

SB 335 – Human Relations – Discrimination in Housing – Income Based Housing Subsidies

Hearing before the Senate Judicial Proceedings Committee on February 10, 2026

POSITION: SUPPORT (Favorable)

Dear Chair Valderrama, Vice Chair Charkoudian, and Members of the Committee:

Disability Rights Maryland (DRM) is the federally designated Protection and Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities and live in safe, affordable, and accessible housing.

In 2020 the Maryland General Assembly passed the Housing Opportunities Made Equal (HOME) Act, with the purpose of expanding the housing policy of the State to include providing for fair housing to all citizens regardless of source of income.¹

House Bill 231 and Senate Bill 530 each recognized in its preamble that Discrimination in housing based on a person's source of income primarily affects persons that the General Assembly has already determined need legal protection from discrimination such as families with children, people of color, and people with disabilities; and further that the Act will not prevent private landlords from considering **relevant, nondiscriminatory factors** in screening rental applicants, including an **applicant's ability to comply with lease terms and prior tenancy history**; and, importantly, the Act sought to deconcentrate poverty by providing additional opportunities for tenants utilizing public subsidies to live in neighborhoods other than the neighborhoods in which those individuals are currently and disproportionately residing.

Despite the clear legislative intent, families relying on Housing Choice Vouchers (HCV) and other income-based subsidies frequently encounter credit and income screening practices that effectively shut them out of rental housing in areas of opportunity even though their rent is largely covered by the housing subsidy and any amount they pay is capped for affordability. As SB 335 recognizes, credit screening undermines both the purpose of housing assistance and the intent of the HOME Act.

Across Maryland, there is a substantial shortage of rental homes, affordable and available to extremely low-income households, those whose incomes are at or below the poverty guidelines or 30% of their area median income (AMI). See [Maryland | National Low Income Housing Coalition](#) (last viewed 2/3/2026).² Further, according to the NLIHC's GAP Report, in 2023 (most recent data available), there were 68,261 affordable and available rental homes for extremely low-income (ELI) renter households and 196,936 ELI renter households in need of housing. See [Gap Report: Maryland | National Low Income Housing Coalition](#) (last viewed 2/3/2026). In the Baltimore-Columbia-Towson metro area, there were 37,591 affordable and available rental homes for extremely low-income (ELI) renter households and 96,394 ELI renter households in need of housing in the metro area. *Id.*

People with disabilities whose sole income is Supplemental Security Income (SSI) (\$967 per month in 2025)³ fit squarely into the ELI analysis. There is no United States or Maryland housing market in which a

¹ [2020 Regular Session - House Bill 231 Third Reader](#); [2020 Regular Session - Senate Bill 530 Third Reader](#)

² There is also a lack of affordable and available rental homes for low-income rental households between 30% and 80% of AMI.

³ In accordance with the Cost of Living Adjustment (COLA), the monthly SSI payment increased to \$994 beginning in January 2026. [SSI Federal Payment Amounts for 2026](#)

person whose sole income is SSI can afford a safe, decent apartment without a housing subsidy. According to an analysis by the Technical Assistance Collaborative (TAC), a person receiving only SSI income in 2025 would have to spend an average of 179% of their income to rent a one-bedroom apartment in Maryland. In the Baltimore-Columbia-Towson metro area, this person would have to spend 166% of their monthly SSI income to rent a one-bedroom unit (or 146% to rent an efficiency). See [Priced Out - TAC](#) (last viewed 2/3/2026).

It is, thus, well documented that approximately two thirds (2/3) of ELI renter households, including people with disabilities on SSI, cannot find affordable and available housing in Maryland without a portable housing subsidy such as a HCV.

Pursuant to HUD regulations, not less than 75 percent of the families admitted to a PHA's HCV program during the PHA fiscal year from the PHA waiting list shall be extremely low-income families. The PHA must receive information verifying that an applicant is eligible within the period of 60 days before the PHA issues a voucher to the applicant. See 24 CFR 982.201(b)(2)(i) and (e).

Consequently, Housing Choice Vouchers are the primary subsidy which fills the gap left by the lack of affordable and available housing for extremely low-income families as described above.

Accordingly, it is incumbent upon this committee to issue a favorable report to address barriers that are not consistent with screening rental applicants (as described in the HOME Act) but instead continue discrimination against protected classes that the HOME Act was designed to prevent – potentially forcing people with disabilities into costly and segregated nursing facilities or state hospitals or, along with their non-disabled peers, ending up in shelters, homeless or incarcerated.

Housing Choice Voucher Program

The Housing Choice Voucher Program is a complex program guided by regulations and requirements with which voucher holders must comply. In addition to HUD regulations, HUD creates guidelines, handbooks and notices which it regularly updates. In addition, PHAs are mandated to create an annual Administrative Plan that provides detailed guidelines consistent with HUD regulations.

The Housing Authority of Baltimore City's FY2026 Administrative Plan can be found here⁴: [habc-2026-admin-plan-clean-10-15-2025.pdf](#).

