

**CITY OF BALTIMORE
COUNCIL BILL 21-0004
(First Reader)**

Introduced by: Councilmembers Dorsey, Burnett, Cohen, Ramos, McCray, Porter, Bullock,
Torrence, Glover

Introduced and read first time: January 11, 2021

Assigned to: Economic and Community Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Mayor’s Office of Homeless Services,
Police Department, Health Department, Department of Housing and Community Development,
Housing Authority of Baltimore City, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Office to End Homelessness – Establishment, Administration, and**
3 **Permanent Housing Voucher Program**

4 FOR the purpose of establishing the Baltimore City Office to End Homelessness; declaring that
5 the policy of the Mayor and City Council of Baltimore to make homelessness rare, brief, and
6 non-recurring; providing that the Office will be led by an Executive Director appointed by the
7 Mayor and confirmed by the City Council; establishing the duties of the Office; requiring
8 certain reports; establishing the Permanent Housing Voucher Program; providing for certain
9 funding for the Permanent Housing Voucher Program; setting forth the eligibility
10 requirements for the Permanent Housing Voucher Program; requiring that the Office adopt
11 rules and regulations to administer the Permanent Housing Voucher Program; establishing
12 procedures on a family’s admission into the Permanent Housing Voucher Program; setting
13 forth certain programmatic functions for the Permanent Housing Voucher Program through
14 tenant-based vouchers and project-based vouchers; providing for the termination of
15 assistance under the Permanent Housing Voucher Program for certain enumerated reasons;
16 providing for hearings for certain terminations and denials of assistance; establishing certain
17 hearing procedures and the conduct of the hearings; repealing City Code Article 1, Subtitle
18 24 {“Overnight Shelters”} as duplicative; defining certain terms; generally relating to ending
19 homelessness in Baltimore; and providing for a special effective date.

20 BY repealing

21 Article 1 - Mayor, City Council, and Municipal Agencies
22 Subtitle 24 - Overnight Shelters, in its entirety
23 Baltimore City Code
24 (Edition 2000)

25 BY adding

26 Article 13 - Housing and Urban Renewal
27 Sections 4-1 through 4-31, to be under the new subtitle,
28 “Homelessness”
29 Baltimore City Code
30 (Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (G) *OFFICE.*

2 “OFFICE” MEANS THE BALTIMORE CITY OFFICE TO END HOMELESSNESS.

3 **§ 4-2. {RESERVED}**

4 **§ 4-3. PURPOSE AND POLICY.**

5 THE POLICY OF THE MAYOR AND CITY COUNCIL IS TO MAKE HOMELESSNESS RARE, BRIEF, AND
6 NON-RECURRING.

7 ***PART II. OFFICE TO END HOMELESSNESS***

8 **§ 4-4. OFFICE ESTABLISHED.**

9 THERE IS A BALTIMORE CITY OFFICE TO END HOMELESSNESS.

10 **§ 4-5. OFFICE ADMINISTRATION.**

11 (A) *EXECUTIVE DIRECTOR.*

12 (1) *IN GENERAL.*

13 THE OFFICE SHALL BE SUPERVISED AND DIRECTED BY AN EXECUTIVE DIRECTOR, WHO
14 SHALL BE APPOINTED BY THE MAYOR IN ACCORDANCE WITH CITY CHARTER ARTICLE
15 IV, § 6.

16 (2) *QUALIFICATIONS.*

17 AT THE TIME OF APPOINTMENT, THE EXECUTIVE DIRECTOR SHALL HAVE SUBSTANTIAL
18 EXPERIENCE WORKING WITH HOMELESS INDIVIDUALS OR ISSUES INVOLVING
19 HOMELESSNESS.

20 (B) *STAFF.*

21 THE EXECUTIVE DIRECTOR MAY EMPLOY A STAFF, AS PROVIDED IN THE ORDINANCE OF
22 ESTIMATES.

23 **§ 4-6. OFFICE DUTIES.**

24 (A) *IN GENERAL.*

25 THE OFFICE SHALL:

26 (1) BE RESPONSIBLE FOR PROGRAMS AND SUPPORTIVE SERVICES PROVIDED BY THE
27 CITY, INCLUDING OUTREACH, SHELTER, PREVENTION AND DIVERSION, AND
28 PERMANENT HOUSING, FOR FAMILIES AND INDIVIDUALS WHO ARE HOMELESS OR AT
29 RISK OF HOMELESSNESS;

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- 1 (2) DEVELOP, MAINTAIN AND, WHERE NECESSARY, STRENGTHEN THE OPERATIONAL
2 SYSTEMS FOR THE PROVISION OF HOMELESS PROGRAMS AND SERVICES;
- 3 (3) CONSULT AND COORDINATE WITH OTHER APPROPRIATE GOVERNMENTAL AGENCIES
4 AND THE CONTINUUM OF CARE TO DEVELOP, OPERATE, AND STRENGTHEN THE
5 OPERATIONAL SYSTEMS FOR HOMELESS PROGRAMS AND SERVICES;
- 6 (4) DIRECT AND SUPERVISE THE MANAGEMENT, OPERATIONS, BUDGET, AND FUNDING
7 OF THE OFFICE;
- 8 (5) FOLLOW EVIDENCE-BASED MODELS FOR OFFICE PROGRAMS AND SERVICES;
- 9 (6) ENSURE THAT ALL OFFICE OPERATIONAL SYSTEMS AND HOMELESS PROGRAMS AND
10 SERVICES PROMOTE RACIAL EQUITY;
- 11 (7) CONTINUALLY EVALUATE THE EFFECTIVENESS OF OFFICE PROGRAMS AND
12 SERVICES;
- 13 (8) ADVISE AND ASSIST THE MAYOR AND CITY COUNCIL WITH RESPECT TO POLICY
14 MATTERS RELATING TO FAMILIES AND INDIVIDUALS WHO ARE HOMELESS OR AT
15 RISK OF HOMELESSNESS;
- 16 (9) PROMOTE POLICIES THAT END THE CRIMINALIZATION OF HOMELESSNESS; AND
- 17 (10) CARRY OUT ANY OTHER DUTY OR RESPONSIBILITY RELATED TO THE CITY’S
18 POLICY OF ENDING HOMELESSNESS, AS DIRECTED BY THE MAYOR.

