



**BALTIMORE CITY COUNCIL  
COMMITTEE ON ECONOMIC AND COMMUNITY  
DEVELOPMENT**

*Mission Statement*

*On behalf of the Citizens of Baltimore City*, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

**The Honorable Sharon Green Middleton**

**PUBLIC HEARING**

**February 23, 2021**

**2:05 PM**

**Virtual Webex Meeting**

**City Council Bill #21-0004**

**Office to End Homelessness – Establishment, Administration,  
and Permanent Housing Voucher Program**

# CITY COUNCIL COMMITTEES

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**Committee: Economic and Community Development**

**Bill 21-0004**

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**Office to End Homelessness – Establishment, Administration, and  
Permanent Housing Voucher Program**

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**Purpose:**

For the purpose of establishing the Baltimore City Office to End Homelessness; declaring that the policy of the Mayor and City Council of Baltimore to make homelessness rare, brief, and non-recurring; providing that the Office will be led by an Executive Director appointed by the Mayor and confirmed by the City Council; establishing the duties of the Office; requiring certain reports; establishing the Permanent Housing Voucher Program; providing for certain funding for the Permanent Housing Voucher Program; setting forth the eligibility requirements for the Permanent Housing Voucher Program; requiring that the Office adopt rules and regulations to administer the Permanent Housing Voucher Program; establishing procedures on a family's admission into the Permanent Housing Voucher Program; setting forth certain programmatic functions for the Permanent Housing Voucher Program through tenant-based vouchers and project-based vouchers; providing for the termination of assistance under the Permanent Housing Voucher Program for certain enumerated reasons; providing for hearings for certain terminations and denials of assistance; establishing certain hearing procedures and the conduct of the hearings; repealing City Code Article 1, Subtitle 24 {"Overnight Shelters"} as duplicative; defining certain terms; generally relating to ending homelessness in Baltimore; and providing for a special effective date.

Effective Date: 180<sup>th</sup> day after the date of enactment

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## AGENCY REPORTS

@02-19-21

City Solicitor	Favorable / Comments
Office of Homeless Services	
Department of Housing and Community Development	
Housing Authority of Baltimore	
Department of Finance	
Police Department	
Health Department	

### Background

Bill 21-0004 proposes to repeal, in its entirety, *Baltimore City Code, Article 1 – Mayor, City Council and Municipal Agencies, Subtitle 24 – Overnight Shelters* and add *Article 13 – Housing and Urban Renewal, Subtitle: Homelessness, Sections 4-1 through 4-31.*

The Mayor's Office of Homeless Services (MOHS) is currently the City's designated lead agency that oversees Baltimore Continuum of Care, which is organized to assist with implementation of federal, state, and local policy and best practices, as well as administer and monitor homeless services. MOHS works with a network of partner providers to deliver housing and supportive services.

The Housing Choice Voucher was formerly known as the Section 8 Program. It is a federally funded, locally administered rental assistance program that helps low-income families, the elderly and persons with disabilities afford safe, decent housing in the private market.

Bill 21-0004 proposes to:

Part I Define certain terms

- At Risk of Homelessness
- Continuum of Care
- Executive Director
- Homeless, Homelessness

Part II Establish the Office to End Homelessness

- Create an Executive Director to administer the Office
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- Create duties and responsibilities for administration and management
- Set guidelines for annual reports and briefings
- Suggest that the transfer of current employees of the Mayor's Office of Homeless Services to the Office to End Homelessness without changes to current employee rights, benefits, employment or retirement status
- Suggest that the current director of the Mayor's Office of Homeless Services assume the position of Executive Director created for the Office to End Homelessness

Part III Establish the Permanent Housing Voucher Program (PHVP)

- Define certain terms
- Establish the Permanent Housing Voucher Program in Baltimore City
- Set guidelines for funding of PHVP
  - Set guidelines for allocation of funding in the first year for tenant-based voucher assistance
- Create certain rules and regulations for PHVP
- Set guidelines for eligibility
- Set guidelines for family and tenant admission into PHVP, which includes tenant and Office responsibilities
- Set payment standards for leasing of dwelling units
- Set standards for the tenant-based assistance program which deals with a family's contributions, payments, audits and termination
- **Set standards for the project-based assistance program which deals with -- contracts with; contributions to; City payments for; limitations of; priorities of; termination by; and audits for; -- the owner of dwelling units**
- Set standards for program limitations
- Set standards for termination or denial of assistance
- Sets standards for return to permanent supportive housing
  - Direct the Office to End Homelessness to petition the U.S. Department of Housing and Urban Development to allow for the return of Program participants to permanent supportive housing
- Sets guidelines for hearings and final decisions, and
- Sets guidelines for judicial review

Bill 21-0004 would also become effective on the 180<sup>th</sup> day after the date of enactment

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## Additional Information

**Fiscal Note:** Not Available

**Information Source(s):** Bill 21-0004, Housing Authority of Baltimore City, Baltimore City Continuum of Care

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Analysis by: Jennifer L. Coates  
Analysis Date: February 19, 2021

Direct Inquiries to: (410) 396-1260

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**CITY OF BALTIMORE  
COUNCIL BILL 21-0004  
(First Reader)**

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Introduced by: Councilmembers Dorsey, Burnett, Cohen, Ramos, McCray, Porter, Bullock,  
Torrence, Glover

Introduced and read first time: January 11, 2021

Assigned to: Economic and Community Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Mayor's Office of Homeless Services,  
Police Department, Health Department, Department of Housing and Community Development,  
Housing Authority of Baltimore City, Department of Finance

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Office to End Homelessness – Establishment, Administration, and**  
3 **Permanent Housing Voucher Program**

4 FOR the purpose of establishing the Baltimore City Office to End Homelessness; declaring that  
5 the policy of the Mayor and City Council of Baltimore to make homelessness rare, brief, and  
6 non-recurring; providing that the Office will be led by an Executive Director appointed by the  
7 Mayor and confirmed by the City Council; establishing the duties of the Office; requiring  
8 certain reports; establishing the Permanent Housing Voucher Program; providing for certain  
9 funding for the Permanent Housing Voucher Program; setting forth the eligibility  
10 requirements for the Permanent Housing Voucher Program; requiring that the Office adopt  
11 rules and regulations to administer the Permanent Housing Voucher Program; establishing  
12 procedures on a family's admission into the Permanent Housing Voucher Program; setting  
13 forth certain programmatic functions for the Permanent Housing Voucher Program through  
14 tenant-based vouchers and project-based vouchers; providing for the termination of  
15 assistance under the Permanent Housing Voucher Program for certain enumerated reasons;  
16 providing for hearings for certain terminations and denials of assistance; establishing certain  
17 hearing procedures and the conduct of the hearings; repealing City Code Article 1, Subtitle  
18 24 {"Overnight Shelters"} as duplicative; defining certain terms; generally relating to ending  
19 homelessness in Baltimore; and providing for a special effective date.

20 BY repealing

21 Article 1 - Mayor, City Council, and Municipal Agencies  
22 Subtitle 24 - Overnight Shelters, in its entirety  
23 Baltimore City Code  
24 (Edition 2000)

25 BY adding

26 Article 13 - Housing and Urban Renewal  
27 Sections 4-1 through 4-31, to be under the new subtitle,  
28 "Homelessness"  
29 Baltimore City Code  
30 (Edition 2000)

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





**Council Bill 21-0004**

1 (G) *OFFICE.*

2 “OFFICE” MEANS THE BALTIMORE CITY OFFICE TO END HOMELESSNESS.

3 **§ 4-2. {RESERVED}**

4 **§ 4-3. PURPOSE AND POLICY.**

5 THE POLICY OF THE MAYOR AND CITY COUNCIL IS TO MAKE HOMELESSNESS RARE, BRIEF, AND  
6 NON-RECURRING.

7 ***PART II. OFFICE TO END HOMELESSNESS***

8 **§ 4-4. OFFICE ESTABLISHED.**

9 THERE IS A BALTIMORE CITY OFFICE TO END HOMELESSNESS.

10 **§ 4-5. OFFICE ADMINISTRATION.**

11 (A) *EXECUTIVE DIRECTOR.*

12 (1) *IN GENERAL.*

13 THE OFFICE SHALL BE SUPERVISED AND DIRECTED BY AN EXECUTIVE DIRECTOR, WHO  
14 SHALL BE APPOINTED BY THE MAYOR IN ACCORDANCE WITH CITY CHARTER ARTICLE  
15 IV, § 6.

16 (2) *QUALIFICATIONS.*

17 AT THE TIME OF APPOINTMENT, THE EXECUTIVE DIRECTOR SHALL HAVE SUBSTANTIAL  
18 EXPERIENCE WORKING WITH HOMELESS INDIVIDUALS OR ISSUES INVOLVING  
19 HOMELESSNESS.

