

**CITY OF BALTIMORE**  
**COUNCIL BILL 24-0230R**  
**(Resolution)**

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Introduced by: Councilmember Ramos  
Introduced and read first time: August 26, 2024  
Assigned to: Ways and Means Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Planning, Department of Housing and Community Development, Housing Authority of Baltimore City, Office of the City Administrator

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A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Informational Hearing – Inclusionary Housing – Implementation and Oversight**

3 FOR the purpose of requiring the Department of Housing and Community Development,  
4 Department of Finance, Department of Planning, and City Administrator to attend a hearing  
5 to outline the implementation of the Inclusionary Housing Program in Baltimore City,  
6 specifically to provide: (1) an explanation of the delays; (2) a new timeline for the  
7 appointment of the Inclusionary Housing Board; (3) a new timeline for promulgation of the  
8 Inclusionary Housing Program regulations and implementation of its guidelines; (4) the  
9 number of permits already given for projects that would be eligible for the program; and (5) a  
10 timeline for the promulgation of the High Performance Inclusionary Tax Credit regulations  
11 and its application.

12 **Recitals**

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14 In January of 2024, Mayor Scott signed the 2 bills that constitute the Inclusionary Housing  
15 Program. Council Bill 22-0195, Inclusionary Housing for Baltimore City, was introduced in  
16 February of 2022 and passed the City Council in December of 2023. Council Bill 23-0369, High  
17 Performance Inclusionary Housing Tax Credit, was introduced in May of 2023 and passed the  
18 City Council in December of 2023.

19 According to the legislation, implementation of the Inclusionary Housing law should have  
20 occurred 180 days after enactment of the law, which would have been July 22<sup>nd</sup>. Developers now  
21 have to comply with the law but the regulations, inclusionary plan forms, inclusionary program  
22 guidance are not available. To date, the regulations and guidance have just been posted and  
23 public comment is due September 16<sup>th</sup>.

24 As of the date of this Resolution, the members of the Inclusionary Housing Board, who were  
25 supposed to have been appointed on April 22<sup>nd</sup>, 90 days after enactment of the law, have not been  
26 appointed. Only 1 nomination has been put forth and is pending approval by the Rules and  
27 Legislative Oversight Committee. The regulations governing the Inclusionary Housing Program  
28 cannot go into effect until the Inclusionary Housing Board has been appointed and sworn in.

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

**Council Bill 24-0230R**

1 City Council Bill 23-0369, which established the High Performance Inclusionary Tax Credit,  
2 should have been implemented by July 22nd. While there is no deadline outlined in the bill for  
3 when the application and regulations governing the Tax Credit must be completed, the Tax  
4 Credit should be available to developers as soon as possible. To date, the regulations and  
5 application for the High Performance Inclusionary Tax Credit are not complete.

6 The Inclusionary Housing legislation states clearly that permits for construction on eligible  
7 projects cannot be issued until the project’s inclusionary housing plan has been reviewed and  
8 approved during the site planning meetings. Without any of the regulations ready for the  
9 implementation of the process, there is a question about how many permits have already been  
10 approved for eligible projects that may not be compliant with the law.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That the City  
12 Council requires the Department of Housing and Community Development, Department of  
13 Finance, Department of Planning, and City Administrator to attend a hearing to outline the  
14 implementation of the Inclusionary Housing Program in Baltimore City, specifically to provide:  
15 (1) an explanation of the delays; (2) a new timeline for the appointment of the Inclusionary  
16 Housing Board; (3) a new timeline for promulgation of the Inclusionary Housing Program  
17 regulations and implementation of its guidelines; (4) the number of permits already given for  
18 projects that would be eligible for the program; and (5) a time line for the promulgation of the  
19 High Performance Inclusionary Tax Credit regulations and its application.  
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21 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to the Director of the  
22 Department of Housing and Community Development, the Director of the Department of  
23 Finance, the Director of the Department of Planning, the City Administrator, and the Mayor’s  
24 legislative liaison to the City Council.