



**BALTIMORE
HOUSING**

SHEILA DIXON
Mayor

PAUL T. GRAZIANO
Executive Director, HABC
Commissioner, HC/D

MEMORANDUM

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

From: Paul T. Graziano, Commissioner

Date: October 10, 2008

Re: **City Council Bill 08-0144 Non-Owner-Occupied Dwellings -
Registration Information**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 08-0144, which was introduced for the purpose of clarifying certain references to addresses required to be given in the registration of non-owner-occupied dwellings.

The purpose of property registration is to provide City agencies such as DHCD with necessary information to contact the party responsible for the maintenance and sanitary condition of a non-owner occupied residential dwelling. In the event that the property falls into disrepair, Housing Code Enforcement can then use the registry to contact and serve the responsible party in a timely manner with a violation notice. At present, the Registration Statement Application (attached) requires that a registrant provide a street address and telephone number for the property owner if deeded to an individual. In the case that the property is owned by a Corporation, Limited Partnership, Limited Liability Company or other business entity, the application requires that a responsible officer, partner, or member of the entity and a Resident or Authorized Agent must also provide a street address and telephone number. Additionally, the registrant is requested to provide management information for an operator of the property.

DHCD favors Council Bill 08-0144 because it legally codifies our current registration policies. However, we recommend an amendment to the legislation in order to require explicitly that the responsible parties provide a street address since a post office box will not suffice as an acceptable address for service.

The Department of Housing and Community Development supports the adoption of City Council Bill 08-0144 with amendment.

PTG:pmd

cc: Ms. Angela Gibson
Mr. Demaune Millard



Logo	MAYOR AND CITY COUNCIL OF BALTIMORE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT	REGISTRATION STATEMENT OF RESIDENTIAL PROPERTY	PART A
SECTION 1 ↓		OWNER - FILL IN OWNER'S NAME, ADDRESS, PHONE NUMBER - PLEASE TYPE OR PRINT BELOW	
OWNER'S NAME			
OWNER'S STREET ADDRESS			
CITY		STATE	ZIP CODE
(AREA CODE) AND TELEPHONE NUMBER			
SECTION 2 ↓		RESPONSIBLE PARTNER OR OFFICER - IF THE OWNER IS A CORPORATION, PARTNERSHIP, OR OTHER BUSINESS ENTITY, COMPLETE THIS SECTION - PLEASE TYPE OR PRINT BELOW	
NAME OF RESPONSIBLE PARTNER OR OFFICER		POSITION	
STREET ADDRESS			
CITY		STATE	ZIP CODE
(AREA CODE) AND TELEPHONE NUMBER			
SECTION 3 ↓		RESIDENT AGENT - IF THE OWNER IS A CORPORATION OR LIMITED PARTNERSHIP, PLEASE COMPLETE THIS SECTION - PLEASE TYPE OR PRINT BELOW	
NAME OF RESIDENT AGENT			
STREET ADDRESS			
CITY		STATE	ZIP CODE
(AREA CODE) AND TELEPHONE NUMBER			
SECTION 4 ↓		AUTHORIZED AGENT - MUST BE A NATURAL PERSON, 18 YEARS OR OLDER, WHO IS CUSTOMARILY PRESENT IN BALTIMORE CITY EITHER AS A RESIDENT OR IN AN OFFICE IN THE CITY FOR THE PURPOSE OF TRANSACTING BUSINESS AND AUTHORIZED FOR THE RECEIPT OF VIOLATION NOTICES AND COURT PROCESS - PLEASE TYPE OR PRINT BELOW	
NAME OF AUTHORIZED PERSON			
STREET ADDRESS			
CITY	BALTIMORE	STATE	MD
		ZIP CODE	212
(AREA CODE) AND TELEPHONE NUMBER			
SECTION 5 ↓		IF YOU HAVE A MANAGING OPERATOR OR PROPERTY MANAGER, COMPLETE THIS SECTION - PLEASE TYPE OR PRINT BELOW	
NAME			
STREET ADDRESS			
CITY		STATE	ZIP CODE
(AREA CODE) AND TELEPHONE NUMBER			
TOTAL REGISTRATION FEE REMITTED WITH THIS STATEMENT - \$		REG YEAR(S)	
↓ PLEASE SIGN BELOW ↓		REGISTRATION #	
STATEMENT		↓ DO NOT WRITE IN THIS AREA FOR VALIDATION ONLY ↓	
I HEARBY DECLARE UNDER THE PENALTY OF PERJURY THAT I HAVE EXAMINED THIS REGISTRATION STATEMENT AND ALL ATTACHMENTS AND THAT THEY ARE TRUE, CORRECT AND COMPLETE. PRINT NAME _____ POSITION _____			
_____ OWNER'S SIGNATURE - A BUSINESS ENTITY'S FORM MUST BE SIGNED BY PERSON IN SECTION 2		_____ DATE	

RESIDENTIAL PROPERTY REGISTRATION CONTINUATION- PART B

OWNER'S NAME		REGISTRATION #		
PROPERTY ADDRESS	DWELLING UNITS	ROOMING UNITS	FEE EXEMPTION	FEE
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
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16.				
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18.				
19.				
20.				
21.				
22.				
23.				
24.				
25.				
TOTALS				

Registration Statement of Residential Property: Part C
COMPLIANCE WITH LEAD POISONING PREVENTION LAWS

This form must be completed for the issuance or renewal of a property registration statement and for the issuance of a multiple family dwelling (MFD) license. However, completion of the form alone does not ensure the issuance of a MFD license. For a MFD license to be issued or renewed, the rental property must be in compliance with §6-815(c) of the Environment Article. The MFD licenses of noncompliant properties may be revoked and additional penalties of up to \$500 per day may be applied.