20 (B) *STAFF.*

21 THE EXECUTIVE DIRECTOR MAY EMPLOY A STAFF, AS PROVIDED IN THE ORDINANCE OF  
22 ESTIMATES.

23 **§ 4-6. OFFICE DUTIES.**

24 (A) *IN GENERAL.*

25 THE OFFICE SHALL:

26 (1) BE RESPONSIBLE FOR PROGRAMS AND SUPPORTIVE SERVICES PROVIDED BY THE  
27 CITY, INCLUDING OUTREACH, SHELTER, PREVENTION AND DIVERSION, AND  
28 PERMANENT HOUSING, FOR FAMILIES AND INDIVIDUALS WHO ARE HOMELESS OR AT  
29 RISK OF HOMELESSNESS;

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- 1 (2) DEVELOP, MAINTAIN AND, WHERE NECESSARY, STRENGTHEN THE OPERATIONAL  
2 SYSTEMS FOR THE PROVISION OF HOMELESS PROGRAMS AND SERVICES;
- 3 (3) CONSULT AND COORDINATE WITH OTHER APPROPRIATE GOVERNMENTAL AGENCIES  
4 AND THE CONTINUUM OF CARE TO DEVELOP, OPERATE, AND STRENGTHEN THE  
5 OPERATIONAL SYSTEMS FOR HOMELESS PROGRAMS AND SERVICES;
- 6 (4) DIRECT AND SUPERVISE THE MANAGEMENT, OPERATIONS, BUDGET, AND FUNDING  
7 OF THE OFFICE;
- 8 (5) FOLLOW EVIDENCE-BASED MODELS FOR OFFICE PROGRAMS AND SERVICES;
- 9 (6) ENSURE THAT ALL OFFICE OPERATIONAL SYSTEMS AND HOMELESS PROGRAMS AND  
10 SERVICES PROMOTE RACIAL EQUITY;
- 11 (7) CONTINUALLY EVALUATE THE EFFECTIVENESS OF OFFICE PROGRAMS AND  
12 SERVICES;
- 13 (8) ADVISE AND ASSIST THE MAYOR AND CITY COUNCIL WITH RESPECT TO POLICY  
14 MATTERS RELATING TO FAMILIES AND INDIVIDUALS WHO ARE HOMELESS OR AT  
15 RISK OF HOMELESSNESS;
- 16 (9) PROMOTE POLICIES THAT END THE CRIMINALIZATION OF HOMELESSNESS; AND
- 17 (10) CARRY OUT ANY OTHER DUTY OR RESPONSIBILITY RELATED TO THE CITY’S  
18 POLICY OF ENDING HOMELESSNESS, AS DIRECTED BY THE MAYOR.

19 (B) *ASSISTANCE IN MISSION.*

20 (1) *IN GENERAL.*

21 THE OFFICE SHALL ENCOURAGE THE PARTICIPATION OF AND RECEIVE PROPOSALS  
22 FROM PUBLIC AND PRIVATE SECTORS FOR THE DEVELOPMENT AND OPERATION OF  
23 PROGRAMS AND SERVICES FOR FAMILIES AND INDIVIDUALS WHO ARE HOMELESS OR AT  
24 RISK OF HOMELESSNESS.

25 (2) *THOSE WHO HAVE EXPERIENCED HOMELESSNESS.*

26 THE OFFICE SHALL ENGAGE WITH INDIVIDUALS WHO HAVE PERSONAL EXPERIENCE OF  
27 HOMELESSNESS IN DEVELOPING AND OPERATING PROGRAMS AND SERVICES, SYSTEMS  
28 PLANNING, AND EVALUATION.

29 **§ 4-7. ANNUAL REPORT AND BRIEFING.**

30 (A) *IN GENERAL.*

31 NO LATER THAN JUNE 30 OF EACH YEAR, THE OFFICE SHALL SUBMIT A REPORT TO THE  
32 MAYOR AND CITY COUNCIL ON THE ACTIVITIES OF THE OFFICE.

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1 (B) *CONTENTS.*

2 THE REPORT REQUIRED BY THIS SECTION SHALL INCLUDE:

- 3 (1) SYSTEMS PERFORMANCE AND PROGRAM OUTCOME DATA, INCLUDING, AS  
4 APPROPRIATE, AVAILABLE DATA REGARDING INDIVIDUALS AND FAMILIES  
5 UTILIZING OFFICE PROGRAMS AND SERVICES THAT IS DISAGGREGATED BY RACE,  
6 ETHNICITY, SEXUAL ORIENTATION, GENDER IDENTITY, AND AGE;
- 7 (2) ANALYSES OF IMPEDIMENTS TO ENDING HOMELESSNESS, INCLUDING SYSTEMS  
8 EFFECTIVENESS, GAPS IN PROGRAMS AND SERVICES, PROGRAM PERFORMANCE, AND  
9 EQUITY GOALS;
- 10 (3) RECOMMENDATIONS FOR ANY LEGISLATIVE OR POLICY CHANGES AND BUDGETARY  
11 NEEDS;
- 12 (4) INFORMATION REGARDING ANY PARTNERSHIPS OR COLLABORATION WITH OTHER  
13 GOVERNMENTAL AGENCIES; AND
- 14 (5) AN ASSESSMENT OF OFFICE ENGAGEMENT WITH INDIVIDUALS WITH PERSONAL  
15 EXPERIENCE OF HOMELESSNESS IN OFFICE SYSTEMS AND PROGRAM PLANNING AND  
16 EVALUATION.

17 (C) *COUNCIL BRIEFING.*

- 18 (1) NO LATER THAN 45 DAYS FROM THE DATE OF THE SUBMISSION OF THE REPORT  
19 REQUIRED BY THIS SECTION, THE CITY COUNCIL, OR AN APPROPRIATE COMMITTEE OF  
20 THE CITY COUNCIL, SHALL HOLD A HEARING TO ALLOW THE OFFICE TO BRIEF THE  
21 COUNCIL ON ITS REPORT.
- 22 (2) THE HEARING REQUIRED BY THIS SUBSECTION SHALL ALLOW FOR PUBLIC TESTIMONY.

23 **§ 4-8. {RESERVED}**

24 ***PART III. PERMANENT HOUSING VOUCHER PROGRAM***

25 **§ 4-9. DEFINITIONS.**

26 (A) *IN GENERAL.*

27 IN THIS PART, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

28 (B) *1-FAMILY DWELLING.*

29 “1-FAMILY DWELLING” MEANS A BUILDING THAT CONTAINS ONLY 1 DWELLING UNIT.

30 (C) *2-FAMILY DWELLING.*

31 “2-FAMILY DWELLING” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
32 BUILDING CODE.

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1 (D) *ASSISTED DWELLING UNIT.*

2 “ASSISTED DWELLING UNIT” MEANS:

3 (1) EITHER:

4 (I) A DWELLING UNIT WITHIN A 2-FAMILY DWELLING OR A MULTIPLE-FAMILY  
5 DWELLING; OR

6 (II) A 1-FAMILY DWELLING;

7 (2) LEASED TO A FAMILY ADMITTED INTO THE PROGRAM; AND

8 (3) WHOSE HOUSING COSTS ARE BEING PAID FOR UNDER THE PROGRAM THROUGH A  
9 HOUSING ASSISTANCE PAYMENT.

10 (D) *DWELLING UNIT.*

11 “DWELLING UNIT” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE CITY  
12 BUILDING CODE.

13 (E) *EXTREMELY-LOW INCOME HOUSEHOLD.*

14 “EXTREMELY-LOW INCOME HOUSEHOLD” MEANS A FAMILY WHOSE AGGREGATE GROSS  
15 INCOME DOES NOT EXCEED 30% OF THE AREA MEDIAN INCOME, AS ADJUSTED FOR THE  
16 SIZE OF THE FAMILY.

17 (F) *FAMILY.*

18 “FAMILY” MEANS 1 OR MORE INDIVIDUALS WHO RESIDE TOGETHER AS A HOUSEHOLD.

19 (G) *FUND.*

20 “FUND” MEANS THE CONTINUING, NONLAPSING FUND ESTABLISHED BY CITY CHARTER  
21 ARTICLE I, § 14 {“AFFORDABLE HOUSING TRUST FUND”}.

22 (H) *HOUSING ASSISTANCE PAYMENT; ASSISTANCE.*

23 “HOUSING ASSISTANCE PAYMENT” OR “ASSISTANCE” MEANS THE MONTHLY DOLLAR  
24 AMOUNT PAID BY THE OFFICE DIRECTLY TO A FAMILY’S HOUSING PROVIDER THAT  
25 REPRESENTS THE TOTAL HOUSING COST FOR THE FAMILY’S ASSISTED DWELLING UNIT  
26 MINUS THE FAMILY’S CONTRIBUTION.

27 (I) *HOUSING COSTS.*

28 “HOUSING COSTS” MEANS:

29 (1) RENTAL PAYMENTS;

30 (2) UTILITIES, WHICH ARE LIMITED TO THE COST OF:

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- 1 (I) ELECTRICITY;
- 2 (II) GAS;
- 3 (III) WATER; AND
- 4 (IV) SEWER; AND
- 5 (3) OTHER COSTS INCIDENTAL TO HOUSING, INCLUDING:

- 6 (I) SECURITY DEPOSITS;
- 7 (II) APPLICATION FEES;
- 8 (III) UTILITY HOOK-UPS; AND
- 9 (IV) MOVING COSTS.

10 (I) *MULTIPLE-FAMILY DWELLING.*

11 “MULTIPLE-FAMILY DWELLING” HAS THE MEANING STATED IN § 202.2 OF THE BALTIMORE  
12 CITY BUILDING CODE.

13 (J) *PAYMENT STANDARD.*

14 “PAYMENT STANDARD” MEANS THE MAXIMUM MONTHLY ASSISTANCE PAYMENT FOR A  
15 FAMILY BEFORE DEDUCTING THE FAMILY’S CONTRIBUTION.

16 (K) *PERMANENT SUPPORTIVE HOUSING.*

17 “PERMANENT SUPPORTIVE HOUSING” MEANS PERMANENT HOUSING FUNDED BY THE  
18 FEDERAL CONTINUUM OF CARE PROGRAM, AUTHORIZED BY THE MCKINNEY-VENTO  
19 HOMELESS ASSISTANCE ACT AS AMENDED, 42 U.S.C. 11371 *ET SEQ.*, AND ITS  
20 CORRESPONDING REGULATIONS, 24 C.F.R. PART 578.

