

**CITY OF BALTIMORE
COUNCIL BILL 12-0075
(First Reader)**

Introduced by: Councilmembers Holton, Kraft, Henry, Middleton, Stokes, Scott, Welch,
Reisinger, Clarke, Curran, Cole

Introduced and read first time: April 30, 2012

Assigned to: Taxation, Finance and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community
Development, Department of Finance, Department of Real Estate

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Tax Credits – Information to Owners of Residential Property**

3 FOR the purpose of requiring the Department of Finance to compile and post on its website
4 certain tax credit information; requiring the seller of residential real property to provide a
5 copy of that information to the buyer; imposing penalties for a seller who fails to comply;
6 defining certain terms; and generally relating to providing tax credit information to owners of
7 residential real property.

8 BY adding

9 Article 2 - Consumer Protections
10 Section(s) 14-1(e) and 14-7
11 Baltimore City Code
12 (Edition 2000)

13 BY repealing and reordaining, with amendments

14 Article 2 - Consumer Protections
15 Section(s) 14-5
16 Baltimore City Code
17 (Edition 2000)

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

20 **Baltimore City Code**

21 **Article 2. Consumer Protections**

22 **SUBTITLE 14. REAL ESTATE PRACTICES – DISCLOSURES**

23 **§ 14-1. Definitions.**

24 (E) *SELLER*.

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

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1 “SELLER” MEANS:

2 (1) THE OWNER OF REAL PROPERTY BEING OFFERED FOR SALE; OR

3 (2) A REAL ESTATE AGENT, ATTORNEY, LENDER, OR OTHER PERSON ACTING ON BEHALF
4 OF THE OWNER OF THE PROPERTY BEING OFFERED FOR SALE.

5 **§ 14-5. Property tax.**

6 [(a) “Seller” defined.

7 In this section, “seller” means:

8 (1) the owner of real property being offered for sale; or

9 (2) a real estate agent, attorney, lender, or other person acting on behalf of the owner
10 of the property being offered for sale.]

11 (A) [(b)] Advertisements.

12 If a seller of real property provides property tax information as part of an advertisement,
13 that information must indicate, at a minimum:

14 (1) the tax year for which the information is being provided; and

15 (2) the product of:

16 (i) the sum of the State and local property tax rates, multiplied by

17 (ii) the full assessed value for the tax year indicated.

18 (B) [(c)] *Estimate of closing costs.*

19 Property tax information to be provided as part of a good-faith estimate of closing costs
20 must be based on the product of:

21 (1) the sum of the State and local property tax rates, multiplied by

22 (2) the full assessed value for the tax year immediately following the purchase date of
23 the property.

24 (C) [(d)] *Penalties.*

25 Any person who violates any provision of this section is guilty of a misdemeanor and, on
26 conviction, is subject to a fine of not more than \$1,000 for each offense.

27 **§ 14-7. TAX CREDIT INFORMATION FOR CITY HOMEOWNERS.**

28 (A) *FINANCE TO COMPILE, POST LIST OF RESIDENTIAL CREDITS.*

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1 (1) THE CITY FINANCE DEPARTMENT SHALL COMPILE AND POST ON ITS WEBSITE A LIST OF
2 ALL STATE AND CITY TAX CREDITS THAT ARE POTENTIALLY AVAILABLE TO OWNERS
3 OF RESIDENTIAL REAL PROPERTY IN BALTIMORE CITY.

4 (2) THE LIST SHALL CONTAIN THE FOLLOWING INFORMATION FOR EACH TAX CREDIT
5 LISTED:

6 (I) THE NAME OF THE TAX CREDIT, INCLUDING ANY NICKNAME BY WHICH IT IS
7 GENERALLY KNOWN;

8 (II) A SUMMARY OF THE QUALIFICATIONS FOR OBTAINING AND CONDITIONS FOR
9 MAINTAINING THE TAX CREDIT;

10 (III) THE AMOUNT AND TERM OF THE TAX CREDIT; AND

11 (IV) INSTRUCTIONS ON HOW TO OBTAIN MORE INFORMATION FROM THE
12 APPROPRIATE STATE OR CITY TAXING AUTHORITY.

13 (3) THE FINANCE DEPARTMENT SHALL POST AN UPDATED LIST ON ITS WEBSITE WITHIN 30
14 DAYS AFTER:

15 (I) ENACTMENT OF ANY AMENDMENT THAT SUBSTANTIVELY MODIFIES THE
16 INFORMATION GIVEN ABOUT A LISTED TAX CREDIT;

17 (II) ENACTMENT OF A NEW TAX CREDIT THAT IS POTENTIALLY AVAILABLE TO
18 OWNERS OF RESIDENTIAL REAL PROPERTY IN BALTIMORE CITY; AND

19 (III) ANY OTHER INFORMATION IN THE LIST BECOMES OUTDATED OR IS DISCOVERED
20 TO BE IN ERROR.

21 (B) *SELLER TO PROVIDE LIST TO BUYER.*

22 (1) AT OR BEFORE THE CLOSING ON A SALE OF ANY RESIDENTIAL REAL PROPERTY, THE
23 SELLER MUST PROVIDE TO THE BUYER A COPY OF THE LATEST LIST POSTED ON THE
24 FINANCE DEPARTMENT'S WEBSITE.

25 (2) THE SELLER SHALL REQUEST THE BUYER TO ACKNOWLEDGE RECEIPT OF THE LIST BY
26 SIGNING A COPY OF IT.

27 (3) ANY SELLER WHO FAILS TO COMPLY WITH THIS SUBSECTION IS GUILTY OF A
28 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN
29 \$1,000 FOR EACH OFFENSE.

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

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