



BALTIMORE CITY COUNCIL HOUSING & ECONOMIC DEVELOPMENT COMMITTEE

Mission Statement

The Housing & Economic Development Committee is dedicated to fostering equitable growth and opportunity across Baltimore while addressing historic injustices, such as redlining and other discriminatory policies. Our goals include eliminating vacant properties, ensuring affordable housing, promoting sustainable development, and driving economic growth, job creation, and community revitalization through equitable policies and targeted strategies. By utilizing transparent governance, collaboration, and innovative solutions, we strive to enhance the quality of life for all residents.

The Honorable James Torrence

CHAIR

PUBLIC HEARING

2/24/2026

5:15PM

CLARENCE "DU" BURNS COUNCIL CHAMBERS

25-0141

***RENTAL DWELLING HEALTH AND SAFETY
ENFORCEMENT ACT***

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HOUSING & ECONOMIC DEVELOPMENT COMMITTEE

The Honorable James Torrence
CHAIR

Bill Hearing

25-0141

Rental Dwelling Health and Safety Enforcement Act

Purpose

FOR the purpose of updating certain provisions regarding the licensing of rental dwellings; establishing certain penalties; requiring certain information be filed with a registration statement when applying for a rental dwelling license; requiring the Department of Housing and Community Development to promulgate certain regulations; creating a registry of rental inspectors; prohibiting certain actions based on actual or perceived immigration status; establishing certain grounds for the revocation of a rental dwelling license; establishing a process for rental dwelling receivership; making conforming changes; providing for the effective dates of this Ordinance; and generally relating to the enforcement of rental dwelling health and safety standards.

Sponsor – Council Member Odette Ramos

REPORTING AGENCIES

Department	Report
• Department of Housing & Community Development	•
• Department of Law	• Approve for form & sufficiency with amendments
• Department of Finance	•
• Baltimore City Information Technology	•
• Housing Authority of Baltimore City	•
• The Mayor’s Office of Immigrant Affairs	•
• Circuit Court of Baltimore City	•
• Department of Public Works	•

BACKGROUND

Bill Summary

In formal remarks on this bill the Sponsor Councilmember Ramos noted that this bill is meant to build on the work of the previous term when the Council passed the Strengthening Renter's Safety Act. The bill would make a number of changes to the building code, & city code articles 1 & 13 If enacted this bill would apply to all rental units in the City and would do the following:

1. Empower those building agents who inspect rental dwellings to begin the process of receivership if
 - a. The property owner or manager has not taken action to address documented problems at a rental property (i.e. not boarding up unsafe property, not maintaining the property- high grass, weeds, etc...-, safe guarding a vacant structure or lot)
 - b. The property contains a rental unit
 - c. The property meets the other criteria for receivership
2. Creates a civil citation (\$1,000) for not having rental units inspected
3. Defines an inspection year as a calendar year
4. Defines a property manager as a person empowered by the owner to operate or maintain a rental dwelling
5. Defines a rental inspection as
 - a. The physical inspection of a rental dwelling
 - b. The report submitted by the inspector
6. Defines a rental inspector as
 - a. A home inspector licensed by the state
 - b. And that the professional must certify that
 - i. They are registered with the housing commissioner
 - ii. Submitted a conflict of interest statement to the housing commissioner
 - iii. Certified that neither they nor any owner, employee or other person associated with their home inspection business has a financial interest or connection with
 1. The property being inspected
 2. The owners of the property
 3. And operators or managers of the property
7. Requires the Housing Commissioner to maintain a registry of inspectors and to remove those inspectors who knowingly or should have reasonably known that a rental unit that they certified should not have been certified.
8. Creates a process for rental inspections
 - a. That the applicant must at their cost hire a rental inspector for their unit before applying for or renewing a license
 - b. Inspections must happen no more than 90 days before applying for a license or renewal
 - c. Bars the applicant from hiring the same inspector or company twice in an 8 year period
 - d. Requires the housing commissioner to conduct an audit of 100-200 inspections of rental units
 - i. The Housing Commissioner must publish the findings of the audit
9. Add the following reasons to deny a rental license or a renewal of a license
 - a. The lessee has allowed or should have known that the property was being used as a nuisance property.

- b. Demanding, requesting, or collecting information regarding or relating to the immigration or citizenship status of a tenant, prospective tenant, or applicant for tenancy
 - c. Disclosing or threatening to disclose information regarding or relating to the immigration or citizenship status of a tenant, prospective tenant, or applicant to any person, entity, or law enforcement agency.
 - d. Refusing to enter into a rental agreement, approve a subtenancy, or otherwise preclude from occupying a dwelling unit, a tenant, prospective tenant, or applicant for tenancy, based solely or in part on the immigration or citizenship status of the tenant, prospective tenant, or applicant for tenancy.
 - e. Bringing an action to recover possession of a dwelling unit 11 based solely or in part on the immigration or citizenship status 12 of a tenant.
 - f. Violating the state law against extortion
10. A requirement that a property be reinspected before a license may be renewed - \$50.00 fee at the applicant's expense
 11. Gives the right to appeal a decision by the Commissioner under the building code.
 12. If the Commissioner requires that a rental unit be vacated
 - a. The expenses will be paid by the department
 - b. The commissioner will post a notice on each rental unit with information about available resources
 13. All rental inspections associated with a particular unit must be accessible by the public from the department's website
 14. All documents submitted by the applicant for a rental license as a part of their application must be accessible from the department's website.
 15. Adds the following to the annual report from the department
 - a. All rental license revoked- both priority and non-priority – under 15-5(6-7) under this subtitle
 - b. The number of rental property receivership actions that were filed
 - c. The number of audits performed
 - d. The number of completed rental inspections performed by the department
 - e. Removes the requirement that information requested by the City Council be included in a resolution of the Council
 16. Creates a process for rental receivership where by the Housing Commissioner can petition the court for a property to be placed in receivership if
 - a. The property has been cited by the City 5 or more times and has failed to be brought into compliance
 - b. The safety of tenants is threatened because the property isn't safe for human habitation
 17. The bill identifies:
 - a. what the Housing Commissioner needs to place in their petition,
 - b. what kind of notice must be given to tenants, as well as judgement creditors and lien holders
 - c. who is to be named in the petition,
 - d. requires that the petition be filed with the bureau of liens
 18. the bill permits the owner or another person with an interest in the property to be appointed by the court to bring the property into compliance instead of a receivership

- a. the housing commissioner may petition the court if it appears that the appointed owner/interested party is not completing the required work with the proper due diligence to remove the appointed owner/ interested party and appoint a receivership.
19. Requires in a registration for the license that if the owner is a LLC, Partnership, or corporation that:
- a. The name and address of the organization as well as the officers be included in the statement
 - b. Anyone who's ownership of the organization is at least 25%
 - c. Purposes of this division, any person owning a share of a parent corporation shall be deemed to be an owner of a share of a subsidiary corporation equal to the product of the percentage of their ownership of the parent corporation multiplied by the percentage of the parent corporation's ownership of the subsidiary corporation.
20. Deems a PO box as an invalid business address
21. The bill requires for those property managers of 20 or more units where at least 20 units are designated for residents 55 and older
- a. Health and safety training for the manager and staff
 - b. An means for employees to anonymously submit suspected violations of health and safety standards to the City.

Bill Reports

The law department has submitted a report with several amendments to approve it for form and legal sufficiency. Please see the report for all suggested amendments but particularly the report the Law Department notes concern with:

1. Potential conflicts with state law regarding inspectors who fail to comply with local ordinance – because their license comes from the state the law department believes that it local government can not prohibit these inspectors from practicing.
2. The prohibition on using the same inspector more than once in an eight-year period – the law department believes this restricts the free enterprise of the inspectors as well as the applicants.
3. Using the collection of immigration status or collaborating with immigration authorities – the law department believes this hinders owners/managers free speech
4. The identification of corporation officers and owners in registration as these are not the parties that would solve housing issues or be liable in a legal action.
5. The deeming of a PO box as a business address.

FISCAL NOTE

Analysis by: Select an Analyst
Analysis Date: Select a Date

Direct Inquiries to: Select an Email

**CITY OF BALTIMORE
COUNCIL BILL 25-0141
(First Reader)**

Introduced by: Councilmember Ramos

Cosponsored by: Councilmembers Middleton, Gray, Bullock, Blanchard, Jones, Conway,
Torrence, Porter, and Glover

Introduced and read first time: December 15, 2025

Assigned to: Housing and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Housing and Community Development, Baltimore City Information Technology, Housing
Authority of Baltimore City, Mayor's Office of Immigrant Affairs, Circuit Court for Baltimore
City, Department of Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rental Dwelling Health and Safety Enforcement Act**

3 FOR the purpose of updating certain provisions regarding the licensing of rental dwellings;
4 establishing certain penalties; requiring certain information be filed with a registration
5 statement when applying for a rental dwelling license; requiring the Department of Housing
6 and Community Development to promulgate certain regulations; creating a registry of rental
7 inspectors; prohibiting certain actions based on actual or perceived immigration status;
8 establishing certain grounds for the revocation of a rental dwelling license; establishing a
9 process for rental dwelling receivership; making conforming changes; providing for the
10 effective dates of this Ordinance; and generally relating to the enforcement of rental dwelling
11 health and safety standards.

12 BY repealing and re-ordaining, without amendments,
13 Article - Building, Fire, and Related Codes
14 Section 2-103 (IBC §§ 116.1.1)
15 Baltimore City Revised Code
16 (2021 Edition)

17 BY repealing and re-ordaining, with amendments,
18 Article - Building, Fire, and Related Codes
19 Section 2-103 (IBC § 116.7.1)
20 Baltimore City Revised Code
21 (2021 Edition)

22 BY repealing and re-ordaining, with amendments,
23 Article 1 - Mayor, City Council, and Municipal Agencies
24 Section 41-14(5)
25 Baltimore City Code
26 (Edition 2000)

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

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1 BY repealing and re-ordaining, with amendments,
2 Article 13 - Housing and Urban Renewal
3 Sections 4-6, 5-1, 5-4 to 5-8, 5-10, 5-11, 5-15, 5-16, 5-17, 5-20, 5-22, 5-27, and 5-28
4 Baltimore City Code
5 (Edition 2000)

6 BY repealing and re-ordaining, without amendments,
7 Article 13 - Housing and Urban Renewal
8 Sections 5-2, 5-9, 5-12, 5-13, 5-19, 5-21, 5-25, and 5-26
9 Baltimore City Code
10 (Edition 2000)

11 BY adding
12 Article 13 - Housing and Urban Renewal
13 Section 5-35 to 5-46, and the Part designations,
14 “Part I. Licensing Procedures” and “Part II. Rental Property Receivership”
15 Baltimore City Code
16 (Edition 2000)

17 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
18 Laws of Baltimore City read as follows:

19 **Baltimore City Code**

20 **Article – Building, Fire, and Related Codes**

21 **Part II. International Building Code**

22 **§ 2-103. City modifications.**

23 The additions, deletions, amendments, and other modifications adopted by the City are
24 as follows:

25 **Chapter 1**
26 **Scope and Administration**

27 **Section 116. Unsafe Structures**

28 **116.1 General.** Any structure or part of a structure found to be unsafe or unfit for human
29 habitation or other authorized use must be rehabilitated or, as permitted or required by the
30 Building Official, demolished.

31 **116.1.1 Scope.** A structure may be unsafe or unfit for human habitation or other
32 authorized use because of:

- 33 1. conditions constituting a fire hazard or conditions of damage, decay, dilapidation,
34 obsolescence, abandonment, vacancy (as described in § 116.4), insanitation, or
35 vermin or rodent infestation that constitute a hazard to the health, welfare, or
36 safety of occupants or the public,

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- 1 2. lack of sanitation, illumination, ventilation, heating, plumbing, exitways, fire
- 2 protection, utilities, or other facilities adequate to protect the health, welfare, or
- 3 safety of occupants or the public, or

- 4 3. conditions that are so unsafe, insanitary, overcrowded, improper in use or
- 5 occupancy, or otherwise dangerous to life, health, welfare, or safety as to create a
- 6 hazard to occupants or the public.

7 **116.7 Remedial action by Building Official.** The Building Official may take action
8 under this § 116.7 whenever the owner, agent, or person in control cannot be found or
9 fails to comply with a notice or order served under this Code:

- 10 1. to repair, rehabilitate, stabilize, or demolish an unsafe structure,
- 11 2. to clean, close, board, fence, or otherwise safeguard a vacant structure or lot, or
- 12 3. to remove high grass and weeds or litter, trash, and debris from the premises of a
- 13 vacant structure or lot.

14 **116.7.1 Actions authorized.** The Building Official may proceed to:

- 15 1. have a receiver appointed, [or]
- 16 2. FILE FOR RENTAL PROPERTY RECEIVERSHIP UNDER CITY CODE ARTICLE 13,
- 17 SUBTITLE 5, PART II {"LICENSING OF RENTAL DWELLINGS: RENTAL PROPERTY
- 18 RECEIVERSHIP"}, IF
 - 19 A. IF THE STRUCTURE IS OR CONTAINS A RENTAL DWELLING UNDER CITY
 - 20 CODE ARTICLE 13 § 5-1(K), AND
 - 21 B. THE RENTAL DWELLING MEETS ALL OTHER REQUIREMENTS FOR A
 - 22 RENTAL PROPERTY RECEIVERSHIP ACTION, AND
- 23 3. [2.] complete all or any part of the required work through officers, agents,
- 24 employees, or contractors.

25 **Article 1. Mayor, City Council, and Municipal Agencies**

26 **Subtitle 41. Civil Citations**

27 **§ 41-14. Offenses to which subtitle applies – Listing.**

28 **(5) Article 13. Housing and Urban Renewal**

29 § 5-4. License Required	\$1,000
30 § 5-7. PREREQUISITES FOR NEW OR RENEWAL LICENSE – RENTAL INSPECTION.	\$1,000

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Article 13. Housing and Urban Renewal

Subtitle 5. Licensing of Rental Dwellings

PART I. LICENSING PROCEDURES

§ 5-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Dwelling unit.*

“Dwelling unit” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

(c) *Housing Commissioner; Commissioner.*

“Housing Commissioner” or “Commissioner” means the Commissioner of Housing and Community Development or the Commissioner’s designee.

(D) *INSPECTION YEAR.*

“INSPECTION YEAR” MEANS THE CALENDAR YEAR.

(E) [(d)] *Multiple-family dwelling.*

“Multiple-family dwelling” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

(F) [(e)] *Non-owner-occupied dwelling unit.*

“Non-owner-occupied dwelling unit” has the meaning stated in § 4-1 of this article.

(G) [(f)] *Person.*

(1) *In general.*

“Person” has the meaning stated in § 1-107(a) {“Person: In general”} of the City Code’s General Provisions Article.

(2) *Qualified inclusion of governmental entities.*

Notwithstanding § 1-107(b) {“Person: Exclusion”} of the General Provisions Article, in this subtitle “person” also includes, except as used in § 5-21 {“Penalties”} of this subtitle, a governmental entity or an instrumentality or unit of a governmental entity.