21 (L) *PROGRAM.*

22 “PROGRAM” MEANS THE BALTIMORE CITY PERMANENT HOUSING VOUCHER PROGRAM.

23 (M) *PROJECT-BASED VOUCHER ASSISTANCE.*

24 “PROJECT-BASED VOUCHER ASSISTANCE” MEANS HOUSING ASSISTANCE PAYMENTS  
25 ATTACHED TO A PARTICULAR 1-FAMILY DWELLING, 2-FAMILY DWELLING, OR DWELLING  
26 UNITS WITHIN A MULTIPLE-FAMILY DWELLING OR SET OF MULTIPLE-FAMILY DWELLINGS,  
27 OWNED AND OPERATED BY A PRIVATE OR NONPROFIT HOUSING PROVIDER.

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1 (N) *TENANT-BASED VOUCHER ASSISTANCE.*

2 “TENANT-BASED VOUCHER ASSISTANCE” MEANS HOUSING ASSISTANCE PAYMENTS  
3 ALLOCATED TO AN ELIGIBLE FAMILY AND PAID ON BEHALF OF THAT FAMILY TO LEASE AN  
4 ASSISTED DWELLING UNIT SELECTED BY THE FAMILY AND APPROVED BY THE OFFICE.

5 **§ 4-10. PROGRAM ESTABLISHED.**

6 (A) *IN GENERAL.*

7 THERE IS A PERMANENT HOUSING VOUCHER PROGRAM IN BALTIMORE CITY.

8 (B) *PURPOSE.*

9 THE PURPOSE OF THE PROGRAM IS TO ASSIST FAMILIES WHO CURRENTLY RESIDE IN  
10 PERMANENT SUPPORTIVE HOUSING AND WHO NO LONGER NEED OR WANT SUPPORTIVE  
11 SERVICES BUT WHO CONTINUE TO HAVE EXTREMELY LOW INCOMES MAINTAIN PERMANENT  
12 HOUSING THROUGH TENANT-BASED VOUCHER ASSISTANCE OR PROJECT-BASED VOUCHER  
13 ASSISTANCE.

14 (C) *ADMINISTRATION.*

15 THE PROGRAM SHALL BE ADMINISTERED BY THE OFFICE IN ACCORDANCE WITH THIS PART.

16 **§ 4-11. PROGRAM FUNDING.**

17 (A) *IN GENERAL.*

18 (1) THE PROGRAM MAY BE FUNDED BY AN ANNUAL DISBURSEMENT FROM THE FUND.

19 (2) ANY UNUSED OR UNOBLIGATED FUND DISBURSEMENTS SHALL REVERT BACK TO THE  
20 FUND ON AN ANNUAL BASIS.

21 (B) *SUPPLEMENTAL FUNDING.*

22 IN ADDITION TO THE FUNDING DESCRIBED IN SUBSECTION (A), THE PROGRAM MAY BE  
23 FURTHER FUNDED BY AN APPROPRIATION IN THE ANNUAL ORDINANCE OF ESTIMATES.

24 (C) *FUNDING ALLOCATION.*

25 THE OFFICE MAY NOT ALLOCATE MORE THAN 25% OF ANNUAL PROGRAM FUNDING  
26 TOWARDS PROJECT-BASED VOUCHER ASSISTANCE.

27 **§ 4-12. RULES AND REGULATIONS.**

28 (A) *IN GENERAL.*

29 SUBJECT TO THE REQUIREMENTS IN THIS SECTION AND SUBJECT TO TITLE 4  
30 {“ADMINISTRATIVE PROCEDURE ACT - REGULATIONS”} OF THE CITY GENERAL

**Council Bill 21-0004**

1 PROVISIONS ARTICLE, THE OFFICE SHALL ADOPT RULES AND REGULATIONS TO CARRY OUT  
2 THE PROVISIONS OF THIS PART.

3 (B) *SCOPE OF RULES AND REGULATIONS.*

4 THE RULES AND REGULATIONS REQUIRED BY THIS SECTION SHALL INCLUDE PROVISIONS  
5 REGARDING:

- 6 (1) THE CALCULATION OF INCOME AND ADJUSTED INCOME FOR THE PURPOSE OF  
7 PROGRAM ELIGIBILITY, WHICH SHALL BE, TO THE EXTENT PRACTICABLE,  
8 CONSISTENT WITH 24 C.F.R. §§ 5.609 AND 5.611(A);
- 9 (2) THE CALCULATION OF A FAMILY'S CONTRIBUTION INCLUDING UTILITY  
10 ALLOWANCES AND UTILITY REIMBURSEMENTS, WHICH SHALL BE, TO THE EXTENT  
11 PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 5.632 AND 5.634;
- 12 (3) PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL  
13 ASSAULT, OR STALKING, WHICH SHALL BE, TO THE EXTENT PRACTICABLE,  
14 CONSISTENT WITH 24 C.F.R., PART 5, SUBPART L;
- 15 (4) FAMILY EDUCATION REGARDING THE PROGRAM RULES, ISSUANCE OF VOUCHER,  
16 APPROVAL OF DWELLING UNIT, AND TERM OF VOUCHER, WHICH SHALL BE, TO THE  
17 EXTENT PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 982.301, 982.302, AND  
18 982.303;
- 19 (5) APPROVAL STANDARDS FOR AN ASSISTED DWELLING UNIT, WHICH SHALL BE, TO  
20 THE EXTENT PRACTICABLE, CONSISTENT WITH 24 C.F.R. § 982.305;
- 21 (6) MOVING WITH TENANT-BASED ASSISTANCE, WHICH SHALL BE, TO THE EXTENT  
22 PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 982.354 AND 983.261;
- 23 (7) HOUSING QUALITY STANDARDS AND STANDARDS FOR THE AMOUNT OF ALLOWABLE  
24 BEDROOMS WITHIN AN ASSISTED DWELLING UNIT, WHICH SHALL BE, TO THE  
25 EXTENT PRACTICABLE, CONSISTENT WITH 24 C.F.R. §§ 982.401, 982.402 AND  
26 982.404;
- 27 (8) INITIAL AND PERIODIC INSPECTIONS, WHICH SHALL BE, TO THE EXTENT  
28 PRACTICABLE, CONSISTENT WITH 24 C.F.R. § 982.405; AND
- 29 (9) ACCESSIBILITY STANDARDS FOR ACCESSIBLE HOUSING UNITS UNDER § 4-19(F) OF  
30 THIS SUBTITLE, WHICH SHALL BE, TO THE EXTENT PRACTICABLE, EXISTING  
31 ACCESSIBILITY STANDARDS UNDER THE AMERICANS WITH DISABILITIES ACT, 42  
32 U.S.C. § 12101 *ET SEQ*, THE REHABILITATION ACT 29 U.S.C. § 794 *ET SEQ*, THE  
33 FAIR HOUSING ACT AMENDMENTS, 42 U.S.C. § 3601 *ET SEQ*, AND THEIR  
34 RESPECTIVE IMPLEMENTING REGULATIONS.

35 (C) *COLLABORATION.*

36 IN DEVELOPING THE RULES AND REGULATIONS REQUIRED BY THIS SECTION AND ANY  
37 SUBSEQUENT AMENDMENTS, THE OFFICE SHALL COLLABORATE WITH THE AFFORDABLE

**Council Bill 21-0004**

1 HOUSING TRUST FUND COMMISSION ESTABLISHED BY CITY CHARTER ARTICLE I, § 14 AND  
2 THE BALTIMORE CITY CONTINUUM OF CARE TO ENSURE CONSISTENCY OF POLICY AND  
3 PROCEDURE.

4 (D) *HEARING PERIOD.*

5 IN ADDITION TO THE REQUIREMENTS SET FORTH IN THE TITLE 4 {"ADMINISTRATIVE  
6 PROCEDURE ACT - REGULATIONS"} OF THE CITY GENERAL PROVISIONS ARTICLE, THE  
7 OFFICE MUST HOLD A PUBLIC HEARING PRIOR TO:

8 (1) ADOPTING ANY RULES AND REGULATIONS REQUIRED BY THIS SECTION; OR

9 (2) AMENDING OR REPEALING ANY RULES AND REGULATIONS ADOPTED UNDER THIS  
10 SUBTITLE.

11 **§ 4-13. {RESERVED}**

12 **§ 4-14. PROGRAM ELIGIBILITY.**

13 (A) *APPLICATION REQUIRED.*

14 (1) FAMILIES SEEKING TO PARTICIPATE IN THE PROGRAM SHALL APPLY TO THE OFFICE.

15 (2) A FAMILY'S PERMANENT SUPPORTIVE HOUSING PROVIDER SHALL ASSIST THE FAMILY  
16 WITH AN APPLICATION, IF REQUESTED.

17 (3) PARTICIPATION IN THE PROGRAM IS VOLUNTARY AND SOLELY THE DECISION OF THE  
18 FAMILY.

19 (B) *ELIGIBILITY.*

20 A FAMILY IS ELIGIBLE TO PARTICIPATE IN THE PROGRAM IF THE FAMILY:

21 (1) IS A CURRENT PARTICIPANT IN A PERMANENT SUPPORTIVE HOUSING PROGRAM;

22 (2) RESIDES IN BALTIMORE CITY AT THE TIME OF APPLICATION; AND

23 (3) IS AN EXTREMELY LOW-INCOME HOUSEHOLD.

