
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW
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May 15, 2025

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

Re: City Council Bill 25-0050 – Water Bill – Tenant Right to Review—TYPO CORRECTION

Dear President and City Council Members:

The Law Department reviewed City Council Bill 25-0050 for form and legal sufficiency in April and submitted a report on the bill. In advance of the hearing, the Department noticed the prior report contained a typographical error in the applicable City Code section. This bill report is identical but with the reference corrected:

This bill is identical to Bill 22- 0274, introduced in the last term of the Baltimore City Council.

The bill would add language in Subtitle 2, “Bills,” of Article 24, “Water,” that the Department of Public Works must provide a copy of a water bill to a tenant or residential owner provided that they show they have a written lease or are the owner-occupant.

As explained in the hearings for the Water Accountability and Equity Act (Bill 18-307; Ordinance 20-336), the City’s record of the amount owed for water at a particular property is a document showing someone’s personal financial information and therefore the Maryland Public Information Act (“PIA”) prevents the City from disclosing it to someone other than the property owner because the owner is responsible for payment of the water consumed at that property. Md. Code, Gen. Prov., §4-336(b); 86 Md. Op. Atty. Gen. 94, 107 (2001) (local governments cannot allow disclosure of records that the state law prohibits); *Property Owners’ Ass’n of Baltimore City, Inc. v. City of Baltimore*, 268 Md. 194, 199 (1973) (water bills are owed by property owners).

The PIA requires the City to give a financial record to the owner or designee of the owner. Md. Code, Gen. Prov., §4-101(g)(1). **Since the Water Accountability and Equity Act requires landlords to make tenants their designees for this purpose, the City is already required to release the records to owners or their tenants.** City Code, Art. 13, § 7-3(a-1)(2); Art. 24, § 2-1(d); Md. Code, Gen. Prov., §§ 4-201, 4-203.

While the language in this bill does not conflict with the PIA, **the bill makes it seem that an owner or tenant must *prove* ownership or tenancy to receive a copy of a water bill to which they are *already* entitled.** Thus, while the Law Department can approve this bill for form and

legal sufficiency, **the risk in adopting it makes it a requirement that owners and tenants present information to obtain a document to which they are already entitled.**

Very truly yours,



Hilary Ruley
Chief Solicitor

cc: Ebony M. Thompson, City Solicitor
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