

**CITY OF BALTIMORE  
COUNCIL BILL 21-0097  
(First Reader)**

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Introduced by: Councilmembers Middleton, Schleifer, Conway, Torrence, Ramos, Glover,  
Cohen, Dorsey, Porter, Bullock, Stokes

Introduced and read first time: June 8, 2021

Assigned to: Economic and Community Development Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Housing and Community  
Development, Department of Finance

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Emergency Security Deposit Relief Act**

3 FOR the purpose of establishing the Emergency Security Deposit Voucher Program; placing a cap  
4 on the amount of money the Emergency Security Deposit Voucher Program can give each  
5 family for a security deposit; providing for certain funding for the Emergency Security  
6 Deposit Voucher Program; setting forth the eligibility requirements for the Emergency  
7 Security Deposit Voucher Program; requiring that the Department of Housing and  
8 Community Development adopt rules and regulations to administer the Emergency Security  
9 Deposit Voucher Program; establishing procedures on a family's admission into the  
10 Emergency Security Deposit Voucher Program; putting certain priorities in place for  
11 distribution of security deposit vouchers; requiring the security deposit voucher to be used  
12 within a certain time frame; making a family liable for the cost of the security deposit  
13 voucher upon a Departmental finding that the family has used the security deposit voucher  
14 improperly; providing for an appeals process in case of a finding of improper use of the  
15 security deposit voucher or denial of a security deposit voucher; defining certain terms; and  
16 providing for termination of this subtitle on a certain date.

17 BY adding

18 Article 13 - Housing and Urban Renewal  
19 Sections 6B-1 through 6B-13, to be under the new subtitle  
20 "Security Deposit Vouchers"  
21 Baltimore City Code  
22 (Edition 2000)

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

25 **Baltimore City Code**

26 **Article 4. Housing and Urban Renewal**

27 **SUBTITLE 6B. SECURITY DEPOSIT VOUCHERS**

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

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1     **§ 6B-1. DEFINITIONS.**

2           (A) *IN GENERAL.*

3                   IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

4           (B) *COMMISSIONER.*

5                   “COMMISSIONER” MEANS THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND  
6                   COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.

7           (C) *DEPARTMENT.*

8                   “DEPARTMENT” MEANS THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

9           (D) *LOW-INCOME HOUSEHOLD.*

10                   “LOW-INCOME HOUSEHOLD” MEANS A FAMILY WHOSE AGGREGATE GROSS INCOME DOES  
11                   NOT EXCEED 60% OF THE AREA MEDIAN INCOME, AS ADJUSTED FOR THE SIZE OF THE  
12                   FAMILY.

13           (E) *FAMILY.*

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

15           (F) *FUND.*

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

18           (G) *PROGRAM.*

19                   “PROGRAM” MEANS THE BALTIMORE CITY EMERGENCY SECURITY DEPOSIT VOUCHER  
20                   PROGRAM.

21           (H) *SECURITY DEPOSIT.*

22                   “SECURITY DEPOSIT” MEANS AN AMOUNT OF MONEY THAT A TENANT PAYS TO A  
23                   LANDLORD THAT THE LANDLORD MUST RETURN TO THE TENANT AT THE END OF THE LEASE  
24                   MINUS ANY AMOUNT THE LANDLORD USED FOR THE TENANT’S:

25                   (1) NON-PAYMENT OF RENT;

26                   (2) BREACH OF THE LEASE; OR

27                   (3) DAMAGE TO PROPERTY.

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1 (I) *SECURITY DEPOSIT VOUCHER; VOUCHER.*

2 “SECURITY DEPOSIT VOUCHER” OR “VOUCHER” MEANS A ONE-TIME PAYMENT BY THE  
3 PROGRAM OF UP TO \$2,000 TOWARD A SECURITY DEPOSIT.

4 **§ 6B-2. PROGRAM ESTABLISHED.**

5 (A) *IN GENERAL.*

6 THERE IS AN EMERGENCY SECURITY DEPOSIT VOUCHER PROGRAM IN BALTIMORE CITY.

7 (B) *PURPOSE.*

8 THE PURPOSE OF THE PROGRAM IS TO PROVIDE FAMILIES WHO ARE IN NEED OF PERMANENT  
9 HOUSING AND WHO HAVE LOW INCOMES WITH SECURITY DEPOSIT VOUCHERS FOR  
10 PERMANENT HOUSING.

11 (C) *ADMINISTRATION.*

12 THE PROGRAM SHALL BE ADMINISTERED BY THE DEPARTMENT.

13 **§ 6B-3. PROGRAM FUNDING.**

14 (A) *IN GENERAL.*

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

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

18 (B) *SUPPLEMENTAL FUNDING.*

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

21 **§ 6B-4. RULES AND REGULATIONS.**

22 (A) *IN GENERAL.*

23 SUBJECT TO THE REQUIREMENTS IN THIS SECTION AND SUBJECT TO TITLE 4  
24 {“ADMINISTRATIVE PROCEDURE ACT - REGULATIONS”} OF THE CITY GENERAL  
25 PROVISIONS ARTICLE, THE DEPARTMENT SHALL ADOPT RULES AND REGULATIONS TO  
26 CARRY OUT THE PROVISIONS OF THIS PART.