24 **§ 4-15. PROGRAM ADMISSION.**

25 (A) *IN GENERAL.*

26 SUBJECT TO THE PROVISIONS OF THIS SECTION, ELIGIBLE FAMILIES SHALL BE ADMITTED  
27 INTO THE PROGRAM.

28 (B) *FUNDING AVAILABILITY.*

29 ADMISSION INTO THE PROGRAM IS SUBJECT TO THE AVAILABILITY OF FUNDS AND IS NOT  
30 AN ENTITLEMENT.



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1 (C) *TENANT RESPONSIBILITIES.*

2 (1) *AUTHORIZED PERSONS.*

3 (I) ON ADMISSION, THE OFFICE SHALL COLLECT THE NAME OF EACH FAMILY MEMBER  
4 WHO INTENDS TO RESIDE IN AN ASSISTED DWELLING UNIT.

5 (II) EXCEPT FOR THE INDIVIDUALS REGISTERED WITH THE OFFICE, NO OTHER  
6 INDIVIDUAL MAY RESIDE IN AN ASSISTED DWELLING UNIT UNLESS APPROVED BY  
7 THE OFFICE, IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS.

8 (III) A FAMILY ADMITTED INTO THE PROGRAM SHALL REPORT ANY CHANGE IN FAMILY  
9 COMPOSITION THAT RESULTS IN MORE OR FEWER INDIVIDUALS LIVING IN THE  
10 ASSISTED DWELLING UNIT, IN ACCORDANCE WITH THE PROGRAM'S RULES AND  
11 REGULATIONS.

12 (2) *CHANGE IN INCOME.*

13 A FAMILY ADMITTED INTO THE PROGRAM SHALL REPORT CHANGES IN INCOME TO THE  
14 OFFICE, IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS.

15 (D) *OFFICE RESPONSIBILITIES.*

16 THE OFFICE SHALL:

17 (1) ASSIST FAMILIES ADMITTED INTO THE PROGRAM IN FINDING AND LEASING AN  
18 ASSISTED DWELLING UNIT EITHER THROUGH TENANT-BASED VOUCHER ASSISTANCE  
19 OR PROJECT-BASED VOUCHER ASSISTANCE;

20 (2) ENSURE THAT ANY ASSISTED DWELLING UNIT MEETS:

21 (I) THE HABITABILITY STANDARDS SET FORTH IN THE RULES AND REGULATIONS  
22 ADOPTED UNDER THIS SUBTITLE; AND

23 (II) THE RENTAL REGISTRATION AND RENTAL LICENSING REQUIREMENTS SET  
24 FORTH IN SUBTITLE 4 {"REGISTRATION OF NON-OWNER-OCCUPIED  
25 DWELLINGS, ROOMING HOUSES, AND VACANT STRUCTURES"} AND  
26 SUBTITLE 5 {"LICENSING OF RENTAL DWELLINGS"} OF THIS ARTICLE;

27 (3) ENSURE THAT THE RENT FOR ANY ASSISTED DWELLING UNIT IS NOT MORE THAN  
28 THE RENT CHARGED FOR COMPARABLE UNITS IN THE PRIVATE UNASSISTED MARKET  
29 AND FOR COMPARABLE UNASSISTED UNITS IN THE PREMISES;

30 (4) EXAMINE A FAMILY'S INCOME INITIALLY AND AT LEAST ANNUALLY THEREAFTER  
31 TO DETERMINE THE AMOUNT OF THE CONTRIBUTION TOWARD RENT PAYABLE BY  
32 THE FAMILY;

33 (5) EDUCATE FAMILIES ADMITTED INTO THE PROGRAM AND HOUSING PROVIDERS ON  
34 PROGRAM RULES AND REGULATIONS;

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1 (6) CONDUCT OUTREACH AND RECRUITMENT OF HOUSING PROVIDERS TO PARTICIPATE  
2 IN THE PROGRAM; AND

3 (7) ENSURE THAT THE LEASE FOR THE ASSISTED DWELLING UNIT COMPLIES WITH  
4 STATE AND LOCAL LAW AND THAT THE INITIAL LEASE TERM IS FOR AT LEAST 1  
5 YEAR.

6 (E) *UTILITY ALLOWANCE.*

7 IN THE RULES AND REGULATIONS REQUIRED BY THIS SUBTITLE, THE OFFICE SHALL  
8 ESTABLISH A SCHEDULE TO DETERMINE THE AMOUNT OF THE UTILITY ALLOWANCE FOR  
9 FAMILIES ADMITTED INTO THE PROGRAM.

10 **§ 4-16. PAYMENT STANDARDS.**

11 (A) *IN GENERAL.*

12 THE OFFICE SHALL ESTABLISH A PAYMENT STANDARD THAT:

13 (1) REFLECTS THE COST TO LEASE A DWELLING UNIT IN BALTIMORE CITY; AND

14 (2) CONSTITUTES BETWEEN 100%-130% OF FAIR MARKET RENT.

15 (B) *EQUITY.*

16 TO AVOID CONCENTRATION OF POVERTY AND TO PROVIDE FAMILIES WITH GREATER  
17 HOUSING CHOICES, THE OFFICE MAY ESTABLISH PAYMENT STANDARDS BASED ON FAIR  
18 MARKET RENTS BY ZIP CODE OR CENSUS TRACT.

19 **§ 4-17. {RESERVED}**

20 **§ 4-18. TENANT-BASED ASSISTANCE PROGRAM FUNCTION.**

21 (A) *AMOUNT OF FAMILY CONTRIBUTION AND ASSISTANCE.*

22 IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS, A FAMILY'S  
23 CONTRIBUTION TOWARDS THE HOUSING COSTS FOR AN ASSISTED UNIT MAY NOT EXCEED  
24 30% OF THE FAMILY'S GROSS ADJUSTED MONTHLY INCOME.

25 (B) *MINIMUM FAMILY CONTRIBUTION PROHIBITED.*

26 NOTWITHSTANDING SUBSECTION (A) OF THIS SECTION, THE OFFICE MAY NOT REQUIRE OR  
27 OTHERWISE ESTABLISH A MINIMUM CONTRIBUTION TO BE PAID BY A FAMILY TOWARDS THE  
28 FAMILY'S HOUSING COSTS.

29 (C) *MANNER OF PAYMENT.*

30 HOUSING ASSISTANCE PAYMENTS MADE UNDER THIS SECTION SHALL BE MADE DIRECTLY  
31 TO THE FAMILY'S HOUSING PROVIDER.

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1 (D) *TERMINATION OF ASSISTANCE.*

2 THE OFFICE MAY TERMINATE ASSISTANCE UNDER THIS SECTION TO A FAMILY AS SPECIFIED  
3 IN § 4-22 {"TERMINATION OR DENIAL OF ASSISTANCE BY OFFICE"} OF THIS SUBTITLE.

4 (E) *TERM OF ASSISTANCE.*

5 (1) *IN GENERAL.*

6 ASSISTANCE UNDER THIS SECTION SHALL CONTINUE PROVIDED THAT:

7 (I) THE FAMILY CONTINUES TO MEET THE INCOME ELIGIBILITY REQUIREMENTS OF  
8 § 4-14(B)(3);

9 (II) SUFFICIENT FUNDS ARE AVAILABLE TO CONTINUE ASSISTANCE; AND

10 (III) ASSISTANCE IS NOT TERMINATED, VOLUNTARILY OR INVOLUNTARILY, AS  
11 PROVIDED IN THIS SUBTITLE.

12 (2) *AUDITS.*

13 THE OFFICE SHALL CONDUCT AUDITS AT LEAST ANNUALLY TO ENSURE FAMILIES  
14 WITHIN THE PROGRAM CONTINUE TO BE ELIGIBLE FOR ASSISTANCE.

15 **§ 4-19. PROJECT-BASED ASSISTANCE PROGRAM FUNCTION.**

16 (A) *IN GENERAL.*

17 SUBJECT TO THE PROVISIONS OF THIS SECTION, THE OFFICE MAY ISSUE A REQUEST FOR  
18 PROPOSALS AND, SUBSEQUENTLY, THE MAYOR AND CITY COUNCIL MAY CONTRACT WITH  
19 AN OWNER OF A 1-FAMILY DWELLING, 2-FAMILY DWELLING, OR A MULTIPLE-FAMILY  
20 DWELLING TO PROVIDE ASSISTANCE FOR MULTIPLE DWELLING UNITS OWNED BY THE SAME  
21 OWNER PROVIDED THAT:

22 (1) EACH ASSISTED DWELLING UNIT IS LEASED AND OCCUPIED BY A FAMILY WHO HAS  
23 BEEN ADMITTED INTO THE PROGRAM AND REFERRED BY THE OFFICE TO THE  
24 HOUSING PROVIDER; AND

25 (2) THE LEASE TERM FOR THE FAMILY TO OCCUPY THE DWELLING UNIT IS NO LESS  
26 THAN 1 YEAR.

27 (B) *AMOUNT OF FAMILY CONTRIBUTION AND ASSISTANCE.*

28 IN ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS, A FAMILY'S  
29 CONTRIBUTION TOWARDS THE HOUSING COSTS FOR AN ASSISTED UNIT MAY NOT EXCEED  
30 30% OF THE FAMILY'S GROSS ADJUSTED MONTHLY INCOME.

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1 (C) *MINIMUM FAMILY CONTRIBUTION PROHIBITED.*

2 NOTWITHSTANDING SUBSECTION (B) OF THIS SECTION, THE OFFICE MAY NOT REQUIRE OR  
3 OTHERWISE ESTABLISH A MINIMUM CONTRIBUTION TO BE PAID BY A FAMILY TOWARDS THE  
4 FAMILY'S HOUSING COSTS.