19 (B) *ASSISTANCE IN MISSION.*

20 (1) *IN GENERAL.*

21 THE OFFICE SHALL ENCOURAGE THE PARTICIPATION OF AND RECEIVE PROPOSALS
22 FROM PUBLIC AND PRIVATE SECTORS FOR THE DEVELOPMENT AND OPERATION OF
23 PROGRAMS AND SERVICES FOR FAMILIES AND INDIVIDUALS WHO ARE HOMELESS OR AT
24 RISK OF HOMELESSNESS.

25 (2) *THOSE WHO HAVE EXPERIENCED HOMELESSNESS.*

26 THE OFFICE SHALL ENGAGE WITH INDIVIDUALS WHO HAVE PERSONAL EXPERIENCE OF
27 HOMELESSNESS IN DEVELOPING AND OPERATING PROGRAMS AND SERVICES, SYSTEMS
28 PLANNING, AND EVALUATION.

29 **§ 4-7. ANNUAL REPORT AND BRIEFING.**

30 (A) *IN GENERAL.*

31 NO LATER THAN JUNE 30 OF EACH YEAR, THE OFFICE SHALL SUBMIT A REPORT TO THE
32 MAYOR AND CITY COUNCIL ON THE ACTIVITIES OF THE OFFICE.

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1 (B) *CONTENTS.*

2 THE REPORT REQUIRED BY THIS SECTION SHALL INCLUDE:

- 3 (1) SYSTEMS PERFORMANCE AND PROGRAM OUTCOME DATA, INCLUDING, AS
4 APPROPRIATE, AVAILABLE DATA REGARDING INDIVIDUALS AND FAMILIES
5 UTILIZING OFFICE PROGRAMS AND SERVICES THAT IS DISAGGREGATED BY RACE,
6 ETHNICITY, SEXUAL ORIENTATION, GENDER IDENTITY, AND AGE;
- 7 (2) ANALYSES OF IMPEDIMENTS TO ENDING HOMELESSNESS, INCLUDING SYSTEMS
8 EFFECTIVENESS, GAPS IN PROGRAMS AND SERVICES, PROGRAM PERFORMANCE, AND
9 EQUITY GOALS;
- 10 (3) RECOMMENDATIONS FOR ANY LEGISLATIVE OR POLICY CHANGES AND BUDGETARY
11 NEEDS;
- 12 (4) INFORMATION REGARDING ANY PARTNERSHIPS OR COLLABORATION WITH OTHER
13 GOVERNMENTAL AGENCIES; AND
- 14 (5) AN ASSESSMENT OF OFFICE ENGAGEMENT WITH INDIVIDUALS WITH PERSONAL
15 EXPERIENCE OF HOMELESSNESS IN OFFICE SYSTEMS AND PROGRAM PLANNING AND
16 EVALUATION.

17 (C) *COUNCIL BRIEFING.*

- 18 (1) NO LATER THAN 45 DAYS FROM THE DATE OF THE SUBMISSION OF THE REPORT
19 REQUIRED BY THIS SECTION, THE CITY COUNCIL, OR AN APPROPRIATE COMMITTEE OF
20 THE CITY COUNCIL, SHALL HOLD A HEARING TO ALLOW THE OFFICE TO BRIEF THE
21 COUNCIL ON ITS REPORT.
- 22 (2) THE HEARING REQUIRED BY THIS SUBSECTION SHALL ALLOW FOR PUBLIC TESTIMONY.

23 **§ 4-8. {RESERVED}**

24 ***PART III. PERMANENT HOUSING VOUCHER PROGRAM***

25 **§ 4-9. DEFINITIONS.**

26 (A) *IN GENERAL.*

27 IN THIS PART, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

28 (B) *1-FAMILY DWELLING.*

29 “1-FAMILY DWELLING” MEANS A BUILDING THAT CONTAINS ONLY 1 DWELLING UNIT.

30 (C) *2-FAMILY DWELLING.*

31 “2-FAMILY DWELLING” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY
32 BUILDING CODE.

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1 (D) *ASSISTED DWELLING UNIT*.

2 “ASSISTED DWELLING UNIT” MEANS:

3 (1) EITHER:

4 (I) A DWELLING UNIT WITHIN A 2-FAMILY DWELLING OR A MULTIPLE-FAMILY
5 DWELLING; OR

6 (II) A 1-FAMILY DWELLING;

7 (2) LEASED TO A FAMILY ADMITTED INTO THE PROGRAM; AND

8 (3) WHOSE HOUSING COSTS ARE BEING PAID FOR UNDER THE PROGRAM THROUGH A
9 HOUSING ASSISTANCE PAYMENT.

10 (D) *DWELLING UNIT*.

11 “DWELLING UNIT” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY
12 BUILDING CODE.

13 (E) *EXTREMELY-LOW INCOME HOUSEHOLD*.

14 “EXTREMELY-LOW INCOME HOUSEHOLD” MEANS A FAMILY WHOSE AGGREGATE GROSS
15 INCOME DOES NOT EXCEED 30% OF THE AREA MEDIAN INCOME, AS ADJUSTED FOR THE
16 SIZE OF THE FAMILY.

17 (F) *FAMILY*.

18 “FAMILY” MEANS 1 OR MORE INDIVIDUALS WHO RESIDE TOGETHER AS A HOUSEHOLD.

19 (G) *FUND*.

20 “FUND” MEANS THE CONTINUING, NONLAPSING FUND ESTABLISHED BY CITY CHARTER
21 ARTICLE I, § 14 {“AFFORDABLE HOUSING TRUST FUND”}.

22 (H) *HOUSING ASSISTANCE PAYMENT; ASSISTANCE*.

23 “HOUSING ASSISTANCE PAYMENT” OR “ASSISTANCE” MEANS THE MONTHLY DOLLAR
24 AMOUNT PAID BY THE OFFICE DIRECTLY TO A FAMILY’S HOUSING PROVIDER THAT
25 REPRESENTS THE TOTAL HOUSING COST FOR THE FAMILY’S ASSISTED DWELLING UNIT
26 MINUS THE FAMILY’S CONTRIBUTION.

27 (I) *HOUSING COSTS*.

28 “HOUSING COSTS” MEANS:

29 (1) RENTAL PAYMENTS;

30 (2) UTILITIES, WHICH ARE LIMITED TO THE COST OF:

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- 1 (I) ELECTRICITY;
- 2 (II) GAS;
- 3 (III) WATER; AND
- 4 (IV) SEWER; AND
- 5 (3) OTHER COSTS INCIDENTAL TO HOUSING, INCLUDING:

- 6 (I) SECURITY DEPOSITS;
- 7 (II) APPLICATION FEES;
- 8 (III) UTILITY HOOK-UPS; AND
- 9 (IV) MOVING COSTS.