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1 (H) [(g)] *Priority dwelling.*

2 (1) *In general.*

3 “Priority dwelling” means a rental dwelling:

4 (i) with 20 or more dwelling units or rooming units; and

5 (ii) to which 2 or more of the following criteria applied in the preceding calendar
6 year:

7 A. the rental dwelling was issued a violation notice under the Building,
8 Fire, and Related Codes article relating to interior conditions that
9 remained unabated for more than 90 days;

10 B. the rental dwelling was issued four or more violation notices under the
11 Building, Fire, and Related Codes article relating to interior
12 conditions; and

13 C. the number of recorded 311 calls related to health and habitability for a
14 rental dwelling, which may not include requests to summon law
15 enforcement or emergency services as prohibited under § 14-126 of the
16 State Real Property Article, divided by the total number of dwelling
17 and rooming units in that rental dwelling, exceeds the applicable
18 minimum value in the table below; and

19

Total Number of Units	Minimum Value
20 20 - 35	0.8
21 36 - 50	0.7
22 51 - 75	0.6
23 76 - 100	0.5
24 101 - 125	0.4
25 126 - 150	0.3
26 151+	0.2

27 D. the rental dwelling's U.S. Department of Housing and Urban
28 Development (HUD) National Standards for the Physical Inspection of
29 Real Estate (NSPIRE) inspection score for either of the 2 most recent
30 NSPIRE inspections was less than or equal to 79.

31 (2) *Exceptions.*

32 This definition does not include any rental dwellings owned and operated by the
33 Housing Authority of Baltimore City.

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1 (I) [(h)] *Priority DWELLING inspection.*

2 “Priority DWELLING inspection” means:

- 3 (1) the physical inspection of a priority dwelling conducted by an inspector employed
4 by the Department of Housing and Community Development; and
- 5 (2) the inspector’s written evaluation of the rental dwelling’s compliance with the
6 City’s health and safety standards specified in the rules and regulations adopted by
7 the Commissioner under this subtitle.

8 (J) *PROPERTY MANAGER.*

9 “PROPERTY MANAGER” MEANS A PERSON AUTHORIZED BY A PROPERTY OWNER TO
10 OPERATE OR MAINTAIN A RENTAL DWELLING.

11 (K) [(i)] *Rental dwelling.*

12 “Rental dwelling” means:

- 13 (1) any multiple-family dwelling;
- 14 (2) any rooming house;
- 15 (3) any supportive housing facility; and
- 16 (4) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased
17 or rented or offered or available for lease or rental in exchange for any form of
18 consideration.

19 (L) *RENTAL INSPECTION.*

20 “RENTAL INSPECTION” MEANS:

- 21 (1) THE PHYSICAL INSPECTION OF A RENTAL DWELLING CONDUCTED BY A RENTAL
22 INSPECTOR; AND
- 23 (2) THE RENTAL INSPECTOR’S WRITTEN EVALUATION OF THE RENTAL DWELLING’S
24 COMPLIANCE WITH THE CITY’S HEALTH, SAFETY, AND LICENSING STANDARDS
25 SPECIFIED UNDER § 116.1.1 {“UNSAFE STRUCTURES: GENERAL: SCOPE”} OF THE
26 BALTIMORE CITY BUILDING CODE AND UNDER THIS SUBTITLE.

27 (M) *RENTAL INSPECTOR.*

28 “RENTAL INSPECTOR” MEANS AN INDIVIDUAL:

- 29 (1) WHO IS LICENSED AS A HOME INSPECTOR UNDER TITLE 16, SUBTITLE 3A OF THE
30 STATE BUSINESS OCCUPATION AND PROFESSIONS ARTICLE; AND

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1 (2) WHO, AS REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS
2 SUBTITLE:

3 (I) HAS REGISTERED WITH THE HOUSING COMMISSIONER AS GENERALLY
4 AVAILABLE TO INSPECT AND CERTIFY RENTAL DWELLINGS UNDER THIS
5 SUBSECTION;

6 (II) HAS, AS SPECIFIED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS
7 SUBTITLE, SUBMITTED TO THE COMMISSIONER A CONFLICT-OF-INTEREST
8 STATEMENT; AND

9 (III) FOR EACH HOME INSPECTION TO BE PERFORMED UNDER THIS SUBSECTION
10 CERTIFIES THAT NEITHER THE RENTAL INSPECTOR NOR ANY OWNER,
11 PARTNER, DIRECTOR, OFFICER, EMPLOYEE, OR AGENT OF THE RENTAL
12 INSPECTOR OR OF THE HOME INSPECTOR’S BUSINESS HAS ANY FINANCIAL
13 INTEREST IN:

14 (A) THE RENTAL DWELLING TO BE INSPECTED;

15 (B) THE OWNER OR OPERATOR OF THAT RENTAL DWELLING; OR

16 (C) ANY OWNER, PARTNER, DIRECTOR, OFFICER, EMPLOYEE, OR AGENT
17 OF THE RENTAL DWELLING’S OWNER OR OPERATOR.

18 (N) [(j)] *Rooming house*.

19 “Rooming house” has the meaning stated in § 202.2 of the Property Maintenance Code of
20 Baltimore City.

21 (O) [(k)] *Rooming unit*.

22 “Rooming unit” has the meaning stated in § 202.2 of the Property Maintenance Code of
23 Baltimore City.

24 (P) [(j)] *Supportive housing facility*.

25 “Supportive housing facility” has the meaning stated in § 202.2.56 of the Baltimore City
26 Building Code.

27 **§ 5-2. Rules and regulations.**

28 Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General
29 Provisions Article, the Commissioner may adopt rules and regulations to carry out this
30 subtitle.

31 **§ 5-3. {Reserved}**

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1 **§ 5-4. License required.**

2 (a) *In general.*

3 Except as provided in subsection (b) of this section, no person may:

4 (1) rent or offer to rent to another all or any part of any rental dwelling without a
5 currently effective license to do so from the Housing Commissioner; or

6 (2) charge, accept, retain, or seek to collect any rental payment or other compensation
7 for providing to another the occupancy of all or any part of any rental dwelling
8 unless the person was licensed under this subtitle at both the time of offering to
9 provide and the time of providing this occupancy.

10 (b) *Exception.*

11 A license is not required under this subtitle for any rental dwelling that is owned and
12 operated by the Housing Authority of Baltimore City.

13 (c) *Notice to all occupants.*

14 (1) When the Department of Housing and Community Development has notice or actual
15 knowledge that a rental dwelling is rented without a license as required in this section,
16 the Commissioner shall promptly notify the record owner or the managing operator, if
17 other than the record owner, to post a notice in the rental dwelling in an area
18 accessible to all occupants.

19 (2) The notice required in paragraph (1) of this subsection shall include:

20 (i) a description of the duties and obligations of the record owner and managing
21 operator of the rental dwelling regarding compliance with this subtitle;

22 (ii) the civil citations and criminal penalties that may arise under §§ 5-25 and 5-26
23 of this subtitle;

24 (iii) a statement that each day the violation continues is a separate
25 offense; and

26 (iv) any additional information the Commissioner deems necessary to
27 include.

28 (3) The notice [must] SHALL remain posted for at least 90 days or until the building is
29 licensed, whichever is longer.

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1 (d) *Notice to HABC.*

2 When the Department of Housing and Community Development has notice or actual
3 knowledge that a rental dwelling is rented without a license as required in this section, the
4 Commissioner shall promptly notify the Housing Authority of Baltimore City, including
5 any information the Commissioner deems necessary.

6 **§ 5-5. Application for new or renewal license.**

7 (a) *In general.*

8 The application for a new or renewal rental dwelling license [must] SHALL be made in the
9 form and contain the information and documentation that the Housing Commissioner
10 requires.

11 (b) *By whom to be made.*

12 The application [must] SHALL be made and signed by:

13 (1) the record owner of the premises; and

14 (2) the managing operator of the premises, if other than the record owner.

15 (c) *Application period for renewal.*

16 To renew a license issued under this subtitle, an application for renewal [must] SHALL be
17 submitted to the Commissioner no more than 120 days before the license expires.

18 (d) *License application – Form and contents.*

19 Each application for a new or renewed license, [must] SHALL contain the following
20 information:

21 (1) a description of the premises by street number and by block-and-lot numbers;

22 (2) the name, street address, telephone number, and email address of the rental
23 dwelling's record owner;

24 (3) the name, street address, telephone number, and email address of the rental
25 dwelling's managing operator, if other than the record owner; and

26 (4) any other information requested by the Commissioner of the
27 Department of Housing and Community Development or the
28 Commissioner's designee.

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§ 5-6. Prerequisites for new or renewal license – In general.

A rental dwelling license [may] SHALL be issued or renewed under this subtitle only if:

- (1) all dwelling units and rooming units are currently registered as required by Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures"} of this article;
- (2) all registration fees for these units and all related interest and late fees required by Subtitle 4 have been paid;
- (3) the premises have passed [an] A RENTAL inspection, as required by § 5-7 {"Prerequisites ... – [Inspection]}] RENTAL INSPECTION"} or § 5-10 {"Priority DWELLING inspections"} of this subtitle;
- (4) the premises are in compliance with all federal, State, and City laws and regulations governing lead paint;
- (5) for premises that include a hotel or motel subject to City Code Article 15 {"Licensing and Regulation"}, Subtitle 10 {"Hotels"}, the hotel or motel is in compliance with the training, certification, and posting requirements of that subtitle; [and]
- (6) the premises are not subject to any violation notice or order that:
 - (i) has been issued under the Baltimore City Building, Fire, and Related Codes Article; and
 - (ii) notwithstanding the passage of more than 90 days since its issuance, has not been abated before the license issuance or renewal.

§ 5-7. Prerequisites for new or renewal license – [Inspection.] RENTAL INSPECTION.

(a) *In general.*

The RENTAL inspection required by § 5-6 {"Prerequisites ... – In general"} of this subtitle [must] SHALL comply with either:

- (1) subsection (b) {"Third-party home inspections"} of this section;
- (2) subsection (c) {"Governmental agency inspections"} of this section; or
- (3) § 5-10 {"Priority DWELLING inspections"} of this subtitle.

(b) *Third-party home inspections.*

[(1) *Definitions.*]

[(i) *In general.*]

[In this subsection, the following terms have the meanings indicated.]

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1 [(ii) *Home inspection.*]

2 ["Home inspection" means a home inspector's written evaluation of a rental
3 dwelling's compliance with the City's health and safety standards specified in the
4 Housing Commissioner's rules and regulations adopted under this subtitle.]

5 [(iii) *Home inspector.*]

6 ["Home inspector" means an individual:]

7 [(A) who is licensed as a home inspector under Title 16, Subtitle 3A of the
8 State Business Occupation and Professions Article; and]

9 [(B) who, as required by the rules and regulations adopted under this subtitle:]

10 [1. has registered with the Housing Commissioner as generally
11 available to inspect and certify rental dwellings under this
12 subsection;]

13 [2. has, as specified by the rules and regulations adopted under this
14 subtitle, submitted to the Commissioner a conflict-of-interest
15 statement; and]

16 [3. for each home inspection to be performed under this subsection,
17 certifies that neither the home inspector nor any owner, partner,
18 director, officer, employee, or agent of the home inspector or of the
19 home inspector's business has any financial interest in:]

20 [a. the rental dwelling to be inspected;]

21 [b. the record owner or operator of that rental dwelling; or]

22 [c. any owner, partner, director, officer, employee, or
23 agent of the rental dwelling's record owner or operator.]

24 (1) *REGISTRY OF RENTAL INSPECTORS.*

25 (I) THE HOUSING COMMISSIONER SHALL MAINTAIN A REGISTRY OF RENTAL
26 INSPECTORS.

27 (II) IF THE HOUSING COMMISSIONER FINDS THAT A RENTAL INSPECTOR HAS ISSUED A
28 CERTIFICATE OF SATISFACTORY COMPLIANCE FOR A PROPERTY PURSUANT TO
29 PARAGRAPH (8)(I)(B) OF THIS SUBSECTION, AND THAT THE RENTAL INSPECTOR
30 KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE PROPERTY WAS NOT IN
31 SATISFACTORY COMPLIANCE:

32 (A) THE HOUSING COMMISSIONER SHALL REMOVE THE RENTAL INSPECTOR
33 FROM THE REGISTRY; AND

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1 (B) THE RENTAL INSPECTOR MAY NOT PERFORM A RENTAL INSPECTION FOR
2 THE PURPOSES OF THIS SUBTITLE.

3 (2) *Applicant to contract for timely RENTAL inspection.*

4 (i) [Before] SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (4) OF THIS SUBSECTION,
5 BEFORE applying for a rental dwelling license or renewal license, the applicant
6 [must,] SHALL, at the applicant's expense, contract with a [home] RENTAL
7 inspector to perform a [home] RENTAL inspection under this section.

8 (ii) [Inspections] RENTAL INSPECTIONS may not be performed more than 90 days
9 before a person submits an application for a rental dwelling license or an
10 application for renewal of a rental dwelling license to the Commissioner of the
11 Department of Housing and Community Development or the Commissioner's
12 designee.

13 (3) *SELECTION OF RENTAL INSPECTOR.*

14 AN APPLICANT, INCLUDING THE RECORD OWNER AND ANY MANAGING OPERATOR, MAY
15 NOT USE THE SAME RENTAL INSPECTOR OR RENTAL INSPECTION COMPANY TWICE IN
16 THE SAME 8-YEAR PERIOD FOR THE SAME PROPERTY.

17 (4) [(3)] *Number of units to be inspected.*

18 (i) For any rental dwelling that comprises 9 or fewer dwelling or rooming units, all
19 dwelling and rooming units [must] SHALL be inspected under this subsection.

20 (ii) For any multiple-family dwelling or rooming house that comprises 10 or more
21 dwelling or rooming units, the number of units that [must] SHALL be inspected are
22 as determined in the rules and regulations adopted under this subtitle.

23 (5) [(4)] [*Inspector's*] *RENTAL INSPECTOR'S reports and certification.*

24 (i) After the [home] RENTAL inspection, the [home] RENTAL inspector [must] SHALL
25 issue to the [applicant:] APPLICANT AND THE HOUSING COMMISSIONER:

26 (A) a written report of every RENTAL inspection conducted under this section;
27 and

28 (B) if the rental dwelling meets the City's health and safety standards
29 specified in the rules and regulations adopted under this subtitle,
30 a certificate of satisfactory compliance with those standards.

31 (ii) The reports and the certification [must] SHALL be:

32 (A) in the form required by the Commissioner; and

33 (B) signed by the [home] RENTAL inspector, under oath and
34 under the [home] RENTAL inspector's seal.

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1 (6) *PENALTIES.*

2 (1) *IN GENERAL.*

3 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT
4 PROCEDURE, THIS SUBSECTION MAY BE ENFORCED BY ISSUANCE OF A CIVIL
5 CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}.

6 (II) THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBSECTION DOES NOT PRECLUDE
7 ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED
8 BY LAW.

9 (c) *Governmental agency inspections.*

10 (1) *Scope of subsection.*

11 This subsection applies to any rental dwelling unit that is required to undergo periodic
12 inspections conducted by a governmental agency in accordance with federal or State
13 inspection standards.

14 (2) *Required evidence of compliance with most recent inspection.*

15 For a rental dwelling unit described in paragraph (1) of this subsection, the applicant
16 for a license or renewal license may, in lieu of the requirements of subsection (b)
17 {"Third-party home inspections"} of this section, submit evidence satisfactory to the
18 Housing Commissioner that the unit has passed [the most recent periodic] AN
19 inspection by the applicable governmental agency WITHIN THE PAST 6 MONTHS.

20 (d) *Commissioner to audit RENTAL inspections.*

21 (1) *IN GENERAL.*

22 The Commissioner shall conduct an annual audit of BETWEEN 100 AND 200
23 inspections OF LICENSED PROPERTIES conducted under this section.

24 (2) THE COMMISSIONER SHALL MAKE ALL FINDINGS OF AN AUDIT CONDUCT UNDER THIS
25 SUBSECTION AVAILABLE ON THE CITY'S WEBSITE.

26 (e) *Commissioner's inspection authority not affected.*

27 This section does not in any way prevent or limit the authority of the Housing
28 Commissioner to conduct routine, spot, quality-control, or other inspections of rental
29 dwellings under the City Building, Fire, and Related Codes Article.

