

**CITY OF BALTIMORE
COUNCIL BILL 14-0317
(First Reader)**

Introduced by: Councilmembers Clarke, Curran, Henry, Holton, Branch, Middleton,
President Young, Councilmembers Stokes, Reisinger, Scott, Curran, Mosby, Welch
Introduced and read first time: January 27, 2014
Assigned to: Land Use and Transportation Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Planning, Department of
Housing and Community Development, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Housing – Source of Income Discrimination**

3 FOR the purpose of requiring that housing projects subject to affordable housing requirements
4 make their dwellings available to individuals without distinction based on source of income;
5 prohibiting certain predatory representations based on the source of income of housing
6 occupants; defining certain terms; and generally relating to source of income discrimination.

7 BY adding

8 Article 13 - Housing and Urban Renewal
9 Section(s) 2B-1(1-1) and 2B-25
10 Baltimore City Code
11 (Edition 2000)

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

14 **Baltimore City Code**

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

16 **Subtitle 2B. Inclusionary Housing Requirements**

17 **§ 2B-1. Definitions – General**

18 (L-1) *SOURCE OF INCOME.*

19 (1) *IN GENERAL.*

20 “SOURCE OF INCOME” MEANS ANY LAWFUL SOURCE OF MONEY PAID DIRECTLY OR
21 INDIRECTLY TO, OR ON BEHALF OF, A RENTER OR BUYER OF HOUSING.

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

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1 (2) *INCLUSIONS.*

2 “SOURCE OF INCOME” INCLUDES INCOME FROM:

- 3 (I) A LAWFUL PROFESSION, OCCUPATION, OR JOB;
- 4 (II) ANY GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, LOAN, OR RENTAL
5 ASSISTANCE PROGRAM, INCLUDING LOW-INCOME HOUSING ASSISTANCE
6 CERTIFICATES AND VOUCHERS ISSUED UNDER THE UNITED STATES HOUSING
7 ACT OF 1937; OR
- 8 (III) A GIFT, AN INHERITANCE, A PENSION, AN ANNUITY, ALIMONY, CHILD SUPPORT,
9 OR OTHER CONSIDERATION OR BENEFIT.

10 **§ 2B-25. SOURCE OF INCOME DISCRIMINATION.**

11 (A) *PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS.*

12 FOR ANY UNIT IN ANY RESIDENTIAL PROJECT THAT MEETS THE REQUIREMENTS OF
13 2B-21(A), 2B-22(A), OR 2B-23(A) OF THIS SUBTITLE, A PERSON MAY NOT:

- 14 (1) REFUSE TO SELL OR RENT, REFUSE TO NEGOTIATE FOR THE SALE OR RENTAL OF, OR
15 OTHERWISE MAKE UNAVAILABLE OR DENY, A DWELLING TO ANY PERSON BECAUSE
16 OF THAT PERSON’S SOURCE OF INCOME;
- 17 (2) DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS, OR PRIVILEGES
18 OF THE SALE OR RENTAL OF A DWELLING, OR RENTAL OF A DWELLING, OR IN THE
19 PROVISION OF SERVICES OR FACILITIES IN CONNECTION WITH THE SALE OR RENTAL
20 OF A DWELLING, BECAUSE OF THAT PERSON’S SOURCE OF INCOME;
- 21 (3) MAKE, PRINT, OR PUBLISH, OR CAUSE TO BE MADE, PRINTED, OR PUBLISHED, ANY
22 NOTICE, STATEMENT, OR ADVERTISEMENT WITH RESPECT TO THE RENTAL OF A
23 DWELLING THAT INDICATES ANY PREFERENCE, LIMITATION, OR DISCRIMINATION
24 BASED ON THE SOURCE OF INCOME THAT MAY BE USED TO PAY RENT;
- 25 (4) REPRESENT TO ANY PERSON, BECAUSE OF THAT PERSON’S SOURCE OF INCOME,
26 THAT ANY DWELLING IS NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE
27 DWELLING IS AVAILABLE; OR
- 28 (5) FOR PROFIT, INDUCE OR ATTEMPT TO INDUCE ANY PERSON TO SELL OR RENT ANY
29 DWELLING BY REPRESENTATIONS REGARDING THE ENTRY OR PROSPECTIVE ENTRY
30 INTO THE NEIGHBORHOOD OF A PERSON USING A PARTICULAR SOURCE OF INCOME.

31 (B) *PROJECTS RECEIVING COST OFFSETS FOR AFFORDABLE HOUSING.*

32 FOR ANY UNIT IN ANY RESIDENTIAL PROJECT THAT RECEIVES A COST OFFSET FROM THE
33 HOUSING COMMISSIONER UNDER § 2B-24 OF THIS SUBTITLE, A PERSON MAY NOT:

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- 1 (1) REFUSE TO SELL OR RENT, REFUSE TO NEGOTIATE FOR THE SALE OR RENTAL OF, OR
2 OTHERWISE MAKE UNAVAILABLE OR DENY, A DWELLING TO ANY PERSON BECAUSE
3 OF THAT PERSON’S SOURCE OF INCOME;
- 4 (2) DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS, OR PRIVILEGES
5 OF THE SALE OR RENTAL OF A DWELLING, OR RENTAL OF A DWELLING, OR IN THE
6 PROVISION OF SERVICES OR FACILITIES IN CONNECTION WITH THE SALE OR RENTAL
7 OF A DWELLING, BECAUSE OF THAT PERSON’S SOURCE OF INCOME;
- 8 (3) MAKE, PRINT, OR PUBLISH, OR CAUSE TO BE MADE, PRINTED, OR PUBLISHED, ANY
9 NOTICE, STATEMENT, OR ADVERTISEMENT WITH RESPECT TO THE RENTAL OF A
10 DWELLING THAT INDICATES ANY PREFERENCE, LIMITATION, OR DISCRIMINATION
11 BASED ON THE SOURCE OF INCOME THAT MAY BE USED TO PAY RENT;
- 12 (4) REPRESENT TO ANY PERSON, BECAUSE OF THAT PERSON’S SOURCE OF INCOME,
13 THAT ANY DWELLING IS NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE
14 DWELLING IS AVAILABLE; OR
- 15 (5) FOR PROFIT, INDUCE OR ATTEMPT TO INDUCE ANY PERSON TO SELL OR RENT ANY
16 DWELLING BY REPRESENTATIONS REGARDING THE ENTRY OR PROSPECTIVE ENTRY
17 INTO THE NEIGHBORHOOD OF A PERSON USING A PARTICULAR SOURCE OF INCOME.

18 (C) *REQUIREMENTS MAY NOT BE WAIVED.*

19 THE REQUIREMENTS OF THIS SECTION MAY NOT BE WAIVED OR MODIFIED UNDER ANY
20 OTHER PROVISION OF THIS SUBTITLE, AND NO RESIDENTIAL PROJECT MAY BE EXEMPTED
21 FROM THE REQUIREMENTS OF THIS SECTION UNDER ANY OTHER PROVISION OF THIS
22 SUBTITLE.

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
24 are not law and may not be considered to have been enacted as a part of this or any prior
25 Ordinance.

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
27 after the date it is enacted.