

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 1180

H.P. 858

House of Representatives, March 22, 2021

**An Act To Prohibit Discrimination in Housing Based on a Person's
Participation in a Rental Assistance Program**

Received by the Clerk of the House on March 18, 2021. Referred to the Committee on
Judiciary pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

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

ROBERT B. HUNT
Clerk

Presented by Representative COLLINGS of Portland.
Cosponsored by Senator MIRAMANT of Knox and
Representatives: COPELAND of Saco, MORALES of South Portland, OSHER of Orono,
Senator: BALDACCI of Penobscot.

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 enacted by PL 2011, c. 613, §11 and
3 affected by §29, is 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, physical or mental disability,
7 religion, ancestry, national origin or familial status; ~~or~~

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

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

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

15 **5. Discrimination based on source of income.** For any owner, lessee, sublessee,
16 managing agent or other person having the right to sell or rent or manage a housing
17 accommodation, or any agent of these, to:

18 A. Refuse to rent or negotiate for the rental of, or otherwise make unavailable or deny,
19 a dwelling to any person because the person's source of income is a public assistance
20 program or because of the requirements of any program providing the source of
21 income; or

22 B. Refuse to participate in or comply with any federal, state or local requirements of a
23 tenant-based rental assistance program.

24 (1) Refusing to participate or comply with any federal, state or local requirements
25 of a tenant-based rental assistance program includes, but is not limited to, the
26 following:

27 (a) Refusing to allow inspections of a dwelling by the public housing authority
28 or other entity administering a tenant-based rental assistance program;

29 (b) Refusing to make reasonable repairs necessary for the dwelling to meet
30 the housing quality standards of the tenant-based rental assistance program.
31 Repairs are considered reasonable if they do not substantially alter or change
32 the housing unit or do not require repairs substantially different from those that
33 would be required to bring the rental unit into compliance with the implied
34 warranty of fitness for habitation as described in Title 14, section 6021 or local
35 building or housing codes applicable for new construction;

36 (c) Refusing to complete any paperwork required by the rental assistance
37 program; and

38 (d) Refusing to provide information required by the public housing authority
39 or other entity administering the source of income or tenant-based rental
40 assistance program.

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(2) "Tenant-based rental assistance program" means a federal, state or local program that provides any form of rental assistance, including but not limited to, vouchers and coupons, in which program participants select their appropriate housing.

This subsection does not apply to an owner of fewer than 4 dwellings held for rental purposes.

SUMMARY

This bill amends the Maine Human Rights Act to include as prohibited acts the discrimination against a tenant because the tenant participates in a federal, state or local tenant-based rental assistance program.