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1 (f) *[Inspection] RENTAL INSPECTION reports – Distribution.*

2 [Inspection] RENTAL INSPECTION reports used to satisfy § 5-6 {“Prerequisites . . . – In
3 general”} of this subtitle [must] SHALL be distributed by the record owner or, the
4 managing operator, if other than the record owner, to each resident of the rental dwelling
5 for which a person is applying for a new or renewed rental license at the time the
6 application for a new or renewed license is submitted.

7 **§ 5-8. {Reserved}**

8 **§ 5-9. License terms.**

9 Each rental dwelling license and rental dwelling renewal license issued under this subtitle
10 expires 2 years from the date of issuance.

11 **§ 5-10. Priority DWELLING inspections.**

12 (a) *In general.*

13 A Department of Housing and Community Development inspector shall conduct priority
14 DWELLING inspections of at least 25 priority dwellings each inspection year.

15 [(b) *Definition - Inspection year.*]

16 [In this subsection, the term “inspection year” means the calendar year.]

17 (B) [(c)] *Identification of priority dwellings.*

18 Based on data from the previous inspection year, the Department of Housing and
19 Community Development shall identify all priority dwellings in the City by January 31st
20 of each inspection year.

21 (C) [(d)] *Notification of priority dwelling status.*

22 Upon identifying a priority dwelling, the Department of Housing and Community
23 Development [must] SHALL notify the record owner and, if one exists, the managing
24 operator, of the following:

25 (1) [(i)] the factors that are used to identify rental dwellings as priority dwellings;
26 [and;] AND

27 (2) [(ii)] that, because the dwelling is identified as a priority dwelling, a Department
28 of Housing and Community Development inspector shall issue an environmental
29 citation if a violation of a section of the City’s Property Maintenance Code listed
30 in Article 1, § 40-14(e) {“Provisions and penalties enumerated”} is identified.

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1 (D) [(e)] *Number and frequency of PRIORITY DWELLING inspections.*

2 During each inspection year, at least 2 priority DWELLING inspections [must] SHALL be
3 conducted:

4 (1) at least 4 months apart; and

5 (2) between the months of February and November.

6 (E) [(f)] *Number of units to be inspected.*

7 (1) *In general.*

8 A Department of Housing and Community Development inspector shall attempt to
9 inspect at least a certain percentage of the total dwelling and rooming units in the
10 priority dwelling, as provided for in the table below.

Total Number of Units	[minimum] MINIMUM Percentage of Total Units
20 - 35	40%
36 - 50	35%
51 - 75	30%
76 - 100	25%
101 - 125	20%
126 - 150	15%
151, or more	10%

19 (2) *Documentation of PRIORITY DWELLING inspections.*

20 A Department of Housing and Community Development inspector shall record for
21 each unit if the PRIORITY DWELLING inspection was either ‘attempted’ or ‘completed’.

22 (F) [(g)] *Notice and meeting requirements — Record owner and managing operator.*

23 The Commissioner of the Department of Housing and Community Development or the
24 Commissioner’s designee shall notify the record owner and the managing operator of a
25 priority dwelling that:

26 (1) the record owner and the managing operator shall attend a
27 meeting at a time and place determined by the Commissioner or the
28 Commissioner’s designee to:

29 (i) discuss unresolved violation notices, complaints, and
30 property maintenance;

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1 (ii) establish a schedule for the record owner and the managing
2 operator to abate all unresolved violation notices;

3 (iii) establish a schedule for regular property maintenance to
4 prevent future violations; and

5 (iv) any other matters deemed appropriate by the Commissioner
6 or the Commissioner's designee; and

7 (2) failure to attend the meeting described in paragraph (1) shall result in:

8 (i) the denial of an application for a rental dwelling license;

9 (ii) the denial of an application for a renewal rental dwelling
10 license; or

11 (iii) the revocation of a rental dwelling license.

12 (G) [(e)] *Notice of priority DWELLING inspection.*

13 (1) *In general.*

14 The record owner or managing operator of a priority dwelling shall notify all tenants
15 of the date and time of a priority DWELLING inspection no fewer than 20 days prior to
16 the date of the priority DWELLING inspection.

17 (2) *Anonymous requests for priority DWELLING inspection.*

18 (i) *In general.*

19 The record owner and the managing operator shall deliver to all tenants directions
20 to submit an anonymous request that the Department of Housing and Community
21 Development inspector inspect the tenant's dwelling unit or rooming unit as part
22 of the priority DWELLING inspection.

23 (ii) *Form of instructions.*

24 The Commissioner of the Department of Housing and Community Development
25 or the Commissioner's designee shall establish the form and content of the
26 instructions delivered to tenants under subparagraph (i) of this paragraph.

27 **§ 5-11. Posting license; license number.**

28 (a) *Dwellings.*

29 The license issued under this subtitle [must] SHALL be prominently posted:

30 (1) for a multiple-family dwelling or rooming house, in the vestibule, lobby, or other
31 public place on the premises; and

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1 (2) for a 1- or 2-family dwelling, in an area of each dwelling unit that is accessible to
2 that unit’s occupants and to [housing] RENTAL inspectors.

3 (b) *Lease agreements.*

4 A license issued under this subtitle [must] SHALL be provided to:

- 5 (1) any prospective tenant who requests an application; and
- 6 (2) all existing or future tenants at the time a rental dwelling lease agreement or
7 renewal lease agreement is:
 - 8 (i) offered;
 - 9 (ii) executed; or
 - 10 (iii) renewed.

11 (c) *Advertising materials.*

12 (1) *In general.*

13 Any material advertising a rental dwelling for rent covered by this subtitle [must]
14 SHALL include the rental license number for the advertised rental dwelling.

15 (2) *Prohibitions.*

16 Any material advertising a rental dwelling for rent that is covered by this subtitle may
17 not include a rental license number that is, pursuant to this subtitle:

- 18 (i) expired;
- 19 (ii) suspended; or
- 20 (iii) revoked.

21 (3) *Exceptions.*

22 Notwithstanding anything contained in this section to the contrary, the record owner
23 and managing operator, if any, of a newly constructed or renovated dwelling unit or
24 rooming unit that does not yet have a rental dwelling license number shall include the
25 following text in any lease agreement, advertising material, or other publicly facing
26 document:

27 “This is a newly constructed or renovated dwelling unit and does not currently
28 have a rental license. As soon as available, a rental license will be provided to all
29 individuals as required by Article 13, Subtitle 5 {“Licensing of Rental
30 Dwellings”} of the Baltimore City Code.”

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1 **§ 5-12. Transfer of license prohibited.**

2 (a) *In general.*

3 The transfer of a rental license is prohibited under this subtitle.

4 (b) *Application for new license.*

5 A person shall apply for a new rental license according to the procedures established
6 under § 5-5 {"Application for new or renewal license"} of this subtitle within 60 days of
7 assuming:

8 (1) record ownership of a rental dwelling; or

9 (2) operation of a rental dwelling.

10 **§ 5-13. Discontinuance of multiple-family or rooming-house operations.**

11 Notwithstanding any discontinuance, in whole or in part, of a multiple-family dwelling's or a
12 rooming house's operations, a license issued under this subtitle is still required unless the
13 Housing Commissioner has issued a permit reflecting a change of use for the property.

14 **§ 5-14. {Reserved}**

15 **§ 5-15. Denial, suspension, or revocation of license – In general.**

16 (a) *"Nuisance property" defined.*

17 In this section, "nuisance property" means any property that is maintained or operated so
18 as to cause or allow a nuisance of the sort described in any 1 or another of the following
19 definitions:

20 (1) State Code Real Property Article, § 14-120(a)(5) {defining "nuisance"};

21 (2) City Code Article 19, § 43-1(l) {defining "public nuisance"};

22 (3) City Code Article 19, § 43B-1(b) {defining "neighborhood nuisance"}; and

23 (4) City Code Article 19, § 43B-1(o) {defining "unruly social event"}.

24 (b) *Causes for denial, suspension, or revocation.*

25 Subject to the hearing provisions of § 5-16 of this subtitle, the Housing Commissioner
26 may deny, suspend, or revoke a rental dwelling license or renewal license for any of the
27 following causes:

28 (1) making any material false statement in an application for an initial or renewal
29 license;

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- 1 (2) fraudulently or deceptively obtaining a rental dwelling license for oneself or for
2 another;
- 3 (3) fraudulently or deceptively using a rental dwelling license;
- 4 (4) falsifying any RENTAL inspection report or certificate;
- 5 (5) refusal by a record owner or operator of a rental dwelling to allow the
6 Commissioner to conduct a routine, spot, quality-control, proactive, or other
7 inspection of the rental dwelling as authorized by this subtitle or the City
8 Building, Fire, and Related Codes Article;
- 9 (6) failing to abate within 120 days of issuance any violation notice, order,
10 or citation for violating any provision of the City Building, Fire, and Related
11 Codes Article, the City Health Article, or the Zoning Code of Baltimore City;
- 12 (7) failing to abate any violation notice issued during a priority DWELLING inspection
13 within the time required;
- 14 (8) failing to comply with any provision of this subtitle or of any rule or
15 regulation adopted under this subtitle; [or]
- 16 (9) if the Housing Commissioner finds, or if the Fire Chief, Health
17 Commissioner, or Police Commissioner certify to the Housing Commissioner,
18 that:
- 19 (i) the record owner, operator, or lessee of a rental dwelling has
20 failed to comply with any lawful notice, order, or citation to correct a
21 violation that affects the health, safety, morals, or general welfare of the
22 occupants of the property or of the general public; or
- 23 (ii) the record owner, operator, or lessee of a rental dwelling, or any
24 agent of the record owner, operator, or [lessee:] LESSEE HAS ALLOWED THE
25 PREMISES TO BE USED AS A NUISANCE PROPERTY, OR KNEW OR SHOULD
26 HAVE KNOWN THAT THE PREMISES WERE BEING USED AS A NUISANCE
27 PROPERTY AND FAILED TO PREVENT THEM FROM BEING SO USED;
- 28 [(A) has allowed the premises to be used as a nuisance property;
29 or]
- 30 [(B) knew or should have known that the premises were being
31 used as a nuisance property and failed to prevent them from
32 being so used.]
- 33 (10) TAKING 1 OF THE FOLLOWING ACTIONS:
- 34 (I) DEMANDING, REQUESTING, OR COLLECTING INFORMATION REGARDING OR
35 RELATING TO THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT,
36 PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY;

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1 (II) DISCLOSING OR THREATENING TO DISCLOSE INFORMATION REGARDING OR
2 RELATING TO THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT,
3 PROSPECTIVE TENANT, OR APPLICANT TO ANY PERSON, ENTITY, OR LAW
4 ENFORCEMENT AGENCY;

5 (III) REFUSING TO ENTER INTO A RENTAL AGREEMENT, APPROVE A
6 SUBTENANCY, OR OTHERWISE PRECLUDE FROM OCCUPYING A DWELLING
7 UNIT, A TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY,
8 BASED SOLELY OR IN PART ON THE IMMIGRATION OR CITIZENSHIP STATUS
9 OF THE TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY; OR

10 (IV) BRINGING AN ACTION TO RECOVER POSSESSION OF A DWELLING UNIT
11 BASED SOLELY OR IN PART ON THE IMMIGRATION OR CITIZENSHIP STATUS
12 OF A TENANT; OR

13 (11) VIOLATING THE PROVISIONS OF § 3-701 {“EXTORTION GENERALLY”} OF THE
14 STATE CRIMINAL LAW ARTICLE.

15 (C) *REINSPECTION REQUIRED.*

16 (1) *IN GENERAL.*

17 IF THE HOUSING COMMISSIONER REVOKES A RENTAL DWELLING LICENSE, A
18 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL
19 REINSPECT THE PROPERTY BEFORE A NEW LICENSE MAY BE ISSUED.

20 (2) *PROPERTY SHALL PASS.*

21 THE HOUSING COMMISSIONER MAY NOT ISSUE A NEW LICENSE UNLESS THE PROPERTY
22 PASSES THE RENTAL INSPECTION REQUIRED UNDER PARAGRAPH (1) OF THIS
23 SUBSECTION.

24 (3) *REINSPECTION FEE.*

25 THE DEPARTMENT MAY CHARGE AN APPLICANT A FEE OF \$50 PER DWELLING UNIT FOR
26 AN INSPECTION UNDER THIS SUBSECTION.

27 **§ 5-16. Denial, suspension, or revocation of license – Notice and hearing.**

28 (a) *In general.*

29 No license may be denied, suspended, or revoked unless the Housing Commissioner first
30 gives the record owner, the managing operator, and the lessees of any dwelling or
31 rooming unit to which the license applies:

32 (1) not less than 10 days notice in writing of the Commissioner’s intent to deny,
33 suspend, or revoke the license; and

34 (2) an opportunity to be heard as to why the license should not be denied, suspended,
35 or revoked.

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1 (b) *Exception.*

2 The Commissioner may deny, suspend, or revoke a license without prior notice and
3 opportunity to be heard if, in the opinion of the Commissioner or the Fire Chief, Health
4 Commissioner, or Police Commissioner, the health, safety, or welfare of the occupants or
5 of the general public are in imminent danger.

6 (C) *APPEAL.*

7 PURSUANT TO § 128 {“ADMINISTRATIVE AND JUDICIAL REVIEW”} OF THE BALTIMORE
8 CITY BUILDING CODE, ANY PERSON MAY APPEAL A DECISION MADE BY THE
9 COMMISSIONER UNDER THIS SECTION.

10 **§ 5-17. Vacating premises.**

11 (A) *IN GENERAL.*

12 The Commissioner may require a rental dwelling to be vacated within 24 hours AT THE
13 EXPENSE OF THE DEPARTMENT if:

14 (1) the property is being operated without a valid license; and

15 (2) vacating the premises is necessary for the public health, safety, and welfare.

16 (B) *NOTICE REQUIRED.*

17 (1) *IN GENERAL.*

18 IF THE COMMISSIONER REQUIRES A RENTAL DWELLING TO BE VACATED UNDER THIS
19 SECTION, THE COMMISSIONER SHALL PROVIDE NOTICE TO TENANTS BY POSTING A
20 WRITTEN NOTICE ON THE DOOR OF EACH DWELLING UNIT.

21 (2) *CONTENT OF NOTICE.*

22 A NOTICE ISSUED UNDER THIS SUBSECTION SHALL INCLUDE INFORMATION REGARDING
23 ALL RESOURCES AVAILABLE TO TENANTS FOR RELOCATION.

24 **§ 5-18. {Reserved}**

25 **§ 5-19. Impairing constitutional rights.**

26 (a) *“Reasonable accommodation” defined.*

27 In this section, “reasonable accommodation” means affirmative steps that do not impose
28 an undue financial hardship or a substantial burden.

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1 (b) *Prohibited conduct.*

2 No bylaw, rule, or regulation governing a rental dwelling, nor any action or inaction of
3 the governing body or management of a rental dwelling, may:

4 (1) unreasonably impair any rights guaranteed by the Free-Exercise Clause of the
5 First Amendment to the United States Constitution or by Article 36 of the
6 Maryland Declaration of Rights; or

7 (2) prohibit or deny any reasonable accommodation for religious practices.

8 **§ 5-20. Sanitation Guide.**

9 (a) *Preparation of Guide.*

10 The record owner or managing operator of every rental dwelling, other than a hotel or
11 motel, [must] SHALL prepare, in the form and containing the information required by the
12 Commissioner, a Sanitation Guide for the premises that provides notice to all occupants
13 of the requirements and procedures for the separation, disposition, collection, and proper
14 storage pending collection of mixed refuse, recyclable materials, yard waste, bulk trash,
15 and all other forms of garbage, rubbish, waste, and trash.