10 (I) *MULTIPLE-FAMILY DWELLING.*

11 “MULTIPLE-FAMILY DWELLING” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE
12 CITY BUILDING CODE.

13 (J) *PAYMENT STANDARD.*

14 “PAYMENT STANDARD” MEANS THE MAXIMUM MONTHLY ASSISTANCE PAYMENT FOR A
15 FAMILY BEFORE DEDUCTING THE FAMILY’S CONTRIBUTION.

16 (K) *PERMANENT SUPPORTIVE HOUSING.*

17 “PERMANENT SUPPORTIVE HOUSING” MEANS PERMANENT HOUSING FUNDED BY THE
18 FEDERAL CONTINUUM OF CARE PROGRAM, AUTHORIZED BY THE MCKINNEY-VENTO
19 HOMELESS ASSISTANCE ACT AS AMENDED, 42 U.S.C. 11371 *ET SEQ.*, AND ITS
20 CORRESPONDING REGULATIONS, 24 C.F.R. PART 578.

21 (L) *PROGRAM.*

22 “PROGRAM” MEANS THE BALTIMORE CITY PERMANENT HOUSING VOUCHER PROGRAM.

23 (M) *PROJECT-BASED VOUCHER ASSISTANCE.*

24 “PROJECT-BASED VOUCHER ASSISTANCE” MEANS HOUSING ASSISTANCE PAYMENTS
25 ATTACHED TO A PARTICULAR 1-FAMILY DWELLING, 2-FAMILY DWELLING, OR DWELLING
26 UNITS WITHIN A MULTIPLE-FAMILY DWELLING OR SET OF MULTIPLE-FAMILY DWELLINGS,
27 OWNED AND OPERATED BY A PRIVATE OR NONPROFIT HOUSING PROVIDER.

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1 (N) *TENANT-BASED VOUCHER ASSISTANCE.*

2 “TENANT-BASED VOUCHER ASSISTANCE” MEANS HOUSING ASSISTANCE PAYMENTS
3 ALLOCATED TO AN ELIGIBLE FAMILY AND PAID ON BEHALF OF THAT FAMILY TO LEASE AN
4 ASSISTED DWELLING UNIT SELECTED BY THE FAMILY AND APPROVED BY THE OFFICE.

5 **§ 4-10. PROGRAM ESTABLISHED.**

6 (A) *IN GENERAL.*

7 THERE IS A PERMANENT HOUSING VOUCHER PROGRAM IN BALTIMORE CITY.

8 (B) *PURPOSE.*

9 THE PURPOSE OF THE PROGRAM IS TO ASSIST FAMILIES WHO CURRENTLY RESIDE IN
10 PERMANENT SUPPORTIVE HOUSING AND WHO NO LONGER NEED OR WANT SUPPORTIVE
11 SERVICES BUT WHO CONTINUE TO HAVE EXTREMELY LOW INCOMES MAINTAIN PERMANENT
12 HOUSING THROUGH TENANT-BASED VOUCHER ASSISTANCE OR PROJECT-BASED VOUCHER
13 ASSISTANCE.

14 (C) *ADMINISTRATION.*

15 THE PROGRAM SHALL BE ADMINISTERED BY THE OFFICE IN ACCORDANCE WITH THIS PART.

16 **§ 4-11. PROGRAM FUNDING.**

17 (A) *IN GENERAL.*

18 (1) THE PROGRAM MAY BE FUNDED BY AN ANNUAL DISBURSEMENT FROM THE FUND.

19 (2) ANY UNUSED OR UNOBLIGATED FUND DISBURSEMENTS SHALL REVERT BACK TO THE
20 FUND ON AN ANNUAL BASIS.

21 (B) *SUPPLEMENTAL FUNDING.*

22 IN ADDITION TO THE FUNDING DESCRIBED IN SUBSECTION (A), THE PROGRAM MAY BE
23 FURTHER FUNDED BY AN APPROPRIATION IN THE ANNUAL ORDINANCE OF ESTIMATES.

24 (C) *FUNDING ALLOCATION.*

25 THE OFFICE MAY NOT ALLOCATE MORE THAN 25% OF ANNUAL PROGRAM FUNDING
26 TOWARDS PROJECT-BASED VOUCHER ASSISTANCE.

27 **§ 4-12. RULES AND REGULATIONS.**

28 (A) *IN GENERAL.*

29 SUBJECT TO THE REQUIREMENTS IN THIS SECTION AND SUBJECT TO TITLE 4
30 {“ADMINISTRATIVE PROCEDURE ACT - REGULATIONS”} OF THE CITY GENERAL

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1 PROVISIONS ARTICLE, THE OFFICE SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT
2 THE PROVISIONS OF THIS PART.

