC urges a FAVORABLE report on HB 1456.**

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

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