HUD regulations, HUD handbooks and guidance and PHA administrative plans provide multiple layers of review that go far beyond what an individual landlord or property management company can accomplish, while also being accountable to the public and to the applicants and voucher holders themselves.

When an applicant on the Housing Choice Voucher waitlist reaches the top of the list, the Public Housing Agency (PHA) will send written notice and if the applicant responds the PHA will schedule an eligibility interview to which they must bring numerous documents so the PHA can verify eligibility. Once evaluated and approved, the applicant is scheduled for a mandatory briefing during which the PHA instructs them about the program requirements, provides them with the voucher and a briefing packet. (HABC Admin. Plan, ¶ 6.2.2). Voucher holders learn about family obligations; advantages of moving to an area of low poverty concentration; and, tenant readiness, among other important information.

After being on the waitlist for years, in most instances the voucher holder has 60 days to complete all required tasks to use (or lose) the voucher. Every delay eats away at this precious time. The voucher holder must engage in housing searches and find places to apply; they must pay an application fee with every application for housing – no matter how low their income; if they are denied, they lose the application fee

⁴ As it interprets and implements HUD regulations and guidance it is similar to administrative plans across the State.

and the time it took for the property manager to process the application. We have clients for whom it has taken weeks just to be denied, leaving them short on time and in crisis mode to find housing before their voucher expires. This usually leads them back to less desirable housing **not** located in an area with good schools, transportation, accessible housing and opportunities – continuing a cycle that the HOME Act intended to disrupt.

Voucher holders pay 30% of their adjusted gross income including utilities. (HABC Admin Plan ¶ 8.7) and are required annually to have their income recertified to ensure their rent portion is accurate. If prior to the annual recertification, their income decreases, the voucher holder can request an interim recertification from the PHA which it is required to complete, resulting in a decrease in the tenant’s rent portion and an increase in the amount paid by the PHA. As you will read and hear from others’ testimony, credit reports and credit scores are not relevant to rental history or the likelihood that a tenant will pay rent. This is especially true when a tenant has a subsidy such as a voucher which guarantees that their rent portion is affordable. Rent relevant criteria like rental history, landlord references, and verified eviction outcomes offer a more accurate and fair assessment of tenant risk.

For these reasons, I respectfully urge a **Favorable report on SB 335**.

Thank you for your consideration. Please contact me with any questions regarding my testimony.

Sincerely,

/s/ Leslie Dickinson

Leslie Dickinson

Managing Attorney

Disability Rights Maryland

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Attachment: Client Story

Client Story

Disability Rights Maryland (DRM) represented Ms. Irby-Wilson, who authorized me to disclose her name and story as part of DRM's testimony in support of SB 335.

Ms. Irby-Wilson has a housing choice voucher (HCV) that was administered by the Housing Authority for Baltimore City (HABC). In August 2025 she submitted a 60-day notice to vacate to her landlord informing them she would be vacating by 10/31/2025. Simultaneously she applied to HABC to have her voucher ported to Harford County; porting is a routine matter provided for by HUD regulations and the HABC Administrative Plan. However, due to HABC's delay in processing the porting request, Ms. Irby-Wilson couldn't vacate by 10/31/2025. Thereafter, the Landlord filed a Tenant Holding Over (THO) complaint against her (**D-01-CV-25-041540**). There was no wrongdoing, she just couldn't move in time through no fault of her own. At the THO hearing on 1/7/2026, we negotiated with the Landlord's attorney for a stay until 2/28/26 to allow her time to relocate. Once she received her ported voucher, Ms. Irby-Wilson on 1/26/2026 paid a **\$60 application fee** and applied for an apartment at Perkins Place Townhomes in Harford County. By Jan. 29th, Perkins Place sent an email stating her application was denied due to **rental history** and listed a phone number of the "credit company." However, Perkins Place didn't obtain the rental history by viewing Md. Case Search, which would have shown the THO case described above and one other THO case from 2013. Instead, they utilized a "credit company" as indicated in the email below.

The phone number (410-719-0100) is connected to POEknows, Contact - Poe Knows. I called this afternoon and spoke with Natasha who said that Darlene, who is handling this inquiry, is unavailable, but to her knowledge they haven't indicated to Perkins Place that they should deny Ms. Irby-Wilson's application.

Confusion, mistakes and lack of accountability have a real impact on voucher holders who are doing their best to deal with the system and use their voucher before it expires and running into roadblocks.

From: perkinsplace@emailrelay.com

Date: January 29, 2026 at 12:40:19 PM EST

To: chybabii24@gmail.com

Subject: Application

Reply-To: perkinsplace@emailrelay.com

Hello Iman,

Unfortunately your application has been declined due to the rental history. If you would like further clarification on the credit companies decision, you can reach out to them directly at 410-719-0100.

Thank you,

Jackie Grace
Property Manager

Our mailing address is:

Perkins Place
4460 Perkins Circle
Belcamp, MD 21017