
CITY OF BALTIMORE

BRANDON M. SCOTT
Mayor



DEPARTMENT OF LAW

EBONY THOMPSON
CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

August 8, 2025

The Honorable President and Members
of the Baltimore City Council
Attn: Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0059 – Building, Fire, and Related Codes – Vacant Building
Receivers – Failure to Sell

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 25-0059 for form and legal sufficiency. The bill is for the purpose of permitting a vacant building receiver to offer the property for sale to the Mayor and City Council of Baltimore City if the property fails to sell at public auction, with certain limitations on the sale price.

The City is authorized to “acquire, within the boundary lines of Baltimore City, land and property of every kind, and any right, interest, franchise, easement or privilege therein, including land or property and any right or interest therein already devoted to public use, by purchase, lease, gift, condemnation or any other legal means, for development or redevelopment, including but not limited to, the comprehensive renovation or rehabilitation thereof.” City Charter, Art. II, § (15)(a). Although the bill imposes limitations on the purchase price, the City’s option to purchase only occurs after the property fails to sell at auction. Thus, any subsequent City purchase price would constitute fair market value and would not amount to an unconstitutional taking. *See Almota Farmers Elevator and Warehouse Co. v. U.S.*, 409 US 470, 477-78 (1973) (just compensation required by the takings clause is what a willing buyer would pay); Md. Const., Art. III, § 40; U.S. Const., Amend. V.

Accordingly, the Law Department approves the bill for form and legal sufficiency.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey Hochstetler".

Jeffrey Hochstetler
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor
Ty'lor Schnella, Mayor's Office of Government Relations
Hilary Ruley, Chief Solicitor, General Counsel Division
Ashlea Brown, Chief Solicitor
Michelle Toth, Assistant Solicitor
Desireé Luckey, Assistant Solicitor