

**AMENDMENTS TO COUNCIL BILL 23-0357
(1st Reader Copy)**

By: Economic and Community Development Committee
{To be offered on the Council floor}

Amendment No. 1

On page 1, strike beginning with “establishing” in line 10 down through the second instance of “Force,” in line 12; and, on that same page, in line 14, strike “providing a time period when the Task Force shall first convene;”; and, on page 2, in line 3, strike “5-1(g), 5-1(h)” and substitute “5-1(g)”; and, on that same page, in line 18, strike “and 5-27 through 5-33” and substitute “5-27, and 5-28”.

Amendment No. 2

Strike beginning with line 28 on page 2 down through and including line 31 on page 3 and substitute:

“(1) IN GENERAL.

“PRIORITY DWELLING” MEANS A RENTAL DWELLING:

(I) WITH 20 OR MORE DWELLING UNITS OR ROOMING UNITS; AND

(II) TO WHICH 2 OR MORE OF THE FOLLOWING CRITERIA APPLIED IN THE PRECEDING CALENDAR YEAR:

A. THE RENTAL DWELLING WAS ISSUED A VIOLATION NOTICE UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS THAT REMAINED UNABATED FOR MORE THAN 90 DAYS;

B. THE RENTAL DWELLING WAS ISSUED FOUR OR MORE VIOLATION NOTICES UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS; AND

C. THE NUMBER OF RECORDED 311 CALLS RELATED TO HEALTH AND HABITABILITY FOR A RENTAL DWELLING, WHICH MAY NOT INCLUDE REQUESTS TO SUMMON LAW ENFORCEMENT OR EMERGENCY SERVICES AS PROHIBITED UNDER § 14-126 OF THE STATE REAL PROPERTY ARTICLE, DIVIDED BY THE TOTAL NUMBER OF DWELLING AND ROOMING UNITS IN THAT RENTAL DWELLING, EXCEEDS THE APPLICABLE MINIMUM VALUE IN THE TABLE BELOW; AND

<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM VALUE</u>
<u>20 - 35</u>	<u>0.8</u>
<u>36 - 50</u>	<u>0.7</u>
<u>51 - 75</u>	<u>0.6</u>
<u>76 - 100</u>	<u>0.5</u>
<u>101 - 125</u>	<u>0.4</u>
<u>126 - 150</u>	<u>0.3</u>
<u>151+</u>	<u>0.2</u>

D. THE RENTAL DWELLING'S U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE) INSPECTION SCORE FOR EITHER OF THE 2 MOST RECENT NSPIRE INSPECTIONS WAS LESS THAN OR EQUAL TO 79.

(2) EXCEPTIONS.

THIS DEFINITION DOES NOT INCLUDE ANY RENTAL DWELLINGS OWNED AND OPERATED BY THE HOUSING AUTHORITY OF BALTIMORE CITY.”.

Amendment No. 3

On page 4, strike beginning with the second instance of “A” in line 3 down through and including “INSPECTOR” in line 4 and substitute “AN INSPECTOR”; and, on that same page, in line 6, strike “SENIOR INSPECTOR’S” and substitute “INSPECTOR’S”.

Amendment No. 4

On page 4, strike in their entirety lines 22 through 24, inclusive.

Amendment No. 5

On page 4, in line 27, strike “must” and substitute “MAY”.

Amendment No. 6

On page 5, in line 16, strike “CURRENTLY EFFECTIVE”; and, on that same page, strike beginning with “POST” in line 17 down through and including “OCCUPANTS.” in line 18 and substitute “NOTIFY THE RECORD OWNER OR THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER, TO POST A NOTICE IN THE RENTAL DWELLING IN AN AREA ACCESSIBLE TO ALL OCCUPANTS.”.

Amendment No. 7

On page 5, after line 30, insert:

“(D) NOTICE TO HABC.

WHEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NOTICE OR ACTUAL KNOWLEDGE THAT A RENTAL DWELLING IS RENTED WITHOUT A LICENSE AS REQUIRED IN THIS SECTION, THE COMMISSIONER SHALL PROMPTLY NOTIFY THE HOUSING AUTHORITY OF BALTIMORE CITY, INCLUDING ANY INFORMATION THE COMMISSIONER DEEMS NECESSARY.”.

Amendment No. 8

On page 6, in line 18, strike “AND”; and, on that same page, in line 21, strike “OWNER.” and substitute “OWNER; AND”; and, on that same page, after line 21, insert:

“(4) ANY OTHER INFORMATION REQUESTED BY THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.”.

