



Senate Bill 180 – Evidence - Interception of Oral Communications - Fair Housing Testing

Position: Support

Maryland REALTORS® takes all allegations of discrimination in the housing market seriously. As a result, we offer our support for SB 180, to allow for the use of electronic recordings to enforce potential fair housing violations in the state.

While the federal Fair Housing Act was passed nearly six decades ago, reports of discrimination persist today in areas of the home buying and selling process, as well as in the provision of rental housing. The Maryland Commission on Civil Rights Annual Report outlines continued Fair Housing complaints in the areas of disability discrimination, source of income, and race, and that those inquiring about possible discrimination are disproportionately Black and female.

When this bill was first introduced in the 2023 Session, Maryland REALTORS® requested amendments to more clearly define which organizations could use recordings and for what purposes testing may be conducted. Both 2024 and 2025 versions of this bill included those clarifications and now more closely align with federal requirements as instituted by the U.S. Department of Housing and Urban Development (HUD). As you consider this legislation, it is important to ensure that only those who are qualified to properly conduct Fair Housing testing are given the ability to intercept communications, and that these communications are used solely for the purposes of Fair Housing enforcement.

At all levels of the REALTOR® organization, there is a strong awareness of those issues and a determined focus on addressing them. We thank the sponsor for his efforts to reduce any bias which may occur in the housing market and respectfully ask for your support of Senate Bill 180.

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