3 (B) *SCOPE OF RULES AND REGULATIONS.*

4 THE RULES AND REGULATIONS REQUIRED BY THIS SECTION SHALL INCLUDE PROVISIONS
5 REGARDING:

- 6 (1) THE CALCULATION OF INCOME AND ADJUSTED INCOME FOR THE PURPOSE OF
7 PROGRAM ELIGIBILITY, WHICH SHALL BE, TO THE EXTENT PRACTICABLE,
8 CONSISTENT WITH 24 C.F.R. §§ 5.609 AND 5.611(A);
- 9 (2) THE CALCULATION OF A FAMILY'S CONTRIBUTION INCLUDING UTILITY
10 ALLOWANCES AND UTILITY REIMBURSEMENTS, WHICH SHALL BE, TO THE EXTENT
11 PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 5.632 AND 5.634;
- 12 (3) PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL
13 ASSAULT, OR STALKING, WHICH SHALL BE, TO THE EXTENT PRACTICABLE,
14 CONSISTENT WITH 24 C.F.R., PART 5, SUBPART L;
- 15 (4) FAMILY EDUCATION REGARDING THE PROGRAM RULES, ISSUANCE OF VOUCHER,
16 APPROVAL OF DWELLING UNIT, AND TERM OF VOUCHER, WHICH SHALL BE, TO THE
17 EXTENT PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 982.301, 982.302, AND
18 982.303;
- 19 (5) APPROVAL STANDARDS FOR AN ASSISTED DWELLING UNIT, WHICH SHALL BE, TO
20 THE EXTENT PRACTICABLE, CONSISTENT WITH 24 C.F.R. § 982.305;
- 21 (6) MOVING WITH TENANT-BASED ASSISTANCE, WHICH SHALL BE, TO THE EXTENT
22 PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 982.354 AND 983.261;
- 23 (7) HOUSING QUALITY STANDARDS AND STANDARDS FOR THE AMOUNT OF ALLOWABLE
24 BEDROOMS WITHIN AN ASSISTED DWELLING UNIT, WHICH SHALL BE, TO THE
25 EXTENT PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 982.401, 982.402 AND
26 982.404;
- 27 (8) INITIAL AND PERIODIC INSPECTIONS, WHICH SHALL BE, TO THE EXTENT
28 PRACTICABLE, CONSISTENT WITH 24 C.F.R. § 982.405; AND
- 29 (9) ACCESSIBILITY STANDARDS FOR ACCESSIBLE HOUSING UNITS UNDER § 4-19(F) OF
30 THIS SUBTITLE, WHICH SHALL BE, TO THE EXTENT PRACTICABLE, EXISTING
31 ACCESSIBILITY STANDARDS UNDER THE AMERICANS WITH DISABILITIES ACT, 42
32 U.S.C. § 12101 *ET SEQ*, THE REHABILITATION ACT 29 U.S.C. § 794 *ET SEQ*, THE
33 FAIR HOUSING ACT AMENDMENTS, 42 U.S.C. § 3601 *ET SEQ*, AND THEIR
34 RESPECTIVE IMPLEMENTING REGULATIONS.

35 (C) *COLLABORATION.*

36 IN DEVELOPING THE RULES AND REGULATIONS REQUIRED BY THIS SECTION AND ANY
37 SUBSEQUENT AMENDMENTS, THE OFFICE SHALL COLLABORATE WITH THE AFFORDABLE

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1 HOUSING TRUST FUND COMMISSION ESTABLISHED BY CITY CHARTER ARTICLE I, § 14 AND
2 THE BALTIMORE CITY CONTINUUM OF CARE TO ENSURE CONSISTENCY OF POLICY AND
3 PROCEDURE.

4 (D) *HEARING PERIOD.*

5 IN ADDITION TO THE REQUIREMENTS SET FORTH IN THE TITLE 4 {"ADMINISTRATIVE
6 PROCEDURE ACT - REGULATIONS"} OF THE CITY GENERAL PROVISIONS ARTICLE, THE
7 OFFICE MUST HOLD A PUBLIC HEARING PRIOR TO:

8 (1) ADOPTING ANY RULES AND REGULATIONS REQUIRED BY THIS SECTION; OR

9 (2) AMENDING OR REPEALING ANY RULES AND REGULATIONS ADOPTED UNDER THIS
10 SUBTITLE.

11 **§ 4-13. {RESERVED}**

12 **§ 4-14. PROGRAM ELIGIBILITY.**

13 (A) *APPLICATION REQUIRED.*

14 (1) FAMILIES SEEKING TO PARTICIPATE IN THE PROGRAM SHALL APPLY TO THE OFFICE.

15 (2) A FAMILY'S PERMANENT SUPPORTIVE HOUSING PROVIDER SHALL ASSIST THE FAMILY
16 WITH AN APPLICATION, IF REQUESTED.

17 (3) PARTICIPATION IN THE PROGRAM IS VOLUNTARY AND SOLELY THE DECISION OF THE
18 FAMILY.

19 (B) *ELIGIBILITY.*

20 A FAMILY IS ELIGIBLE TO PARTICIPATE IN THE PROGRAM IF THE FAMILY:

21 (1) IS A CURRENT PARTICIPANT IN A PERMANENT SUPPORTIVE HOUSING PROGRAM;

22 (2) RESIDES IN BALTIMORE CITY AT THE TIME OF APPLICATION; AND

23 (3) IS AN EXTREMELY LOW-INCOME HOUSEHOLD.

24 **§ 4-15. PROGRAM ADMISSION.**

25 (A) *IN GENERAL.*

26 SUBJECT TO THE PROVISIONS OF THIS SECTION, ELIGIBLE FAMILIES SHALL BE ADMITTED
27 INTO THE PROGRAM.

28 (B) *FUNDING AVAILABILITY.*

29 ADMISSION INTO THE PROGRAM IS SUBJECT TO THE AVAILABILITY OF FUNDS AND IS NOT
30 AN ENTITLEMENT.

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1 (C) *TENANT RESPONSIBILITIES.*

2 (1) *AUTHORIZED PERSONS.*

3 (I) ON ADMISSION, THE OFFICE SHALL COLLECT THE NAME OF EACH FAMILY MEMBER
4 WHO INTENDS TO RESIDE IN AN ASSISTED DWELLING UNIT.

5 (II) EXCEPT FOR THE INDIVIDUALS REGISTERED WITH THE OFFICE, NO OTHER
6 INDIVIDUAL MAY RESIDE IN AN ASSISTED DWELLING UNIT UNLESS APPROVED BY
7 THE OFFICE, IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS.

8 (III) A FAMILY ADMITTED INTO THE PROGRAM SHALL REPORT ANY CHANGE IN FAMILY
9 COMPOSITION THAT RESULTS IN MORE OR FEWER INDIVIDUALS LIVING IN THE
10 ASSISTED DWELLING UNIT, IN ACCORDANCE WITH THE PROGRAM'S RULES AND
11 REGULATIONS.

12 (2) *CHANGE IN INCOME.*

13 A FAMILY ADMITTED INTO THE PROGRAM SHALL REPORT CHANGES IN INCOME TO THE
14 OFFICE, IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS.