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1 (B) *COLLABORATION.*

2 IN DEVELOPING THE RULES AND REGULATIONS REQUIRED BY THIS SECTION AND ANY  
3 SUBSEQUENT AMENDMENTS, THE DEPARTMENT SHALL COLLABORATE WITH THE  
4 AFFORDABLE HOUSING TRUST FUND COMMISSION ESTABLISHED BY CITY CHARTER  
5 ARTICLE I, § 14 AND THE BALTIMORE CITY CONTINUUM OF CARE TO ENSURE  
6 CONSISTENCY OF POLICY AND PROCEDURE.

7 (C) *HEARING PERIOD.*

8 IN ADDITION TO THE REQUIREMENTS SET FORTH IN THE TITLE 4 {"ADMINISTRATIVE  
9 PROCEDURE ACT - REGULATIONS"} OF THE CITY GENERAL PROVISIONS ARTICLE, THE  
10 DEPARTMENT MUST HOLD A PUBLIC HEARING PRIOR TO:

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

12 (2) AMENDING OR REPEALING ANY RULES AND REGULATIONS ADOPTED UNDER THIS  
13 SUBTITLE.

14 **§ 6B-5. PROGRAM ELIGIBILITY.**

15 (A) *APPLICATION REQUIRED.*

16 FAMILIES SEEKING TO PARTICIPATE IN THE PROGRAM SHALL SUBMIT AN APPLICATION TO  
17 THE DEPARTMENT IN THE FORM THE DEPARTMENT REQUIRES.

18 (B) *ELIGIBILITY.*

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

20 (1) RESIDES IN BALTIMORE CITY AT THE TIME OF APPLICATION; AND

21 (2) IS A LOW-INCOME HOUSEHOLD.

22 **§ 6B-6. PROGRAM ADMISSION.**

23 (A) *IN GENERAL.*

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

26 (B) *FUNDING AVAILABILITY.*

27 ADMISSION INTO THE PROGRAM IS SUBJECT TO THE AVAILABILITY OF FUNDS AND IS NOT  
28 AN ENTITLEMENT.

29 **§ 6B-7. {RESERVED}**

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1     **§ 6B-8. VOUCHER PAYMENT.**

2           (A) *MANNER OF PAYMENT.*

3                   A SECURITY DEPOSIT VOUCHER MADE UNDER THIS SECTION SHALL BE GIVEN DIRECTLY TO  
4                   THE TENANT TO PAY THE LANDLORD.

5           (B) *AUDITS.*

6                   THE DEPARTMENT SHALL CONDUCT AUDITS AT LEAST ANNUALLY TO ENSURE THAT  
7                   FAMILIES RECEIVING SECURITY DEPOSIT VOUCHERS ARE:

8                           (1) ELIGIBLE FOR ASSISTANCE; AND

9                           (2) APPROPRIATELY USING THE VOUCHERS TO PAY FOR SECURITY DEPOSITS FOR  
10                           PERMANENT HOUSING.

11     **§ 6B-9. ROOMING UNITS.**

12           (A) *“ROOMING UNIT” DEFINED.*

13                   IN THIS SECTION, “ROOMING UNIT” HAS THE DEFINITION STATED IN § 202.2 OF THE  
14                   BALTIMORE CITY PROPERTY MAINTENANCE CODE.

15           (B) *ASSISTANCE ALLOWED.*

16                   A SECURITY DEPOSIT PAYMENT MADE UNDER THE PROGRAM MAY BE PROVIDED FOR A  
17                   ROOMING UNIT.

18     **§ 6B-10. VOUCHER PRIORITY; EQUITY.**

19                   TO ENSURE THAT VOUCHERS ARE DISBURSED IN AN EQUITABLE MANNER, THE DEPARTMENT  
20                   SHALL PRIORITIZE VOUCHER RECIPIENTS BASED ON:

21                           (1) MEDIAN HOUSEHOLD INCOME IN THE VICINITY OF A FAMILY’S DESIRED PERMANENT  
22                           HOUSING, WITH AREAS WITH THE LOWEST MEDIAN INCOME RECEIVING HIGHEST  
23                           PRIORITY; AND

24                           (2) WHETHER THE FAMILY HAS RECEIVED A SECURITY DEPOSIT VOUCHER FROM THE  
25                           DEPARTMENT IN A PRIOR YEAR.

26     **§ 6B-11. TIME LIMITATIONS FOR USE OF VOUCHER.**

27           (A) *IN GENERAL.*

28                   A FAMILY HAS 180 DAYS TO USE THE SECURITY DEPOSIT VOUCHER TOWARD PAYMENT OF  
29                   A SECURITY DEPOSIT FOR PERMANENT HOUSING.

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1 (B) *EXTENSION.*

2 IF A FAMILY NEEDS MORE TIME TO USE THE SECURITY DEPOSIT VOUCHER TOWARD  
3 PAYMENT OF A SECURITY DEPOSIT, THE FAMILY MUST MAKE A WRITTEN REQUEST FOR  
4 ADDITIONAL TIME TO THE DEPARTMENT.