Complete one form for each property or each dwelling unit within a multifamily building:

1. Property Owner Name: _____
Address: _____
Telephone #: (____) _____

Rental Property Address: _____

2. Is the residential property an "affected property"? YES NO

An affected property is a residential rental property built before 1950 that is not certified lead free or limited lead free. (If you do not know the built date of your property, this information may be on your deed or you may contact the local office of the Department of Assessment and Taxation at www.dat.state.md.us)

If the property is certified lead free or limited lead free, please list the current Lead Inspection Certificate Number: _____

If the answer to #2, above is "YES" please complete #3- 7 and sign the bottom of the form.

If the answer to #2, above is "NO" please skip #3- 7 and sign the bottom of the form.

3. Is the property registered with the Maryland Department of Environment (MDE)? *This is a separate, annual registration requirement from the annual Baltimore Housing Registration and the annual Multi-Family Dwelling License renewal.* YES NO

4. Is the MDE property registration renewal current for this year? YES NO

5. Provide the MDE tracking number (formerly referred to as the registration number). _____

6. Did the current tenant move in on or after 2/24/96? YES NO

7. If the answer to #6, above, is "Yes", provide the Lead Inspection Certificate Number for the current tenancy as required under § 6-815(c) of the Environment Article.

Note: After 2/24/2006, all affected properties must have a Lead Inspection Certificate for each tenancy.

I SOLEMNLY DECLARE AND AFFIRM under the penalties of perjury that the information above is true, accurate and complete.

(Owner's Signature)

(Date)

INSTRUCTIONS FOR REGISTRATION OF RESIDENTIAL PROPERTY

Article 13, Subtitle 4 of the Baltimore City Code requires that, upon property transfer and every September 1st thereafter, every owner of a non-owner-occupied dwelling unit, "whether occupied or vacant, whether or not producing revenue, whether habitable or not habitable" shall file a registration statement with the Commissioner of Baltimore Housing.

A *dwelling unit* is defined as a single unit that provides or is designed or intended to provide complete, independent living facilities for 1 or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. A *rooming unit* is defined as a room or group of rooms forming a single unit, occupied or designed or intended to be occupied for living and sleeping, but not for cooking purposes.

The Registration Statement of Residential Property is a three-part form. Each property owner must complete parts A, B and C of the form.

Part A – Complete all sections that are applicable.

Section 1 Owner's Name – The owner's name (as recorded on the deed), street address and telephone number must be provided here.

Section 2 Responsible Officer, Partner or Member - If deeded to a Corporation, LP, LLC, other business entity or an estate this section must be completed.

Section 3 Resident Agent – If deeded to a Corporation, LP, LLC, or other business entity this section must be completed.

Section 4 Authorized Agent – All registrations must include the name, local street address and telephone number of an authorized agent. The authorized agent must be a natural person 18 years of age or older who is customarily present in an office in Baltimore City for the purposes of transacting business or who actually resides in the city. He/She shall be designated by the owner for receiving violation notices and for receiving court process on behalf of the owner. An owner who fits these requirements may list himself as authorized agent. **A POST OFFICE BOX WILL NOT SUFFICE AS AN ADDRESS OF AN AUTHORIZED AGENT.** The Commissioner of Housing must be notified within ten days of any change in authorized agent information.

Section 5 Managing Operator – Complete this section if someone other than the owner listed in section 1 is responsible for managing the property.

Part B - The addresses of all residential properties titled to the owner recorded on Part A are to be listed on this form in alphabetical order.

If you have an ownership interest in property that is deeded in the name of a person or business entity other than the name that appears on Part A of this statement as "owner", you must file an additional set of registration forms for each such owner's name. When recording the property address, be sure to include any compass direction that is part of the official address. In the space provided, record the total number of dwelling units and rooming units contained in each property.

The fee due is calculated on the basis of \$30.00 per dwelling unit, with a maximum fee of \$5,000 per owner of record; no fees are assessed on rooming units. Although all units must be registered, certain dwelling units are exempt from a registration fee. If you own units that are exempt from the fee, indicate the reason by placing the appropriate number in the space provided. The exemptions are listed below:

- (1) LICMFD - Licensed Multiple Family Dwelling
- (2) CHARIT - Religious, Benevolent or Charitable Association.
- (3) EDUCAT - Educational Institution
- (4) GOVT - Governmental Agency
- (5) OOUWOR - Owner-Occupied Unit in a building that contains another residence
- (6) EXCEED - Exceeds maximum fee (\$5,000.00)
- (7) FEE PAID - Fee paid by prior owner

Part C - New Requirement - Compliance with Lead Poisoning Prevention Laws

Owners are now required to declare whether or not they own rental units that are affected by State lead-safe laws. If an owner possesses a unit that is affected by these laws, he or she must declare whether or not those units are in compliance with State lead-safe laws. An "affected" unit is a residential rental property built before 1950 that *is not* certified lead free or limited lead free.

Your Registration Statement will not be considered complete and accurate without this information. For questions concerning compliance with **lead-safe laws**, call the Maryland Department of the Environment at 1-800-776-2706 or visit them online at <http://www.mde.state.md.us>.

All three parts of the registration form with check or money order must be returned to Baltimore Housing, Property Registration Division, 417 E. Fayette Street, Room 202, Baltimore, Maryland 21202. If you require a receipt, kindly enclose a self addressed, stamped envelope and a receipt will be returned for your records.

Any violation of the provisions of this ordinance is a criminal misdemeanor subject to a maximum fine of \$500.00 per day. As of 2003, registration fees, penalties and interest are a lien against the property, and subject to tax sale.

If you have any questions concerning the registration process, call (410) 396-3575.

Please make checks or money orders payable to the DIRECTOR OF FINANCE.