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Testimony in Opposition of LD 1904 (“An Act to Enact the Maine Fair Chance Housing Act”)

J. Andrew Cashman on behalf of the Maine Association of REALTORS®

May 15, 2023

Senator Carney, Representative Moonen and members of the Joint Standing Committee on Judiciary, my name is Andy Cashman. I am the Founder of Resolve Government Relations and we represent the Maine Association of REALTORS®, a professional trade association established in 1936 with over 6,500 members statewide. REALTORS® grow Maine’s economy and build Maine communities. Our members represent buyers and sellers involved in both residential and commercial real estate transactions. Our membership also includes industry affiliates, such as lenders, closing agents, title agents, appraisers, building inspectors, surveyors, etc. The Maine Association is chartered by the National Association of REALTORS® (NAR), the largest trade association in the country.

The Maine Association of REALTORS® opposes LD 1904. The bill would restrict a property owner from asking a potential tenant about criminal history until after making a conditional offer of tenancy based on all other qualifications.

Criminal history is a critical component in assessing the viability of a tenant. Property owners who lease their units are operating Maine businesses. Employment verification requires a criminal background check without restrictions in most circumstances, and leasing property is no different. Housing providers are offering a product--safe and decent housing, and tenants pay a monthly rent that covers the cost of providing this “product”, which is housing. Limiting when a property owner can review an applicant’s criminal history puts property owners at potential risk due to a lack of essential information related to tenant history and credibility. Without this complete due diligence research, property owners are facing increased liability exposure and may put neighbors or other tenants at risk. Criminal history is essential to protect the safety of existing tenants as well as allowing property owners to safeguard their assets.

For these reasons, we respectfully urge you to vote Ought Not to Pass on LD 1904. Thank you for your time and consideration.



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