16 (b) *Dissemination.*

17 A copy of the Sanitation Guide [must] SHALL be:

18 (1) provided to each dwelling unit on the premises; and

19 (2) prominently posted within each common collection room, if any, on the premises.

20 **§ 5-21. {Reserved}**

21 **§ 5-22. Public access to information.**

22 The Housing Commissioner shall make freely available for review on and download from the
23 website of the Department of Housing and Community Development:

24 (1) the license number and license status of any rental dwelling subject to this subtitle;

25 (2) the following records relating to that rental dwelling:

26 (i) violation notices, orders, or citations issued by the Department of Housing and
27 Community Development under this article or the City Building, Fire, and
28 Related Codes Article;

29 (ii) the rental dwelling's status as a priority dwelling for at least the past 5 years;
30 [and]

31 (III) ALL RENTAL INSPECTION RECORDS ASSOCIATED WITH THE RENTAL DWELLING;

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1 (IV) [(iii)] notices of any denial, suspension, or revocation of the rental
2 dwelling's license; and

3 (V) ALL DOCUMENTS SUBMITTED BY THE HOLDER OF THE RENTAL DWELLING
4 LICENSE AS PART OF THEIR APPLICATION FOR THE RENTAL DWELLING LICENSE;
5 AND

6 (3) the following information:

7 (i) the address of the rental dwelling;

8 (ii) the name of the record owner of the rental dwelling;

9 (iii) the name of the managing operator of the rental dwelling;

10 (iv) phone numbers for both the record owner and the managing
11 operator of the rental dwelling; and

12 (v) email addresses for both the record owner and the managing operator of the
13 rental dwelling.

14 **§ 5-23. {Reserved}**

15 **§ 5-24. Judicial and appellate review.**

16 (a) *Judicial review.*

17 A person aggrieved by a decision of the Housing Commissioner under this subtitle may
18 seek judicial review of that decision by petition to the Circuit Court for Baltimore City in
19 accordance with the Maryland Rules of Procedure.

20 (b) *Stays.*

21 (1) The filing of a petition for judicial review does not stay the decision of the
22 Commissioner.

23 (2) However, on motion and after hearing, the Court may grant a stay as provided in the
24 Maryland Rules of Procedure.

25 (c) *Appellate review.*

26 A party to the judicial review may appeal the court's final judgment to the Court of
27 Special Appeals in accordance with the Maryland Rules of Procedure.

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1 § 5-25. Enforcement by citation.

2 (a) *In general.*

3 In addition to any other civil or criminal remedy or enforcement procedure, this subtitle
4 may be enforced by issuance of an environmental citation as authorized by City Code
5 Article 1, Subtitle 40 {"Environmental Control Board"} or a civil citation under City
6 Code Article 1, Subtitle 41 {"Civil Citations"}.

7 (b) *Priority dwelling – Citation.*

8 For priority dwellings, a Department of Housing and Community Development inspector
9 shall issue an environmental citation if a violation of a section of the City's Property
10 Maintenance Code listed in Article 1, § 40-14(e) {"Provisions and penalties
11 enumerated"} is identified.

12 (c) *Process not exclusive.*

13 The issuance of an environmental citation to enforce this subtitle does not preclude
14 pursuing any other civil or criminal remedy or enforcement action authorized by law.

15 (d) *Separate offenses.*

16 Each day that a violation continues is a separate offense.

17 § 5-26. Penalties.

18 (a) *In general.*

19 Any person who violates any provision of this subtitle (including any offense listed in
20 § 5-15 of this subtitle as potential cause for a denial, suspension, or revocation of a
21 license) or any provision of a rule, regulation, or order adopted or issued under this
22 subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more
23 than \$1,000 for each offense.

24 (b) *Each day a separate offense.*

25 Each day that a violation continues is a separate offense.

26 § 5-27. Data collection.

27 (a) *In general.*

28 The Commissioner, the City's Chief Data Officer, and any other City employee who
29 maintains data pertaining to priority dwellings or priority DWELLING inspections [must]
30 SHALL collaborate to develop a system to track and analyze priority dwellings and priority
31 DWELLING inspections.

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1 (b) *Discretion of Commissioner.*

2 The Department of Housing and Community Development may use existing resources to
3 track and analyze priority dwellings at the discretion of the Commissioner.

4 **§ 5-28. Annual Report.**

5 (a) *In general.*

6 Not later than May 1 of each year, the Department of Housing and Community
7 Development [must] SHALL submit an annual report for the previous calendar year to the
8 Mayor and the City Council detailing:

- 9 (1) the number of priority dwellings;
- 10 (2) the number of priority dwellings for which the Department of Housing and
11 Community Development conducted 2 priority DWELLING inspections;
- 12 (3) the number of priority dwellings where at least 1 violation notice was issued
13 during a priority DWELLING inspection that was not abated within the allowable
14 time;
- 15 (4) the number of priority dwellings where at least 1 citation was issued during a
16 priority DWELLING inspection;
- 17 (5) the number of attempted priority DWELLING inspections;
- 18 (6) the number of rental licenses revoked under § 5-15(b)(6) of this [subtitle;] FOR
19 BOTH PRIORITY AND NONPRIORITY DWELLINGS;
- 20 (7) the number of rental licenses revoked under § 5-15(b)(7) of this [subtitle;] FOR
21 BOTH PRIORITY AND NONPRIORITY DWELLINGS;
- 22 (8) the total number of rental licenses revoked;
- 23 (9) the number of completed priority DWELLING inspections;
- 24 (10) of the total number of priority DWELLING inspections completed, the percentage
25 of priority inspections that did not yield any violation notices or citations; [and]
- 26 (11) THE NUMBER OF RENTAL PROPERTY RECEIVERSHIP ACTIONS THAT WERE FILED;
- 27 (12) THE NUMBER OF AUDITS PERFORMED;
- 28 (13) THE NUMBER OF COMPLETED RENTAL INSPECTIONS PERFORMED BY THE
29 DEPARTMENT; AND

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1 (14) [(11)] any other information requested by the Mayor or [by a Resolution of]
2 the City Council.

3 (b) *Inclusions - All licensed rental dwellings.*

4 (1) *Totals.*

5 The annual report required under subsection (a) of this section [must] SHALL include a
6 matrix identifying the following in aggregate for all licensed rental dwellings:

7 (i) the total number of 3-1-1 complaints;

8 (ii) the total number of notices issued by the Department of Housing and
9 Community Development;

10 (iii) the total number of notices abated within 90 days;

11 (iv) the number of notices for which the Department of Housing and
12 Community Development pursued legal action; and

13 (v) the total number of citations issued.

14 (2) *Specific categories.*

15 The annual report required under subsection (a) of this section [must] SHALL include a
16 matrix identifying the data required under subsection (b)(1) of this section for all
17 licensed rental dwellings in aggregate, for each of the following categories:

18 (i) heating;

19 (ii) ventilation;

20 (iii) plumbing;

21 (iv) roof leaks;

22 (v) rodents;

23 (vi) lead paint;

24 (vii) fire protection;

25 (viii) electrical systems;

26 (ix) water supply;

27 (x) structural deficiencies;

28 (xi) insects;

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- 1 (xii) elevators;
- 2 (xiii) weatherproofing; and
- 3 (xiv) appearance of mold.

4 (c) *Inclusions - Priority dwellings.*

5 (1) *Totals.*

6 The annual report required under subsection (a) of this section [must] SHALL include a
7 matrix identifying the following for all priority dwellings:

- 8 (i) the total number of 3-1-1 complaints;
- 9 (ii) the total number of notices issued by the Department of Housing and
10 Community Development;
- 11 (iii) the total number of notices abated within 90 days;
- 12 (iv) the number of notices for which the Department of Housing and
13 Community Development pursued legal action; and
- 14 (v) the total number of citations issued.

15 (2) *Specific categories.*

16 The annual report required under subsection (a) of this section [must,] SHALL, for all
17 priority dwellings, include a matrix identifying the data required under subsection
18 (b)(1) of this section for each of the following categories:

- 19 (i) heating;
- 20 (ii) ventilation;
- 21 (iii) plumbing;
- 22 (iv) roof leaks;
- 23 (v) rodents;
- 24 (vi) lead paint;
- 25 (vii) fire protection;
- 26 (viii) electrical systems;
- 27 (ix) water supply;
- 28 (x) structural deficiencies;

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1 (xi) bed bugs; and

2 (xii) elevators.

3 **§§ 5-28 TO 5-34. {RESERVED}**

4 **PART II. RENTAL PROPERTY RECEIVERSHIP**

5 **§ 5-35. SCOPE.**

6 THIS SUBTITLE APPLIES TO A PROPERTY THAT CONTAINS 1 OR MORE RENTAL DWELLING UNITS,
7 AS DEFINED IN § 5-1(G) OF THIS SUBTITLE.

8 **§ 5-36. IN GENERAL.**

9 SUBJECT TO THE PROVISIONS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT AND THIS
10 SUBTITLE, THE HOUSING COMMISSIONER MAY PETITION THE COURT FOR APPOINTMENT OF A
11 RECEIVER TO REHABILITATE A RENTAL PROPERTY, MANAGE ITS OPERATIONS, DEMOLISH IT, OR
12 SELL IT TO A QUALIFIED BUYER IF:

13 (1) THE OWNER OF THE RENTAL PROPERTY HAS BEEN CITED BY THE CITY MORE THAN 5
14 TIMES FOR FAILING TO OBTAIN A RENTAL DWELLING LICENSE UNDER THIS SUBTITLE
15 AND HAS MADE NO ATTEMPT TO BRING THE RENTAL PROPERTY INTO COMPLIANCE; OR

16 (2) THE HEALTH AND SAFETY OF THE TENANTS IS THREATENED BECAUSE THE PROPERTY IS
17 UNSAFE FOR HUMAN HABITATION AS DESCRIBED IN:

18 (I) § 9-9 {"RENT ESCROW LAW: IN GENERAL"} OF THE PUBLIC LOCAL LAWS OF
19 BALTIMORE CITY; AND

20 (II) § 116.1.1 {"UNSAFE STRUCTURES: GENERAL: SCOPE"} OF THE BALTIMORE
21 CITY BUILDING CODE.

22 **§ 5-37. CONTENTS OF PETITION.**

23 THE HOUSING COMMISSIONER'S PETITION FOR APPOINTMENT OF A RECEIVER SHALL INCLUDE:

24 (1) A COPY OF EACH VIOLATION NOTICE OR ORDER AND A DESCRIPTION OF EACH
25 VIOLATION;

26 (2) A COPY OF EACH OF THE 5 OR MORE CITATIONS DESCRIBED UNDER § 5-36(1) OF
27 THIS SUBTITLE; AND

28 (3) A VERIFIED PLEADING THAT:

29 (I) AVERS THAT THE HEALTH AND SAFETY OF THE TENANTS IS AT RISK AND
30 THE OWNER HAS CONSISTENTLY NOT COMPLIED WITH THIS SUBTITLE;

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1 (II) IDENTIFIES AND STATES THE QUALIFICATIONS OF THE PROPOSED RECEIVER,
2 IF OTHER THAN THE HOUSING COMMISSIONER AND NAMES A SUITABLE
3 RECEIVER FOR THE COURT TO CONSIDER, IF OTHER THAN THE HOUSING
4 COMMISSIONER; AND

5 (III) DEMONSTRATES THE CITY’S INTEREST IN THE PROPERTY, AS REQUIRED BY
6 THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

7 **§ 5-38. NAMED RESPONDENTS.**

8 (A) *IN GENERAL.*

9 THE PETITION FILED PURSUANT TO § 5-37 SHALL NAME AS RESPONDENTS:

- 10 (1) THE RECORD OWNER OF THE RENTAL PROPERTY;
- 11 (2) ANY LIEN HOLDER ON RECORD;
- 12 (3) THE PLAINTIFF IN ANY PROCEEDING THAT WAS TIMELY FILED UNDER STATE
13 TAX – PROPERTY ARTICLE § 14-833 {“FORECLOSING RIGHT OF REDEMPTION”}
14 AND FOR WHICH THE TIME FOR SECURING A DECREE OF FORECLOSURE HAS NOT YET
15 EXPIRED; AND
- 16 (4) ANY PERSON OR ENTITY WITH ANY INTEREST IN THE PROPERTY, INCLUDING A
17 SPRINGING INTEREST.

18 (B) *EFFECT OF FAILURE TO NAME PLAINTIFF.*

19 FAILURE TO NAME A PERSON DESCRIBED IN SUBSECTION (A) OF THIS SECTION:

- 20 (1) DOES NOT PREVENT THE ACTION FROM GOING FORWARD; BUT
- 21 (2) DOES PREVENT THE RECEIVER’S LIEN FOR EXPENSES INCURRED IN REHABILITATING,
22 MANAGING, DEMOLISHING, OR SELLING THE RENTAL PROPERTY FROM HAVING
23 PRIORITY OVER THAT PERSON’S LIEN INTEREST.

24 **§ 5-39. NOTICE TO TENANTS.**

25 (A) *IN GENERAL.*

26 AFTER FILING A PETITION UNDER THIS SUBTITLE, THE DEPARTMENT SHALL PROVIDE
27 NOTICE OF THE PENDING ACTION TO ALL TENANTS.

28 (B) *CONTENTS.*

29 THE NOTICE SHALL INCLUDE:

- 30 (1) A STATEMENT THAT THE DEPARTMENT HAS FILED FOR RENTAL RECEIVERSHIP
31 UNDER THIS SUBTITLE AND A CASE NUMBER, IF ONE HAS BEEN ASSIGNED;

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1 (2) CONTACT INFORMATION FOR A PRO BONO LEGAL SERVICE THAT CAN ADVISE
2 TENANTS OF THEIR RIGHTS DURING THE ACTION; AND

3 (3) ANY OTHER INFORMATION THE COMMISSIONER FINDS NECESSARY.

4 (C) *METHOD OF DELIVERY.*

5 THE NOTICE GIVEN UNDER THIS SUBSECTION SHALL BE:

6 (1) PROVIDED TO AN OCCUPANT OF EACH DWELLING UNIT; AND

7 (2) POSTED IN A LOBBY, ELEVATOR, OR OTHER COMMON AREA OF THE PROPERTY, IF
8 ACCESSIBLE; AND

9 (3) POSTED ON THE EXTERIOR OF THE BUILDING IN A VISIBLE LOCATION.

10 **§ 5-40. FILING WITH BUREAU OF LIENS.**

11 (A) *IN GENERAL.*

12 THE HOUSING COMMISSIONER SHALL FILE A NOTICE OF THE PROCEEDING WITH THE
13 BUREAU OF LIENS.

14 (B) *INCLUDED DOCUMENTATION.*

15 THE HOUSING COMMISSIONER SHALL INCLUDE A COPY OF EACH VIOLATION NOTICE OR
16 ORDER WITH THE NOTICE FILED UNDER SUBSECTION (A) OF THIS SECTION.

17 (C) *BUREAU TO INCLUDE.*

18 THE BUREAU OF LIENS SHALL INCLUDE A RECORD OF THE DOCUMENTS FILED UNDER THIS
19 SECTION IN ITS LIEN REPORTS.

20 **§ 5-41. NOTICE TO JUDGMENT CREDITORS AND LIEN HOLDERS.**

21 (A) *IN GENERAL.*

22 AFTER FILING THE PETITION AND BEFORE A RECEIVER IS APPOINTED PURSUANT TO THIS
23 SUBTITLE, THE HOUSING COMMISSIONER SHALL GIVE NOTICE OF THE PENDENCY AND
24 NATURE OF THE PROCEEDINGS BY REGULAR AND CERTIFIED MAIL TO THE LAST-KNOWN
25 ADDRESSES OF ALL JUDGMENT CREDITORS AND LIEN HOLDERS WITH A RECORDED
26 INTEREST IN THE PROPERTY.