Amendment No. 9

On page 8, strike in their entirety lines 19 through 25, inclusive; and, on that same page, after line 25, insert:

“(II) INSPECTIONS MAY NOT BE PERFORMED MORE THAN 90 DAYS BEFORE A PERSON SUBMITS AN APPLICATION FOR A RENTAL DWELLING LICENSE OR AN APPLICATION FOR RENEWAL OF A RENTAL DWELLING LICENSE TO THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.”.

Amendment No. 10

On page 9, strike in their entirety lines 20 and 21, inclusive, and substitute:

“THE COMMISSIONER SHALL CONDUCT AN ANNUAL AUDIT OF INSPECTIONS CONDUCTED UNDER THIS SECTION.”.

Amendment No. 11

On page 9, in line 28, after “DISTRIBUTED” insert “BY THE RECORD OWNER OR, THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER,”.

Amendment No. 12

On page 10, in line 1, strike “**License fees.**” and substitute “{Reserved}”; and, on that same page, strike in their entirety lines 2 through 10, inclusive.

Amendment No. 13

On page 10, their entirety the lines beginning with line 11 on page 10 through line 29 on page 11, inclusive, and substitute:

“§ 5-9. LICENSE TERMS.

EACH RENTAL DWELLING LICENSE AND RENTAL DWELLING RENEWAL LICENSE ISSUED UNDER THIS SUBTITLE EXPIRES 2 YEARS FROM THE DATE OF ISSUANCE.”.

Amendment No. 14

On page 11, strike beginning with “MULTI-FAMILY” in line 32 through “MUST” in line 33 and substitute “INSPECTOR SHALL”; and, on that same page, in line 33, strike “30” and substitute “25”.

Amendment No. 15

On page 12, strike beginning with “JUSTIFY” in line 11 down through and including “DWELLING;” in line 12 and substitute “ARE USED TO IDENTIFY RENTAL DWELLINGS AS PRIORITY DWELLINGS; AND;”; and, on that same page, strike in their entirety lines 13 through 24, inclusive, and substitute:

“(II) THAT, BECAUSE THE DWELLING IS IDENTIFIED AS A PRIORITY DWELLING, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY’S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) {“PROVISIONS AND PENALTIES ENUMERATED”} IS IDENTIFIED.”

Amendment No. 16

On pages 12 and 13, strike beginning with line 31 on page 12 down through line 7 on page 12 and substitute:

“(1) IN GENERAL.

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ATTEMPT TO INSPECT AT LEAST A CERTAIN PERCENTAGE OF THE TOTAL DWELLING AND ROOMING UNITS IN THE PRIORITY DWELLING, AS PROVIDED FOR IN THE TABLE BELOW.

<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM PERCENTAGE OF TOTAL UNITS</u>
<u>20 - 35</u>	<u>40%</u>
<u>36 - 50</u>	<u>35%</u>
<u>51 - 75</u>	<u>30%</u>
<u>76 - 100</u>	<u>25%</u>
<u>101 - 125</u>	<u>20%</u>
<u>126 - 150</u>	<u>15%</u>
<u>151, OR MORE</u>	<u>10%</u>

(2) DOCUMENTATION OF INSPECTIONS.

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL RECORD FOR EACH UNIT IF THE INSPECTION WAS EITHER ‘ATTEMPTED’ OR ‘COMPLETED’.”.

Amendment No. 17

On page 13, strike in their entirety lines 8 through 20, inclusive, and substitute:

“(G) NOTICE AND MEETING REQUIREMENTS — RECORD OWNER AND MANAGING OPERATOR.

THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE SHALL NOTIFY THE RECORD OWNER AND THE MANAGING OPERATOR OF A PRIORITY DWELLING THAT:

(1) THE THE RECORD OWNER AND THE MANAGING OPERATOR SHALL ATTEND A MEETING AT A TIME AND PLACE DETERMINED BY THE COMMISSIONER OR THE COMMISSIONER’S DESIGNEE TO:

(I) DISCUSS UNRESOLVED VIOLATION NOTICES, COMPLAINTS, AND PROPERTY MAINTENANCE;

(II) ESTABLISH A SCHEDULE FOR THE RECORD OWNER AND THE MANAGING OPERATOR TO ABATE ALL UNRESOLVED VIOLATION NOTICES;

(III) ESTABLISH A SCHEDULE FOR REGULAR PROPERTY MAINTENANCE TO PREVENT FUTURE VIOLATIONS; AND

(IV) ANY OTHER MATTERS DEEMED APPROPRIATE BY THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE; AND

(2) FAILURE TO ATTEND THE MEETING DESCRIBED IN PARAGRAPH (1) SHALL RESULT IN:

(I) THE DENIAL OF AN APPLICATION FOR A RENTAL DWELLING LICENSE;

(II) THE DENIAL OF AN APPLICATION FOR A RENEWAL RENTAL DWELLING LICENSE; OR

(III) THE REVOCATION OF A RENTAL DWELLING LICENSE.

