



## BALTIMORE HOUSING

STEPHANIE RAWLINGS-BLAKE  
Mayor

PAUL T. GRAZIANO  
Executive Director, HABC  
Commissioner, HCD

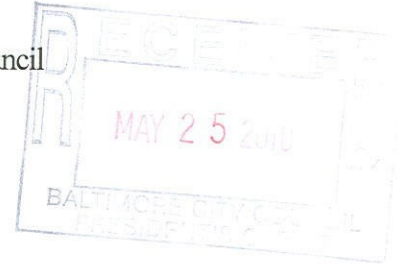
# MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council  
c/o Karen Randle, *Executive Secretary*

From: Paul T. Graziano, *Commissioner*

*Michael D. ...  
FOR PAUL T. GRAZIANO*

Date: May 25, 2010



Re: **City Council Bill 10 - 0516 - Non-Owner-Occupied Dwellings and Vacant Structures – Multiple-Family Dwellings and Rooming Houses**

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The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 10-0516, which was introduced by Council President Young for the purpose of extending the registration requirements for non-owner-occupied dwelling units to encompass vacant structures; modifying the fees for registration; modifying or repealing certain registration fee exceptions; modifying the civil penalty for violation of these registration requirements; repealing the license fee for multiple-family dwellings and rooming houses; and generally relating to the registration of non-owner occupied dwellings and vacant structures and to the licensing of multiple-family dwellings and rooming houses.

The proposed legislation defines “vacant structure” as any property subject to an unabated vacant building violation notice issued under the Building Code of Baltimore City. Vacant building notices are issued when a building has been found to be both vacant and unfit for human habitation or other authorized use. Generally speaking, vacant building notices are issued to vacant boarded structures. It is important to clarify that a “vacant structure” as defined in this legislation does not encompass a properly maintained structure that, for whatever reason, lacks a current occupant.

Presently, non-owner occupied residential structures, vacant or otherwise, are required to be registered annually at \$30 per unit. City Council Bill 10-0516 would add an additional annual fee of \$100 to those properties subject to a vacant building notice as well. For vacant non-residential structures, which were not previously required to be registered, a new annual fee of \$250 per structure would be applied. Current law also exempts non-profit religious, charitable or educational institutions from payment of registration fees. That exemption will continue, however, these institutions’ vacant structures would not be exempt and the fee would apply if these properties remain in disrepair.

City Council Bill 10-0516 would further amend the property registration fees so that the fees currently required for Multiple Family Dwelling (MFD) licenses can



be collected during the registration process. Presently, all MFD owners are required to register their property in one billing cycle and then are billed at a later date for the MFD licensing fee. This simple amendment will combine these cycles creating efficiencies for the customer as well as the City. Current law caps registration payments at \$5000 per owner. This bill would remove that cap in order to accommodate MFD licensing payments which often exceed the cap. Very few non-MFD owners, in fact, exceed the cap.

The proposed legislation also would prohibit MFD licenses from being renewed for vacant buildings. Under existing zoning law, a vacant MFD has to reestablish its use prior to obtaining an occupancy permit. Accordingly, DHCD believes that the current process of granting a renewal of a MFD license to a blighting vacant building unjustly gives the license holder a sense of entitlement for the continued use of the property as an MFD. This creates problems when the use, which is properly licensed, cannot be reestablished. If approved, City Council Bill 10-0516 would forbid this practice.

Finally, City Council Bill 10-0516 creates new citation penalties for failure to register a vacant structure. Both residential and non-residential properties may receive citations in the amount of \$500 for non-compliance with the registration requirements. These citation penalties are separate and apart from the penalties that a property owner should expect to receive for failing to maintain their property in compliance with the Building, Fire and Related Codes of Baltimore City. The citation penalty for failing to register a non-vacant non-owner occupied property remains \$100.

The Department of Housing and Community Development thanks the Council President for the introduction of this legislation and supports the swift adoption of City Council Bill 10-0516.

PTG:pmd

cc: Ms. Angela Gibson, *Mayor's Office of Government Relations*  
Ms. Diane Hutchins, *Mayor's Office of Government Relations*  
Ms. Kaliopé Parthemos, *Deputy Mayor*