15 (D) *OFFICE RESPONSIBILITIES.*

16 THE OFFICE SHALL:

17 (1) ASSIST FAMILIES ADMITTED INTO THE PROGRAM IN FINDING AND LEASING AN
18 ASSISTED DWELLING UNIT EITHER THROUGH TENANT-BASED VOUCHER ASSISTANCE
19 OR PROJECT-BASED VOUCHER ASSISTANCE;

20 (2) ENSURE THAT ANY ASSISTED DWELLING UNIT MEETS:

21 (I) THE HABITABILITY STANDARDS SET FORTH IN THE RULES AND REGULATIONS
22 ADOPTED UNDER THIS SUBTITLE; AND

23 (II) THE RENTAL REGISTRATION AND RENTAL LICENSING REQUIREMENTS SET
24 FORTH IN SUBTITLE 4 {"REGISTRATION OF NON-OWNER-OCCUPIED
25 DWELLINGS, ROOMING HOUSES, AND VACANT STRUCTURES"} AND
26 SUBTITLE 5 {"LICENSING OF RENTAL DWELLINGS"} OF THIS ARTICLE;

27 (3) ENSURE THAT THE RENT FOR ANY ASSISTED DWELLING UNIT IS NOT MORE THAN
28 THE RENT CHARGED FOR COMPARABLE UNITS IN THE PRIVATE UNASSISTED MARKET
29 AND FOR COMPARABLE UNASSISTED UNITS IN THE PREMISES;

30 (4) EXAMINE A FAMILY'S INCOME INITIALLY AND AT LEAST ANNUALLY THEREAFTER
31 TO DETERMINE THE AMOUNT OF THE CONTRIBUTION TOWARD RENT PAYABLE BY
32 THE FAMILY;

33 (5) EDUCATE FAMILIES ADMITTED INTO THE PROGRAM AND HOUSING PROVIDERS ON
34 PROGRAM RULES AND REGULATIONS;

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1 (6) CONDUCT OUTREACH AND RECRUITMENT OF HOUSING PROVIDERS TO PARTICIPATE
2 IN THE PROGRAM; AND

3 (7) ENSURE THAT THE LEASE FOR THE ASSISTED DWELLING UNIT COMPLIES WITH
4 STATE AND LOCAL LAW AND THAT THE INITIAL LEASE TERM IS FOR AT LEAST 1
5 YEAR.

6 (E) *UTILITY ALLOWANCE.*

7 IN THE RULES AND REGULATIONS REQUIRED BY THIS SUBTITLE, THE OFFICE SHALL
8 ESTABLISH A SCHEDULE TO DETERMINE THE AMOUNT OF THE UTILITY ALLOWANCE FOR
9 FAMILIES ADMITTED INTO THE PROGRAM.

10 **§ 4-16. PAYMENT STANDARDS.**

11 (A) *IN GENERAL.*

12 THE OFFICE SHALL ESTABLISH A PAYMENT STANDARD THAT:

13 (1) REFLECTS THE COST TO LEASE A DWELLING UNIT IN BALTIMORE CITY; AND

14 (2) CONSTITUTES BETWEEN 100%-130% OF FAIR MARKET RENT.

15 (B) *EQUITY.*

16 TO AVOID CONCENTRATION OF POVERTY AND TO PROVIDE FAMILIES WITH GREATER
17 HOUSING CHOICES, THE OFFICE MAY ESTABLISH PAYMENT STANDARDS BASED ON FAIR
18 MARKET RENTS BY ZIP CODE OR CENSUS TRACT.

19 **§ 4-17. {RESERVED}**

20 **§ 4-18. TENANT-BASED ASSISTANCE PROGRAM FUNCTION.**

21 (A) *AMOUNT OF FAMILY CONTRIBUTION AND ASSISTANCE.*

22 IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS, A FAMILY'S
23 CONTRIBUTION TOWARDS THE HOUSING COSTS FOR AN ASSISTED UNIT MAY NOT EXCEED
24 30% OF THE FAMILY'S GROSS ADJUSTED MONTHLY INCOME.

25 (B) *MINIMUM FAMILY CONTRIBUTION PROHIBITED.*

26 NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE OFFICE MAY NOT REQUIRE OR
27 OTHERWISE ESTABLISH A MINIMUM CONTRIBUTION TO BE PAID BY A FAMILY TOWARDS THE
28 FAMILY'S HOUSING COSTS.

29 (C) *MANNER OF PAYMENT.*

30 HOUSING ASSISTANCE PAYMENTS MADE UNDER THIS SECTION SHALL BE MADE DIRECTLY
31 TO THE FAMILY'S HOUSING PROVIDER.

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1 (D) *TERMINATION OF ASSISTANCE.*

2 THE OFFICE MAY TERMINATE ASSISTANCE UNDER THIS SECTION TO A FAMILY AS SPECIFIED
3 IN § 4-22 {“TERMINATION OR DENIAL OF ASSISTANCE BY OFFICE”} OF THIS SUBTITLE.

4 (E) *TERM OF ASSISTANCE.*

5 (1) *IN GENERAL.*

6 ASSISTANCE UNDER THIS SECTION SHALL CONTINUE PROVIDED THAT:

- 7 (I) THE FAMILY CONTINUES TO MEET THE INCOME ELIGIBILITY REQUIREMENTS OF
8 § 4-14(B)(3);
- 9 (II) SUFFICIENT FUNDS ARE AVAILABLE TO CONTINUE ASSISTANCE; AND
- 10 (III) ASSISTANCE IS NOT TERMINATED, VOLUNTARILY OR INVOLUNTARILY, AS
11 PROVIDED IN THIS SUBTITLE.

12 (2) *AUDITS.*

13 THE OFFICE SHALL CONDUCT AUDITS AT LEAST ANNUALLY TO ENSURE FAMILIES
14 WITHIN THE PROGRAM CONTINUE TO BE ELIGIBLE FOR ASSISTANCE.

15 **§ 4-19. PROJECT-BASED ASSISTANCE PROGRAM FUNCTION.**

16 (A) *IN GENERAL.*

17 SUBJECT TO THE PROVISIONS OF THIS SECTION, THE OFFICE MAY ISSUE A REQUEST FOR
18 PROPOSALS AND, SUBSEQUENTLY, THE MAYOR AND CITY COUNCIL MAY CONTRACT WITH
19 AN OWNER OF A 1-FAMILY DWELLING, 2-FAMILY DWELLING, OR A MULTIPLE-FAMILY
20 DWELLING TO PROVIDE ASSISTANCE FOR MULTIPLE DWELLING UNITS OWNED BY THE SAME
21 OWNER PROVIDED THAT:

- 22 (1) EACH ASSISTED DWELLING UNIT IS LEASED AND OCCUPIED BY A FAMILY WHO HAS
23 BEEN ADMITTED INTO THE PROGRAM AND REFERRED BY THE OFFICE TO THE
24 HOUSING PROVIDER; AND
- 25 (2) THE LEASE TERM FOR THE FAMILY TO OCCUPY THE DWELLING UNIT IS NO LESS
26 THAN 1 YEAR.

27 (B) *AMOUNT OF FAMILY CONTRIBUTION AND ASSISTANCE.*

28 IN ACCORDANCE WITH THE PROGRAM’S RULES AND REGULATIONS, A FAMILY’S
29 CONTRIBUTION TOWARDS THE HOUSING COSTS FOR AN ASSISTED UNIT MAY NOT EXCEED
30 30% OF THE FAMILY’S GROSS ADJUSTED MONTHLY INCOME.