(E) NOTICE OF PRIORITY INSPECTION.

(1) IN GENERAL.

THE RECORD OWNER OR MANAGING OPERATOR OF A PRIORITY DWELLING SHALL NOTIFY ALL TENANTS OF THE DATE AND TIME OF A PRIORITY INSPECTION NO FEWER THAN 20 DAYS PRIOR TO THE DATE OF THE PRIORITY INSPECTION.

(2) ANONYMOUS REQUESTS FOR PRIORITY INSPECTION.

(i) IN GENERAL.

THE RECORD OWNER AND THE MANAGING OPERATOR SHALL DELIVER TO ALL TENANTS DIRECTIONS TO SUBMIT AN ANONYMOUS REQUEST THAT THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR INSPECT THE TENANT'S DWELLING UNIT OR ROOMING UNIT AS PART OF THE PRIORITY INSPECTION.

(ii) FORM OF INSTRUCTIONS.

THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE SHALL ESTABLISH THE FORM AND CONTENT OF THE INSTRUCTIONS DELIVERED TO TENANTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH."

Amendment No. 18

On page 14, after line 17, insert:

“(3) EXCEPTIONS.

NOTWITHSTANDING ANYTHING CONTAINED IN THIS SECTION TO THE CONTRARY, THE RECORD OWNER AND MANAGING OPERATOR, IF ANY, OF A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT OR ROOMING UNIT THAT DOES NOT YET HAVE A RENTAL DWELLING LICENSE NUMBER SHALL INCLUDE THE FOLLOWING TEXT IN ANY LEASE AGREEMENT, ADVERTISING MATERIAL, OR OTHER PUBLICLY FACING DOCUMENT:

“THIS IS A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT AND DOES NOT CURRENTLY HAVE A RENTAL LICENSE. AS SOON AS AVAILABLE, A RENTAL LICENSE WILL BE PROVIDED TO ALL INDIVIDUALS AS REQUIRED BY ARTICLE 13, SUBTITLE 5 {“LICENSING OF RENTAL DWELLINGS”} OF THE BALTIMORE CITY CODE.”.”.

Amendment No. 19

On page 14, in line 18, after “**license**” insert “**PROHIBITED**”; and, on that same page, strike in their entirety lines 20 through 25, inclusive, and substitute “THE TRANSFER OF A RENTAL LICENSE IS PROHIBITED UNDER THIS SUBTITLE.”; and, on that same page, in line 26, strike “*Fee.*” and substitute “APPLICATION FOR NEW LICENSE.”; and, on that same page, strike line 27 in its entirety and substitute:

“A PERSON SHALL APPLY FOR A NEW RENTAL LICENSE ACCORDING TO THE PROCEDURES ESTABLISHED UNDER § 5-5 {“APPLICATION FOR NEW OR RENEWAL LICENSE”} OF THIS SUBTITLE WITHIN 60 DAYS OF ASSUMING:

(1) RECORD OWNERSHIP OF A RENTAL DWELLING; OR

(2) OPERATION OF A RENTAL DWELLING.”.

Amendment No. 20

On page 16, in line 1, strike “NOTICE, ORDER, OR CITATION” and substitute “NOTICE”.

Amendment No. 21

On page 19, strike in their entirety lines 7 through 18, inclusive and substitute:

“(B) PRIORITY DWELLING – CITATION.

FOR PRIORITY DWELLINGS, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY’S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) {“PROVISIONS AND PENALTIES ENUMERATED”} IS IDENTIFIED.”.

Amendment No. 22

On pages 20 through 23, strike in their entirety the lines beginning with line 12 on page 20 through line 11 on page 23, inclusive; and, on page 23, in line 12, strike “§ 5-33.” and substitute “§ 5-28.”; and, on that same page, in line 16, strike “MAYOR, THE CITY COUNCIL, AND THE TASK FORCE” and substitute “MAYOR AND THE CITY COUNCIL”; and, on that same page, in line 26 strike “THE NUMBER OF 1-YEAR RENTAL LICENSES ISSUED;” and substitute “THE NUMBER OF ATTEMPTED PRIORITY INSPECTIONS;”; and, on that same page, strike beginning with “THE” in line 32 down through “SUBTITLE;” in line 33 and substitute “THE NUMBER OF COMPLETED PRIORITY INSPECTIONS;”; and, on that same page, strike beginning with “THE” in line 34 down through “AND” in line 35. and substitute “OF THE TOTAL NUMBER OF PRIORITY INSPECTIONS COMPLETED, THE PERCENTAGE OF PRIORITY INSPECTIONS THAT DID NOT YIELD ANY VIOLATION NOTICES OR CITATIONS; AND”.

