



**MARYLAND COMMISSIONER OF
FINANCIAL REGULATION
INDUSTRY ADVISORY
REGULATORY GUIDANCE**



September 8, 2021

Real Property - Reusable Tenant Screening Reports

During the 2021 session, the General Assembly passed [Senate Bill 691 \(House Bill 861\)](#), which becomes effective on October 1, 2021, amends Title 8, new Subtitle 2 of the Real Property (“RP”) Article. The new law, in pertinent part:

Requires, under RP § 8-218, that “reusable tenant screening reports” (a report prepared within the previous 30 days by a consumer reporting agency at the request and expense of a prospective tenant and made directly available to a prospective landlord at no charge for use in the rental application process) contain certain information regarding a prospective tenant of residential property. A reusable tenant screening report must contain the following:

- A credit report;
- For each jurisdiction indicated as a prior residence of the prospective tenant, regardless of whether the residence is reported by the prospective tenant or by the consumer reporting agency preparing a consumer report:
 - A comprehensive criminal history records check for all federal, State, and local charges against and convictions of the prospective tenant over the previous seven years; and
 - A comprehensive eviction history for all State and local jurisdictions for the previous seven years;
- Verification of employment and income; and
- Current address and rental history.

Requires a property owner (or “landlord”) to notify a prospective tenant regarding whether or not the landlord accepts reusable tenant screening reports, either in writing or by posting notice in a conspicuous manner. Such notice may include: (1) a statement posted on a rental housing listing; (2) notice posted on the homepage of a website; (3) information provided in the rental application page for a rental property online; or (4) any other manner reasonably calculated to provide a potential tenant with notice.

If a landlord accepts a reusable tenant screening report, the landlord is prohibited from charging the prospective tenant a fee for the landlord to access the report or an application fee. In addition, a landlord may require a prospective tenant to certify that there has not been a material change to the tenant’s name, address, bankruptcy status, criminal history, or eviction history since the date that the report was generated. Prior to the execution of a lease agreement, a landlord may reject an application for tenancy if a prospective tenant made a material change to a reusable tenant screening report.

Contact:

For questions about this Advisory, please contact Jedd Bellman, Assistant Commissioner for Non-Depository Supervision by phone at (410) 230-6390, or by email at jedd.bellman@maryland.gov.

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