



**Testimony in Opposition to LD 2176 - An Act to Create a Right to Judicial Review Under the  
Maine Civil Rights Act for Persons Erroneously Detained**

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

My name is **Sara McKee**, and I am the Executive Director of the **Rental Housing Alliance**, an  
organization representing hundreds of housing providers across Maine. I am also a housing  
provider myself.

**Our concern is that, as currently written, this bill is so broad that it could unintentionally  
interfere with Maine's eviction process and create legal uncertainty for housing providers.**

Housing providers support reasonable privacy protections and clear rules that protect tenants  
while maintaining fair and predictable housing processes.

First, **the language in the bill is extremely broad and could effectively preclude all evictions**  
by restricting communication necessary to carry out the legal process. The eviction process  
requires coordination among several parties, including the courts, sheriffs, attorneys, property  
managers, and in some cases housing agencies and subsidy programs.

However, **the bill does not include clear exceptions for these parties**, such as:

- The court system
- Law enforcement or sheriffs responsible for service and enforcement
- Attorneys involved in legal proceedings
- Property managers acting on behalf of owners
- Code enforcement officials
- Insurers, accountants, and housing program administrators such as HUD or  
other subsidy programs

Without these reasonable exceptions, routine and necessary communication could be interpreted as a violation.

Second, **the bill creates uncertainty around what constitutes “personal information.”** The definition is broad and unclear, leaving housing providers unsure what information can or cannot be disclosed in the course of normal property management or legal proceedings.

Additionally, **some tenant information is already public through court filings or other records.** It is unclear how the state would determine whether information was improperly disclosed versus already publicly available.

The bill also **expands retaliation claims in eviction cases** by creating a new presumption of retaliation if a tenant files a complaint alleging that personal information was disclosed. This could make legitimate evictions more difficult.

These changes would likely have a **disproportionate impact on small housing providers**, who make up a large portion of Maine’s rental housing stock. Unlike large corporate owners, many small landlords do not have legal departments or compliance staff to interpret complex and unclear statutory language, leaving them more exposed to legal risk.

Finally, it is important to note that **this bill does not follow the format used in most privacy laws**, which typically provide clear definitions of protected information and outline reasonable exceptions for legal processes and necessary disclosures. Without that framework, the bill risks creating confusion rather than clarity.

Housing providers support policies that:

- Protect tenant privacy
- Provide clear and workable standards
- Preserve a fair and predictable eviction process for both residents and housing providers

We respectfully encourage the Committee to carefully consider these concerns as you evaluate LD 2176.

Respectfully,

**Sara McKee**

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