



HOWARD COUNTY DEPARTMENT OF COUNTY ADMINISTRATION

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Lonnie R. Robbins, Chief Administrative Officer

Voice/Relay

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Subject: Testimony regarding adding protections as it relates to source of income in housing discrimination, commercial leasing practices and nonexclusive remedies to the Howard County Code, Section 12.207, 12.207A and 12.217.

To: Lonnie R. Robbins,
Chief Administrative Officer

From: Yolanda F. Sonnier, Administrator *YS*
Office of Human Rights and Equity

Date: October 25, 2021

The Office of Human Rights and Equity (OHRE) has proposed legislation for revisions to the Howard County Code, Sections 12.207, 12.207A and 12.217 – regarding Unlawful Housing Practices, Commercial leasing and Nonexclusive remedies. The intent of this legislation is to extend protections to county residents for matters that involve source of income and commercial leasing. The state revised and expanded the protections regarding source of income in housing discrimination in October of 2019. The Howard County Code has not been updated to encompass the protections and changes enacted in the state code. OHRE undertook a comprehensive review of the Howard County Code, Sections 12.207, 12.207A and 12.217 with assistance from the Office of Law to establish an up-to-date Code.

The significant revisions are as follows:

12.207 – Unlawful Housing Practices

I – Definition of source of income

1. amends to ensure consistency with state law, State Government, Section 20-701(j)
2. Moves language related to what source of income is not to the exemption section where it belongs. Current Section 12.207I(j) after subsection (8) is moved to subsection IV.

II – Unlawful Acts

1. Related to sale and rental of housing:
 - a. Adds language found at state law (20-706(5)) related to making representations regarding the entry into a neighborhood of a person of a particular creed, religion, disability, color, sex, national origin, age, occupation, marital status, political opinion, sexual orientation, personal appearance, familial status or source of income. This same language is removed from II(d) as it conflicts with State law, 20-706(5)

- b. Adds provisions that prohibit one from refusing to sign documentation that allows a person to receive third-party funding.
2. Prohibits discrimination in the leasing of commercial property, consistent with State Law.

IV- Exemptions

1. Age restricted housing- amends to align with state law which allows discrimination on the basis of familial status as that term is defined by Section 20-701 of the State Law.
2. Owner occupied dwelling – aligns with State law Section 20.704(a)(2)
3. Removes current exemption for source of income based on number 12., above, that moved language from the definition to the exemption. This exemption is now aligned with State law section 20-704(d).

12.207A – Unlawful Housing Practices – adds references to commercial leasing practices throughout. This adds to our code that the owner or operator of commercial property, an agent or employee of the owner or operator of commercial property, or a person that is licensed or regulated by the State shall not discriminate against an individual in the terms, conditions, or privileges of the leasing of property for commercial use, or in the provision of services or facilities in connection with the leasing of property for commercial use, for the following reasons: creed, religion, disability, color, sex, national origin, age, occupation, marital status, political opinion, sexual orientation, personal appearance, familial status, source of income, or gender identity or expression in such a way that such person(s) are adversely affected in the area of housing.

This change is to be consistent with State Law and address a protection need in the County.

12.217. Nonexclusive remedy.

In subsection III, adds references to any court of competent jurisdiction in addition to the Circuit Court. The rationale is that there may be instances where a case can be brought in Federal Courts that would terminate the administrative process.

FISCAL IMPACT:

The Office does not anticipate any increase in investigations as a result of these Code changes and therefore we do not anticipate any fiscal impact.

If you have any questions, please feel free to contact me via email, ysonnier@howardcountymd.gov or by phone at 410-313-6463.