



**Bill Title:** Senate Bill 937, Landlord and Tenant - Residential Leases - Prospective Tenant Criminal History Records Check (Maryland Fair Chance Housing Act)

**Committee:** Judicial Proceedings Committee

**Date:** March 11, 2026

**Position:** Favorable with Amendments

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 214,000 rental housing homes in over 1015 apartment communities. Our members house over 571,000 residents of the State of Maryland. MMHA also represents over 270 associate member companies who supply goods and services to the multi-housing industry.

Senate Bill 937 (“SB 937”) prohibits a landlord from requiring or requesting certain criminal history from a prospective tenant when evaluating their rental application. In addition, it not only limits the look back periods, but also enumerates which offenses may be considered after extending a conditional offer. Lastly, the bill establishes that violations of this new process are actionable under Maryland’s unfair and deceptive trade practices law.

MMHA understands the intent of the bill and with that in mind, offer several amendments. The first is the removal of the conditional offer. We believe that this group of prospective tenants should not have to go through multiple steps to gain access to housing. Instead, a list of convictions that could subject a prospective tenant to a denial of their application could be outlined in the written notice. As such, the prospective tenant will be able to make an informed decision about whether they would like to apply for housing at a desired property. Thus, the removal of the conditional offer would eliminate the need for a two-step process.

Secondly, we believe that there should be a tiered system related to convictions. We have attached a matrix below which outlines our proposal for recommended convictions and their requisite look back periods. This list fairly depicts what landlords should be able to assess when evaluating applications for all prospective tenants. While it is true that a landlord cannot guarantee someone’s safety, we do have a duty to mitigate risks, particularly if they are known, for the safety of all tenants.

Lastly, we are open to the Office of Tenant and Landlord Affairs office collecting data related to compliance complaints but have concerns about the publishing of that data. Specifically, the legislation is silent in terms of the duration of the published information. It also does not define what is considered “good faith compliance” to ensure there is a tangible justification for a landlord’s identifying information being published on their website.



It is for these reasons that MMHA respectfully requests a favorable report with amendments on SB 937. We welcome the opportunity to engage further on this bill with the Sponsor to expand the list of convictions. Please contact Ashley Clark at [ashley.clark@mdlobbyist.com](mailto:ashley.clark@mdlobbyist.com) with any questions or concerns. Thank you.

| <b>Criminal Records Matrix</b>   | <b>3-Year Look Back</b> | <b>7-Year Look Back</b> | <b>Denial Optional</b> |
|--|-------------------------|-------------------------|------------------------|
| Abduction  |                         | X                       |                        |
| Accessory to Crime   |                         | X                       |                        |
| Aiding and Abetting  | X                       |                         |                        |
| Arson  |                         | X                       |                        |
| Assault 1st Degree   |                         | X                       |                        |
| Assault 2nd Degree   | X                       |                         |                        |
| Assault with Intent to Commit any Crime  |                         | X                       |                        |
| Attempt to Engage in Organized Crimes  |                         | X                       |                        |
| Battery - Non Domestic   |                         | X                       |                        |
| Blackmail  |                         | X                       |                        |
| Breaking & Entering  |                         | X                       |                        |
| Bribery  |                         | X                       |                        |
| Bribery/Embezzlement: Felony   |                         | X                       |                        |
| Bribery/Embezzlement: Misdemeanor  |                         | X                       |                        |
| Burglary   |                         | X                       |                        |
| Carjacking   |                         | X                       |                        |
| CDS: Conspiracy to manufacture/distribute/dispense   |                         | X                       |                        |
| CDS: Hiring/Soliciting/Engaging/Using a minor for the purpose of Manufacturing/Distributing/Delivering |                         | X                       |                        |
| CDS: Manufacture/Distribute/Dispense   |                         | X                       |                        |
| CDS: Possession with intent to manufacture/distribute/dispense   |                         | X                       |                        |
| Child Abuse  |                         | X                       |                        |
| Child Neglect  |                         | X                       |                        |
| Child Selling  |                         |                         | X                      |
| Confinement of an Unattended Child   | X                       |                         |                        |
| Conspiracy   |                         | X                       |                        |
| Conspiracy: crime of violence or destruction   |                         | X                       |                        |
| Conspiracy: related to drugs or crimes of violence or destruction                                      |                         | X                       |                        |
| Contributing to Certain Conditions of a Minor (Delinquency, In need of Supervision or Assistance)      | X                       |                         |                        |
| Counterfeiting   |                         | X                       |                        |



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|   |   |   |   |
|---|---|---|---|
| Credit Card Abuse   | X |   |   |
| Destruction of Property                                       | X |   |   |
| Discharging Firearm   |   | X |   |
| Disorderly Conduct  | X |   |   |
| Distribute to Minor   |   | X |   |
| Domestic Abuse/Violence (Assault, Battery, Harass, Telephone) | X |   |   |
| Drug Trafficking or Smuggling                                 |   | X |   |
| Embezzlement  |   | X |   |
| Exploitation of a Minor                                       |   | X |   |
| Extortion   |   | X |   |
| Extortion/Blackmail: Felony                                   |   | X |   |
| Extortion/Blackmail: Misdemeanor                              |   | X |   |
| Felon Possessing Firearm                                      |   | X |   |
| Forgery   |   | X |   |
| Forgery: Felony   |   | X |   |
| Forgery: Misdemeanor  |   | X |   |
| Fraud   |   | X |   |
| Fraud: Felony   |   | X |   |
| Fraud: Misdemeanor  |   | X |   |
| Gang Participation  |   | X |   |
| Handgun/Weapons Violations                                    |   | X |   |
| Harboring a Runaway Child                                     |   | X |   |
| Incest  |   |   | X |
| Indecent Exposure   |   | X |   |
| Kidnapping  |   |   | X |
| Larceny   |   | X |   |
| Malicious Destruction of Property: Felony                     |   | X |   |
| Manslaughter  |   | X |   |
| Manufacture/Sale/Distribute Drugs                             |   | X |   |
| Manufacturing Destructive Device                              |   | X |   |
| Murder/Homicide   |   |   | X |
| Negligent Use of Firearm                                      |   | X |   |
| No Gun Permit   | X |   |   |
| Obscene Material  |   | X |   |
| Perverted practice  |   | X |   |
| Pornography   |   | X |   |
| Illegal Possession of CDS Schedule 1 and 2                    |   | X |   |
| Possession of Deadly Weapon                                   |   | X |   |
| Possession/Use of a weapon during commission of a crime       |   | X |   |
| Prostitution/Pandering/Bawdyhouse                             |   | X |   |
| Rape  |   |   | X |



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|  |   |   |   |
|--|---|---|---|
| Receiving Stolen Property                  | X |   |   |
| Robbery                                    |   | X |   |
| Sex Offender - Failure to Register         |   |   | X |
| Sex Offender - Registered                  |   |   | X |
| Sex Offenses                               |   |   | X |
| Theft                                      |   | X |   |
| Theft: (not NSF Check Related) Felony      |   | X |   |
| Theft: (Not NSF Check Related) Misdemeanor |   | X |   |
| Theft: NSF check related, over \$300 value | X |   |   |
| Unnatural or perverted practices           |   |   | X |
| Vandalism                                  | X |   |   |
| Wire Tapping                               | X |   |   |