

**CITY OF BALTIMORE  
COUNCIL BILL 08-0047R  
(Resolution)**

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Introduced by: President Rawlings-Blake, Councilmembers Henry, Young, Cole, Kraft, Branch,  
Middleton, Holton, Welch, Conaway, Clarke, Reisinger  
Introduced and read first time: June 2, 2008  
Assigned to: Judiciary and Legislative Investigations Committee

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Committee Report: Favorable  
Adopted: October 27, 2008

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**A COUNCIL RESOLUTION CONCERNING**

**Informational Hearing - Criminals – Revocation of Federally  
Subsidized Housing Assistance**

FOR the purpose of requesting the Field Office Director, Baltimore Office of the U.S.  
Department of Housing and Urban Development, the Executive Director of the Housing  
Authority of Baltimore City, the Baltimore City Police Commissioner, and the Baltimore  
City State’s Attorney to address the City Council on the status of intergovernmental and  
interagency collaborative efforts to keep federally subsidized housing free of persons who  
commit crimes, engage in criminal activity, or associate with criminals or persons with  
criminal intent.

**Recitals**

Project-Based Rental Assistance (PBRA) is the federal government’s primary program to  
assist families in meeting their housing needs through publicly subsidized multifamily units.  
According to U.S. Department of Housing and Urban Development (HUD) records, the program  
assists more than 1.3 million low- and very low-income households nationwide in obtaining  
decent, safe, and sanitary housing in private accommodations. There are 9,144 project- based  
Section 8 units throughout the City.

The PBRA units are owned by private landlords and, for the most part, are not managed by  
the Housing Authority of Baltimore City (HABC) that provides federally funded public housing  
programs and related services for more than 40,000 low-income residents in more than 14,000  
housing units comprising 18 family developments and 21 mixed population buildings and  
scattered sites throughout the City.

The termination language contained in HUD’s Model Lease provides that the landlord may  
terminate the agreement for the following reasons:

1. the Tenant’s noncompliance with the terms of this Agreement;
2. the Tenant’s material failure to carry out obligations under any State Landlord and  
Tenant Act;

**EXPLANATION:** Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter stricken by amendment.

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- 1           3. drug related criminal activity engaged in on or near the premises, by any tenant,  
2 household member, or guest, and any such activity engaged in on the premises by  
3 any person under the tenant’s control;
- 4           4. determination made by the Landlord that household member is illegally using a  
5 drug;
- 6           5. determination made by the Landlord that a pattern of illegal use of drugs interferes  
7 with the health, safety, or right to peaceful enjoyment of the remises by other  
8 residents;
- 9           6. criminal activity by the tenant, any member of the tenant’s household, a guest or  
10 another person under the tenant’s control:
  - 11           (a) that threatens the health, safety, or right to peaceful enjoyment of the premises  
12 by other residents (including property management staff residing on the  
13 premises; or
  - 14           (b) that threatens the health, safety, or right to peaceful enjoyment of their  
15 residences by persons residing in the immediate vicinity of the premises;
- 16           7. if the tenant is fleeing to avoid prosecution, or custody or confinement after  
17 conviction, for a crime, or attempt to commit a crime, that is a felony under the laws  
18 of the place from which the individual flees, or that in the State of New Jersey, is a  
19 high misdemeanor;
- 20           8. if the tenant is violating a condition of probation or parole under Federal or State  
21 law;
- 22           9. determination made by the Landlord that a household member’s abuse or pattern of  
23 abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the  
24 premises by other residents;
- 25           10. if the Landlord determines that the tenant, any member of the tenant’s household, a  
26 guest or another person under the tenant’s control has engaged in the criminal  
27 activity, regardless of whether the tenant, any member of the tenant’s household, a  
28 guest or another person under the tenant’s control has been arrested or convicted for  
29 such activity.

30           Abatement of nuisance activity in federally subsidized property in Baltimore City is carried  
31 out by the Property Based Crime Solutions (PBCS) Program, a “one-stop shop” located within  
32 Housing’s Code Enforcement Legal Section. The program is a cooperative effort of the  
33 Baltimore City Police Department, the Baltimore City State’s Attorney’s Office, the Mayor’s  
34 Office, and Baltimore Housing that achieves outcomes beyond the reach of any single agency  
35 when addressing nuisance properties.

36           In a working relationship with communities and community leaders, problem properties are  
37 identified by the partnering agencies, and complaints detailing the properties are submitted to the  
38 PBCS Program through a web-based complaint system. The PBCS officials then review the  
39 complaints, and the appropriate nuisance abatement tool(s) are selected. Competent data

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1 management and regular reporting ensure the accountability and success of the inter-agency  
2 cooperative effort.

3 Regulations promulgated by the federal government and conditions for the rental of federally  
4 subsidized property seek to ensure the safety of persons already challenged by the social  
5 impediments associated with poverty and a lower socio-economic existence. To achieve this  
6 end, it is imperative that landlords who provide housing through the Project-Based Rental  
7 Assistance program are held to the same standards that exist for all federally assisted housing.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the Field  
9 Office Director of the Baltimore Office of the U.S. Department of Housing and Community  
10 Development, the Executive Director of the Housing Authority of Baltimore City, the Baltimore  
11 City Police Commissioner, and the Baltimore City State’s Attorney are requested to address the  
12 City Council on the status of intergovernmental and interagency collaborative efforts to keep  
13 federally subsidized housing free of persons who commit crimes, engage in criminal activity, or  
14 associate with criminals or persons with criminal intent.

15 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Mayor, the  
16 Field Office Director of the Baltimore Office of the U.S. Department of Housing and  
17 Community Development, the Executive Director of the Housing Authority of Baltimore City,  
18 the Baltimore City Police Commissioner, the Baltimore City State’s Attorney, the Baltimore City  
19 Congressional Delegation, the Executive Director of the Mayor’s Office of State Relations, and  
20 the Mayor’s Legislative Liaison to the City Council.