

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 21-0078

Introduced by: Councilmembers Ramos, Conway, Cohen, Middleton, Torrence
Introduced and read first time: May 3, 2021
Assigned to: Economic and Community Development Committee
Committee Report: Favorable with amendments
Council action: Adopted
Read second time: July 19, 2021

AN ORDINANCE CONCERNING

Required Real Estate Disclosures – Formerly Vacant Structures

FOR the purpose of requiring certain disclosures in order to sell a property that was formerly issued a vacant building notice; and providing for certain penalties.

BY adding

Article 2 - Consumer Protections
Section 14-8
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 2. Consumer Protections

Subtitle 14. Real Estate Practices – Disclosures

§ 14-7. {RESERVED}

§ 14-8. ~~FORMERLY~~ VACANT STRUCTURES.

(A) *SCOPE OF SECTION.*

THIS SECTION ONLY APPLIES TO REAL PROPERTY THAT HAS A VACANT BUILDING NOTICE THAT REMAINED UNABATED AT THE TIME OF SALE.*

~~(1) HAD BEEN CITED WITH A VACANT BUILDING NOTICE THAT REMAINED UNABATED UNTIL THE REHABILITATION DESCRIBED IN THIS SUBSECTION;~~

~~(2) HAS BEEN REHABILITATED IN COMPLIANCE WITH APPLICABLE LOCAL LAWS AND~~

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 21-0078

REGULATIONS; AND

~~(3) HAS NOT BEEN PREVIOUSLY OCCUPIED SINCE THE REHABILITATION.~~

(B) *IN GENERAL.*

ON OR BEFORE ENTERING INTO A CONTRACT FOR THE SALE OF ANY REAL PROPERTY, THE SELLER MUST DISCLOSE TO THE BUYER IN WRITING THAT:

(1) THE PROPERTY HAD BEEN ISSUED A VACANT BUILDING NOTICE BY THE CITY; AND

(2) ~~THE NOTICE HAS SINCE BEEN ABATED~~ WHETHER THE VACANT BUILDING NOTICE HAS BEEN ABATED BY THE SELLER OR IF IT REMAINS UNABATED ; AND,

~~(3) THE SELLER HAS OBTAINED A VALID AND CURRENT OCCUPANCY PERMIT FOR THE PREMISES FROM THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.~~

(C) FORM OF DISCLOSURE.

THE DISCLOSURE REQUIRED BY THIS SECTION SHALL READ AS STATED:

FOR SOMEONE TO LEGALLY INHABIT A PROPERTY IN BALTIMORE CITY, THE PROPERTY MUST NOT HAVE A VACANT BUILDING NOTICE ISSUED BY THE BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT. SELLERS AND BUYERS CAN CHECK AND VERIFY BY REVIEWING THE BALTIMORE CITY CODE MAP: [INSERT LINK], OR BY CALLING BALTIMORE CITY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT [INSERT PHONE NUMBER].

THIS PROPERTY HAS [] DOES NOT HAVE [] A CURRENT VACANT BUILDING NOTICE. _____ SELLER'S INITIALS

ONLY A VALIDLY-ISSUED USE AND OCCUPANCY PERMIT CERTIFICATE CAN REMOVE THE VACANT BUILDING NOTICE AND PERMIT HUMAN OCCUPATION. _____ SELLER'S INITIALS

(D) ~~(E)~~ *PENALTY.*

ANY PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$1,000 FOR EACH OFFENSE.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance may not be construed to operate retroactively to require any current property sellers to give the notice created by this Ordinance if an offer for sale of a property has already been accepted.

Council Bill 21-0078

1 **SECTION 3 4.** AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th
2 day after the date it is enacted.

Council Bill 21-0078

Certified as duly passed this 16 day of August, 2021



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 16 day of August, 2021

Natasha B. Austin

Chief Clerk

Approved this 16 day of October, 2021



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 23rd Day of August, 2021.

Elena R DiPietro

Chief Solicitor