

Wednesday, November 8, 2023

Anthony Brown. Attorney General of Maryland  
Attorney General's Office  
Maryland Department of Justice  
Attn: Consumer Protection Division  
200 St. Paul Place,  
Baltimore, MD 21202

Re: Landlord Companies Accused of Illegal Rent-Fixing in Washington D.C. Also Hold Properties in Maryland

Dear Attorney General Brown:

On behalf of nonpartisan government watchdog Accountable.US, I am writing to encourage you to review the business dealings of major rental companies operating in Maryland that were among the fourteen landlords sued by District of Columbia Attorney General Brian Schwab's office over allegations they ["illegally rais\[ed\] rents for tens of thousands of residents by collectively sharing their data with \[property management software company RealPage\]."](#)

[AvalonBay](#) and [Mid-America Apartments](#) are among the companies involved in the lawsuit with ties to Maryland that we are especially concerned may be engaging in price-fixing elsewhere given their troubling histories of profiteering and misconduct. In recent years, Accountable.US has documented how too many corporations are motivated by greed and are price-gouging consumers. And the landlord industry is often among the worst offenders. It is critical that enforcers of consumer protection and antitrust laws like yourself stand up for consumers instead of corporations that profit from rising prices.

Earlier this year, Accountable.US released a [report](#) finding AvalonBay Communities Inc.—the third largest publicly-traded apartment company—saw its same store operating results jump 11% and its net income climb 13.2% to over \$1.1 billion thanks to a “double-digit rent increase.” These massive rent hikes helped AvalonBay spend \$536 million acquiring over 1,300 rental units in 2022.

In that same [report](#) we found Mid-America Apartment Communities (MAA)—the second biggest publicly-traded apartment owner—benefited from “higher fee income” and “continued growth in average rent per unit,” resulting in its FY 2022 net income climbing nearly 19% to over \$654 million and its dividends and distributions climbing 14% million to nearly \$555 million the same year.

Securities and Exchange Commission records indicate that AvalonBay operates 1,962 units across six properties in Maryland, as of January 31, 2023. Mid-America Apartments runs 361 units across one property in the state, as of December 31, 2022.

As we have documented, these companies have shown their recent rent hikes were based on greed, not need, after reporting massive increased profits over the previous year while generously rewarding their executives. Now the same companies fueling the housing affordability crisis have allegedly stooped to illegal price-fixing and collusion to pad their profits – making matters worse for many struggling renters in Washington D.C.

The question is: If these companies were willing to allegedly engage in rent fixing surrounded by federal and local regulators in the nation’s capital, why not in Maryland as well? In our view, it is worth looking into whether Maryland tenants dealing with these same companies are not also victims of illegal practices that further drive housing costs through the roof.

As you know, the U.S. Labor Department’s latest Consumer Price Index (CPI) report found that shelter was by far [“the largest contributor” to inflation in September](#). We know corporate profiteering played a major role in that. You may be able to answer whether illegal price collusion also contributed to the problem in Maryland. If you agree this matter merits a serious review, we look forward to hearing about the results of your office’s findings.

Sincerely,



Caroline Ciccone  
President, Accountable.US