5 (D) *MANNER OF PAYMENT.*

6 HOUSING ASSISTANCE PAYMENTS MADE UNDER THIS SECTION SHALL BE MADE DIRECTLY  
7 TO THE HOUSING PROVIDER.

8 (E) *LIMITATIONS.*

9 (1) *SCOPE OF SUBSECTION.*

10 THIS SUBSECTION ONLY APPLIES TO MULTIPLE-FAMILY DWELLINGS CONTAINING 5 OR  
11 MORE DWELLING UNITS.

12 (2) *IN GENERAL.*

13 (i) TO AVOID THE CONCENTRATION OF POVERTY:

14 (A) HOUSING ASSISTANCE PAYMENTS UNDER THIS SECTION MAY ONLY BE  
15 PROVIDED TO UP TO 25% OF THE TOTAL DWELLING UNITS WITHIN A  
16 PARTICULAR MULTIPLE-FAMILY DWELLING; AND

17 (B) THE OFFICE MAY NOT CONTRACT WITH A HOUSING PROVIDER TO PROVIDE  
18 HOUSING ASSISTANCE UNDER SECTION IF THE MULTIPLE-FAMILY DWELLING  
19 THAT IS THE SUBJECT OF THE CONTRACT HAS MORE THAN 25% OF ITS  
20 TOTAL DWELLING UNITS RECEIVING OTHER FEDERAL, STATE, OR LOCAL  
21 HOUSING ASSISTANCE.

22 (F) *PRIORITY.*

23 THE OFFICE SHALL PRIORITIZE PROJECT-BASED RENTAL ASSISTANCE FOR USE IN 1-FAMILY  
24 DWELLINGS, 2-FAMILY DWELLINGS, OR MULTIPLE-FAMILY DWELLINGS THAT:

25 (1) ARE ACCESSIBLE HOUSING UNITS FOR INDIVIDUALS WITH DISABILITIES; OR

26 (2) ARE COMMUNITY LAND TRUSTS OR OTHER SHARED-EQUITY HOUSING MODELS.

27 (G) *TERMINATION BY HOUSING PROVIDER.*

28 A HOUSING PROVIDER RECEIVING ASSISTANCE UNDER THIS SECTION MAY NOT TERMINATE  
29 A FAMILY'S LEASE OR FAIL TO RENEW A FAMILY'S LEASE UNLESS THE FAMILY HAS  
30 COMMITTED A SERIOUS BREACH OF THE LEASE OR FOR OTHER GOOD CAUSE IN  
31 ACCORDANCE WITH THE PROGRAM'S RULES AND REGULATIONS.

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1 (H) *TERMINATION BY OFFICE.*

2 THE OFFICE MAY TERMINATE ASSISTANCE UNDER THIS SECTION TO A FAMILY AS SPECIFIED  
3 IN § 4-22 {"TERMINATION OR DENIAL OF ASSISTANCE BY OFFICE"} OF THIS SUBTITLE.

4 (I) *TERM OF ASSISTANCE.*

5 (1) *IN GENERAL.*

6 SUBJECT TO THE CONTRACT EXECUTED BETWEEN THE MAYOR AND CITY COUNCIL  
7 AND THE HOUSING PROVIDER, ASSISTANCE UNDER THIS SECTION SHALL CONTINUE  
8 PROVIDED THAT:

9 (I) SINGLE-FAMILY DWELLING UNITS OR DWELLING UNITS WITHIN THE MULTIPLE-  
10 FAMILY DWELLING CONTINUE TO BE LEASED BY FAMILIES THAT MEET THE  
11 INCOME ELIGIBILITY REQUIREMENTS OF § 4-14(B)(3);

12 (II) SUFFICIENT FUNDS ARE AVAILABLE TO CONTINUE ASSISTANCE; AND

13 (III) ASSISTANCE IS NOT TERMINATED, VOLUNTARILY OR INVOLUNTARILY, AS  
14 PROVIDED IN THIS SUBTITLE.

15 (2) *AUDITS.*

16 THE OFFICE SHALL CONDUCT AUDITS AT LEAST ANNUALLY TO ENSURE THAT:

17 (I) FAMILIES RECEIVING ASSISTANCE CONTINUE TO BE ELIGIBLE FOR ASSISTANCE;  
18 AND

19 (II) THE HOUSING PROVIDER IS IN COMPLIANCE WITH THIS SUBTITLE, THE  
20 PROGRAM'S RULES AND REGULATIONS, AND ANY CONTRACTUAL  
21 REQUIREMENTS.

22 **§ 4-20. PROGRAM LIMITATIONS.**

23 (A) *"ROOMING UNIT" DEFINED.*

24 IN THIS SECTION, "ROOMING UNIT" HAS THE DEFINITION STATED IN § 202.2 OF THE  
25 BALTIMORE CITY PROPERTY MAINTENANCE CODE.

26 (B) *ASSISTANCE PROHIBITED.*

27 HOUSING ASSISTANCE PAYMENTS UNDER THE PROGRAM MAY NOT BE PROVIDED FOR A  
28 ROOMING UNIT.

29 **§ 4-21. {RESERVED}**

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**§ 4-22. TERMINATION OR DENIAL OF ASSISTANCE BY OFFICE.**

*(A) IN GENERAL.*

AFTER A HEARING CONDUCTED IN ACCORDANCE WITH THIS SUBTITLE AND WITH PROPER NOTICE TO THE FAMILY, THE OFFICE MAY DENY OR TERMINATE HOUSING ASSISTANCE PAYMENTS TO A FAMILY UNDER THIS PART IF THE OFFICE FINDS THAT:

- (1) THE FAMILY HAS BEEN EVICTED FROM ITS ASSISTED DWELLING UNIT DUE TO A SERIOUS OR REPEATED LEASE VIOLATION;
- (2) THE FAMILY FAILED TO SUPPLY THE INFORMATION TO THE OFFICE REQUIRED BY THIS SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE;
- (3) THE FAMILY HAS PERMITTED AN UNAUTHORIZED INDIVIDUAL TO RESIDE IN THE ASSISTED DWELLING UNIT, AS SET FORTH IN THIS SUBTITLE OR IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE;
- (4) A FAMILY MEMBER HAS COMMITTED FRAUD OR BRIBERY IN CONNECTION TO THE PROGRAM; OR
- (5) THE FAMILY DOES NOT COMPLY WITH THE HOUSING QUALITY STANDARDS SET FORTH IN THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.

*(B) IMPOSITION OF TERMINATION.*

TERMINATION OF A FAMILY'S HOUSING ASSISTANCE PAYMENTS IS RESERVED FOR ONLY THE MOST SEVERE AND EGREGIOUS VIOLATIONS OF SUBSECTION (A) OF THIS SECTION. THE OFFICE SHALL EXAMINE ALL EXTENUATING CIRCUMSTANCES IN DETERMINING WHETHER A VIOLATION WARRANTS TERMINATION.

*(C) RETURN TO PERMANENT SUPPORTIVE HOUSING.*

*(1) SCOPE OF SUBSECTION.*

THIS SUBSECTION IS APPLICABLE ONLY ON THE APPROVAL OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

*(2) IN GENERAL.*

PRIOR TO ANY DETERMINATION THAT A FAMILY'S HOUSING ASSISTANCE PAYMENTS SHOULD BE TERMINATED, THE OFFICE SHALL OFFER THE FAMILY THE OPPORTUNITY TO RETURN TO PERMANENT SUPPORTIVE HOUSING.

**§ 4-23. RETURN TO PERMANENT SUPPORTIVE HOUSING.**

*(A) SCOPE OF SECTION.*

THIS SECTION IS APPLICABLE ONLY ON THE APPROVAL OF THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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1 (B) *IN GENERAL.*

2 AT ANY TIME, A FAMILY ADMITTED INTO THE PROGRAM MAY VOLUNTARILY REQUEST  
3 THAT PROGRAM ASSISTANCE BE TERMINATED AND TO BE RETURNED TO PERMANENT  
4 SUPPORTIVE HOUSING.

5 **§ 4-24. {RESERVED}**

6 **§ 4-25. HEARINGS - GENERALLY.**

7 (A) *IN GENERAL.*

8 PRIOR TO TAKING ANY FINAL ACTION TO DENY OR TERMINATE HOUSING ASSISTANCE  
9 PAYMENTS UNDER THIS SUBTITLE, THE OFFICE SHALL NOTIFY THE FAMILY AGAINST WHOM  
10 THE ACTION IS CONTEMPLATED OF THE PROPOSED ACTION.

11 (B) *NOTICE.*

12 THE NOTICE UNDER THIS SECTION SHALL:

- 13 (1) BE IN WRITING TO THE FAMILY'S ADDRESS OF RECORD WITH THE OFFICE;
- 14 (2) STATE THE REASON AND FACTUAL BASIS FOR THE DENIAL OR TERMINATION;
- 15 (3) STATE THE RELEVANT STATUTORY OR REGULATORY PROVISION FORMING THE  
16 BASIS FOR THE DENIAL OR TERMINATION;
- 17 (4) STATE THAT A HEARING WILL BE PROVIDED IF, WITHIN 10 DAYS OF THE NOTICE (OR  
18 ANY LONGER PERIOD SPECIFIED IN THE NOTICE), THE PERSON FILES WITH THE  
19 OFFICE A WRITTEN REQUEST FOR A HEARING;
- 20 (5) PROVIDE INFORMATION ON THE AVAILABILITY OF FREE LEGAL SERVICES; AND
- 21 (6) FOR NOTICES OF INTENT TO TERMINATE ASSISTANCE, INCLUDE A STATEMENT  
22 THAT, IF A HEARING IS REQUESTED, HOUSING ASSISTANCE WILL CONTINUE UNTIL  
23 THE OFFICE ISSUES A FINAL DECISION.

24 (C) *OTHER SITUATIONS.*

25 A HEARING IS NOT REQUIRED WHEN A FAMILY IS DENIED OR TERMINATED FROM HOUSING  
26 PAYMENT ASSISTANCE FOR LACK OF PROGRAM FUNDING.