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1 (C) *MINIMUM FAMILY CONTRIBUTION PROHIBITED.*

2 NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, THE OFFICE MAY NOT REQUIRE OR
3 OTHERWISE ESTABLISH A MINIMUM CONTRIBUTION TO BE PAID BY A FAMILY TOWARDS THE
4 FAMILY'S HOUSING COSTS.

5 (D) *MANNER OF PAYMENT.*

6 HOUSING ASSISTANCE PAYMENTS MADE UNDER THIS SECTION SHALL BE MADE DIRECTLY
7 TO THE HOUSING PROVIDER.

8 (E) *LIMITATIONS.*

9 (1) *SCOPE OF SUBSECTION.*

10 THIS SUBSECTION ONLY APPLIES TO MULTIPLE-FAMILY DWELLINGS CONTAINING 5 OR
11 MORE DWELLING UNITS.

12 (2) *IN GENERAL.*

13 (i) TO AVOID THE CONCENTRATION OF POVERTY:

14 (A) HOUSING ASSISTANCE PAYMENTS UNDER THIS SECTION MAY ONLY BE
15 PROVIDED TO UP TO 25% OF THE TOTAL DWELLING UNITS WITHIN A
16 PARTICULAR MULTIPLE-FAMILY DWELLING; AND

17 (B) THE OFFICE MAY NOT CONTRACT WITH A HOUSING PROVIDER TO PROVIDE
18 HOUSING ASSISTANCE UNDER SECTION IF THE MULTIPLE-FAMILY DWELLING
19 THAT IS THE SUBJECT OF THE CONTRACT HAS MORE THAN 25% OF ITS
20 TOTAL DWELLING UNITS RECEIVING OTHER FEDERAL, STATE, OR LOCAL
21 HOUSING ASSISTANCE.

22 (F) *PRIORITY.*

23 THE OFFICE SHALL PRIORITIZE PROJECT-BASED RENTAL ASSISTANCE FOR USE IN 1-FAMILY
24 DWELLINGS, 2-FAMILY DWELLINGS, OR MULTIPLE-FAMILY DWELLINGS THAT:

25 (1) ARE ACCESSIBLE HOUSING UNITS FOR INDIVIDUALS WITH DISABILITIES; OR

26 (2) ARE COMMUNITY LAND TRUSTS OR OTHER SHARED-EQUITY HOUSING MODELS.

27 (G) *TERMINATION BY HOUSING PROVIDER.*

28 A HOUSING PROVIDER RECEIVING ASSISTANCE UNDER THIS SECTION MAY NOT TERMINATE
29 A FAMILY'S LEASE OR FAIL TO RENEW A FAMILY'S LEASE UNLESS THE FAMILY HAS
30 COMMITTED A SERIOUS BREACH OF THE LEASE OR FOR OTHER GOOD CAUSE IN
31 ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS.

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1 (H) *TERMINATION BY OFFICE.*

2 THE OFFICE MAY TERMINATE ASSISTANCE UNDER THIS SECTION TO A FAMILY AS SPECIFIED
3 IN § 4-22 {"TERMINATION OR DENIAL OF ASSISTANCE BY OFFICE"} OF THIS SUBTITLE.

4 (I) *TERM OF ASSISTANCE.*

5 (1) *IN GENERAL.*

6 SUBJECT TO THE CONTRACT EXECUTED BETWEEN THE MAYOR AND CITY COUNCIL
7 AND THE HOUSING PROVIDER, ASSISTANCE UNDER THIS SECTION SHALL CONTINUE
8 PROVIDED THAT:

9 (I) SINGLE-FAMILY DWELLING UNITS OR DWELLING UNITS WITHIN THE MULTIPLE-
10 FAMILY DWELLING CONTINUE TO BE LEASED BY FAMILIES THAT MEET THE
11 INCOME ELIGIBILITY REQUIREMENTS OF § 4-14(B)(3);

12 (II) SUFFICIENT FUNDS ARE AVAILABLE TO CONTINUE ASSISTANCE; AND

13 (III) ASSISTANCE IS NOT TERMINATED, VOLUNTARILY OR INVOLUNTARILY, AS
14 PROVIDED IN THIS SUBTITLE.

15 (2) *AUDITS.*

16 THE OFFICE SHALL CONDUCT AUDITS AT LEAST ANNUALLY TO ENSURE THAT:

17 (I) FAMILIES RECEIVING ASSISTANCE CONTINUE TO BE ELIGIBLE FOR ASSISTANCE;
18 AND

19 (II) THE HOUSING PROVIDER IS IN COMPLIANCE WITH THIS SUBTITLE, THE
20 PROGRAM'S RULES AND REGULATIONS, AND ANY CONTRACTUAL
21 REQUIREMENTS.

22 **§ 4-20. PROGRAM LIMITATIONS.**

23 (A) *"ROOMING UNIT" DEFINED.*

24 IN THIS SECTION, "ROOMING UNIT" HAS THE DEFINITION STATED IN § 202.2 OF THE
25 BALTIMORE CITY PROPERTY MAINTENANCE CODE.

26 (B) *ASSISTANCE PROHIBITED.*

27 HOUSING ASSISTANCE PAYMENTS UNDER THE PROGRAM MAY NOT BE PROVIDED FOR A
28 ROOMING UNIT.

29 **§ 4-21. {RESERVED}**

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§ 4-22. TERMINATION OR DENIAL OF ASSISTANCE BY OFFICE.

(A) IN GENERAL.

AFTER A HEARING CONDUCTED IN ACCORDANCE WITH THIS SUBTITLE AND WITH PROPER NOTICE TO THE FAMILY, THE OFFICE MAY DENY OR TERMINATE HOUSING ASSISTANCE PAYMENTS TO A FAMILY UNDER THIS PART IF THE OFFICE FINDS THAT:

- (1) THE FAMILY HAS BEEN EVICTED FROM ITS ASSISTED DWELLING UNIT DUE TO A SERIOUS OR REPEATED LEASE VIOLATION;
- (2) THE FAMILY FAILED TO SUPPLY THE INFORMATION TO THE OFFICE REQUIRED BY THIS SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE;
- (3) THE FAMILY HAS PERMITTED AN UNAUTHORIZED INDIVIDUAL TO RESIDE IN THE ASSISTED DWELLING UNIT, AS SET FORTH IN THIS SUBTITLE OR IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE;
- (4) A FAMILY MEMBER HAS COMMITTED FRAUD OR BRIBERY IN CONNECTION TO THE PROGRAM; OR
- (5) THE FAMILY DOES NOT COMPLY WITH THE HOUSING QUALITY STANDARDS SET FORTH IN THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(B) IMPOSITION OF TERMINATION.

