

FROM	NAME & TITLE	Andy Frank, Acting Real Estate	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Real Estate, City Hall		
	SUBJECT	21-0078 Required Real Estate Disclosures - Formerly Vacant Structures		

DATE:

TO

The Honorable President and
 Members of the City Council
 City Hall, Room 400

June 25, 2021

Position: Favorable if amended

The Department of Real Estate is hereby reporting on City Council bill 21-0078 Required Real Estate Disclosures – Formerly Vacant Structures. The purpose of this bill is to require certain disclosures in order to sell a property that was formerly issued a vacant building notice; and providing for certain penalties.

Background

Properties that are deemed a public nuisance are issued a Vacant Building Notice (VBN). If the property owner does not address the hazards that warranted the notice, the property goes to receivership. A receiver decides whether to sell, renovate or destroy the property. As it stands, if the receiver opts to sell or renovate the property, they are not required to abate the housing violations.

CCB 21-0078 would require the seller to disclose to the buyer that a property has received a VBN in the past. Additionally, they would be required to obtain an occupancy permit before entering into a contract for the sale of the property.

Requiring this disclosure will benefit the Department of Housing & Community Development’s (DHCD) code enforcement efforts. It will also prevent buyers from threats of violations, citations, or tax sale notices due to a VBN prior their purchase.

The Department of Real Estate has reviewed the amendments offered by the sponsor and DHCD. If the amendments from DHCD are adopted, the bill should clarify that unabated vacant properties are not required to obtain an occupancy permit. A conditional amendment is attached to this bill report.

Conclusion

This bill would close a loophole that currently exists in Baltimore City code. **The Department of Real Estate supports CCB 21-0078 Required Real Estate Disclosures – Formerly Vacant Structures if amended.**

CC: Celeste Amato, Chief of Staff to Comptroller Henry

Erika McClammy, Deputy Comptroller

Amendment No. 1

On page 2, in line 5, after the semi-colon, insert “AND”; and, on that same page, in line 6, strike “; AND” and