27 **§ 4-26. DELEGATION OF HEARING AUTHORITY.**

28 (A) *IN GENERAL.*

29 HEARINGS MAY BE CONDUCTED BY:

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1 (1) THE EXECUTIVE DIRECTOR; OR

2 (2) A HEARING OFFICER DESIGNATED BY THE EXECUTIVE DIRECTOR.

3 (B) *SCOPE OF DELEGATION.*

4 THE EXECUTIVE DIRECTOR MAY DELEGATE TO A HEARING OFFICER THE AUTHORITY TO  
5 ISSUE:

6 (1) PROPOSED FINDINGS OF FACT;

7 (2) PROPOSED CONCLUSIONS OF LAW;

8 (3) PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW; OR

9 (4) PROPOSED ORDERS.

10 **§ 4-27. CONDUCT OF HEARING.**

11 (A) *NOTICE OF HEARING.*

12 (1) THE OFFICE MUST PROVIDE ALL PARTIES REASONABLE WRITTEN NOTICE OF THE  
13 HEARING.

14 (2) THE NOTICE MUST STATE:

15 (I) THE DATE, TIME, PLACE, AND NATURE OF THE HEARING;

16 (II) THE RIGHT OF A PARTY TO BE REPRESENTED, AT THE PARTY'S OWN EXPENSE,  
17 BY AN ATTORNEY OR, IF PERMITTED BY LAW, OTHER REPRESENTATIVE;

18 (III) THE RIGHT OF A PARTY TO CALL WITNESSES AND SUBMIT DOCUMENTS OR  
19 OTHER EVIDENCE UNDER § 4-28 {"EVIDENCE"} OF THIS SUBTITLE; AND

20 (IV) THAT FAILURE TO APPEAR FOR THE SCHEDULED HEARING MAY RESULT IN AN  
21 ADVERSE ACTION AGAINST THE PARTY.

22 (B) *HEARINGS TO BE OPEN AND INFORMAL.*

23 EXCEPT AS OTHERWISE PROVIDED BY LAW OR BY RULE OR REGULATION OF THE OFFICE,  
24 ALL HEARINGS SHALL BE:

25 (1) OPEN TO THE PUBLIC; AND

26 (2) CONDUCTED IN AN ORDERLY BUT INFORMAL MANNER.



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1 **§ 4-28. EVIDENCE.**

2 (A) *IN GENERAL.*

3 EXCEPT AS OTHERWISE PROVIDED BY THIS SECTION OR BY RULE OR REGULATION OF THE  
4 OFFICE, FORMAL RULES OF EVIDENCE AND TRIAL PROCEDURES DO NOT APPLY.

5 (B) *RIGHT TO SUBMIT.*

6 ON A GENUINE ISSUE OF FACT, A PARTY IS ENTITLED TO:

- 7 (1) CALL WITNESSES;  
8 (2) OFFER EVIDENCE, INCLUDING REBUTTAL EVIDENCE;  
9  
10 (3) CROSS-EXAMINE ANY WITNESS THAT ANOTHER PARTY OR THE OFFICE CALLS; AND  
11 (4) PRESENT SUMMATION AND ARGUMENT.

12 (C) *SCOPE.*

13 THE EXECUTIVE DIRECTOR OR HEARING OFFICER:

- 14 (1) MAY ADMIT PROBATIVE EVIDENCE THAT REASONABLE AND PRUDENT INDIVIDUALS  
15 COMMONLY ACCEPT IN THE CONDUCT OF THEIR AFFAIRS AND GIVE PROBATIVE  
16 EFFECT TO THAT EVIDENCE;  
17 (2) MAY NOT EXCLUDE EVIDENCE SOLELY ON THE BASIS THAT IT IS HEARSAY;  
18 (3) MUST GIVE EFFECT TO A PRIVILEGE RECOGNIZED BY LAW;  
19 (4) MAY RECEIVE DOCUMENTARY EVIDENCE IN THE FORM OF COPIES OR EXCERPTS OR  
20 THROUGH INCORPORATION BY REFERENCE;  
21 (5) MAY TAKE OFFICIAL NOTICE OF A FACT THAT IS JUDICIALLY NOTICEABLE OR THAT  
22 IS GENERAL, TECHNICAL, OR SCIENTIFIC AND WITHIN THE SPECIALIZED  
23 KNOWLEDGE OF THE OFFICE; AND  
24 (6) MAY EXCLUDE EVIDENCE THAT IS:  
25 (I) INCOMPETENT;  
26 (II) IRRELEVANT;  
27 (III) IMMATERIAL; OR  
28 (IV) UNDULY REPETITIOUS.

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1 **§ 4-29. HEARING RECORD.**

2 (A) *IN GENERAL.*

3 THE EXECUTIVE DIRECTOR OR THE HEARING OFFICER SHALL MAKE A RECORD OF EACH  
4 HEARING CONDUCTED UNDER THIS SUBTITLE.

5 (B) *CONTENTS OF RECORD.*

6 A HEARING RECORD REQUIRED BY THIS SECTION SHALL INCLUDE:

- 7 (1) ALL DOCUMENTARY EVIDENCE RECEIVED DURING THE HEARING;  
8 (2) A STATEMENT OF EACH FACT OF WHICH OFFICIAL NOTICE HAS BEEN TAKEN;  
9 (3) EACH QUESTION;  
10 (4) EACH OFFER OF PROOF;  
11 (5) EACH OBJECTION AND THE RULING ON THE OBJECTION;  
12 (6) ALL MOTIONS AND PLEADINGS; AND  
13 (7) EACH FINDING OF FACT OR CONCLUSION OF LAW PROPOSED BY A PARTY OR THE  
14 HEARING OFFICER.

15 **§ 4-30. FINAL DECISIONS.**

16 (A) *ISSUANCE.*

17 THE FINAL ADMINISTRATIVE DECISION AND ORDER OF THE OFFICE SHALL BE ISSUED BY  
18 THE EXECUTIVE DIRECTOR.

19 (B) *FORM AND CONTENTS.*

20 A FINAL DECISION MUST:

- 21 (1) BE IN WRITING;  
22 (2) CONTAIN SEPARATE STATEMENTS OF:  
23 (I) THE FINDINGS OF FACT;  
24 (II) THE CONCLUSIONS OF LAW; AND  
25 (III) THE DECISION OR ORDER; AND  
26 (3) A WRITTEN STATEMENT OF APPEAL RIGHTS.

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1 (C) *DISTRIBUTION.*

2 A COPY OF THE FINAL DECISION MUST BE MAILED OR DELIVERED TO EACH PARTY OR THAT  
3 PARTY’S ATTORNEY OF RECORD.

4 **§ 4-31. JUDICIAL AND APPELLATE REVIEW.**

5 (A) *JUDICIAL REVIEW.*

6 A PARTY AGGRIEVED BY A FINAL DECISION UNDER THIS SUBTITLE MAY SEEK JUDICIAL  
7 REVIEW OF THAT DECISION BY PETITION TO THE CIRCUIT COURT FOR BALTIMORE CITY IN  
8 ACCORDANCE WITH THE MARYLAND RULES.

9 (B) *APPELLATE REVIEW.*

10 A PARTY TO THE JUDICIAL REVIEW MAY APPEAL THE COURT’S FINAL JUDGMENT TO THE  
11 COURT OF SPECIAL APPEALS IN ACCORDANCE WITH THE MARYLAND RULES.

12 **SECTION 3. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance  
13 are not law and may not be considered to have been enacted as a part of this or any prior  
14 Ordinance.

15 **SECTION 4. AND BE IT FURTHER ORDAINED,** That, notwithstanding the funding allocation  
16 set forth in § 4-11(c) {“Program funding: Funding allocation”} of Section 2 of this Ordinance,  
17 the Office shall allocate 100% of available Program funding to tenant-based voucher assistance  
18 in the Program’s first full fiscal year.

19 **SECTION 5. AND BE IT FURTHER ORDAINED,** That it is the intent of the City Council that the  
20 Office to End Homelessness is to be the successor entity of the Mayor’s Office of Homeless  
21 Services and that all current employees of the Mayor’s Office of Homeless Services are  
22 transferred to the Office to End Homelessness. The Council further intends that any current  
23 employee that may be transferred to the Office to End Homelessness as a result of this Ordinance  
24 shall be transferred without diminution of that employee’s rights, benefits, employment, or  
25 retirement status.

26 **SECTION 6. AND BE IT FURTHER ORDAINED,** That it is the intent of the City Council for the  
27 individual holding the position of director of the Mayor’s Office of Homeless Services on the  
28 date that this Ordinance is enacted shall assume the position of Executive Director created by  
29 § 4-5 {“Administration of Office”} of Section 2 of this Ordinance on the date that this Ordinance  
30 goes into effect and shall serve in that position until another individual is appointed and qualifies  
31 under the provisions of this Ordinance.

32 **SECTION 7. AND BE IT FURTHER ORDAINED,** That, within 1 year of the enactment of this  
33 Ordinance, the Office shall petition the United States Department of Housing and Urban  
34 Development to allow for the return of Program participants to permanent supportive housing as  
35 provided for in this Ordinance.

36 **SECTION 8. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 180<sup>th</sup>  
37 day after the date it is enacted.

COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

Bill 21-0004

AGENCY REPORTS

@ 02-19-21

City Solicitor	Favorable / Comments
Office of Homeless Services	
Department of Housing and Community Development	
Housing Authority of Baltimore	
Department of Finance	
Police Department	
Health Department	

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CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG  
Mayor



DEPARTMENT OF LAW  
DANA P. MOORE, ACTING CITY SOLICITOR  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

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February 18, 2021

The Honorable President  
Members of the City Council  
c/o Natawna Austin, Executive Secretary  
409 City Hall  
Baltimore, MD 21202

RE: City Council Bill 21-0004 – Office to End Homelessness- Establishment,  
Administration and Permanent Housing Voucher Program

Dear President and Members

You have requested the advice of the Law Department regarding City Council Bill 21-0004. City Council Bill 4 creates the Office to End Homelessness (“Office”) and provides for the administration of the Office. The bill also establishes the Permanent Housing Voucher Program which will be administered by the Office pursuant to the procedures in the bill.

**Power of the City Council to Create an “Office”**

Section 1(a) of Article VII of the Baltimore City Charter provides that “the executive power of the City is vested in the Mayor, the departments, commissions and boards provided for in this article and the special officers, departments, commissions and boards that may be created by law.” Charter, Art. VII, §1(a). Section 2(a) of Article VII allows for ordinances to give additional duties to “a department, officer, commission, board or other municipal agency” so long as those duties are “consistent with the Charter and subject to the supervision of a superior municipal officer or agency.” Clearly, the City Council may by ordinance create a department or office.

In addition, under Art. IV, Sec. 4 the Mayor is deemed the “chief executive officer of the City [and] shall see that ordinances and resolutions are duly and faithfully executed, and shall have general supervision over all municipal officers and agencies” and “subject to more specific provisions of the Charter, the Mayor shall have general responsibility for the economic development of the City.” This gives the Mayor’s Office the ability to provide for certain programs subject to the Charter/s grants of power to departments.

With respect to the legislative authority of the City Council, the Md. Constitution, Art. XI, Sec. 3 provides that “from and after the adoption of a charter by the City of Baltimore, or any County of this State, as hereinbefore provided, the Mayor of Baltimore and City Council of the City of Baltimore or the County Council of said County, subject to the Constitution and Public General Laws of this State, shall have full power to enact local laws of said City or County including the power to repeal or amend local laws of said City or County enacted by the General

Assembly, upon all matters covered by the express powers granted ....”

From these provisions, it can be gleaned that a department, board or commission may be created by laws other than the Charter but in order for the City Council to do this by ordinance, the power to provide for the purpose of the office must also be within the express powers of the Mayor and City Council granted to it by the General Assembly or granted by public general law. There is no specific authority in the City’s Express Powers i.e. Art. II of the Charter or in public general law to provide for the purpose of the Office which is providing permanent housing vouchers to eligible City residents. This may be because State and federal law already provide for the operation of housing voucher programs and other housing initiatives and provide for the allocation of funds and the use of funds for that purpose.

State law provides for the creation of local housing authorities. Md. Ann. Code Housing and Comm. Dev. Art. Div.II. Sec. 12-401 states that it is State policy that an authority: (1) shall manage and operate its housing projects efficiently to enable it to fix the rent for housing units at the lowest rates consistent with its providing decent, safe, and sanitary housing units and meeting the financial needs under subsection (b) of this section; but (2) may not operate for profit or as a source of revenue to the political subdivision.

Except as provided in § 12-208 of this subtitle, in each political subdivision, there is a public body corporate and politic known as the “housing authority” of the political subdivision or as otherwise designated in the articles of organization. Sec. 12-201. Title 15 of the Housing and Comm. Dev. Art. establishes the Baltimore City Housing Authority (HABC). The Housing Authority of Baltimore City is a public body corporate and politic that: (1) exercises public and essential governmental functions; and (2) has all the powers necessary or convenient to carry out the purposes of this Division II.

In addition to the broad grant of power to housing authorities in Subtitle 12, Sec. 15-102 grants certain specific powers to the HABC. Those powers include the power to “make rent subsidy payments to or for persons of eligible income.” Id. In addition an Authority may also make rent subsidy payments to or on behalf of persons of eligible income and rent out houses, accommodations, lands, buildings, structures, or facilities in a housing project. Sec. 12-502(d).

State law only references voucher programs for Baltimore City in the context of HABC. The City Code provisions regarding the Department of Housing and Community Development do not contain comprehensive provisions for rent subsidy programs and the HCD website refers residents to HABC for voucher programs information. <https://dhcd.baltimorecity.gov/nd/affordable-housing>. In fact, the stated purpose of the State law is to “authorize each authority to do all that is necessary or desirable to secure the financial aid or cooperation of political subdivisions, State government, or federal government to help the authority undertake, construct, maintain, or operate a housing project.” Sec. 12-103.

As far as federally funded voucher programs are concerned, the Mayor’s Office of Homeless Services (MOHS) is the designated lead agency for the Continuum of Care program and works on implementing federal, state and local policy and best practices. <https://homeless.baltimorecity.gov/about-1> and 24 CFR Part 578. Baltimore City Continuum of Care (CoC) is a collaborative body that promotes community-wide commitment to the goal of

making homelessness rare, brief, and non-recurring in Baltimore City. The CoC is organized to carry out responsibilities assigned by the Department of Housing and Urban Development's (HUD) CoC Program and coordinates available resources and stakeholders' efforts. <https://journeyhomebaltimore.org/baltimore-city-continuum-of-care/> and 24 CFR Part 578. Each year HUD competitively awards homeless services funding through the CoC Program. Continuum of Care Program funds may be used in most cases for projects under three program components: permanent housing, supportive services only, and HMIS. These funds are competitively awarded both at the local level and national level. Over 75% of the annual CoC project funding to Baltimore City is allocated to permanent supportive housing programs, which provide permanent housing subsidies coupled with supportive services to people who are chronically homeless. Id.

Between the State and federal laws giving authority to HABC and MOHS/CoC, there does not seem to be authority or opportunity for another voucher program. Not only is there a lack of authority in the City Council to operate a voucher program, it would seem unlikely that such a program could obtain adequate funding to ensure the ability to sustain funding for vouchers over an extended period of time. In conclusion, although the City Council can in general create a department or office it may not do so if, there is not authority for the office perform the desired function.

### **Source of Funding**

There is a mandate in the Charter for the disbursement from the AHTF. Art. I, Sec.14(d)(5) gives the AHTF Comm. the authority to make “ recommendations, advise, and consult with the Department of Housing and Community Development regarding the establishment of essential policies, rules, and regulations relating to the implementation, expenditures, and ongoing operation of the trust fund.” Pursuant to this authority, the AHTF has in cooperation with HCD, made recommendations on spending priorities. There was no priority set to fund the Office to End Homelessness. The Office will have to apply to the AHTF for funding pursuant to the process set by the AHTF and ultimately approved by HCD.

### **Additional Legal Issues**


Section 4-19 of the bill provides that the Office may issue a request for proposals and subsequently contract with housing provider for project-based programs. Depending on the circumstances, the Office may be able to issue a request for proposals (RFP). The Office , however, cannot contract with the housing provider. The Office is not a legal entity onto itself. The Mayor and City Council is the body that has the legal authority to enter into contracts. Most contracts would also require Board of Estimates approval.

Section 4-22(A) purports to establish conditions under which housing assistance may be terminated. Section 4-22(B,) however, states that termination is reserved for the most severe and egregious violations of 4-22(A). This section is vague and subjective and does not give a person adequate notice of what would be a violation of the law and vests unguided discretion in the Office which amounts to an illegal delegation of legislative authority to the Office. The grounds for termination in (A) should be revised to state with clarity the circumstances under which termination of assistance payments would take place. For example,

Sec. 4-22(A)(1) should be revised to designate what lease violations are considered serious and how many violations have to occur to trigger eviction and therefore qualify the situation for subsidy termination.

Based on the foregoing analysis, if the problems noted are remedied, the Law Department could approve the bill for form and legal sufficiency. Please do not hesitate to contact me if you have any questions.

Sincerely yours,

A handwritten signature in cursive script that reads "Elena DiPietro".

Elena R. DiPietro  
Chief Solicitor

cc: James L. Shea, City Solicitor  
Matthew Stegman, Presidents' Office  
Nikki Thompson, President's Office  
Nina Themelis, MOGR  
Hilary Ruley, Chief Solicitor  
Victor Tervalá, Chief Solicitor  
Ashlea Brown, Assistant Solicitor  
Avery Aisenstark, Legislative Reference



COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT

Bill 21-0004

# Communications

### **Testimony in Support of Council Bill 21-0004 (2021)**

Office to End Homelessness - Establishment, Administration, and Permanent Housing Voucher Program

*Before the Economic and Community Development Committee: February 23, 2021*

Bill 21-0004 promotes this Council’s goal to make homelessness “rare, brief, and non-recurring.” Through this bill, Baltimore City would adopt a more comprehensive plan to end homelessness and promote access to permanent housing for individuals and families. It establishes the Baltimore City Office to End Homelessness to provide programs and services to those who are homeless or at risk of homelessness and to oversee the Permanent Housing Voucher Program. This bill, if enacted, would promote important community and public health goals throughout the City by preventing homelessness, aiding in the quick transition out of homelessness, and providing vouchers for permanent and affordable housing.

#### **Homelessness in Baltimore City**

The ravaging effects of homelessness have been felt by thousands of members of our community. From just 2018 to 2019, about 11,800 people were homeless and received services in Baltimore.<sup>1</sup> The annual Point-In-Time (“PIT”) Count further found that over 2,100 Baltimore community members were homeless on a single night in January 2020. The disproportionate majority of people experiencing homelessness were Black. Many others were made vulnerable to homelessness due to severe mental illness and substance use disorders. While most were single adults, an alarming number of families also experienced homelessness.<sup>2</sup>

Data will likely reveal a new reality in the wake of the pandemic. As a result of COVID-19, many people have lost their jobs and are facing even greater struggles to pay their rent. Once federal and state moratoria to prevent eviction lapse, we are likely to experience a spike in evictions that research shows will increase both COVID-19 contraction and mortality.<sup>3</sup>

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<sup>1</sup> *Baltimore City Continuum of Care: Point-In-Time (PIT) Count Report*, MAYOR’S OFFICE OF HOMELESS SERVICES 3 (2020) [“PIT Report”], available at <https://journeyhome.wpengine.com/wp-content/uploads/2020/08/2020-PIT-Count-Report-1.pdf>.