27 (B) *EXCEPTIONS.*

28 (1) THE NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION IS NOT REQUIRED FOR
29 RESPONDENTS NAMED UNDER § 5-38 {"NAMED RESPONDENTS"} OF THIS SUBTITLE.

30 (2) THE HOUSING COMMISSIONER IS NOT REQUIRED TO SEND NOTICES TO ANY CREDITOR
31 OR LIEN HOLDER WHOSE INTEREST IN THE PROPERTY IS UNRECORDED.

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§ 5-42. APPOINTMENT OF OWNER, ETC., INSTEAD OF RECEIVER.

(A) *IN GENERAL.*

INSTEAD OF APPOINTING A RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR SELL A RENTAL PROPERTY, THE COURT MAY PERMIT AN OWNER, MORTGAGEE, OR OTHER PERSON WITH AN INTEREST IN THE PROPERTY TO REHABILITATE, MANAGE, DEMOLISH, OR SELL IT, IF THAT PERSON:

- (1) DEMONSTRATES THE ABILITY TO COMPLETE THE REHABILITATION, MANAGEMENT, DEMOLITION, OR SALE WITHIN A REASONABLE TIME;
- (2) AGREES TO COMPLY WITH A SPECIFIED SCHEDULE FOR REHABILITATION, MANAGEMENT, DEMOLITION, OR SALE; AND
- (3) POSTS BOND, IN AN AMOUNT DETERMINED BY THE COURT, AS SECURITY FOR PERFORMANCE OF THE REQUIRED WORK IN COMPLIANCE WITH THE SPECIFIED SCHEDULE.

(B) *APPLICATION TO DISMISS OWNER.*

(1) *REVOCATION OF APPOINTMENT.*

IF IT APPEARS TO THE HOUSING COMMISSIONER THAT THE PERSON APPOINTED IS NOT PROCEEDING WITH DUE DILIGENCE OR IN COMPLIANCE WITH THE COURT-ORDERED SCHEDULE, THE PETITIONER MAY APPLY TO THE COURT FOR IMMEDIATE REVOCATION OF THAT PERSON'S APPOINTMENT AND FOR APPOINTMENT OF A RECEIVER.

(2) *BOND.*

THE SUBSEQUENTLY APPOINTED RECEIVER SHALL POST SUFFICIENT BOND.

§ 5-43. APPOINTMENT OF RECEIVER.

(A) *IN GENERAL.*

IF NO QUALIFIED PERSON WITH AN OWNERSHIP INTEREST REQUESTS APPOINTMENT TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY, OR IF AN APPOINTEE IS DISMISSED, THE COURT SHALL THEN APPOINT A RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY.

(B) *PARTIES DIVESTED OF AUTHORITY.*

ON APPOINTMENT OF A RENTAL RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY, ALL PARTIES ARE DIVESTED OF ANY AUTHORITY TO ACT IN FURTHERANCE OF THOSE GOALS.

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1 (C) *PENALTIES.*

2 ANY PARTY, OTHER THAN THE RECEIVER, WHO TAKES ANY STEP TO REHABILITATE,
3 MANAGE, DEMOLISH, OR SELL THE PROPERTY IS SUBJECT TO THE PENALTIES FOR
4 CONTEMPT.

5 **§ 5-44. DUTIES OF RECEIVER.**

6 A RECEIVER APPOINTED PURSUANT TO THIS PART SHALL MANAGE THE PROPERTY FOR UP TO 3
7 YEARS, WHICH SHALL INCLUDE:

8 (1) PRESENTING AN ABATEMENT PLAN TO THE COURT THAT BRINGS THE PROPERTY UP TO
9 COMPLIANCE WITH THE CODE, INCLUDING MAKING THE REPAIRS NECESSARY TO ABATE
10 THE HEALTH AND SAFETY VIOLATIONS THAT MADE THE PROPERTY UNSAFE FOR HUMAN
11 HABITATION AS DESCRIBED IN:

12 (i) § 9-9 {"RENT ESCROW LAW: IN GENERAL"} OF THE PUBLIC LOCAL LAWS OF
13 BALTIMORE CITY; AND

14 (ii) § 116.1.1 {"UNSAFE STRUCTURES: GENERAL: SCOPE"} OF THE BALTIMORE
15 CITY BUILDING CODE;

16 (2) ONCE THE ABATEMENT PLAN IS APPROVED BY THE COURT, IMPLEMENTING THE
17 ABATEMENT PLAN IN A TIMELY MANNER, AS OVERSEEN BY THE COURT;

18 (3) COLLECTING RENT FROM TENANTS AND ABIDING BY ANY RENT ESCROW OR PAYMENT
19 PLANS AUTHORIZED BY THE COURT;

20 (4) BORROWING FUNDS FOR THE PURPOSE OF MAKING REPAIRS TO BRING THE BUILDING IN
21 COMPLIANCE WITH THE CODE AND IN COMPLIANCE WITH THIS SUBTITLE;

22 (5) MAINTAINING THE PROPERTY AND ESTABLISHING AND OVERSEEING A MAINTENANCE
23 SCHEDULE;

24 (6) REPORTING ALL COSTS TO THE DEPARTMENT OF HOUSING AND COMMUNITY
25 DEVELOPMENT AND THE COURT;

26 (7) UNDERGOING RENTAL INSPECTIONS AS OUTLINED IN THIS SUBTITLE;

27 (8) NOTIFYING TENANTS OF THE RECEIVERSHIP AND THEIR RIGHTS;

28 (9) FACILITATING THE RECEIVERSHIP ACTION;

29 (10) EXERCISING ANY OTHER POWER GRANTED TO A RECEIVER UNDER § 24-301 {"POWERS
30 AND DUTIES OF RECEIVER"} OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT;
31 AND

32 (11) COMPLYING WITH ANY OTHER REQUIREMENTS OF THE COURT.

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1 **§ 5-45. POWERS OF RECEIVER – SALE OF PROPERTY.**

2 IN ADDITION TO ALL NECESSARY AND CUSTOMARY POWERS, AND SUBJECT TO THE
3 REQUIREMENTS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT, A RECEIVER
4 APPOINTED TO REHABILITATE, MANAGE, DEMOLISH, OR SELL A RENTAL PROPERTY MAY SELL
5 THE PROPERTY OR THE LAND UPON WHICH THE PROPERTY FORMERLY STOOD, AT PUBLIC
6 AUCTION OR PRIVATE SALE, FOLLOWING THE PROVISIONS THAT APPLY TO A RECEIVER
7 APPOINTED UNDER RULE 3-722 {"RECEIVERS"} AND TITLE 14, CHAPTER 300 {"JUDICIAL
8 SALES"} OF THE MARYLAND RULES.

9 **§ 5-46. SALE PROCEDURE.**

10 (A) *NOTICE OF AUCTION.*

11 IN THE NOTICE OF PUBLIC AUCTION, IT IS SUFFICIENT TO DESCRIBE THE PROPERTY BY A
12 STREET ADDRESS AND BY REFERENCE TO THE LIBER AND FOLIO NUMBER OF THE TITLE
13 DEED RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.

14 (B) *BUYER QUALIFICATIONS.*

15 BEFORE ANY SALE, THE APPLICANTS TO BID IN A PUBLIC SALE OR THE PROPOSED BUYER IN
16 A PRIVATE SALE SHALL DEMONSTRATE THE ABILITY AND EXPERIENCE NEEDED TO MANAGE
17 AND PROPERLY MAINTAIN THE PROPERTY IN ACCORDANCE WITH THE BALTIMORE CITY
18 BUILDING CODE.

19 (C) *APPLICATION FEE.*

20 THE RECEIVER MAY CHARGE A REASONABLE FEE TO APPLICANTS IN CONNECTION WITH
21 THE APPLICATION TO BID AT A PUBLIC SALE OR IN CONNECTION WITH THE SOLICITATION OF
22 OFFERS FOR A PRIVATE SALE.

23 (D) *AUCTION STARTING BID.*

24 IF THE PROPERTY IS BEING SOLD AT PUBLIC AUCTION, THE STARTING BID SHALL BE THE
25 FAIR MARKET VALUE OF THE PROPERTY.

26 (E) *TAX SALE REDEMPTION.*

27 A RECEIVER MAY REDEEM A TAX SALE CERTIFICATE AT ANY TIME AFTER THE RECEIVER’S
28 APPOINTMENT BY COURT.

29 (F) *FINAL ACCOUNTING.*

30 AT THE END OF THE RECEIVER’S TENURE, THE RECEIVER SHALL FILE A FINAL ACCOUNTING
31 WITH THE COURT AND FOLLOW ALL OTHER REQUIREMENTS OF THE MARYLAND
32 COMMERCIAL RECEIVERSHIP ACT.

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1 (G) *PAYMENT OF RECEIVER’S FEES AND EXPENSES.*

2 SUBJECT TO § 24-701 {“PAYMENT OF FEES AND EXPENSES”} OF THE MARYLAND
3 COMMERCIAL RECEIVERSHIP ACT, THE COURT MAY AWARD REASONABLE AND NECESSARY
4 FEES AND EXPENSES TO THE RECEIVER.

5 (H) *TRANSFER ON SALE.*

6 FOLLOWING COURT RATIFICATION OF A SALE, A DEED SHALL BE EXECUTED CONVEYING
7 TITLE TO THE BUYER, SUBJECT TO THE REQUIREMENTS OF THE MARYLAND COMMERCIAL
8 RECEIVERSHIP ACT AND THE MARYLAND RULES.

9 (I) *DISMISSAL.*

10 ON THE SALE OF THE PROPERTY, THE RECEIVERSHIP SHALL TERMINATE AS PROVIDED IN
11 THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

12 (J) *RECEIVERSHIP AUCTION PROCEEDS.*

13 IF THE PROPERTY IS SOLD AT PUBLIC AUCTION, THE PROCEEDS OF THE SALE OF THE
14 PROPERTY SHALL BE ISSUED IN THE ORDER THE COURT INSTRUCTS, IN ACCORDANCE WITH
15 THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

16 **SECTION 2. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Laws of Baltimore City read as follows:

18 **Baltimore City Code**

19 **Article 13. Housing and Urban Renewal**

20 **Division II. Dwellings and Vacant Structures**

21 **Subtitle 4. Registration of Non-Owner-Occupied Dwellings,**
22 **Rooming Houses, and Vacant Structure**

23 **§ 4-6. Registration Statement.**

24 (a) *Form and contents.*

25 Each registration statement [must] SHALL be in the form that the Commissioner requires
26 and contain the following information:

- 27 (1) a description of the premises by street number or by block-and-lot;
- 28 (2) the name, street address, telephone number, and email address of the premises’
29 owner of record;
- 30 (3) the name, street address, telephone number, and email address of the premises’
31 managing operator, if other than the owner; [and]

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1 (4) if the owner is a corporation, partnership, limited partnership, limited liability
2 company, or similar entity, [the name, street address, telephone number, and email
3 address of a natural person who serves as the owner's chief executive officer,
4 managing partner, or managing member, or in a similarly authoritative position.]
5 THE IDENTIFICATION SHALL INCLUDE THE NAME AND ADDRESS OF SUCH
6 CORPORATION TOGETHER WITH THE NAMES, RESIDENCES AND BUSINESS
7 ADDRESSES OF THE OFFICERS;

8 (5) IF THE OWNER OF A MULTIPLE DWELLING IS A CORPORATION:

9 (I) THE IDENTIFICATION SHALL ALSO INCLUDE THE NAMES AND ADDRESSES OF
10 ANY PERSON WHOSE SHARE OF OWNERSHIP OF THE CORPORATION EXCEEDS
11 25%; AND

12 (II) FOR THE PURPOSES OF THIS DIVISION, ANY PERSON OWNING A SHARE OF A
13 PARENT CORPORATION SHALL BE DEEMED TO BE AN OWNER OF A SHARE OF
14 A SUBSIDIARY CORPORATION EQUAL TO THE PRODUCT OF THE PERCENTAGE
15 OF THEIR OWNERSHIP OF THE PARENT CORPORATION MULTIPLIED BY THE
16 PERCENTAGE OF THE PARENT CORPORATION'S OWNERSHIP OF THE
17 SUBSIDIARY CORPORATION.

18 (6) IF THE OWNER OF A MULTIPLE DWELLING IS A PARTNERSHIP, THE IDENTIFICATION
19 SHALL INCLUDE:

20 (I) THE NAME AND BUSINESS ADDRESS OF SUCH PARTNERSHIP TOGETHER WITH
21 THE NAMES AND BUSINESS ADDRESSES OF EACH GENERAL PARTNER; AND

22 (II) FOR EACH LIMITED PARTNER WHOSE SHARE OF OWNERSHIP OF THE
23 PARTNERSHIP EXCEEDS 25%, THE NAMES AND BUSINESS ADDRESSES OF ALL
24 SUCH LIMITED PARTNERS; AND

25 (7) IF THE OWNER OF A MULTIPLE DWELLING IS A LIMITED LIABILITY COMPANY OR
26 SIMILAR BUSINESS ENTITY:

27 (I) THE IDENTIFICATION SHALL INCLUDE THE NAME AND BUSINESS ADDRESS OF
28 SUCH COMPANY TOGETHER WITH THE NAMES AND BUSINESS ADDRESSES OF
29 EACH MEMBER OF THE COMPANY; AND

30 (II) IF A MEMBER OF THE COMPANY IS NOT A NATURAL PERSON, THE
31 IDENTIFICATION SHALL INCLUDE THE NAMES AND BUSINESS ADDRESSES OF
32 EACH NATURAL PERSON WHO HOLDS A FINANCIAL INTEREST IN THE
33 MEMBER.

34 (b) *Change of listed information.*

35 The Commissioner [must] SHALL be notified within 10 days of any change in the identity
36 of or contact information for the owner of record or any other person listed in the
37 registration statement.

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1 (C) *INVALID ADDRESS.*

2 FOR THE PURPOSES OF THIS SECTION, A UNITED STATES POSTAL SERVICE MAIL DELIVERY
3 BOX, A MAIL DELIVERY BOX MAINTAINED THROUGH A PRIVATELY OPERATED MAIL
4 HANDLING FACILITY, OR THE ADDRESS AT WHICH A SIMILAR SERVICE IS PROVIDED SHALL
5 BE DEEMED AN INVALID BUSINESS ADDRESS AND THE DEPARTMENT SHALL NOT ACCEPT
6 FOR FILING ANY REGISTRATION STATEMENT CONTAINING ONLY SUCH AN ADDRESS.

7 **Subtitle 5. Licensing of Rental Dwellings**

8 **Part I. Licensing Procedures**

9 **§ 5-6. Prerequisites for new or renewal license – In general.**

10 (A) *QUALIFICATIONS.*

11 A rental dwelling license shall be issued or renewed under this subtitle only if:

- 12 (1) all dwelling units and rooming units are currently registered as required by
13 Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, Rooming Houses,
14 and Vacant Structures"} of this article;
- 15 (2) all registration fees for these units and all related interest and late fees required by
16 Subtitle 4 have been paid;
- 17 (3) the premises have passed rental inspection, as required by § 5-7 {"Prerequisites ...
18 – Rental inspection"} or § 5-10 {"Priority dwelling inspections"} of this subtitle;
- 19 (4) the premises are in compliance with all federal, State, and City laws and
20 regulations governing lead paint;
- 21 (5) for premises that include a hotel or motel subject to City Code Article 15
22 {"Licensing and Regulation"}, Subtitle 10 {"Hotels"}, the hotel or motel is in
23 compliance with the training, certification, and posting requirements of that
24 subtitle; and
- 25 (6) the premises are not subject to any violation notice or order that:
 - 26 (i) has been issued under the Baltimore City Building, Fire, and Related
27 Codes Article; and
 - 28 (ii) notwithstanding the passage of more than 90 days since its issuance,
29 has not been abated before the license issuance or renewal.

