

# Bill No. 20-0626

# WAEA Modifications

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# SUSPENDED TENANT PROTECTIONS

During the COVID-19 crisis, tenants have not had these rights and protections enacted in the WAEA:

- **Written lease provisions:**
  - Setting forth tenant's responsibility for payment of water bill
  - Providing tenant MPIA "designee" status, to enable tenant to request records from DPW
  - Setting forth the landlord's calculation of shared water/sewer costs among tenants in a multi-unit property
- **Copy of DPW bill**
- **"Customer" status for requesting services, including discounts, bill adjustments**

# PROBLEMS AMID COVID-19

While the WAEA is indefinitely suspended:

- **Denial of applications to BH20**
  - Landlords are increasingly likely to refuse or to ignore tenants' request for help in applying.
  - DPW's application denials add to likelihood of breach of lease evictions, which are not covered by Gov. Hogan's Executive Order or (arguably) the CDC's Order temporarily halting evictions through 12/31/20.
- **Denial of DPW account records, include copy of water bill**
- **Denial of dispute resolution**

# SOLUTIONS AMID SUSPENDED WAEA

Bill No. 20-0626 proposes 4 solutions to protect tenants:

- Fastrack lease requirements (**Sec. 5(b)(1)**)
- Close the ‘lease renewal loophole’ so that non-compliant leases are not grandfathered in perpetuity (**Sec. 7-1(a-1)(1)(i)**)
- Require landlords to name their tenants as “additional party” on the DPW account if the property is directly metered (**Sec. 7-1)(a-1)(1)(ii)**)
- Prohibit DPW from denying a tenant’s application/request in instances where the landlord refuses to participate or withholds participation (**Sec. 2-1(e)**)

# AMENDMENT #1

Sec. 7-3(a-1)(1)(i) - There is no Constitutional defect, but proponents agree that language should be refined to clearly treat existing leases.

Sec. 7-3(a-1)(ii) - “Additional party” registration of tenants at direct meter properties benefits tenants in their access to water bill and to discounts.

## AMENDMENT #2

Sec. 2-1(e) - Proponents agree that language on grounds for denial of tenant's application should be refined.

Law Department's amending language would allow DPW to deny applications when the landlord ignores, rather than refuses to help, the tenant's application process.