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The Honorable Delegate Kumar P. Barve
Chairman, House Environment and Transportation Committee
House Office Building, Room 251
Annapolis, Maryland 21401

**Re: Support for House Bill 1077— Department of Housing and Community
Development - Racial Equity Impact Assessment**

Dear Chairman Barve and members of the Committee:

Thank you for the opportunity to testify in support of HB 1077, legislation that will require the Maryland Department of Housing and Community Development to prepare Racial Equity Impact Assessments. Maryland Legal Aid (MLA) is a non-profit law firm that provides free legal services to Maryland's low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including family law, housing, public benefits, consumer law (e.g., bankruptcy and debt collection), and criminal record expungements to remove barriers to obtaining child custody and housing, a driver's license, and employment. MLA provides this testimony at Delegate Melissa Wells' request.

The right to housing is enshrined in the Universal Declaration of Human Rights and indeed is binding on this nation and state because its precepts have acquired the status of customary international law. The United States has also ratified the International Covenant on Civil and Political Rights, which protects the right to life - a right that has been construed to encompass a right to housing. The United States has ratified the International Convention on the elimination of all Forms of Racial Discrimination. These treaties require the state to take progressive steps to eliminate practices that have a disparate impact on minorities.

Under the Fair Housing Act, Title VIII of the Civil Rights Act of 1968, recipients of federal funds from HUD have a duty to affirmatively further the policies and purposes of the act or "AFFH."¹ The obligation to affirmatively further fair housing requires recipients of HUD funds to take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics, which are: Race, Color, National Origin, Religion, Sex (including gender, gender identity, sexual orientation, and sexual harassment), Familial Status, and Disability. This duty extends not just to Federal funds but other funds to which the jurisdiction has access.

¹ <https://www.hud.gov/AFFH>

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This bill provides a tool for the state's Department of Housing and Community Development to assess whether agency spending results in projects which comply with the state's duty to affirmatively further fair housing. A report commissioned by the state showed that the state has an affordability gap in providing affordable rental housing. This gap mainly affects members of the class protected by the Fair Housing Act- minorities, families, the disabled.² The tool mandated by this bill will guide the Department and provide transparency for the public.

Thank you for considering this written testimony. For the reasons stated above, MLA urges a favorable report for HB 1077.

Sincerely,

/S/

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² <https://dhcd.maryland.gov/Documents/Other%20Publications/Report.pdf> p.23