30 (B) *DISQUALIFICATION.*

31 A RENTAL DWELLING LICENSE MAY NOT BE ISSUED OR RENEWED UNDER THIS SUBTITLE IF
32 THE PROPERTY'S MUNICIPAL WATER BILL REMAINS UNPAID 60 DAYS AFTER THE NOTICE
33 REQUIRED UNDER § 9-724(C)(3) {"WATER SERVICE"} OF THE STATE ENVIRONMENT
34 ARTICLE.

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§ 5-8. PREREQUISITES FOR NEW OR RENEWAL LICENSE – PROPERTY MANAGER.

(A) *SCOPE.*

THE PROVISIONS OF THIS SUBSECTION APPLY ONLY TO A PROPERTY MANAGER IF THE RENTAL DWELLING THE PROPERTY MANAGER IS OPERATING OR MAINTAINING:

(1) CONSISTS OF 20 OR MORE DWELLING UNITS; AND

(2) 20 OR MORE OF THOSE DWELLING UNITS ARE DESIGNATED HOUSING FOR RESIDENTS AGED 55 YEARS OR OLDER.

(B) *CONTENTS.*

THE TRAINING REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

(1) THE HEALTH AND SAFETY REQUIREMENTS ESTABLISHED UNDER CITY LAW FOR A RENTAL DWELLING; AND

(2) A METHOD FOR AN EMPLOYEE TO ANONYMOUSLY REPORT A SUSPECTED VIOLATION OF THE HEALTH AND SAFETY REQUIREMENTS TO THE CITY.

(C) *TIME LINE FOR COMPLETION.*

ALL STAFF SHALL COMPLETE THE TRAINING REQUIRED UNDER THIS SUBSECTION WITHIN 45 DAYS OF THEIR HIRING DATE WITH THE PROPERTY MANAGEMENT COMPANY.

(D) *REQUIRED CURRICULUM.*

THE CURRICULUM AND TRAINING PROCESS SHALL BE DEVELOPED BY THE COMMISSIONER AND THE OFFICE OF OLDER ADULTS AFFAIRS AND ADVOCACY OR THEIR SUCCESSOR AGENCY.

§ 5-15. Denial, suspension, or revocation of license – In general.

(a) *“Nuisance property” defined.*

In this section, “nuisance property” means any property that is maintained or operated so as to cause or allow a nuisance of the sort described in any 1 or another of the following definitions:

(1) State Code Real Property Article, § 14-120(a)(5) {defining “nuisance”};

(2) City Code Article 19, § 43-1(l) {defining “public nuisance”};

(3) City Code Article 19, § 43B-1(b) {defining “neighborhood nuisance”}; and

(4) City Code Article 19, § 43B-1(o) {defining “unruly social event”}.

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1 (b) *Causes for denial, suspension, or revocation.*

2 Subject to the hearing provisions of § 5-16(A) of this subtitle, the Housing Commissioner
3 may deny, suspend, or revoke a rental dwelling license or renewal license for any of the
4 following causes:

5 (1) making any material false statement in an application for an initial or renewal
6 license;

7 (2) fraudulently or deceptively obtaining a rental dwelling license for oneself or for
8 another;

9 (3) fraudulently or deceptively using a rental dwelling license;

10 (4) falsifying any rental inspection report or certificate;

11 (5) refusal by a record owner or operator of a rental dwelling to allow the
12 Commissioner to conduct a routine, spot, quality-control, proactive, or other
13 inspection of the rental dwelling as authorized by this subtitle or the City
14 Building, Fire, and Related Codes Article;

15 (6) failing to abate within 120 days of issuance any violation notice, order,
16 or citation for violating any provision of the City Building, Fire, and Related
17 Codes Article, the City Health Article, or the Zoning Code of Baltimore City;

18 (7) failing to abate any violation notice issued during a priority dwelling inspection
19 within the time required;

20 (8) WHEN THE LEASE WAS EXECUTED, THE PROPERTY'S MUNICIPAL WATER BILL
21 REMAINED UNPAID 60 DAYS AFTER THE NOTICE REQUIRED UNDER § 9-724(C)(3)
22 {"WATER SERVICE"} OF THE STATE ENVIRONMENT ARTICLE;

23 (9) [(8)] failing to comply with any provision of this subtitle or of any rule or
24 regulation adopted under this subtitle;

25 (10) [(9)] if the Housing Commissioner finds, or if the Fire Chief, Health
26 Commissioner, or Police Commissioner certify to the Housing Commissioner,
27 that:

28 (i) the record owner, operator, or lessee of a rental dwelling has
29 failed to comply with any lawful notice, order, or citation to correct a
30 violation that affects the health, safety, morals, or general welfare of the
31 occupants of the property or of the general public; or

32 (ii) the record owner, operator, or lessee of a rental dwelling, or any
33 agent of the record owner, operator, or lessee has allowed the premises to
34 be used as a nuisance property, or knew or should have known that the
35 premises were being used as a nuisance property and failed to prevent
36 them from being so used; [or]

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1 (11) [(10)] taking 1 of the following actions:

2 (i) demanding, requesting, or collecting information regarding or relating to
3 the immigration or citizenship status of a tenant, prospective tenant, or
4 applicant for tenancy;

5 (ii) disclosing or threatening to disclose information regarding or
6 relating to the immigration or citizenship status of a tenant, prospective
7 tenant, or applicant to any person, entity, or law enforcement agency;

8 (iii) refusing to enter into a rental agreement, approve a
9 subtenancy, or otherwise preclude from occupying a dwelling unit, a
10 tenant, prospective tenant, or applicant for tenancy, based solely or in part
11 on the immigration or citizenship status of the tenant, prospective tenant,
12 or applicant for tenancy; [or]

13 (iv) bringing an action to recover possession of a dwelling unit
14 based solely or in part on the immigration or citizenship status
15 of a tenant; or

16 (12) [(11)] violating the provisions of § 3-701 {"Extortion generally"} of the
17 State Criminal Law [Article.] ARTICLE; OR

18 (13) IF APPLICABLE, VIOLATING THE PROVISIONS OF § 5-8 {"PREREQUISITES FOR
19 NEW OR RENEWAL LICENSE – PROPERTY MANAGER"} OF THIS SUBTITLE.

20 (c) *Reinspection required.*

21 (1) *In general.*

22 If the Housing Commissioner revokes a rental dwelling license, a Department of
23 Housing and Community Development inspector shall reinspect the property before a
24 new license may be issued.

25 (2) *Property shall pass.*

26 The Housing Commissioner may not issue a new license unless the property passes
27 the rental inspection required under paragraph (1) of this subsection.

28 (3) *Reinspection fee.*

29 The Department may charge an applicant a fee of \$50 per dwelling unit for an
30 inspection under this subsection.

31 **SECTION 3. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That
32 Section 2 of this Ordinance shall take effect 6 months after the date it was enacted.

33 **SECTION 4. AND BE IT FURTHER ORDAINED,** That, except as provided in Section 3 of this
34 Ordinance, this Ordinance takes effect 30 days after the date it was enacted.

BALTIMORE CITY COUNCIL



HOUSING & ECONOMIC DEVELOPMENT COMMITTEE

25-0141

*RENTAL DWELLING HEALTH AND SAFETY
ENFORCEMENT ACT*

Agency Reports

CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
EBONY M. THOMPSON, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

February 18, 2026

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0141 – Rental Dwelling Health and Safety Enforcement Act

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0141 for form and legal sufficiency. The bill would make changes to several sections in Article 13 of the City Code concerning rental dwellings and corresponding sections of the Building Code and Section 41 of Article 1 of the City Code.

The General Assembly has given the Mayor and City Council broad powers to legislate concerning the use and operation of buildings, to authorize a government official to enter property in furtherance of government duties, to license and regulate businesses, and to exercise the police and general welfare powers. City Charter, Art. II, §§ (1), (5) (17), (27), (47). This bill is generally consistent with these powers, but there are a few required changes.

First, the bill would require the City's Department of Housing and Community Development to keep a registry of rental inspectors, who are already state-licensed home inspectors. It would require those inspectors to certify that they have no financial interest in the property inspected. It would also require those inspectors to issue a notice of satisfactory compliance with Section 116.1.1 of the City's Building Code concerning unsafe or uninhabitable structures when inspecting a rental in Baltimore City. Although maintaining a registry and information about home inspectors acting as rental inspectors and removing them from that registry is legally permissible, prohibiting a state-licensed inspector from inspecting rentals for failure to comply with local law conflicts with state law and is preempted. *See, e.g., Heubeck v. City of Baltimore*, 205 Md. 203, 208 (1954) ("If a local law or ordinance conflicts in any manner with the Constitution or a Public General Law, then the local law or ordinance is invalid" citing Section 3 of Article XI-A of the Maryland Constitution); Md Code, Bus. Occ., § 16-3A-06 ("While a home inspector license is in effect, it authorizes the licensee to provide home inspection services."). Therefore, Section 5-7 (b)(1)(II)(B) must be deleted. Similarly, the penalties for failure to comply with this section must be removed. An amendment to this effect is attached to this bill report as **Amendment No. 1**.

Similarly, Section 5-7(b)(3) of the bill prohibits the use of the same inspector or company repeatedly during a certain period. This impairs a person's freedom to contract with any licensed home inspector. *See, e.g., Maryland-Nat'l Cap. Park & Plan. Comm'n v. Washington Nat. Arena*, 282 Md. 588, 606 (1978) ("reluctance on the part of the judiciary to nullify contractual arrangements on public policy grounds also serves to protect the public interest in having individuals exercise broad powers to structure their own affairs by making legally enforceable promises, a concept which lies at the heart of the freedom of contract principle.")(citations omitted); *Baltimore & O. S. W. Ry. Co. v. Voigt*, 176 U.S. 498, 505 (1900) ("it must not be forgotten that the right of private contract is no small part of the liberty of the citizen, and that the usual and most important function of courts of justice is rather to maintain and enforce contracts than to enable parties thereto to escape from their obligation on the pretext of public policy, unless it clearly appear that they contravene public right or the public welfare"). The City cannot legislate that licensed state home inspectors are prohibited from being hired to perform the job for which they were licensed. *Heubeck*, 205 Md. at 208; Md Code, Bus. Occ., § 16-3A-06. An amendment to remove the prohibition on using the same inspector is attached to this report as **Amendment No. 2**.

Section 5-15(b)(10)(I) and (II) lists as causes for denial, suspension or revocation of a rental license the act of demanding, collecting or disclosing information relating to the immigration status of a tenant. Conditioning the receipt or renewal of a City license on the speech or non-speech of the property owner violates the Constitution's First Amendment. U.S. Const., amend. I; *see, e.g., Perry v. Sinderman*, 408 U.S. 593, 597 (1972) ("For at least a quarter-century, this Court has made clear that even though a person has no 'right' to a valuable governmental benefit and even though the government may deny him the benefit for any number of reasons, there are some reasons upon which the government may not rely. It may not deny a benefit to a person on a basis that infringes his constitutionally protected interests — especially, his interest in freedom of speech. For if the government could deny a benefit to a person because of his constitutionally protected speech or associations, his exercise of those freedoms would in effect be penalized and inhibited. This would allow the government to 'produce a result which (it) could not command directly'")(citations omitted); *Valle Del Sol Inc. v. Whiting*, 709 F.3d 808, 823 (9th Cir. 2013)(government "may not, consistent with the First Amendment, use a content-based law to target individuals for lighter or harsher punishment because of the message they convey."). An amendment to remove this language is attached to this bill report as **Amendment No. 3**.

The bill's prohibitions in Section 5-15(b)(10)(III) and (IV) on renting to someone solely based on immigration status or seeking to recover possession of property for that reason conflict with the City's Public Local Laws that permit the landlord to terminate tenancies without articulating a reason. Baltimore City Code of Public Local Laws §§ 9-11 through 9-14 (Tenants for Years or Less or at Will); Md. Const., Art, 11-1, § 3; *see, e.g., McDaniel v. Baranowski*, 419 Md. 560, 578 (2011)("the landlord's entitlement to enforcement of his superior interest in the premises is a given, once the failure to pay rent is proven and appropriate notice is provided. Licensure to operate the premises, however, is not mentioned anywhere in Section 8-401 [of the Real Property Article of the Maryland Code]. None of its legislative history, either, assists our query regarding the need for a license to operate prior to initiating summary ejectment proceedings."); *see also Herman v. Baltimore*, 189 Md. 191, 195 (1947) ("where the public general

law and the public local law of any county, city, town or district are in conflict, the public local law shall prevail.”). An amendment to remove this language is attached to this bill report as **Amendment No. 4**.

Section 5-36 of the bill creates a rental receivership process that can proceed if the rental property has been cited more than five times for failing to obtain a license under the subtitle OR the health and safety of the tenants is threatened because the property is unsafe as described in Section 9-9 of the Public Local Laws of Baltimore City and the City Building Code. The “OR” in line 15 on page 28, which is placed between the requirement that the owner is cited, and the property is unsafe, must be changed to AND because the remedy of receivership is only available in limited circumstances. Md. Code, Comm. Law, § 24-201; accord Md. Att’y Gen. Op. No. 93-009, at *2 (Feb. 11, 1993) (unpublished) (“object of a receivership is to preserve an estate intact, to keep it within the jurisdiction of the court, to prevent waste, spoilation, or deterioration pending its appropriation as may be directed by final decree.”)(citation omitted). Further, the code violations must be present for the City to have jurisdiction, as receivership is ancillary to a code enforcement action. *Williams v. Messick*, 177 Md. 605, 610 (1940). **Amendment No. 5** to this report implements this change.

Section 5-38 of the bill requires that certain parties be named in the receivership action as respondents. Section 5-38(A)(4) should be amended to include all tenants as they all would have an equitable interest in the property. Md. Code, Comm. Law, §§ 24-102; 24-201 (parties to receivership action should be those with “an apparent right to property that is the subject of the action.”); 24-302. This edit is effectuated by **Amendment No. 6** attached to this report.

Sections 5-38(B), 5-41 and 5-43(B) and (C) of the bill must be removed as they are preempted by state law, which gives the court authority over those subjects. Md. Code, Comm. Law, §§ 24-301; 24-302; *see, e.g., City of Baltimore v. Sitnick*, 254 Md. 303, 317 (1969). An amendment to effectuate these changes is attached to this report as **Amendment No. 7**.

Section 5-43(A) must be amended to provide that the court “may” appoint a receiver because state law permits, but does not require, the Court to do so and a local law compelling the appointment of a receiver would conflict with state law. Md. Code, Comm. Law, § 24-201; *Heubeck*, 205 Md. at 208. **Amendment No. 8**, attached to this report, makes this change.

Section 5-46(B) lists buyer qualifications to bid in the auction. This section must be removed as a restraint on alienation. *See, e.g., Maxwell v. Moore*, 63 US 185, 190 (1859) (“according to the whole theory of our Government, laws restricting alienation are to be strictly construed, and not extended without an express intention appears. It is inconsistent with the nature of property, if the individual owning property, or a right to property, has not the power to alienate it.”); *Karsenty v. Schoukroun*, 406 Md. 469, 515 (2008) (“The law favors the free alienation of property”). Moreover, all purchasers of property would have the same requirements to follow the City building codes after purchase. **Amendment No. 9**, attached to this report, makes this change.

“If permitted by the court” should be added at the end of line 22 on page 33 to clarify that the court controls its procedure, including allowing a receiver to request that bidders pay a fee at

an auction. Md. Code, Comm. Law, § 24-205 (court has the “exclusive jurisdiction to direct the receiver and determine any controversy related to the receivership or receivership property” including “the exercise of the receiver’s powers” and “the performance of the receiver’s duties”). **Amendment No. 10**, attached to this report, makes this change.

