

SENATE No. 2982

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—

SENATE, March 12, 2026.

The committee on Housing to whom was referred the petition (accompanied by bill, Senate, No. 995) of Adam Gomez for legislation relative to the use of credit reporting in housing, report the accompanying bill (Senate, No. 2982).

For the committee,
Julian Cyr

SENATE No. 2982

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**In the One Hundred and Ninety-Fourth General Court
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An Act relative to the use of credit reporting for rent-subsidized tenants.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 51 of Chapter 93 of the General Laws is hereby amended by adding
2 the following subsection:-

3 (vii) intends to use the information for tenant screening purposes in accordance with
4 Section 51C.

5 SECTION 2. Said Chapter 93 is hereby further amended by inserting after Section 51B
6 the following section:-

7 Section 51C. (a) For the purposes of this section, the following terms shall have the
8 following meanings unless the context clearly indicates otherwise:

9 “Tenant screening purposes”, when used in connection with a consumer report, means a
10 purpose related to the evaluation of a consumer for rental housing or retention as a renter or
11 tenant.

12 (b) A person shall not: (i) use a consumer report in connection with or as a criterion for a
13 tenant screening purpose if an applicant or tenant has a government rent subsidy; (ii) request or
14 procure a consumer report for tenant screening purposes if an applicant or tenant has a
15 government rent subsidy; or (iii) require an applicant or tenant with a government rent subsidy to
16 answer a question about the contents of a consumer report or the information contained in it
17 regarding credit worthiness, credit standing or credit capacity.

18 (c) Notwithstanding subsection (d), a person may use or request a consumer report for
19 tenant screening purposes under subsection (e) if required to do so under federal or state law or
20 regulation.

21 (d) Notwithstanding subsections (b) and (c), a person shall not use a consumer report in a
22 manner that results in adverse housing discrimination prohibited by law.

23 (e) A landlord, or person acting on behalf of the landlord for tenant screening purpose,
24 shall not obtain, use, or seek the consumer report of a tenant, or applicant with a government rent
25 subsidy under subsection (c) unless the landlord or person acting on behalf of the landlord:

26 (i) obtains the written consent of the tenant or applicant with a government rent subsidy
27 in a document that consists solely of the consent and does so each time that the person seeks to
28 obtain such consumer report;

29 (ii) discloses the landlord's reason for accessing the consumer report to the tenant or
30 applicant with a government rent subsidy in writing; provided, however, that if a landlord intends
31 to take an adverse action that is based, in whole or in part, on the report, the landlord shall
32 disclose the reason for the action, including the information in the report that was the basis for
33 the action, in writing at least 14 days prior to taking the action, along with a copy of the report

34 and the notice of consumer rights required by 15 U.S.C. 1681g(c)(1); and provided further, that
35 the landlord shall provide the tenant or applicant with a government rent subsidy, in a private
36 discussion, the opportunity to dispute the relevance of the information upon which the landlord
37 based the housing action and shall consider the dispute before making a final decision; and

38 (iii) ensures that costs associated with obtaining a consumer report are not paid by or
39 passed on to the tenant or applicant with a government rent subsidy.

40 If, during the 14 day period under clause (ii), the tenant or applicant with a government
41 rent subsidy provides oral or written notice to a, landlord, or person acting on behalf of the
42 landlord that such tenant, or applicant is disputing the accuracy of the consumer report with a
43 consumer reporting agency, the landlord or person acting on behalf of the landlord shall not take
44 an adverse action until the resolution of the dispute under section 58 or 15 U.S.C. 1681i(a) and
45 shall consider the results of the resolution before taking an adverse action.

46 (f) A landlord or person acting on behalf of the landlord shall not retaliate, discriminate
47 or take an adverse action against a tenant or applicant with a government rent subsidy on the
48 basis that such tenant or applicant has or intends to: (i) file a complaint pursuant to subsection
49 (h); (ii) allege that the person violated this section; (iii) testify, assist, give evidence or participate
50 in an investigation, proceeding or action concerning a violation of this section; or (iv) otherwise
51 oppose a violation of this section.

52 (g) A waiver of this section shall be void and a person shall not require or request that a
53 tenant or applicant with a government rent subsidy waive it.

54 (h) Failure to comply with this section shall constitute an unfair practice under clause (a)
55 of section 2 of chapter 93A.

56 (i) A landlord, or a person acting on behalf of the landlord, shall accept and reasonably
57 consider the following forms of non-credit, alternative evidence to assess an applicant's ability to
58 satisfy the obligations of tenancy, including payment of the tenant's share of rent:

59 (1) Verified rent payment history, which may include copies of canceled checks; bank
60 statements showing rent payments; electronic payment records; rent-reporting statements;
61 ledgers or letters from prior landlords or property managers; or payment records from a public
62 housing authority (2) Verified income or resources sufficient to meet the applicant's tenant share
63 of rent, which may include recent pay statements; employer verification; tax filings; benefit
64 letters or statements for Social Security, SSI, SSDI, veterans' benefits, unemployment
65 compensation, or other lawful, recurring income; documentation of third-party payment
66 arrangements or representative payee arrangements for rent (3) Rental references or letters of
67 recommendation from prior landlords, housing providers, caseworkers, service providers, or
68 employers that attest to payment reliability and ability to meet lease obligation (4) Utility or
69 other regular-payment histories demonstrating consistent on-time payments (5) Any other
70 non-prohibited documentation that reasonably demonstrates the applicant's ability to comply
71 with the lease and to pay the tenant's share of rent.

72 (j) A landlord may reasonably verify alternative evidence submitted under subsection (i).
73 Any costs associated with verification shall not be paid by or passed on to the applicant.

74 (k) A landlord shall safeguard personal information contained in alternative evidence
75 submitted under subsection (i); shall use such information solely for tenant-screening purposes;
76 and shall retain such information no longer than is reasonably necessary to complete the

77 screening process or as otherwise required by law. Upon request, the landlord shall provide the
78 applicant with a copy of any third-party documents relied upon in denying an application.

79 (1) A landlord shall not condition acceptance or consideration of alternative evidence
80 under subsection (i) on the applicant's consent to obtain, use, or disclose a consumer report in
81 violation of subsections (b) through (e), nor shall a landlord use a consumer report or a
82 credit-score proxy to disregard or discount alternative evidence submitted under subsection (i).