

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

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

Committee Report: Favorable
Adopted: June 6, 2011

A COUNCIL RESOLUTION CONCERNING

Investigative Hearing – Payment of Lead Poisoning Judgements

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

Recitals

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

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

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

A prepared statement from the Commissioner’s office voiced deep sympathy to anyone who has suffered from lead paint poisoning, noting that the recently discussed cases were filed in the past few years and involved incidents that occurred prior to the implementation of Maryland’s 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 stricken by amendment.

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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.