TERMINATION OF A FAMILY'S HOUSING ASSISTANCE PAYMENTS IS RESERVED FOR ONLY THE MOST SEVERE AND EGREGIOUS VIOLATIONS OF SUBSECTION (A) OF THIS SECTION. THE OFFICE SHALL EXAMINE ALL EXTENUATING CIRCUMSTANCES IN DETERMINING WHETHER A VIOLATION WARRANTS TERMINATION.

(C) RETURN TO PERMANENT SUPPORTIVE HOUSING.

(1) SCOPE OF SUBSECTION.

THIS SUBSECTION IS APPLICABLE ONLY ON THE APPROVAL OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(2) IN GENERAL.

PRIOR TO ANY DETERMINATION THAT A FAMILY'S HOUSING ASSISTANCE PAYMENTS SHOULD BE TERMINATED, THE OFFICE SHALL OFFER THE FAMILY THE OPPORTUNITY TO RETURN TO PERMANENT SUPPORTIVE HOUSING.

§ 4-23. RETURN TO PERMANENT SUPPORTIVE HOUSING.

(A) SCOPE OF SECTION.

THIS SECTION IS APPLICABLE ONLY ON THE APPROVAL OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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1 (B) *IN GENERAL.*

2 AT ANY TIME, A FAMILY ADMITTED INTO THE PROGRAM MAY VOLUNTARILY REQUEST
3 THAT PROGRAM ASSISTANCE BE TERMINATED AND TO BE RETURNED TO PERMANENT
4 SUPPORTIVE HOUSING.

5 **§ 4-24. {RESERVED}**

6 **§ 4-25. HEARINGS - GENERALLY.**

7 (A) *IN GENERAL.*

8 PRIOR TO TAKING ANY FINAL ACTION TO DENY OR TERMINATE HOUSING ASSISTANCE
9 PAYMENTS UNDER THIS SUBTITLE, THE OFFICE SHALL NOTIFY THE FAMILY AGAINST WHOM
10 THE ACTION IS CONTEMPLATED OF THE PROPOSED ACTION.

11 (B) *NOTICE.*

12 THE NOTICE UNDER THIS SECTION SHALL:

- 13 (1) BE IN WRITING TO THE FAMILY'S ADDRESS OF RECORD WITH THE OFFICE;
- 14 (2) STATE THE REASON AND FACTUAL BASIS FOR THE DENIAL OR TERMINATION;
- 15 (3) STATE THE RELEVANT STATUTORY OR REGULATORY PROVISION FORMING THE
16 BASIS FOR THE DENIAL OR TERMINATION;
- 17 (4) STATE THAT A HEARING WILL BE PROVIDED IF, WITHIN 10 DAYS OF THE NOTICE (OR
18 ANY LONGER PERIOD SPECIFIED IN THE NOTICE), THE PERSON FILES WITH THE
19 OFFICE A WRITTEN REQUEST FOR A HEARING;
- 20 (5) PROVIDE INFORMATION ON THE AVAILABILITY OF FREE LEGAL SERVICES; AND
- 21 (6) FOR NOTICES OF INTENT TO TERMINATE ASSISTANCE, INCLUDE A STATEMENT
22 THAT, IF A HEARING IS REQUESTED, HOUSING ASSISTANCE WILL CONTINUE UNTIL
23 THE OFFICE ISSUES A FINAL DECISION.

24 (C) *OTHER SITUATIONS.*

25 A HEARING IS NOT REQUIRED WHEN A FAMILY IS DENIED OR TERMINATED FROM HOUSING
26 PAYMENT ASSISTANCE FOR LACK OF PROGRAM FUNDING.

27 **§ 4-26. DELEGATION OF HEARING AUTHORITY.**

28 (A) *IN GENERAL.*

29 HEARINGS MAY BE CONDUCTED BY:

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1 (1) THE EXECUTIVE DIRECTOR; OR

2 (2) A HEARING OFFICER DESIGNATED BY THE EXECUTIVE DIRECTOR.

3 (B) *SCOPE OF DELEGATION.*

4 THE EXECUTIVE DIRECTOR MAY DELEGATE TO A HEARING OFFICER THE AUTHORITY TO
5 ISSUE:

6 (1) PROPOSED FINDINGS OF FACT;

7 (2) PROPOSED CONCLUSIONS OF LAW;

8 (3) PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW; OR

9 (4) PROPOSED ORDERS.

10 **§ 4-27. CONDUCT OF HEARING.**

11 (A) *NOTICE OF HEARING.*

12 (1) THE OFFICE MUST PROVIDE ALL PARTIES REASONABLE WRITTEN NOTICE OF THE
13 HEARING.

14 (2) THE NOTICE MUST STATE:

15 (I) THE DATE, TIME, PLACE, AND NATURE OF THE HEARING;

16 (II) THE RIGHT OF A PARTY TO BE REPRESENTED, AT THE PARTY'S OWN EXPENSE,
17 BY AN ATTORNEY OR, IF PERMITTED BY LAW, OTHER REPRESENTATIVE;

18 (III) THE RIGHT OF A PARTY TO CALL WITNESSES AND SUBMIT DOCUMENTS OR
19 OTHER EVIDENCE UNDER § 4-28 {"EVIDENCE"} OF THIS SUBTITLE; AND

20 (IV) THAT FAILURE TO APPEAR FOR THE SCHEDULED HEARING MAY RESULT IN AN
21 ADVERSE ACTION AGAINST THE PARTY.

22 (B) *HEARINGS TO BE OPEN AND INFORMAL.*

23 EXCEPT AS OTHERWISE PROVIDED BY LAW OR BY RULE OR REGULATION OF THE OFFICE,
24 ALL HEARINGS SHALL BE:

25 (1) OPEN TO THE PUBLIC; AND

26 (2) CONDUCTED IN AN ORDERLY BUT INFORMAL MANNER.

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1 **§ 4-28. EVIDENCE.**

2 (A) *IN GENERAL.*

3 EXCEPT AS OTHERWISE PROVIDED BY THIS SECTION OR BY RULE OR REGULATION OF THE
4 OFFICE, FORMAL RULES OF EVIDENCE AND TRIAL PROCEDURES DO NOT APPLY.

