

Information to Collect

The following is a general list of items that may be needed to provide evidence for or against an allegation of discrimination in commercial leasing. This list should be used in addition to any other information that the Complainant or Respondent considers pertinent to their case. Please note that this list does not encompass all types of discrimination cases filed with the Maryland Commission on Civil Rights (MCCR).

NOTE: It is the responsibility of the parties involved to determine what information is needed to substantiate their position. MCCR will not assist or guide either party in the development of their case.

In a "Denial of Lease" case:

1. **Lease Application:** Copies of the completed lease application submitted by the Complainant.
2. **Communication Records:** Emails, letters, or other communication between the Complainant and the Leasing Entity regarding the lease application.
3. **Decision Maker(s) List:** Names, protected class (if known), tenure with Respondent, and contact information of those involved in the decision to deny the lease.
4. **Decision Maker(s) Interview Notes:** Any notes or documentation related to interviews or discussions about the lease application.
5. **Leasing Policies:** Copies of the Leasing Entity's policies on lease approvals and denials.
6. **Records of Other Lease Applications:** Documentation of similar lease applications and their outcomes, particularly those involving applicants from different protected classes.
7. **Reasons for Denial:** Written explanation provided by the Leasing Entity for the denial of the lease.
8. **Witnesses:** Names, titles, and contact information of any witnesses to the lease denial or related discussions.
9. **Advertising Materials:** Copies of advertisements or public statements about the availability of the commercial property.
10. **Comparable Lease Approvals:** Documentation of leases approved for similar properties or applicants, including terms and conditions.

In a "Differential Lease Terms" case:

1. **Signed Lease Agreement:** A copy of the lease agreement, including all terms and conditions.
2. **Communication Records:** Emails, letters, or other communication between the Complainant and the Leasing Entity regarding lease terms.
3. **Decision Maker(s) List:** Names, protected class (if known), tenure with Respondent, and contact information of those involved in determining the lease terms.
4. **Decision Maker(s) Interview Notes:** Any notes or documentation related to discussions or decisions about the lease terms.
5. **Leasing Policies:** Copies of the Leasing Entity's policies on setting lease terms and conditions.

6. **Comparable Lease Agreements:** Copies of lease agreements for other tenants in similar properties, highlighting differences in terms and conditions.
7. **Justifications for Differential Terms:** Written explanations provided by the Leasing Entity for any differences in lease terms.
8. **Witnesses:** Names, titles, and contact information of any witnesses to discussions about the lease terms.
9. **Market Comparison Data:** Information on market rates and typical lease terms for similar properties in the area.

In a "Refusal to Renew Lease" case:

1. **Current Lease Agreement:** A copy of the existing lease agreement.
2. **Communication Records:** Emails, letters, or other communication between the Complainant and the Leasing Entity regarding lease renewal.
3. **Decision Maker(s) List:** Names, protected class (if known), tenure with Respondent, and contact information of those involved in the decision not to renew the lease.
4. **Decision Maker(s) Interview Notes:** Any notes or documentation related to discussions or decisions about the lease renewal.
5. **Leasing Policies:** Copies of the Leasing Entity's policies on lease renewals.
6. **Comparable Lease Renewals:** Documentation of lease renewals for other tenants in similar properties, particularly those from different protected classes.
7. **Reasons for Non-Renewal:** Written explanation provided by the Leasing Entity for the decision not to renew the lease.
8. **Witnesses:** Names, titles, and contact information of any witnesses to discussions about the lease renewal.
9. **Property Condition Reports:** Inspection reports or documentation related to the condition of the property at the time of lease renewal.

In a "Discriminatory Lease Termination" case:

1. **Termination Notice:** A copy of the lease termination notice provided by the Leasing Entity.
2. **Current Lease Agreement:** A copy of the existing lease agreement.
3. **Communication Records:** Emails, letters, or other communication between the Complainant and the Leasing Entity regarding the lease termination.
4. **Decision Maker(s) List:** Names, protected class (if known), tenure with Respondent, and contact information of those involved in the decision to terminate the lease.
5. **Decision Maker(s) Interview Notes:** Any notes or documentation related to discussions or decisions about the lease termination.
6. **Leasing Policies:** Copies of the Leasing Entity's policies on lease termination.
7. **Comparable Lease Terminations:** Documentation of lease terminations for other tenants in similar properties, particularly those from different protected classes.
8. **Justifications for Termination:** Written explanations provided by the Leasing Entity for the lease termination.
9. **Witnesses:** Names, titles, and contact information of any witnesses to discussions about the lease termination.

10. **Property Condition Reports:** Inspection reports or documentation related to the condition of the property at the time of lease termination.

In a "Harassment by Landlord or Property Management" case:

1. **Communication Records:** Emails, letters, or other communication between the Complainant and the Landlord or Property Management related to the alleged harassment.
2. **Incident Reports:** Documentation of specific incidents of harassment, including dates, times, and descriptions of events.
3. **Witnesses:** Names, titles, and contact information of any witnesses to the alleged harassment.
4. **Landlord or Property Management Policies:** Copies of policies regarding tenant relations and harassment.
5. **Previous Complaints:** Documentation of any previous complaints of harassment against the Landlord or Property Management by other tenants.
6. **Video or Audio Recordings:** Any available recordings of the alleged harassment incidents.
7. **Documentation of Retaliatory Actions:** Evidence of any adverse actions taken by the Landlord or Property Management in response to the Complainant's reports of harassment.
8. **Legal Correspondence:** Any communication between the Complainant and their legal representative regarding the harassment.

In a "Retaliation" case:

1. **Proof of Adverse Action:** Documentation showing the adverse action taken against the Complainant, such as lease termination, refusal to renew, or increase in rent.
2. **Proof of Participation in a Protected Activity:** Evidence showing that the Complainant engaged in a protected activity, such as filing a discrimination complaint.
3. **Communication Records:** Emails, letters, or other communication between the Complainant and the Leasing Entity related to the adverse action and protected activity.
4. **Decision Maker(s) List:** Names, protected class (if known), tenure with Respondent, and contact information of those involved in the decision to take adverse action.
5. **Decision Maker(s) Interview Notes:** Any notes or documentation related to discussions or decisions about the adverse action.
6. **Leasing Policies:** Copies of the Leasing Entity's policies relevant to the adverse action.
7. **Comparable Cases:** Documentation of other tenants who engaged in similar protected activities and the outcomes of their situations.
8. **Witnesses:** Names, titles, and contact information of any witnesses to discussions about the adverse action or protected activity.
9. **Legal Correspondence:** Any communication between the Complainant and their legal representative regarding the retaliation.