<sup>2</sup> *Baltimore City Continuum of Care: Point-In-Time (PIT) Count Full Preliminary Report*, MAYOR’S OFFICE OF HOMELESS SERVICES 2, available at [https://journeyhome.wpengine.com/wp-content/uploads/2020/08/Full\\_Preliminary-Report.pdf](https://journeyhome.wpengine.com/wp-content/uploads/2020/08/Full_Preliminary-Report.pdf).

<sup>3</sup> Emily A. Benfer et al., *Eviction, Health Inequity, and the Spread of COVID-19: Housing Policy as a Primary Pandemic Mitigation Strategy*, J. URBAN HEALTH 1 (2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7790520/>.

Homelessness will become an even greater social issue in Baltimore as the pandemic continues and the various protections cease.

### **Public Health Impacts of Homelessness and Housing Instability**

Homelessness is a public health crisis that perpetuates a cycle of harmful consequences and disenfranchisement. Medical conditions may lead to homelessness, and homelessness may exacerbate existing chronic health conditions while creating new health problems.<sup>4</sup>

Homelessness makes treatment and medication more difficult to receive, often co-occurs with lack of access to consistent or healthy food sources, exposes people to weather extremes and communicable diseases, and places additional physical strain on the body.<sup>5</sup> People experiencing homelessness suffer higher rates of diabetes, high blood pressure, heart attack, Hepatitis C, HIV, depression, substance use disorders, and intimate partner violence, all of which are difficult to manage and treat without safe and stable housing.<sup>6</sup> They also have higher mortality rates than the general population.<sup>7</sup> Even minor health problems like cuts and colds become dangerous when someone is homeless.<sup>8</sup>

The overlap of homelessness and public health has become even more amplified since the pandemic due to both the nature of the disease and its economic impact. People experiencing homelessness are at an increased risk for contracting COVID-19 due to their reliance on shelters and the difficulty of social distancing. In one study, people who were homeless with COVID-19 were at least twice as likely to be hospitalized, to require treatment in the ICU, and to die.<sup>9</sup>

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<sup>4</sup> NAT'L ALLIANCE TO END HOMELESSNESS, *Health* (last visited Feb. 11, 2021), available at <https://endhomelessness.org/homelessness-in-america/what-causes-homelessness/health/>.

<sup>5</sup> *Id.* Anna Bailey, *Housing Vouchers Work: Vouchers the Best Tool to End Homelessness*, CTR. ON BUDGET AN POL'Y PRIORITIES (Apr. 6, 2017, 2:15 p.m.), <https://www.cbpp.org/blog/housing-vouchers-work-vouchers-the-best-tool-to-end-homelessness>.

<sup>6</sup> NAT'L HEALTH CARE FOR THE HOMELESS COUNCIL, *Homelessness & Health: What's the Connection?* (2019), <https://nhchc.org/wp-content/uploads/2019/08/homelessness-and-health.pdf>; U.S. DEP'T OF HOUSING & URBAN DEV., *Office of Policy Development & Research, Family Options Study, Short-Term Impacts of Housing and Services Interventions for Homeless Families* (July 2015) ["HUD Family Options Study"], [https://www.huduser.gov/portal/portal/sites/default/files/pdf/familyoptionsstudy\\_final.pdf](https://www.huduser.gov/portal/portal/sites/default/files/pdf/familyoptionsstudy_final.pdf).

<sup>7</sup> AM. PUBLIC HEALTH ASSOC., *Housing and Homelessness as a Public Health Issue* (Nov. 7, 2017), <https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2018/01/18/housing-and-homelessness-as-a-public-health-issue>; Melissa Gambatese, et al., *Programmatic Impact of 5 Years of Mortality Surveillance of New York City Homeless Populations*, AM. J. PUBLIC HEALTH S193–S198 (2013).

<sup>8</sup> NAT'L ALLIANCE TO END HOMELESSNESS, *supra* note 4.

<sup>9</sup> Hannah Eichner, *Homelessness and Health in the Time of COVID-19*, NAT'L HEALTH LAW PROGRAM (Aug. 10, 2020), <https://healthlaw.org/homelessness-and-health-in-the-time-of-covid-19/>. See Dennis P. Culhane et al.,

The impact of COVID-19 on the economy also creates additional risks. The number one cause of homelessness identified by survey participants in the Baltimore PIT Count was unemployment. In the midst of COVID-19, 32% of Black and 41% of Latinx adults lost jobs due to the pandemic, with women suffering the largest decrease in employment.<sup>10</sup> These numbers show that Black and Latinx community members will continue to bear the brunt of our lack of financial resources and will continue to be exposed to greater health risks as a result. Now more than ever, homelessness is a matter of life and death.

“Health cannot happen without housing.”<sup>11</sup> For as damaging as the health impacts are when someone is homeless, the opposite is also true: stable housing promotes positive health outcomes. Organizations such as the World Health Organization, the Centers for Disease Control and Prevention, and the Kaiser Family Foundation have recognized that housing is a crucial “social determinant of health”—one of the key “conditions in the places where people live, learn, work, and play that affect a wide range of health and quality-of-life risks and outcomes.”<sup>12</sup> We cannot support positive health outcomes for our community when some members are unable to meet their basic needs of safety and shelter.

### **The Effectiveness of Housing Voucher Programs and Homelessness Support Services**

Vouchers address the combination of conditions that creates homelessness: lack of permanent and affordable housing and inability to pay.<sup>13</sup> Research shows that families with housing vouchers have reduced rates of housing instability, hospitalization, food insecurity, intimate partner violence, and child separations.<sup>14</sup> Stable housing is also positively associated

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*Estimated Emergency and Observational/Quarantine Capacity Need for the US Homeless Population Related to COVID-19 Exposure by County; Projected Hospitalizations, Intensive Care Units, and Mortality* (2020), [https://works.bepress.com/dennis\\_culhane/237/](https://works.bepress.com/dennis_culhane/237/).

<sup>10</sup> Jaboa Lake, *The Pandemic Has Exacerbated Housing Instability for Renters of Color*, CTR. FOR AM. PROGRESS (Oct. 30, 2020, 9:02 a.m.), <https://www.americanprogress.org/issues/poverty/reports/2020/10/30/492606/pandemic-exacerbated-housing-instability-renters-color/>; Kim Parker et al., *About Half of Lower-Income Americans Report Household Job or Wage Loss Due to COVID-19*, PEW RSCH. CTR. (Apr. 21, 2020), <https://www.pewresearch.org/social-trends/2020/04/21/about-half-of-lower-income-americans-report-household-job-or-wage-loss-due-to-covid-19/>.

<sup>11</sup> Bechara Choucair, *Housing for Health: Why Health Cannot Happen Without Housing*, KAISER PERMANENTE (Aug. 29, 2019), <https://about.kaiserpermanente.org/community-health/news/housing-for-health--why-health-cannot-happen-without-housing>.

<sup>12</sup> CTRS. FOR DISEASE CONTROL AND PREVENTION, *Social Determinants of Health: Know What Affects Health* (last accessed Feb. 19, 2021, 9:30 AM), <https://www.cdc.gov/socialdeterminants/index.htm>.

<sup>13</sup> Anna Bailey, *supra* note 5.

<sup>14</sup> *Id.* HUD Family Options Study, *supra* note 6.

with improved treatment of chronic conditions, better management of medications, better nutrition in children, and child success in meeting developmental milestones.<sup>15</sup> Voucher programs help families meet their basic needs and reduce the negative health risks associated with homelessness and housing instability.

Perhaps the most compelling support for voucher programs comes from our own community members experiencing homelessness. The PIT Count survey asked respondents about which resource would best address their homelessness crisis. The most requested resource was overwhelmingly a housing voucher program with support services, in contrast to less desired options of transitional housing, group homes, and shelters.<sup>16</sup> By providing resources to both prevent homelessness and promote housing stability, this bill addresses that very need.

### **Conclusion**

The health impacts caused and exacerbated by homelessness are evidence that our community members suffer when they lack access to basic needs like housing. Housing instability makes it difficult for residents to invest in their social relationships and neighborhoods,<sup>17</sup> disrupting the very fabric of our community. As a resident of Baltimore and a student studying public health law, I hope for a community where all of our members are able to benefit and contribute. However, we cannot expect community members to be free to engage in our community when they have to worry about how to keep themselves and their children safe at night. By creating an office with the mission to end homelessness and providing more opportunities for permanent, affordable housing, this bill will help to ensure that all Baltimoreans are valued and cared for as our neighbors.

*This testimony is submitted on behalf of the Public Health Law Clinic at the University of Maryland Carey School of Law and not by the School of Law, the University of Maryland, Baltimore, or the University of Maryland System.*

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<sup>15</sup> Thomas Kottke, et al., *Access to Affordable Housing Promotes Health and Well-Being and Reduces Hospital Visits*, PERMANENTE J. (2008), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5737920/>.

<sup>16</sup> PIT Report, *supra* note 1, at 10.

<sup>17</sup> Mathew Desmond & Rachel Tolbert Kimbro, *Eviction's Fallout: Housing, Hardship, and Health*, 94 SOCIAL FORCES 295, 296 (Feb. 24, 2015).