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www.DisabilityRightsMD.org

Disability Rights Maryland
Baltimore City Council Bill 22-0124R – Investigative Hearing – Residential Rental
Licensing
Apr. 18, 2023

Disability Rights Maryland (DRM – formerly Maryland Disability Law Center) is the federally designated Protection and Advocacy agency in Maryland, mandated to advance the civil rights of people with disabilities. DRM works to increase opportunities for Marylanders with disabilities to be part of their communities and live in safe, affordable and accessible housing. This includes representing persons with disabilities in eviction proceedings to prevent unnecessary homelessness and institutionalization.

DRM has concerns about the inspection procedures at DHCD and enforcement of those procedures. DRM has a client where the property's license lapsed during tenancy; it subsequently became licensed when a new company bought it, but the maintenance and rodent issues remained. Not long after it was licensed, Client contacted a City inspector who cited the property again. It's possible that the property should never have passed the required inspection before becoming licensed. If a property passes inspection and shortly thereafter the tenant notifies the City or DHCD of ongoing issues, DHCD should take further action by reviewing the inspection, speaking with the occupants, and verifying what happened to ensure inspectors are in compliance with DHCD procedures.

DRM has experienced issues with DHCD's licensing database. We are aware that DHCD recently transitioned to a new database, but it has been our experience that the information found on the new database can be unreliable and sometimes completely unusable. For example, if a scattered-site property has a lead address for the license, when an address included at the property is searched on the database, the active license should pull up. Currently, without the lead address at a scattered-site property, the address you search will likely be identified as unlicensed, or nothing will come up. This creates confusion among landlords, tenants, and advocates. For example, DRM had a client with a Failure to Pay Rent case where the property was unlicensed. DRM obtained a certificate from DHCD, but the filing agent claimed the property was licensed based on erroneous information found on the DHCD database which made it look like the property was licensed when in fact it had never been licensed. The database needs to be clearer and more reliable. DRM has another client whose property was licensed as of July 25, 2022, a violation notice was sent shortly thereafter, the database notes a license will not be issued until the notice is abated, but the database erroneously includes a PDF of a valid rental license through July 2024. It would be helpful if the database included a PDF of rental licenses and violation notices, as it does for property registration.

The printed rental licenses include minimal information, but are relied on to determine licensure. When a multifamily complex or a scattered-site property has one rental license, the license does not indicate which addresses or units are covered. It's imperative that a



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tenant or representative can clearly determine if a property is licensed throughout a tenancy and especially to ensure unlicensed landlords are not using Maryland courts. The current rental licenses make it nearly impossible to prove a property is licensed based solely on the printed license unless it is a single-family home. The rental license should indicate if every unit in the multi-unit building is licensed; or if the property is part of a scattered-site development, it should identify each building address included in the license.

Please do not hesitate to contact Kane Levings at kanel@disabilityrightsmd.org for any questions.