



June 6, 2023

The Honorable Chairman Mark Conway
The Public Safety and Government Operations Committee

RE: 23-0378 – Unlawful Practices- Discrimination Based on Characteristics or Status
Position: Oppose

Dear Mr. Chairman Conway, and esteemed Members of the Public Safety and Government Operations Committee,

The Greater Baltimore Board of Realtors® (GBBR), a local chapter of the National Association of Realtors® is an association of more than 5,000 real estate agents, brokers, and property managers in Baltimore. Affiliate members of our Association include many providers of services related to real estate transactions such as mortgage lenders, appraisers, home inspectors, insurance providers, and title attorneys.

Equal access to homeownership and rental housing options is a core value for our members. Regular on-going training in fair housing laws is required by all of our members. We recognize the long history of past discrimination, and our commitment to Fair Housing has much improved the lives of residents in Baltimore.

City Council Bill 23-0378 proposes to add "HIV or AIDS status" to the list of protected classes from which discrimination in housing is prohibited (§3.5(a)). We cannot offer our support to this legislation because the legislation is duplicative, opens the door for other groups already in a protected class to seek to be specifically named in City Law, and infringes on the First Amendment. GBBR fully endorses protections for protected classes, but this bill duplicates already existing protections. According to the U.S. Department of Justice Civil Rights Division, the U.S. Equal Employment Opportunity Commission, the Center for HIV Law and Policy, and the LGBT Aging Center, individuals with AIDs and/or HIV are considered "disabled" and a protected class under the Americans with Disabilities Act.

In addition, on page 8, lines 14-16, the legislation does not define "incorrect" or "clearly informed." This bill would create a fair housing violation if an individual used an "incorrect" pronoun in a housing context. This is a clear violation of the First Amendment. In addition, property owners, real estate agents, and others involved in real estate transactions would be in violation of this law when they are required to use a person's legal name when handling legal and transaction documents and easily confuse a person switching back and forth between a person's legal name and their preferred name.

For these reasons, we respectfully oppose this bill.

Please let us know if there is anything additional we can do to promote and support equal housing opportunities to the residents of Baltimore City.

Sincerely,

A handwritten signature in black ink, appearing to read 'BC', with a stylized flourish at the end.

Brad Cox

Legislative Committee Chair

Greater Baltimore Board of Realtors®