Before being licensed, property owners are already required to provide tenants with contact information in Section 5-5 of Article 13 of the City Code. Thus, this bill’s extensive disclosure requirements for property owning corporations in the registration statements must be removed because they are not related to any legitimate government interest in rental property and compel speech that is not necessary to further a government purpose as a company’s listed owners are not always the people to contact for tenant issues nor the ones to be named in legal actions. Md. Code, Corp., §§ 2-108 (Maryland corporations); 7-209 (foreign corporations); *see, e.g. McDaniel*, 419 Md. at 574 (“The legal relationship between landlord and tenant is governed by the contract between the parties”)(citations omitted); *see also Cal. Medical Ass’n v. FEC*, 453 U.S. 182, 197-198 (1981) (requirements must further government interest); *St. Paul Mercury Ins. Co. v. Am. Bank Holdings, Inc.*, 819 F.3d 728, 734 (4th Cir. 2016)(“Because a corporation is a fiction that can have knowledge only through its agents, knowledge of an agent acquired within the scope of the agency relationship is imputable to the corporation” and “under Maryland law, every corporation must designate a resident agent to receive service of process,” and that “[s]ervice of process on the resident agent ... constitutes effective service of process ... on the corporation.”). **Amendment No. 11**, making these changes, is attached to this report.

The City is preempted from invalidating a post office box as a valid business address as Maryland Courts have held that it is the corporate entity’s responsibility “to accurately record its resident agent’s address with SDAT and to understand the requirements restricting the use of post office box addresses.” *Mayor of Baltimore v. Prime Realty Assocs., LLC*, 468 Md. 606, 626 (2020); *accord First Horizon Home Loan Corp. v. Jay*, No. 2163, Sept. Term 2019, 2022 WL 92314, at *14 (Md. Ct. Spec. App. Jan. 10, 2022)(unreported)(“In Maryland, a properly formed corporation has the power to ‘[s]ue, be sued, complain, and defend in all courts[.]’” and state law governs that process.). This change is accomplished by **Amendment No. 12** attached to this report.

Finally, the City’s ability to mandate disclosure of a document is subject to the Maryland Public Information Act. Md. Code, Gen., Prov., § 4-101, *et. seq.* The City cannot exempt itself from this state law and permit disclosure of something that this state law or other applicable state or federal laws prevent disclosing. *Police Patrol Security Systems v. Prince George’s County*, 378 Md. 702, 710, 713-15 (2003); *see also* 86 Op. Att’y Gen. 94, 106-07 (2001). While most rental inspection records and those submitted by property owners for the inspection likely will not contain information that cannot be disclosed, Section 5-22 should be amended to include a reference to these superseding requirements. An amendment to this effect is attached to this report as **Amendment No. 13**.

If the required amendments are made, the Law Department can approve this bill for form and legal sufficiency.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Hilary Ruley". The signature is fluid and cursive, with the first name "Hilary" being more prominent than the last name "Ruley".

Hilary Ruley
Chief Solicitor

cc: Ebony M. Thompson, City Solicitor
Ty'lor Schnella, Mayor's Office of Government Relations
Ashlea Brown, Chief Solicitor
Jeffrey Hochstetler, Chief Solicitor
Michele Toth, Assistant Solicitor
Desiree Lucky, Assistant Solicitor

AMENDMENTS TO COUNCIL BILL 25-0141
(1st Reader Copy)

Amendment No. 1

On page 11, in line 33, delete “; AND”; and on page 12, delete lines 1 and 2; and on page 13, delete lines 1 through 8; and on page 3, delete line 30.

Amendment No. 2

On page 12, delete lines 13 through 16.

Amendment No. 3

On page 19, delete lines 33 through 36; and on page 20, delete lines 1 through 4.

Amendment No. 4

On page 20, delete lines 5 through 12.

Amendment No. 5

On page 28, in line 15, delete “OR” and substitute “AND”.

Amendment No. 6

On page 29, in line 16, after “(4)” insert “ALL TENANTS AND”.

Amendment No. 7

On page 29, delete lines 18 through 23; and on page 30, delete lines 20-31; and on page 31, delete lines 28 through 31; and page 32 delete lines 1 through 4.

Amendment No. 8

On page 31, in line 26, delete “SHALL” and substitute “MAY”.

Amendment No. 9

On page 33, delete lines 14 through 18.

Amendment No. 10

On page 33, in line 22, before the period, insert “IF PERMITTED BY THE COURT”.

Amendment No. 11

On page 35, in line 6, delete beginning with “together” through line 33 on the same page.

Amendment No. 12

On page 36, delete lines 1 through 6.

Amendment No. 13

On page 22, in line 23 before the colon, insert “IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT AND ANY OTHER APPLICABLE STATE OR FEDERAL LAWS”



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Alice Kennedy, Commissioner, Housing and Community Development
CC	Mayor's Office of Government Relations
DATE	February 23, 2026
SUBJECT	25-0141 Rental Dwelling Health and Safety Enforcement Act

Position: Without Recommendation

BILL SYNOPSIS

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act for the purpose of updating certain provisions regarding the licensing of rental dwellings; establishing certain penalties; requiring certain information be filed with a registration statement when applying for a rental dwelling license; requiring the Department of Housing and Community Development to promulgate certain regulations; creating a registry of rental inspectors; prohibiting certain actions based on actual or perceived immigration status; establishing certain grounds for the revocation of a rental dwelling license; establishing a process for rental dwelling receivership; making conforming changes; providing for the effective dates of this Ordinance; and generally relating to the enforcement of rental dwelling health and safety standards.

If enacted, City Council Bill 25-0141 would require DHCD to: establish a registry of rental inspectors; disallow rental inspection from the same rental inspector or inspection company within an 8 year period; acquire certain information from an applicant when applying for a rental license; conduct and annual audit of inspections at licensed properties; deny, suspend or revoke rental licenses based on landlords' inquiries and actions relating to tenants' immigration status; expand current grounds for rental license revocation and establish a rental dwelling receivership process. If approved, this Bill will take effect on the 30th day following its enactment, except for Section 2, which would go into effect 6 months after the date of its enactment.

SUMMARY OF POSITION

DHCD appreciates the intent behind this Bill. Rental receivership, in particular, has the potential to be an impactful tool to hold the owners of unsafe rental properties accountable. DHCD also appreciates the significant time that the Bill's sponsor invested in working with our agency through the multiple drafts that preceded its introduction. However, the Bill still contains several

notable concerns that DHCD raised with the sponsor during with the extensive drafting process.

Some of those concerns surround the changes that this Bill would introduce to the current process for rental inspections and licensing. For example, applicants would be prohibited from using the same rental inspector or rental inspection company within the same 8-year period. We feel this would not only be unduly burdensome for applicants themselves but also bring practical challenges to DHCD as every rental license reapplication would need to be reviewed with its preceding 8-years' worth of inspection reports to ensure that no inspectors or inspection companies were used twice within that period. This Bill would also require the Commissioner to annually audit 100-200 inspections of licensed properties and make those results public. Completing that audit would be a substantial undertaking for the agency given current staffing and administrative capabilities.

DHCD also takes issue with how this Bill would deny or prohibit a rental license from being issued or renewed if a property's water Bill remained unpaid for 60 days, regardless of its inspection status. This mandate would require additional staffing in the registration office and the need for increased collaboration with DPW to share billing information on demand so as not to delay the registration process. We emphasize that an overdue water bill does not, on its own, make a building unsafe for habitation. In addition, if tenants are responsible for paying their water bill, this opens up the potential that tenants may choose to stop paying the bill as a way to prevent their landlord from remaining in compliance with rental licensing.

This Bill would also prohibit Landlords inquiring into the immigration or citizenship status of a tenant or applicant and would make doing so grounds for their rental license to be denied, suspended, or revoked. DHCD supports the intent of this section pertaining to rental discrimination on the basis of one's immigration status; however, our concern lies with the agency's ability to enforce, and in turn, our legal obligation to that enforcement. The details surrounding how such enforcement would occur remain unclear.

Other concerns with this Bill surround the collection and posting of rental license applicant information. Namely, this Bill states that if the owner of a rental property is a corporation, then DHCD would require the names and addresses of all the individuals who constitute that corporation as defined within the Bill. Practically, DHCD would need to expand our system to collect this information as it is currently unable to do so. Also, the Law Department's Bill report speaks to the limitations of enforcing this provision and offers their Amendment No. 11 as a remedy. Relatedly, this Bill requires all rental inspection records and all documents submitted by rental license holders as part of their application to be made publicly available. Certain sensitive information requires redaction in accordance with the Maryland Public Information Disclosures. These instances are rare, but occasionally financial records or tenant information can be included in an application. DHCD already reviews information to respond to MPIA requests, but this provision would require the agency to review every single application for necessary redactions before it could be made publicly available. The Law Department's suggested Amendment No. 13 seeks to rectify this issue.

Within its introduction of rental receivership, this Bill mandates that five or more citations for failing to obtain a rental license and making no attempt to procure one would be grounds for

receivership action. As written, the law says 5 citations for a missing rental license OR the building is unsafe. There is an important distinction that simply lacking a rental license does not therefore mean the building is unsafe. This would create an arguably overbroad power where DHCD could issue five citations in five days and then immediately move to receivership. Similarly, the added language of “has made no attempt” does not reference what an attempt would constitute. The barest reading might suggest a single phone call would suffice.

One of DHCD’s most pressing concerns with this Bill surrounds the section that states that the Commissioner may require a rental dwelling to be vacated within 24 hours at the expense of the department. Relocating even a moderately sized apartment building on short notice would come at a tremendous cost to the agency.

Lastly, this Bill notes that a person aggrieved by a decision of the Housing Commissioner under this subtitle may seek judicial review of that decision by petition to the Circuit Court for Baltimore City. There is currently an administrative appeal procedure that sends review to an administrative hearing before sending them to the circuit court. Building Code Section 128 and 128.6 reference this specifically.

FISCAL IMPACT

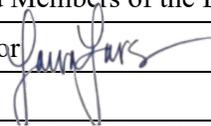
As written, this Bill would have a significant fiscal impact on DHCD as an agency. We defer to the Department of Finance and their report on the details of those impacts.

AMENDMENTS

DHCD appreciates the intent behind this legislation and wishes to continue working with the sponsor of the Bill and law department to address our remaining concerns.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Laura Larsen, Budget Director 
DATE	February 23 rd , 2026
SUBJECT	City Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act

Position: Oppose

The Department of Finance is herein reporting on City Council Bill 25-0141, Rental Dwelling Health and Safety Enforcement Act, the purpose of which is updating certain provisions regarding the licensing of rental dwellings; establishing certain penalties; requiring certain information be filed with a registration statement when applying for a rental dwelling license; requiring the Department of Housing and Community Development to promulgate certain regulations; creating a registry of rental inspectors; prohibiting certain actions based on actual or perceived immigration status; establishing certain grounds for the revocation of a rental dwelling license; establishing a process for rental dwelling receivership; making conforming changes; and generally relating to the enforcement of rental dwelling health and safety standards.

Background

The City Council has over the past two terms considered a number of measures with the goal of improving the quality of rental dwellings in Baltimore City. Prior bills generally focused on certain aspects of the rental licensing and inspection processes, for instances the inspection and licensing process for 1- and 2-unit properties or multi-family dwellings with 20 or more units.

Bill #	Bill Title	Intent	Status
18-0185	Non-Owner-Occupied Dwelling Units, Rooming Houses, and Vacant Structures - Rental Dwellings - Registration and Licensing	Added 1- and 2-unit rental houses licensing, inspection, and related requirements for rental housing.	Enacted
19-0344	Licensing of Rental Dwellings	Would have allowed for alternatives to the online rental registration process.	Failed - End of Term
23-0357	Strengthening Renters' Safety Act	Strengthened Baltimore's rental licensing system by targeting high-risk properties for frequent inspections, tougher enforcement, and greater transparency to improve tenant health and safety.	Enacted
24-0505	Rental Dwellings - Mold Inspection and Remediation	Would have required a rental dwelling to be inspected for mold prior to the issuance or renewal of	Failed - End of Term

		a license.	
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25-0141

25-0141 aims to comprehensively update the residential rental licensing and inspection process in Baltimore City. The legislation updates and alters many aspects of the rental licensing and inspection process, the table below focuses summarizes the most significant changes from this proposal.

Topic	Current Law	25-0141
Registry of rental inspectors	Rental inspectors required to register with the City	Housing Commissioner must maintain a registry of rental inspectors and remove bad actors
Inspector conflict-of-interest rules	Limited requirements	Rental inspectors are required to fill out conflict-of-interest disclosures
Timing of inspections	Less specific timing rules	Requires rental inspections to occur no more than 90 days before a license or renewal application
License disclosure to tenants	Limited disclosure requirements	Requires licenses be provided to prospective, current, and renewing tenants
Advertising requirements	No standardized ad disclosure	Requires rental license numbers in advertisements
Public access to rental information	Limited online disclosure	Requires online public access to inspection records, violation history, license documents, and owner/operator information
Immigration status protections	No explicit protections	Prohibits landlords from inquiring about, disclosing, or acting on immigration or citizenship status
Rental property receivership	Limited linkage to housing enforcement	Creates process for court-appointed receivers for chronically noncompliant properties
Annual reporting requirements	More limited reporting scope	Expands annual DHCD reporting to include inspections, audits, receiverships, revocations, and violation data

Fiscal Impact

City Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act will have a significant fiscal impact. DOF estimates that there will be approximately \$1,714,582 in annual costs. This does not include the cost of vacating premises at the City’s expense.

Fiscal Analysis

New Licenses, Registration Statement & Annual Inspection Audit Program

Council Bill 25-0141 requires the Department of Housing and Community Development (DHCD) to implement enhanced regulatory oversight of rental housing by establishing a more structured rental inspection framework and expanding property ownership disclosure requirements. The bill replaces the prior home-inspection model with a formal rental inspection system that includes inspector registry management, audit responsibilities, compliance tracking, and enforcement support, which may increase administrative workload and associated operating costs for DHCD. Additionally, the bill requires more detailed ownership reporting for property registration statements, particularly for corporate and complex ownership structures, necessitating updates to forms, data systems, and review processes.

In order to operationalize these requirements, DHCD needs (8) eight Office Support Specialist II’s (OSSII)s in Service 747: Register and License Property and Contractors and an additional three Housing Inspector

Seniors Each OSSII has an annual salary of \$35,701, benefits package of \$19,439 for a total compensation of \$55,140; eight OSSIIs cost \$441,122 annually.

Priority Dwelling Inspection Program (Expanded)

The Department of Housing and Community Development (HCD) anticipates needing 11 new positions to provide adequate staffing to implement this legislation. This includes a team of 5 Housing Inspectors (a Senior Housing Inspector and 4 Housing Inspectors) to oversee and implement the inspection process. Three office support positions would be needed to assist with the administrative tasks including coordination and scheduling, along with a Data Analyst to comply with the requirements of this proposal. Two Ombudsman positions would support with investigations and community outreach efforts to support impacted tenants. The total annual cost of these positions is \$924,401. HCD also anticipates costs may increase based on software enhancements needed for the City’s permitting system to accommodate the legislation change.

Vacating premises

City Council Bill 25-0141 requires DHCD, at the City’s expense, to vacate dwelling units under certain conditions. DHCD informs the DOF that the Department does not do this service at present. This would require DHCD to immediately move people living in the building in question out and into a hotel. The legislation does not make clear when the tenants would be able to return to the building. This would be expensive for the City to implement, especially if the costs cannot be recouped from placing a lien on the building. The GSA per diem rate for FY2026 in Baltimore is \$150 per night per room. It is not known how many dwelling units would need to be vacated under 25-0141, nor is it known for how long. While an exact figure cannot be determined at this time as an example if 100 units need to be vacated in a year, for two nights each at \$150 a night it would cost \$30,000.