5 (C) *DEPARTMENTAL DISCRETION.*

6 ON A FINDING OF GOOD CAUSE, THE DEPARTMENT MAY GRANT THE FAMILY'S WRITTEN  
7 REQUEST FOR ADDITIONAL TIME TO USE THE VOUCHER.

8 **§ 6B-12. MISUSE OF VOUCHER.**

9 (A) *IN GENERAL.*

10 IF THE DEPARTMENT FINDS THAT A FAMILY IS USING THE VOUCHER FOR PURPOSES OTHER  
11 THAN PAYMENT OF A SECURITY DEPOSIT FOR PERMANENT HOUSING, THE FAMILY IS LIABLE  
12 FOR THE AMOUNT OF THE VOUCHER, PAYABLE AS PROVIDED IN THE RULES AND  
13 REGULATIONS ADOPTED UNDER THIS SUBTITLE.

14 (B) *WRITTEN NOTICE OF FINDING.*

15 IF THE DEPARTMENT FINDS THAT THE FAMILY IS USING THE VOUCHER FOR PURPOSES  
16 OTHER THAN PAYMENT OF A SECURITY DEPOSIT FOR PERMANENT HOUSING, THE  
17 DEPARTMENT MUST PROVIDE THE FAMILY WITH A WRITTEN NOTICE OF THE FINDING AND  
18 THE FAMILY'S SUBSEQUENT LIABILITY, INCLUDING THE REASONS FOR THE FINDING, WITHIN  
19 15 BUSINESS DAYS OF THE FINDING.

20 (C) *APPEAL.*

21 (1) *IN GENERAL.*

22 THE FAMILY MAY APPEAL THE DEPARTMENTAL FINDING TO THE COMMISSIONER OF  
23 THE DEPARTMENT.

24 (2) *FORMAT OF APPEAL.*

25 IN APPEALING THE DEPARTMENTAL FINDING, THE FAMILY MUST:

26 (I) PUT THE APPEAL IN WRITING;

27 (II) STATE THE REASONS WHY THE DEPARTMENTAL FINDING IS INCORRECT; AND

28 (III) SEND THE APPEAL TO THE COMMISSIONER WITHIN 10 BUSINESS DAYS OF  
29 RECEIPT OF THE DEPARTMENTAL FINDING.

30 (3) *DECISION.*

31 THE COMMISSIONER MUST ISSUE A WRITTEN DECISION WITHIN 15 BUSINESS DAYS OF  
32 RECEIPT OF THE FAMILY'S APPEAL.

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1 **§ 6B-13. DENIAL OF VOUCHER BY THE DEPARTMENT.**

2 (A) *IN GENERAL.*

3 THE DEPARTMENT MAY DENY A VOUCHER TO A FAMILY IF THE DEPARTMENT FINDS THAT  
4 THE FAMILY:

- 5 (1) FAILED TO SUPPLY THE INFORMATION TO THE DEPARTMENT REQUIRED BY THIS  
6 SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE;
- 7 (2) DOES NOT RESIDE IN BALTIMORE CITY AT THE TIME OF APPLICATION; OR
- 8 (3) IS NOT LOW-INCOME HOUSEHOLD.

9 (B) *WRITTEN NOTICE OF DENIAL.*

10 IF THE DEPARTMENT DENIES A FAMILY'S APPLICATION FOR A VOUCHER, IT MUST PROVIDE  
11 THE FAMILY WITH A WRITTEN NOTICE OF THE DENIAL, INCLUDING THE REASONS FOR THE  
12 DENIAL, WITHIN 15 BUSINESS DAYS OF THE DENIAL.

13 (C) *APPEAL.*

14 (1) *IN GENERAL.*

15 THE FAMILY MAY APPEAL THE DEPARTMENT'S DENIAL TO THE COMMISSIONER OF THE  
16 DEPARTMENT.

17 (2) *FORMAT OF APPEAL.*

18 IN APPEALING THE DEPARTMENT'S DENIAL, THE FAMILY MUST:

- 19 (I) PUT THE APPEAL IN WRITING;
- 20 (II) STATE THE REASONS WHY THE DEPARTMENT SHOULD HAVE GRANTED THE  
21 VOUCHER; AND
- 22 (III) SEND THE APPEAL TO THE COMMISSIONER WITHIN 15 BUSINESS DAYS OF  
23 RECEIPT OF THE DEPARTMENT'S WRITTEN DENIAL.

24 (3) *DECISION.*

25 THE COMMISSIONER MUST ISSUE A WRITTEN DECISION WITHIN BUSINESS 15 DAYS OF  
26 RECEIPT OF THE FAMILY'S APPEAL.

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

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1       **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30<sup>th</sup> day  
2 after the date it is enacted. It will remain effective through October 31, 2023, and, immediately  
3 after that date, with no further action by the Mayor and the City Council, this Ordinance will be  
4 abrogated and of no further effect.