Expedited Bill No. 38-26
Concerning: Discriminatory Housing Practices and Early Lease Termination – Amendments
Revised: 11/10/2026 Draft No. 4
Introduced: June 28, 2026
Enacted: November 10, 2026
Executive:
Effective:
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Mink
Co-Sponsors: Councilmembers Stewart, Jawando, Evans, Luedtke, and Sayles

AN EXPEDITED ACT to:

(1) prohibit discrimination based on citizenship or immigration status in the sale or rental of housing;
(2) permit the landlord to allow early termination of a residential lease under certain circumstances; and
(3) generally amend the law regarding housing discrimination and landlord-tenant relations.

By amending
Montgomery County Code
Chapter 27, Human Rights and Civil Liberties
Sections 27-1 and 27-12

Chapter 29, Landlord-Tenant Relations
Section 29-27

Boldface	*Heading or defined term.*
Underlining	*Added to existing law by original bill.*
[Single boldface brackets**]**	*Deleted from existing law by original bill.*
Double underlining	*Added by amendment.*
[[Double boldface brackets**]]**	*Deleted from existing law or the bill by amendment.*
* * *	*Existing law unaffected by bill.*

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 27-1, 27-12, 29-27 are amended as follows:

27-1. Statement of policy.

(a) The County Council finds that discrimination because of race, color, religious creed, ancestry, national origin, age, sex, marital status, disability, genetic status, presence of children, family responsibilities, citizenship status, immigration status, source of income, sexual orientation, or gender identity adversely affects the health, welfare, peace, and safety of the community. Persons subject to discrimination suffer unemployment and underemployment resulting in low family income, overcrowded housing, poor health conditions, antisocial behavior, poverty, and lack of hope, injuring the public welfare, placing a burden upon the public treasury to ameliorate the conditions thus produced, and creating conditions which endanger the public peace and order. Montgomery County's policy is to foster equal opportunity for all without regard to race, color, religious creed, ancestry, national origin, sex, marital status, age, disability, presence of children, family responsibilities, citizenship status, immigration status, source of income, sexual orientation, gender identity, or genetic status and strictly in accord with their individual merits as human beings.

* * *

27-12. Discriminatory housing practices.

(a) A person must not, because of race, color, religious creed, ancestry, national origin, sex, marital status, disability, presence of children, family responsibilities, citizenship status, immigration status, source of income, sexual orientation, gender identity, or age:

(1) refuse, or refuse to negotiate, to sell, broker, appraise, lease, sublease, rent, assign, or otherwise transfer the title, leasehold, or other interest in any housing;

(2) represent that housing is not available for inspection, sale, lease, sublease, rental, assignment, or other transfer when it is available;

(3) otherwise deny or withhold any housing from any person;

(4) include in the terms, conditions, or privileges of any sale, lease, sublease, rental, assignment, or other transfer of any housing, any clause, condition, or restriction discriminating against any person in the use or occupancy of that housing; or

(5) discriminate in the furnishing of any facilities, repairs, improvements, or services, or in the terms, conditions, privileges, or tenure of occupancy of any person.

* * *

(d) (1) A person must not:

(A) publish or circulate, or cause to be published or circulated, any housing notice, statement, listing, or advertisement;

(B) announce a policy, or use any form of application for the purchase, lease, rental, or financing of any housing; **[[**or**]]**

(C) make any record or formal business inquiry in connection with the prospective purchase, lease, rental, or financing of any housing; indicating that race, color, religious creed, ancestry, national origin, sex, marital status, disability, presence of children, family responsibilities, citizenship status, immigration status, source of income, sexual orientation, gender identity, or age could influence or affect

any act described in **[[**subsections**]]** subsection (a). **[[**, (b), and (c).***]**

(2) *Inquiries regarding citizenship status and immigration status.* Unless specifically required by law, court order, or a federal or state program, a person must not, in connection with a sale, lease, rental, assignment, financing, or other transfer of any housing, or an application for any of them:

(A) request or require that an applicant or tenant disclose citizenship or immigration status; or

(B) request or require production of any document related to verifying citizenship status or immigration status;

[[(2)**]]** (3) This subsection does not prohibit:

(A) use of a logo or other means of advertising that housing is suitable or adapted to use by persons with a disability; **[[**or**]]**

(B) keeping records or making reports required by federal, State, or County law**[[**.**]]** ;

(C) a person from verifying citizenship or immigration status when such verification is required by law, court order, or federal or State program, as a condition of receiving or administering funding or mortgage lending; or

(D) a person requesting information or documentation as part of a standard rental practice to verify the financial qualifications or identity of a potential renter if the same information or documentation is requested of every potential renter, provided that the person must accept reasonable alternative documentation if the potential renter lacks the primary requested documentation, and the

documentation is not used to discriminate based on a protected class under this Section.

29-27. Contents of the lease.

Each lease for rental housing located in the County must:

* * *

(s) Allow the tenant to terminate the lease upon 30 days' written notice to the landlord due to:

(1) an involuntary change of employment from the Washington metropolitan area;

(2) the death of major wage earner;

(3) unemployment;

(4) the tenant or the tenant's child being a victim of domestic violence;

(5) a landlord harassing the tenant or violating the tenant's privacy rights;

(6) the tenant or tenant's spouse:

(A) being 62 years of age or older;

(B) being unable to live independently; and

(C) needing to move to a nursing home or other senior citizen housing;

(7) the tenant being incarcerated or declared mentally incompetent;

(8) a tenant:

(A) being deported **[[**,**]]** or detained **[[**, or held for more than 30 days**]]** pursuant to immigration proceedings; or

(B) facing financial hardship due to an occupant of the rental property being deported **[[**,**]]** or detained **[[**, or held for more than 30 days**]]** pursuant to immigration proceedings.

[(8)**]** (9) * * *

[(9)**]** (10) other reasonable cause beyond the tenant's control. Except for the reason listed in paragraph(s)**[**(8)**]** (9), the lease may provide that in the event of termination under this provision, the tenant is liable for a reasonable termination charge not to exceed the lower of one month's rent or actual damages sustained by the landlord.

Sec. 2. Expedited Effective Date. The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

Approved:

November 10, 2026

Natali Fani-González, President, County Council — Date

Approved:

Marc Elrich, County Executive — Date

This is a correct copy of Council action.

Sara R. Tenenbaum, Clerk of the Council — Date