Amendment No. 23

On page 24, strike beginning with the second instance of “THE” in line 11 down through “PERIOD;” in line 12 and substitute “WITHIN 90 DAYS;”; and, on page 25, strike beginning with the second instance of “THE” in line 10 down through “AND” in line 11 and substitute “WITHIN 90 DAYS;”.

Amendment No. 24

On page 25, in line 1, strike “BED BUGS; AND” and substitute “INSECTS;”; and, on that same page, in line 2, strike “ELEVATORS.” and substitute “ELEVATORS;”; and, on that same page, after line 2, insert:

“(XIII) WEATHERPROOFING; AND

(XIV) APPEARANCE OF MOLD.”;

and, on page 26, in line 1, strike “BED BUGS; AND” and substitute “INSECTS;”; and, on that same page, in line 2, strike “ELEVATORS.” and substitute “ELEVATORS;”; and, on that same page, after line 2, insert:

“(XIII) WEATHERPROOFING; AND

(XIV) APPEARANCE OF MOLD.”.

Amendment No. 25

On page 26, after line 4, insert:

“Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(1) [(5)] Article 2. Consumer Protections

...

(2) [(5a)] Article 5. Finance, Property, and Procurement

...

(3) [(5b)] Article 7. Natural Resources

...

(4) [(1)] Article 13. Housing and Urban Renewal

...

Subtitle 5. Licensing of Rental Dwellings.

§ 5-4. License \$1,000

§ 5-11. POSTING LICENSE; LICENSE NUMBER \$250

§ 5-15. {Offenses there listed as cause for}
Denial, suspension, or revocation of license \$750

All other provisions \$500

- ...
- (5) [(2)] Article 15. Licensing and Regulation
- ...
- (6) [(3)] Article 19. Police Ordinances
- ...
- (7) [(4)] Article 23. Sanitation
- ...
- (8) [(4a)] Article 24. Water
- ...
- (9) [(4b)] Article 26. Surveys, Streets, and Highways
- ...
- (10) [(5a)] Article 31. Transit and Traffic
- ...
- (11) [(5b)] Article 32. Zoning
- ...
- (12) [(5c)] Building, Fire, and Related Codes Article –
Building Code
- ...
- (13) [(6)] Building, Fire, and Related Codes Article –
Fire Code
- ...
- (14) [(6a)] Building, Fire, and Related Codes Article –
Property Maintenance Code

Chapter 3. General Requirements

§ 304.4. <u>STRUCTURAL MEMBERS</u>	<u>\$500</u>
§ 304.5. <u>FOUNDATION WALLS</u>	<u>\$500</u>
§ 304.7. <u>ROOFS AND DRAINAGE</u>	<u>\$500</u>
§ 304.10. <u>STAIRWAYS, FLOORS, DECKS</u>	<u>\$300</u>

<u>§ 304.12. HANDRAILS AND GUARDS</u>	<u>\$50</u>
<u>§ 304.13. WINDOW, SKYLIGHT, AND DOOR FRAMES</u>	<u>\$100</u>
<u>§ 304.15. DOORS</u>	<u>\$100</u>
<u>§ 304.15.2. INTERIOR (DOORS)</u>	<u>\$50</u>
<u>§ 304.20. INTERIOR SURFACES</u>	<u>\$500</u>
<u>§ 304.23. EXHAUST VENTS</u>	<u>\$250</u>
<u>§ 304.28. RAT PROOFING</u>	<u>\$100</u>
<u>§ 304.29. EQUIPMENT</u>	<u>\$500</u>
<u>§ 304.30. FIRE PROTECTION</u>	<u>\$500</u>
<u>§ 305.5.1. Motor vehicles and trailers: Registered owner responsible</u>	<u>\$150</u>
<u>§ 307.1. GENERAL</u>	<u>\$50</u>
<u>§ 307.3. WALLS, CEILINGS, AND OPENINGS</u>	<u>\$150</u>
<u>§ 307.7. PEST CONTROL</u>	<u>\$150</u>
<u>All other provisions</u>	
<u>Residential properties</u>	<u>\$50</u>
<u>Commercial properties</u>	<u>\$100</u>

(15) [(6b)] **Building, Fire, and Related Codes Article – International Residential Code**

...

(16) [(7)] **Health Code**

...”

Amendment No. 26

On page 27, strike in their entirety lines 6 through 8, inclusive; and; on that same page, in line 10, strike “2024.” and substitute “2026.”.