

February 25, 2020

The Honorable Shane E. Pendergrass
Chairman, Health & Government Operations Committee
House Office Building, Room 241
6 Bladen Street
Annapolis, MD 21401

RE: Opposition of House Bill 728 (Employment Discrimination and Discriminatory Housing Practices - Time for Filing Complaints)

Dear Chairman Pendergrass:

The Maryland Building Industry Association (MBIA), representing 100,000 employees of the building industry across the State of Maryland, opposes House Bill 728 (Employment Discrimination and Discriminatory Housing Practices - Time for Filing Complaints).

This measure would extend the timeframe within which a person claiming to have experienced housing discrimination may file a complaint with the Commission on Civil Rights from 1 year to 18 days. While we appreciate the intent to ensure that all persons have equal opportunities and are free from discrimination in employment and housing, there is nothing to suggest this change will make a positive difference. Housing discrimination complaints only accounted for 10% of the complains received by the Maryland Commission on Civil Right (MCCR) in 2019, and there is nothing to suggest that that figure would increase if tenants had more time to file complaints. On the other hand, increasing the time frame for filing complaints could make room for bad actor tenants to file retaliatory claims or tie up State resources and landlords with unmeritorious claims, simply because they don't like the landlord. Many landlords and property management companies are individuals and small businesses, and don't have the financial resource to endure lengthy and potentially frivolous proceedings.

Moreover, many residential leases are for 12-month terms; why extend the timeline to file to 18 months when the tenant has likely moved out by then and the landlord no long has the opportunity to cure the alleged harm? At that point, an allegedly aggrieved tenant's only resource is to file a complaint, which ties up State resources. Allowing the parties to work through the issue while the landlord/tenant relationship is still active is more efficient.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: House Health & Government Operations Committee Members