5 (B) *RIGHT TO SUBMIT.*

6 ON A GENUINE ISSUE OF FACT, A PARTY IS ENTITLED TO:

- 7 (1) CALL WITNESSES;
- 8 (2) OFFER EVIDENCE, INCLUDING REBUTTAL EVIDENCE;
- 9
- 10 (3) CROSS-EXAMINE ANY WITNESS THAT ANOTHER PARTY OR THE OFFICE CALLS; AND
- 11 (4) PRESENT SUMMATION AND ARGUMENT.

12 (C) *SCOPE.*

13 THE EXECUTIVE DIRECTOR OR HEARING OFFICER:

- 14 (1) MAY ADMIT PROBATIVE EVIDENCE THAT REASONABLE AND PRUDENT INDIVIDUALS
15 COMMONLY ACCEPT IN THE CONDUCT OF THEIR AFFAIRS AND GIVE PROBATIVE
16 EFFECT TO THAT EVIDENCE;
- 17 (2) MAY NOT EXCLUDE EVIDENCE SOLELY ON THE BASIS THAT IT IS HEARSAY;
- 18 (3) MUST GIVE EFFECT TO A PRIVILEGE RECOGNIZED BY LAW;
- 19 (4) MAY RECEIVE DOCUMENTARY EVIDENCE IN THE FORM OF COPIES OR EXCERPTS OR
20 THROUGH INCORPORATION BY REFERENCE;
- 21 (5) MAY TAKE OFFICIAL NOTICE OF A FACT THAT IS JUDICIALLY NOTICEABLE OR THAT
22 IS GENERAL, TECHNICAL, OR SCIENTIFIC AND WITHIN THE SPECIALIZED
23 KNOWLEDGE OF THE OFFICE; AND
- 24 (6) MAY EXCLUDE EVIDENCE THAT IS:
- 25 (I) INCOMPETENT;
- 26 (II) IRRELEVANT;
- 27 (III) IMMATERIAL; OR
- 28 (IV) UNDULY REPETITIOUS.

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1 **§ 4-29. HEARING RECORD.**

2 (A) *IN GENERAL.*

3 THE EXECUTIVE DIRECTOR OR THE HEARING OFFICER SHALL MAKE A RECORD OF EACH
4 HEARING CONDUCTED UNDER THIS SUBTITLE.

5 (B) *CONTENTS OF RECORD.*

6 A HEARING RECORD REQUIRED BY THIS SECTION SHALL INCLUDE:

- 7 (1) ALL DOCUMENTARY EVIDENCE RECEIVED DURING THE HEARING;
- 8 (2) A STATEMENT OF EACH FACT OF WHICH OFFICIAL NOTICE HAS BEEN TAKEN;
- 9 (3) EACH QUESTION;
- 10 (4) EACH OFFER OF PROOF;
- 11 (5) EACH OBJECTION AND THE RULING ON THE OBJECTION;
- 12 (6) ALL MOTIONS AND PLEADINGS; AND
- 13 (7) EACH FINDING OF FACT OR CONCLUSION OF LAW PROPOSED BY A PARTY OR THE
14 HEARING OFFICER.

15 **§ 4-30. FINAL DECISIONS.**

16 (A) *ISSUANCE.*

17 THE FINAL ADMINISTRATIVE DECISION AND ORDER OF THE OFFICE SHALL BE ISSUED BY
18 THE EXECUTIVE DIRECTOR.

19 (B) *FORM AND CONTENTS.*

20 A FINAL DECISION MUST:

- 21 (1) BE IN WRITING;
- 22 (2) CONTAIN SEPARATE STATEMENTS OF:
 - 23 (I) THE FINDINGS OF FACT;
 - 24 (II) THE CONCLUSIONS OF LAW; AND
 - 25 (III) THE DECISION OR ORDER; AND
- 26 (3) A WRITTEN STATEMENT OF APPEAL RIGHTS.

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1 (C) *DISTRIBUTION.*

2 A COPY OF THE FINAL DECISION MUST BE MAILED OR DELIVERED TO EACH PARTY OR THAT
3 PARTY’S ATTORNEY OF RECORD.

4 **§ 4-31. JUDICIAL AND APPELLATE REVIEW.**

5 (A) *JUDICIAL REVIEW.*

6 A PARTY AGGRIEVED BY A FINAL DECISION UNDER THIS SUBTITLE MAY SEEK JUDICIAL
7 REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN
8 ACCORDANCE WITH THE MARYLAND RULES.

9 (B) *APPELLATE REVIEW.*

10 A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT’S FINAL JUDGMENT TO THE
11 COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES.

12 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
13 are not law and may not be considered to have been enacted as a part of this or any prior
14 Ordinance.

15 **SECTION 4. AND BE IT FURTHER ORDAINED,** That, notwithstanding the funding allocation
16 set forth in § 4-11(c) {“Program funding: Funding allocation”} of Section 2 of this Ordinance,
17 the Office shall allocate 100% of available Program funding to tenant-based voucher assistance
18 in the Program’s first full fiscal year.

19 **SECTION 5. AND BE IT FURTHER ORDAINED,** That it is the intent of the City Council that the
20 Office to End Homelessness is to be the successor entity of the Mayor’s Office of Homeless
21 Services and that all current employees of the Mayor’s Office of Homeless Services are
22 transferred to the Office to End Homelessness. The Council further intends that any current
23 employee that may be transferred to the Office to End Homelessness as a result of this Ordinance
24 shall be transferred without diminution of that employee’s rights, benefits, employment, or
25 retirement status.

26 **SECTION 6. AND BE IT FURTHER ORDAINED,** That it is the intent of the City Council for the
27 individual holding the position of director of the Mayor’s Office of Homeless Services on the
28 date that this Ordinance is enacted shall assume the position of Executive Director created by
29 § 4-5 {“Administration of Office”} of Section 2 of this Ordinance on the date that this Ordinance
30 goes into effect and shall serve in that position until another individual is appointed and qualifies
31 under the provisions of this Ordinance.

32 **SECTION 7. AND BE IT FURTHER ORDAINED,** That, within 1 year of the enactment of this
33 Ordinance, the Office shall petition the United States Department of Housing and Urban
34 Development to allow for the return of Program participants to permanent supportive housing as
35 provided for in this Ordinance.

36 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 180th
37 day after the date it is enacted.