

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 14-0317

Introduced by: Councilmembers Clarke, Curran, Henry, Holton, Branch, Middleton,
President Young, Councilmembers Stokes, Reisinger, Scott, Curran, Mosby, Welch
Introduced and read first time: January 27, 2014
Assigned to: Land Use and Transportation Committee

Committee Report: Favorable with amendments
Council action: Adopted
Read second time: June 23, 2014

AN ORDINANCE CONCERNING

Housing – Source of Income Discrimination

FOR the purpose of requiring that housing projects subject to affordable housing requirements make their dwellings available to individuals without distinction based on source of income; prohibiting certain predatory representations based on the source of income of housing occupants; defining certain terms; and generally relating to source of income discrimination.

BY adding

Article 13 - Housing and Urban Renewal
Section(s) 2B-1(1-1) and 2B-25
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 13. Housing and Urban Renewal

Subtitle 2B. Inclusionary Housing Requirements

§ 2B-1. Definitions – General

(L-1) *SOURCE OF INCOME.*

(1) *IN GENERAL.*

“SOURCE OF INCOME” MEANS ANY LAWFUL SOURCE OF MONEY PAID DIRECTLY OR INDIRECTLY TO, OR ON BEHALF OF, A RENTER OR BUYER OF HOUSING.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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1 (2) *INCLUSIONS.*

2 “SOURCE OF INCOME” INCLUDES INCOME FROM:

3 (I) A LAWFUL PROFESSION, OCCUPATION, OR JOB;

4 (II) ANY GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, LOAN, OR RENTAL
5 ASSISTANCE PROGRAM, INCLUDING LOW-INCOME HOUSING ASSISTANCE
6 CERTIFICATES AND VOUCHERS ISSUED UNDER THE UNITED STATES HOUSING
7 ACT OF 1937; OR

8 (III) A GIFT, AN INHERITANCE, A PENSION, AN ANNUITY, ALIMONY, CHILD SUPPORT,
9 OR OTHER CONSIDERATION OR BENEFIT.

10 **§ 2B-25. SOURCE OF INCOME DISCRIMINATION.**

11 (A) *PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS.*

12 FOR ANY UNIT IN ANY RESIDENTIAL PROJECT THAT MEETS THE REQUIREMENTS OF
13 § 2B-21(A), § 2B-22(a), or, WHEN EFFECTIVE, § 2B-23(A) OF THIS SUBTITLE, A PERSON
14 MAY NOT:

15 (1) REFUSE TO SELL OR RENT, REFUSE TO NEGOTIATE FOR THE SALE OR RENTAL OF, OR
16 OTHERWISE MAKE UNAVAILABLE OR DENY, A DWELLING TO ANY PERSON BECAUSE
17 OF THAT PERSON’S SOURCE OF INCOME;

18 (2) DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS, OR PRIVILEGES
19 OF THE SALE OR RENTAL OF A DWELLING, OR RENTAL OF A DWELLING, OR IN THE
20 PROVISION OF SERVICES OR FACILITIES IN CONNECTION WITH THE SALE OR RENTAL
21 OF A DWELLING, BECAUSE OF THAT PERSON’S SOURCE OF INCOME;

22 (3) MAKE, PRINT, OR PUBLISH, OR CAUSE TO BE MADE, PRINTED, OR PUBLISHED, ANY
23 NOTICE, STATEMENT, OR ADVERTISEMENT WITH RESPECT TO THE RENTAL OF A
24 DWELLING THAT INDICATES ANY PREFERENCE, LIMITATION, OR DISCRIMINATION
25 BASED ON THE SOURCE OF INCOME THAT MAY BE USED TO PAY RENT;

26 (4) REPRESENT TO ANY PERSON, BECAUSE OF THAT PERSON’S SOURCE OF INCOME,
27 THAT ANY DWELLING IS NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE
28 DWELLING IS AVAILABLE; OR

29 (5) FOR PROFIT, INDUCE OR ATTEMPT TO INDUCE ANY PERSON TO SELL OR RENT ANY
30 DWELLING BY REPRESENTATIONS REGARDING THE ENTRY OR PROSPECTIVE ENTRY
31 INTO THE NEIGHBORHOOD OF A PERSON USING A PARTICULAR SOURCE OF INCOME.

32 (B) *PROJECTS RECEIVING COST OFFSETS FOR AFFORDABLE HOUSING.*

33 FOR ANY UNIT IN ANY RESIDENTIAL PROJECT THAT RECEIVES A COST OFFSET FROM THE
34 HOUSING COMMISSIONER UNDER § 2B-24 OF THIS SUBTITLE, A PERSON MAY NOT:

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- 1 (1) REFUSE TO SELL OR RENT, REFUSE TO NEGOTIATE FOR THE SALE OR RENTAL OF, OR
2 OTHERWISE MAKE UNAVAILABLE OR DENY, A DWELLING TO ANY PERSON BECAUSE
3 OF THAT PERSON’S SOURCE OF INCOME;

- 4 (2) DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS, OR PRIVILEGES
5 OF THE SALE OR RENTAL OF A DWELLING, OR RENTAL OF A DWELLING, OR IN THE
6 PROVISION OF SERVICES OR FACILITIES IN CONNECTION WITH THE SALE OR RENTAL
7 OF A DWELLING, BECAUSE OF THAT PERSON’S SOURCE OF INCOME;

- 8 (3) MAKE, PRINT, OR PUBLISH, OR CAUSE TO BE MADE, PRINTED, OR PUBLISHED, ANY
9 NOTICE, STATEMENT, OR ADVERTISEMENT WITH RESPECT TO THE RENTAL OF A
10 DWELLING THAT INDICATES ANY PREFERENCE, LIMITATION, OR DISCRIMINATION
11 BASED ON THE SOURCE OF INCOME THAT MAY BE USED TO PAY RENT;

- 12 (4) REPRESENT TO ANY PERSON, BECAUSE OF THAT PERSON’S SOURCE OF INCOME,
13 THAT ANY DWELLING IS NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE
14 DWELLING IS AVAILABLE; OR

- 15 (5) FOR PROFIT, INDUCE OR ATTEMPT TO INDUCE ANY PERSON TO SELL OR RENT ANY
16 DWELLING BY REPRESENTATIONS REGARDING THE ENTRY OR PROSPECTIVE ENTRY
17 INTO THE NEIGHBORHOOD OF A PERSON USING A PARTICULAR SOURCE OF INCOME.

18 (C) *REQUIREMENTS MAY NOT BE WAIVED.*

19 THE REQUIREMENTS OF THIS SECTION MAY NOT BE WAIVED OR MODIFIED UNDER ANY
20 OTHER PROVISION OF THIS SUBTITLE, AND NO RESIDENTIAL PROJECT MAY BE EXEMPTED
21 FROM THE REQUIREMENTS OF THIS SECTION UNDER ANY OTHER PROVISION OF THIS
22 SUBTITLE.

23 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
24 are not law and may not be considered to have been enacted as a part of this or any prior
25 Ordinance.

26 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
27 after the date it is enacted.

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Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City