

LD 847 – An Act to Prohibit Housing Discrimination

Testimony of John Brautigam, Esq. for Legal Services for Maine Elders Joint Standing Committee on Judiciary

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Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary.

My name is John Brautigam, and I submit this testimony on behalf of Legal Services for Maine Elders. LSE provides free legal help for Mainers aged 60 and older when their basic human needs are at stake.

We support LD 847. The state, in cooperation with the federal government, has implemented a variety of programs to ameliorate the housing affordability crisis. In devising these programs, all stakeholders were represented and were afforded the opportunity to provide input. The programs are equally available for any rental opportunities that meet the criteria.

All players in the housing market should honor these programs. If there are administrative issues with the programs, they should be addressed. But landlords should not simply exclude any tenants solely because they utilize these vital public programs. That kind of discrimination is directly contrary to the public policy that gave rise to these programs. The disparate impact of this discrimination is fully documented in other testimony.

LD 847 would provide that persons who receive these benefits are a protected group under the human rights law. This is one way to prevent landlords from refusing Section 8 tenants. There may be other ways to achieve the same objective. We are less concerned with the legislative mechanism than with the ultimate outcome.¹

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¹ Many other states already prohibit this kind of discrimination. Volume 38 of The Housing Law Bulletin details how courts have interpreted many of the state attempts to require landlords to accept vouchers and other programs. Pages 239-245 https://nhlp.org/files/NHLP Bull NovDec08 FINAL2.pdf