



BALTIMORE HOUSING

SHEILA DIXON
Mayor

PAUL T. GRAZIANO
Executive Director, HABCD
Commissioner, HCDD

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Karen Randle, Executive Secretary

From: Paul T. Graziano, Commissioner

Date: July 8, 2009

Re: **City Council Bill 09-0349 - "Quick-Take" Condemnation - Notice of Proposed Commencement**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 09-0349, which was introduced for the purpose of requiring the City to provide certain notice before it institutes a quick-take condemnation proceeding; defining certain terms; and generally relating to pre-condemnation notice.

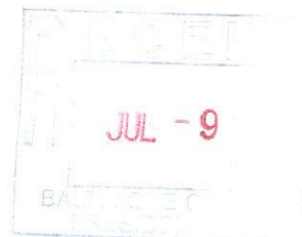
The proposed legislation would require that, prior to commencing a "Quick-Take Proceeding" to acquire a property, the City must notify all known persons with interest in the property including the City Councilmember who represents the district where the property is located at least 10 days in advance of filing the petition. The notification shall contain a brief identification of the property; specify the date in which the City will institute the proceeding; state the reasons the City is taking possession; and include the name of the individual authorized to act on behalf of the City. Service of the notice shall be made either in person or by certified mail to relevant persons and the relevant Councilmember's City Hall office.

DHCD has no objection to notifying the specific City Councilmember of an imminent filing to commence a Quick Take condemnation of a property in that member's district. In recent years, the City has rarely used this form of condemnation to acquire property but we recognize that it is good practice to keep local officials informed should we commence such an action.

One issue of concern regarding City Council Bill 09-0349 is whether its purpose may be preempted by State law. The City's authority to utilize Quick Take powers are granted by the Code of Public Local Laws of Baltimore City, §§ 21-16 AND 21-17 which may only be amended by state statute. Consequently, while the Department of Housing and Community Development has no objection to the adoption of City Council Bill 09-0349, we defer to the Law Department for further comment.

PTG:pmd

cc: Ms. Angela Gibson
Ms. Diane Hutchins
Mr. Andrew Frank



No obj. / Refer to Law.

