

**CITY OF BALTIMORE  
COUNCIL BILL 11-0278R  
(Resolution)**

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Introduced by: Councilmembers Conaway, Cole, Stokes, Branch, D’Adamo, Kraft, Holton,  
Middleton, Welch, Clarke, Henry, President Young

Introduced and read first time: April 11, 2011

Assigned to: Judiciary and Legislative Investigations Committee

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

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A RESOLUTION ENTITLED

1 A COUNCIL RESOLUTION concerning

2 **Investigative Hearing – Payment of Lead Poisoning Judgements**

3 FOR the purpose of requesting the Commissioner of Housing to report to the City Council the  
4 scope of adjudicated, pending, and anticipated cases concerning the lead paint poisoning of  
5 former residents of the Housing Authority of Baltimore City (HABC); calling upon the City  
6 Solicitor to discuss the decision not to honor the judgements awarded to plaintiffs; and  
7 asking the Director of Finance to discuss possible funding sources to compensate those  
8 harmed while living in our public housing facilities.

9 **Recitals**

10 As extensively reported by the media, HABC is reportedly facing 9 court judgements totaling  
11 nearly \$12 million from lawsuits filed by Baltimore City residents who suffered lead paint  
12 poisoning from their tenancy in public housing. In addition, it is alleged that besides these  
13 judgements against it, HABC faces 175 more lead-paint cases with potential claims of more than  
14 \$800 million.

15 The suits against the Authority, the 5<sup>th</sup> largest in the country with a \$300,000 million annual  
16 budget, stem from damages inflicted more than a decade ago from exposure to lead-based paint,  
17 which was banned in Baltimore in 1950 – unfortunately, much of Baltimore’s housing stock  
18 predates the moratorium.

19 The Maryland Department of the Environment reports that lead is one of the most significant  
20 and widespread environmental hazards for children in Maryland. Lead paint dust from  
21 deteriorated lead paint or renovation work is the major source of exposure. The effects of lead  
22 poisoning, a preventable disease, may result in poor school performance, inability to read,  
23 aggressive behavior, hearing loss, or mental retardation. Studies from the Mayo Clinic show that  
24 children under the age of 6 are especially vulnerable and that, at very high levels, lead poisoning  
25 can be fatal.

26 A prepared statement from the Commissioner’s office voiced deep sympathy to anyone who  
27 has suffered from lead paint poisoning, noting that the recently discussed cases were filed in the  
28 past few years and involved incidents that occurred prior to the implementation of Maryland’s  
29 lead law in 1996. HABC has been fully compliant since that law’s inception.

EXPLANATION: Underlining indicates matter added by amendment.  
~~Strike out~~ indicates matter deleted by amendment.

## Council Bill 11-0278R

1 Addressing the payment of the claims for damages caused by the presence of lead paint in  
2 public housing: “HABC has the great responsibility of providing homes for over 25,000 very  
3 low-income households throughout Baltimore City, while facing severe federal funding  
4 constraints. HABC faces over \$800 million in claims and is in no financial position to pay these  
5 claims and still provide decent, safe and affordable housing for our current families, seniors, and  
6 persons with disabilities.”

7 The statement, in part, emphasizes that “serving our City’s most vulnerable populations is  
8 our first priority” – a priority that is shared by all in public service. To that end, we must go the  
9 extra mile to take care of those harmed under our watch. Although City government may not be  
10 legally culpable for the harm done to the residents of public housing, we do share a moral  
11 imperative to be our neighbors’ keepers.

12 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE,** That this  
13 Body requests the Commissioner of Housing to report to the City Council the scope of  
14 adjudicated, pending, and anticipated cases concerning the lead paint poisoning of former  
15 residents of the Housing Authority of Baltimore City (HABC); calls upon the City Solicitor to  
16 discuss the decision not to honor the judgements awarded to plaintiffs; and asks the Director of  
17 Finance to discuss possible funding sources to compensate those harmed while living in our  
18 public housing facilities.

19 **AND BE IT FURTHER RESOLVED,** That a copy of this Resolution be sent to Mayor, the  
20 Commissioner of Housing, the Baltimore City Solicitor, the Director of Finance, and the  
21 Mayor’s Legislative Liaison to the City Council.