

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 847

H.P. 533

House of Representatives, March 4, 2025

An Act to Prohibit Housing Discrimination

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative GOLEK of Harpswell.
Cosponsored by Senator TALBOT ROSS of Cumberland and
Representatives: DEBRITO of Waterville, GERE of Kennebunkport, MALON of Biddeford,
MILLIKEN of Blue Hill, RANA of Bangor, ROEDER of Bangor, YUSUF of Portland,
Senator: BENNETT of Oxford.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 5 MRSA §4581-A, sub-§3, ¶B,** as amended by PL 2021, c. 366, §10 and
3 c. 476, §3, is further amended to read:

4 B. Discriminate in the granting of financial assistance, or in the terms, conditions or
5 privileges relating to obtaining or the use of any financial assistance, against any
6 applicant because of race or color, sex, sexual orientation or gender identity, physical
7 or mental disability, religion, ancestry, national origin, familial status or any previous
8 actions seeking and receiving an order of protection under Title 19-A, section 4007; ~~or~~

9 **Sec. 2. 5 MRSA §4581-A, sub-§4,** as enacted by PL 2011, c. 613, §11 and affected
10 by §29, is amended to read:

11 **4. Receipt of public assistance.** For any person furnishing rental premises or public
12 accommodations to refuse to rent or impose different terms of tenancy to any individual
13 who is a recipient of federal, state or local public assistance, including medical assistance
14 and housing subsidies, primarily because of the individual's status as recipient;

15 **Sec. 3. 5 MRSA §4581-A, sub-§5** is enacted to read:

16 **5. Discrimination based on source of income.** Beginning January 1, 2026, for any
17 owner, lessee, sublessee, managing agent or other person having the right to sell or rent or
18 manage a housing accommodation, or any agent of these, to refuse to rent or negotiate for
19 the rental of, or otherwise make unavailable or deny, a housing accommodation to any
20 person because of the source of the person's money or other income as long as the money
21 or other income is lawfully obtained and is verifiable as paid to the person, to another
22 person on the person's behalf or to a representative of the person such as a representative
23 payee appointed by the United States Social Security Administration. Examples of
24 lawfully obtained money or other income include, but are not limited to:

25 A. Money or other income from a federal, state or local public assistance program,
26 such as rental vouchers or rental assistance, paid directly to the person, to a family
27 member of the person or to a landlord on behalf of the person;

28 B. Money or other income from a nongovernmental organization paid directly to the
29 person, to a family member of the person or to a landlord on behalf of the person; or

30 C. Benefits received from the United States Social Security Administration or United
31 States Railroad Retirement Board.

32 This subsection does not apply to an owner of fewer than 4 residential dwelling units held
33 for rental purposes.

34 In addition to any civil remedies available under this chapter, a person aggrieved by a
35 violation of this subsection may bring an action under section 213. In addition to the relief
36 available under section 213, a person aggrieved by a violation of this subsection is entitled
37 to a monetary penalty of \$1,000 or actual damages, whichever is greater; or

38 **Sec. 4. 5 MRSA §4581-A, sub-§6** is enacted to read:

39 **6. Discrimination based on financial assessment disregarding amount of housing**
40 **subsidy.** Beginning January 1, 2026, for any owner, lessee, sublessee, managing agent or
41 other person having the right to sell or rent or manage a housing accommodation, or any
42 agent of these, to assess a person's financial ability to pay the entire rental amount when a

1 portion of the rental amount is subsidized through federal, state or local housing assistance.
2 The financial assessment may apply only to the portion of the rental amount not subsidized
3 through housing assistance.

4 In addition to any civil remedies available under this chapter, a person aggrieved by a
5 violation of this subsection may bring an action under section 213. In addition to the relief
6 available under section 213, a person aggrieved by a violation of this subsection is entitled
7 to a monetary penalty of \$1,000 or actual damages, whichever is greater.

8 **Sec. 5. Effective date.** This Act takes effect January 1, 2026.

9 **SUMMARY**

10 This bill makes it a form of housing discrimination under the Maine Human Rights Act
11 to refuse to rent or negotiate for the rental of a housing accommodation because of a
12 person's source of money or other income. The bill also establishes, as a form of housing
13 discrimination, assessing a person's ability to pay the entire rental amount when a portion
14 of the rent is subsidized through federal, state or local housing assistance. In addition to
15 any civil remedies available under the fair housing laws, a person aggrieved by a violation
16 of these provisions is entitled to private remedies as an unfair trade practice as well as a
17 monetary penalty of \$1,000 or actual damages, whichever is greater. These provisions take
18 effect January 1, 2026.