



Bill: **UD'557 – Human Relations - Discrimination in Housing -" Income-Based Housing Subsidies**

Committee: **Judicial Proceedings**

Date: **February 10, 2026**

Position: **Unfavorable**

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a nonprofit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George’s counties. AOBA submits the following testimony in opposition to Senate Bill 335.

SB335 would prohibit housing providers from screening prospective tenants with income-based housing subsidies based on their income, credit score, lack of credit score, or any adverse credit history that arose prior to the tenant receiving the subsidy. AOBA opposes this bill because responsible property management requires thorough tenant screening to ensure that rental obligations can be met consistently. Credit scores and income verification are standard, objective measures that allow housing providers to make fair and informed decisions.

Under Maryland Real Property Article §8–503, housing providers are already restricted from considering a prospective tenant’s rental payment history in failure to pay rent cases that do not result in a judgement against the tenant or where the tenant exercises the right of redemption. This bill further removes an essential tool for determining a tenant’s ability to pay the portion of the rent that is not covered by the housing subsidy. Even if a subsidy covers the tenant’s entire rent, the tenant’s circumstances can and do change. A tenant may lose their assistance due to changes in income or eligibility requirements. Without the ability to assess financial stability, housing providers are left vulnerable to nonpayment of rent.

Lastly, §20–705.1(B)(3) of the bill appears to mirror the District of Columbia’s (DC) Fairness in Renting Act. However, DC’s housing assistance program has several key differences to Maryland's program. In DC, the housing subsidy amount and final subsidy approval are done on a property-by-property basis. This allows housing providers to confirm when the tenant began receiving the subsidy and any adverse credit history that began after that date. In contrast, Maryland housing subsidies are a



fixed amount that apply across an entire jurisdiction and do not require final approval from the housing authority. Therefore, it is not possible to determine when the tenant began receiving the subsidy and any relevant adverse credit history.

For these reasons, AOBA urges an unfavorable report on Senate Bill 335. For more information, please contact Brian Anleu at banleu@aoba-metro.org.