

February 10, 2026

The Honorable William C. Smith Jr.  
Chair, JPR Committee  
2 East Miller Senate Building  
Annapolis, Maryland 21401

RE: SB 335 - Human Relations – Discrimination in Housing – Income-Based Housing Subsidies

Dear Chair Smith,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding SB335. While we share the goal of expanding access to housing and preventing unlawful discrimination, this legislation raises significant concerns regarding its practical implementation.

First, the bill effectively limits a landlord's ability to assess financial risk by restricting how income-based housing subsidies may be considered during the tenant screening process. Although the bill permits landlords to collect financial information under certain circumstances, it creates ambiguity about how that information may be evaluated without risking a discrimination claim. This lack of clarity exposes landlords—particularly small, independent property owners—to increased legal uncertainty and enforcement risk.

Classifying violations of this Act as a discriminatory housing practice subject to enforcement by the Maryland Commission on Civil Rights significantly escalates liability. This enforcement framework may discourage participation in rental housing altogether or prompt landlords to reduce available units, especially in smaller or naturally occurring affordable housing properties that are most sensitive to regulatory risk.

Maryland already maintains robust fair housing protections. Expanding discrimination classifications without clearly defined standards or safe harbors risks conflating lawful screening practices with unlawful discrimination, undermining confidence in the regulatory system and increasing litigation without meaningfully improving housing outcomes.

For these reasons, we respectfully urge the Committee to give this bill an unfavorable report. For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).