



**Bill Title:** Senate Bill 335, Human Relations - Discrimination in Housing - Income-Based Housing Subsidies

**Committee:** Senate Judicial Proceedings Committee

**Date:** February 10, 2026

**Position:** **Unfavorable**

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.

Under Senate Bill 335, a housing provider that uses financial information, including credit history, as part of a prospective tenant's rental application may not refuse to rent to a prospective tenant who pays rent with the assistance of an income-based housing subsidy on the basis of the prospective tenant's income; the prospective tenant's credit score or lack of credit score; or any adverse credit history that arose during a period when the prospective tenant did not have an income-based housing subsidy, if the landlord could reasonably have known the date on which the subsidy was received.

A housing provider still needs to screen for income, credit, and rental history even if a resident receives a housing subsidy, for several reasons.

- Non-Subsidized Portion: One primary concern is that housing providers need to verify the ability of the residents to cover the non-subsidized portion of the rent. Housing subsidies typically only cover a portion of the total rent, leaving the resident responsible for paying the remainder. A housing provider needs to ensure the resident has sufficient income to meet this obligation.
- Other Costs: Beyond rent, residents must also afford other housing-related costs, such as utilities, renters insurance, and other fees, if applicable. Screening helps verify financial stability and ensures that tenants can handle these additional expenses.
- Consistency in Tenant Screening: Another reason for income screening is consistency in tenant screening policies. Many housing providers apply the same income criteria to all applicants to ensure a fair and standardized process, helping to avoid accusations of favoritism or discrimination.
- Rental History: As part of a credit history review, housing providers also evaluate an applicant's rental history. Rental history extends beyond payment performance and includes whether the applicant previously caused disruptions or issues affecting other residents within a community. This review helps housing providers assess whether a



prospective resident is likely to comply with community rules and regulations, thereby supporting a safe, well-managed environment and the quiet enjoyment of all residents.

Housing providers play a critical role in ensuring that residents can afford their housing costs. Housing providers essentially have a fiduciary responsibility to ensure that prospective residents can afford their portion of the rent, along with utilities. This is not only a business imperative, but also a necessary step to prevent evictions and the associated social and economic costs. Without the ability to assess a prospective resident's financial stability, housing providers would be forced to take on undue risk, which could lead to increased evictions and a destabilization of the rental market.

MMHA understands that Sponsor's intent to address the issue of housing discrimination, and we applaud their efforts. However, this bill presents potential unintended consequences and MMHA urges that the Committee reject this bill in its current form.

For these reasons, the Maryland Multi-Housing Association respectfully requests an unfavorable report on Senate Bill 335.

Please contact Aaron J. Greenfield at 410.446.1992 if you have any questions.