Issue 47 | October 12, 2026

Gallagher LLP

MONDAY MINUTE

New Maryland Laws Affecting Multifamily Housing

As of **October 1, 2026**, new Maryland laws governing tenant screening, criminal screening, subsidy-holder applications, and positive rent reporting are in effect. If your organization has already updated its screening and application process, this is a good opportunity to confirm compliance. Otherwise, these laws are now effective, requiring immediate updates to your policies.

Maryland Fair Chance Housing Act (SB 937)

- Criminal background checks must now occur *after* a conditional offer is made to the tenant.
- Only certain convictions may be screened at initial application.
- Criminal screening must be limited to felonies within the last five years.
- Additional disclosures regarding screening, and notice of criminal denials, are required.

Housing Subsidies and Positive Rental History Reporting (SB 335)

- For applicants paying with an income-based subsidy (such as a Housing Choice Voucher), you may no longer deny based on income, credit score, lack of a credit score, or adverse credit occurring before the applicant had the subsidy.
- You may verify income sufficient to cover the tenant's share and still consider references, lease violations, unpaid utilities, nuisance complaints, or property damage.
- Housing providers must offer tenants the option to have on-time rent payments reported to consumer reporting agencies.

What's Next?

Compliance with these changes may require updates to your application packet, applications software, screening vendor criteria, auto-generated denial forms, and your lease form. If you have any questions, please reach out to:

James Bragdon

Christina Araviakis

*View all of our Monday Minute issues **here**.*

Recent News

Gallagher Advises True Ground Housing Partners on The Linden Senior Residences

Read More

About Our Firm

For over 65 years, Gallagher has been a trusted partner to businesses and non-profits across the Mid-Atlantic region and nationwide. We represent leading universities, hospitals, financial institutions, real estate developers, and more. Our firm is experienced in a wide range of practice areas, including real estate development, affordable housing, civil litigation, confidential investigations, healthcare, employment law, corporate law, renewable energy, and tax-driven transactions. We pride ourselves on offering innovative, practical solutions with a personal touch, acting as your partner and trusted advisor. With a deep commitment to seeing challenges from every angle, Gallagher is here to help you navigate the complex legal landscape with confidence. For more information, visit **www.GallagherLLP.com**.

Join Our Mailing List

650 S Exeter Street Suite 1200 | Baltimore, MD 21202 US

Unsubscribe | Update Profile | Constant Contact Data Notice

Constant Contact

Try email & social marketing for free!