Training of Property Managers

Under City Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act requires certain property managers, as specified by the legislation, to take a training course provided by DHCD in partnership with the Mayor’s Office of Older Adult Affairs and Advocacy. This training includes providing information on (1) the City’s health and safety standards for rental housing and (2) a way for employees to anonymously report suspected violations to the City. This training class would have to be held monthly to ensure Property Managers can have access to a class within 45 days of their hiring date. This would require DHCD to hire a Training Officer to implement this section. A Training Officer’s salary is \$70,509 with \$38,392.15 in benefits for a total annual cost of \$108,901.

Total Costs

The table below summarizes the additional personnel required to implement the provisions of City Council Bill 25-0141. It details the new positions by classification, the number of staff in each role, and the associated annual staffing costs, including salaries and benefits. These positions are necessary to support expanded rental inspections, administrative oversight, tenant services, data management, and property manager training under the proposed legislation. The total projected annual cost for these new positions is \$1,714,582.

Total New Positions	Classification	Total Staffing Costs
1	Data Analyst	\$151,650
4	Housing Inspector Senior	\$327,836
4	Housing Inspectors	\$301,752
8	Office Support Specialist II	\$441,122

1	Office Support Specialist III	\$59,174
2	Ombudsman	\$210,352
2	Secretary II	\$113,796
1	Training Officer	\$108,901
Total		\$1,714,582

Conclusion

City Council Bill 25-0141 represents a significant expansion of Baltimore’s rental dwelling oversight, introducing stricter inspection requirements, enhanced transparency, tenant protections, and enforcement mechanisms. While the bill aims to improve housing quality and tenant safety, its implementation would impose substantial operational and fiscal burdens on the City, including over \$1.7 million annually in staffing and administrative costs, potential expenses for temporary relocation of tenants, and investments in training and system upgrades. Given these considerable financial and logistical impacts, the Department of Finance recommends opposing the bill.

For the reasons stated above, the Department of Finance opposes City Council Bill 25-0141.

cc: Michael Mocksten
Nina Themelis

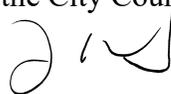
Robin Truiett-Theodorson
Chairperson | Board of Commissioners

Janet Abrahams
President | Chief Executive Officer



MEMORANDUM

TO: The Honorable President and Members of the City Council

FROM: Janet Abrahams, Chief Executive Officer 

CC: Mayor's Office of Government Relations

DATE: February 20, 2026

SUBJECT: City Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act

The Housing Authority of Baltimore City (HABC) has received a referral for comment on City Council Bill 25-0141. This is a bill is seeking to update certain provisions regarding the licensing of rental dwellings; establishing certain penalties; requiring certain information be filed with a registration statement when applying for a rental dwelling license; requiring the Department of Housing and Community Development to promulgate certain regulations; creating a registry of rental inspectors; prohibiting certain actions based on actual or perceived immigration, status; establishing certain grounds for the revocation of a rental dwelling license; establishing a process for rental dwelling receivership; making conforming changes; providing for the effective dates of this Ordinance; and generally relating to the enforcement of rental dwelling health and safety standards.

HABC has concerns about Section 5-15 (b) (10), which lists the following actions as grounds for denial, suspension or revocation of a rental dwelling license or renewal:

“(I) DEMANDING, REQUESTING, OR COLLECTING INFORMATION REGARDING OR RELATING TO THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY;

(II) DISCLOSING OR THREATENING TO DISCLOSE INFORMATION REGARDING OR RELATING TO THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT, PROSPECTIVE TENANT, OR APPLICANT TO ANY PERSON, ENTITY, OR LAW ENFORCEMENT AGENCY;

(III) REFUSING TO ENTER INTO A RENTAL AGREEMENT, APPROVE A SUBTENANCY, OR OTHERWISE PRECLUDE FROM OCCUPYING A DWELLING UNIT, A TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY, BASED SOLELY OR IN PART ON THE IMMIGRATION OR CITIZENSHIP STATUS OF THE TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY; OR

Housing Authority of Baltimore City | 417 East Fayette Street, Baltimore, MD 21202

 410.396.3232  www.HABC.org     @BmoreHabc 

(IV) BRINGING AN ACTION TO RECOVER POSSESSION OF A DWELLING UNIT 11 BASED SOLELY OR IN PART ON THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT...”

Although properties owned and operated by HABC are not subject to the licensing requirements of this bill, we are concerned about the indirect consequences that the above-referenced provisions would have on privately owned and/or privately managed rental properties, which lease to tenants who are assisted with, or that contain units which receive rental subsidy provided through federal funding (e.g. tenant-based or project-based housing choice vouchers, project-based rental assistance, etc.). Under federal law, HABC is required to document and verify the citizenship and eligible immigration status of individuals before admitting them to the Public Housing or Housing Choice Voucher programs, and federal funds cannot be used to provide rental assistance to individuals who are deemed ineligible based on citizenship status. Additionally, privately managed properties are required to perform regular recertifications for tenants who receive federally funded rental assistance, and citizenship status and eligibility are again documented and verified during this process. We are concerned that the provisions about collecting information regarding immigration status may put these properties at risk of losing their license and/or jeopardizing their federal funding, thereby impeding their ability to provide affordable housing for those in need.

Therefore, HABC respectfully requests that language be added to carve out an exception for these circumstances and suggests inserting “unless required by federal law” at the end of Line 33 so that it reads:

“(10) TAKING 1 OF THE FOLLOWING ACTIONS, UNLESS REQUIRED BY FEDERAL LAW:...”

HABC remains committed to protecting residents’ rights and will continue to do so within the scope of federal regulations.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Catalina Rodriguez Lima, Director of the Mayor's Office of Immigrant Affairs
CC	Mayor's Office of Government Relations
DATE	February 23, 2026
SUBJECT	MIMA BILL 25-0141 Rental Dwelling Health and Safety Enforcement Act

Position: Without recommendation

BILL SYNOPSIS

Council Bill 25-0141 modernizes and strengthens Baltimore City's system for licensing, inspecting, and enforcing health and safety standards in rental housing. The bill restructures rental dwelling licensing requirements by tightening inspection standards, increasing transparency, and expanding enforcement tools for properties which repeatedly fail to meet minimum habitability requirements. It establishes a formal registry of qualified rental inspectors, enhances auditing and accountability for third-party inspections, and prioritizes proactive oversight of large or chronically noncompliant rental properties.

The legislation introduces stronger enforcement mechanisms, including expanded grounds for license denial or revocation, increased penalties for noncompliance, and a new rental property receivership process that allows the City to seek court-appointed management or rehabilitation of severely unsafe rental properties. The bill also requires public access to rental licensing, inspection, and violation data to improve tenant awareness and oversight.

The bill explicitly prohibits landlords from requesting, using, or threatening to disclose a tenant's actual or perceived immigration or citizenship status as a basis for housing decisions or retaliation. By doing so, the bill aims to protect tenants from coercive practices, strengthen housing stability, and ensure that enforcement of housing standards does not result in discrimination or fear-based displacement.

MIMA supports the intent of the bill to protect the foreign-born population of Baltimore City and recognizes that rental receivership has the potential to serve as an impactful accountability to address unsafe rental housing conditions. MIMA supports the intent of Section 5-15(10) to prevent anti-immigrant discrimination and believes that strong, formal investigative enforcement mechanisms are essential to ensure meaningful protections for tenants. Ensuring that enforcement processes are clear, transparent, and accessible will be critical to building trust within foreign born and immigrant communities. At the same time, MIMA respectfully defers to

the Baltimore City Law Department regarding the legal sufficiency and statutory authority underlying the bill's provisions, and to the Department of Housing and Community Development (DHCD) regarding operational feasibility, implementation capacity, and policy appropriateness. As the agencies with primary legal and enforcement responsibility, their expertise will be essential to ensuring that the legislation is structured and implemented effectively.

FISCAL IMPACT

As drafted, this Bill would have minimal fiscal or administrative impact on MIMA.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Leyla Layman, Interim Director Baltimore City Office of Information and Technology <i>Leyla Layman</i>
CC	Nina Themelis, Director, Mayor's Office of Government Relations
DATE	February 23, 2026
SUBJECT	Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act

POSITION: Without Recommendation

BILL SYNOPSIS

The Baltimore City Office of Information and Technology (BCIT) has completed its review of Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act. The purpose of this bill is to update certain provisions around the licensing of rental dwellings, establish certain penalties, require certain information be filed with a registration statement when applying for a rental dwelling license and require the Department of Housing and Community Development to create a registry of rental inspectors. The bill also prohibits certain actions based on actual or perceived immigration status.

SUMMARY OF POSITION

The 311 system does not maintain data detailing the number of dwelling units in a building or whether a property meets specific housing thresholds. We also do not anticipate the need for additional technologies. Therefore, BCIT does not foresee a role in implementing Council Bill 25-0141 Rental Dwelling Health and Safety Enforcement Act.

If you have questions, please contact Fabienne Dorceus, Program Manager, at (410) 913-0556.



CITY OF BALTIMORE
MAYOR BRANDON M. SCOTT

TO	The Honorable President and Members of the Baltimore City Council
FROM	Matthew Garbark, Director, Department of Public Works
CC	Mayor's Office of Government Relations
DATE	February 24, 2026
SUBJECT	25-0141 Rental Dwelling Health and Safety Enforcement Act

Position: Without Recommendation

BILL SYNOPSIS

The purpose of City Council Bill 25-0141 (the Bill) is to update certain provisions regarding the licensing of rental dwellings; establish certain penalties; require certain information be filed with a registration statement when applying for a rental dwelling license; require the Department of Housing and Community Development to promulgate certain regulations; create a registry of rental inspectors; prohibit certain actions based on actual or perceived immigration status; establish certain grounds for the revocation of a rental dwelling license; establish a process for rental dwelling receivership; make conforming changes; provide for the effective dates of this Ordinance; and generally relate to the enforcement of rental dwelling health and safety standards. The legislation, moreover, mandates that DPW respond to such requests in a timely manner. Finally, the Bill establishes a uniform effective date for implementation of these provisions.

SUMMARY OF POSITION

Upon review of CCB 25-0141, it is determined that this legislation does not create any new water billing policies or make changes to account structure or payment responsibility. This legislation states that a rental license would not be issued or renewed if a property's water bill remains unpaid for 60 days. The Department of Public Works (DPW) acknowledges that the Department of Housing and Community Development (DHCD) would require designation of a direct contact(s) in the Customer Support and Services Division for water-billing inquiries directly tied to rental licensing.

DPW does not take a position on the bill's policy goals, but it is worth noting that the operational impact will depend on the anticipated volume, complexity, and scope of the water-billing inquiries received from DHCD. Some of the inquiries may involve routine account verification, and others may require more in-depth billing research and utilities coordination.

DPW yields to DHCD for a more detailed analysis of this legislation's other components.

BALTIMORE CITY COUNCIL



HOUSING & ECONOMIC DEVELOPMENT COMMITTEE

25-0141

*RENTAL DWELLING HEALTH AND SAFETY
ENFORCEMENT ACT*

Additional Materials



Odette Ramos

Baltimore City Councilwoman

District 14

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100 N. Holliday Street, Room 553

Baltimore MD 21202

February 24, 2026

Testimony

**25-0141 - Rental Dwelling Health and Safety Enforcement Act
SUPPORT with Sponsor Amendments**

Chair Torrence and Members of the Housing and Economic Development Committee:

I am writing to humbly request your support of 25-0141 - Rental Dwelling Health and Safety Enforcement Act with Sponsor amendments.

The Rental Dwelling Safety and Enforcement Act strengthens landlord licensing, enforcement, and accountability. This legislation builds on the Strengthening Renters Safety Act from last term.

Less than ½ of our rental properties in the city are properly licensed. That is unacceptable and it must change so that residents can live in decent conditions. While some unlicensed landlords may be having trouble obtaining a license, I have several in my district who are intentionally not obtaining licenses, not paying their fines or water bills, and do not care about the conditions in which the residents are living. Moreover, this bill works to decrease the fraud that many of us have seen, where licenses should never have been issued. I'm grateful to the Baltimore City Department of Housing and Community Development (DHCD) and the advocates for working on this with me. I've also sought the input from several landlord associations and rental inspectors.

The Rental Dwelling Safety and Enforcement Act:

- Applies to all rental properties, not just those with more than 20 units
- Establishes Rental Licensing Receivership where DHCD can take the most egregious violators to court, and the court could assign a receiver to bring the property up to code and sell it to a new owner.
- Requires DHCD to audit between 100 and 200 current licenses to ensure compliance and reduce fraudulent document filings.
- Requires the property manager or building owner to disclose more information about the ownership of the property on the rental license.
- Prevents licenses from being renewed or issued if the water bill is not paid.
- Ensures that a license can be revoked if the landlord uses intimidation tactics like threatening to call ICE on tenants.
- Changes how landlords select rental inspectors to avoid conflict of interest - landlords cannot use the same third-party rental inspector for each time they renew each property for four renewal periods.
- For buildings with more than 20 units that are specifically for older adult living, DHCD will establish customer service training for all staff of the management company, which must be taken as a condition of their rental license.

Sponsor amendments add a more formal complaint process if all other measures given to a renter are exhausted and modifies the selection of a rental inspector.

There will be additional amendments forthcoming as a result of the Law Department's report. We are having longer conversations between Law and DHCD, as several of their requests are not in line with what has been worked out with all parties. We will provide a specific outline of the amendments when we have them.

The bottom line is this: hundreds if not thousands of renters are not living in good conditions, and the new rental property receivership, which is done across the country, will strengthen our enforcement efforts across the board. Moreover, additional provisions of the bill will ensure transparency, remove the temptation for fraud, and overall improve our rental licensing program.

Thank you for your support of this legislation. I am available for questions.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Odette Ramos". The signature is fluid and cursive, with a large initial "O" and a long, sweeping tail.

Odette Ramos
Baltimore City Councilwoman, District 14

Dec 15, 2025

Introducing Bill to Strengthen Rental Licensing and Accountability

The Rental Dwelling Safety and Enforcement Act strengthens landlord licensing, enforcement, and accountability. The new legislation builds on the work Council President Cohen did as a Councilman in the last term.

Less than ½ of our rental properties in the city are properly licensed. That is unacceptable and it must change so that residents can live in decent conditions. While some unlicensed landlords may be having trouble obtaining a license, I have several in my district who are intentionally not obtaining licenses, not paying their fines or water bills, and do not care about the conditions in which the residents are living. Moreover, this bill works to decrease the fraud that many of us have seen, where licenses should never have been issued. I'm grateful to the Baltimore City Department of Housing and Community Development (DHCD) and the advocates for working so hard with me on this.

Key Points in the Rental Dwelling Safety and Enforcement Act:

- Applies to all rental properties, not just those with more than 20 units.
- Establishes Rental Licensing Receivership where DHCD can take the most egregious violators to court, and the court could assign a receiver to bring the property up to code and sell it to a new owner.
- Requires DHCD to audit between 100 and 200 current licenses to ensure compliance and reduce fraudulent document filings.
- Prevents licenses from being renewed or issued if the water bill is not paid.
- Ensures that a license can be revoked if the landlord uses intimidation tactics like threatening to call ICE on tenants.
- Changes how landlords select rental inspectors to avoid conflict of interest - landlords cannot use the same third-party rental inspector for each time they renew each property for four renewal periods.
- For buildings with more than 20 units that are specifically for older adult living, DHCD will establish customer service training for all staff of the management company, which must be taken as a condition of their rental license.



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