



February 28, 2013

The Honorable President and Members
of the Baltimore City Council
Attn: Karen Randle, Executive Secretary
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 13-0176 – Tax Credit – High Performance Market-Rate
Rental Inclusionary Housing

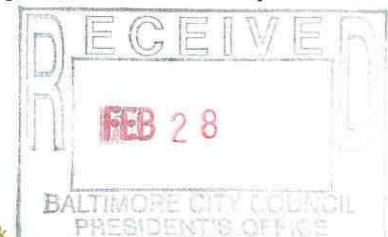
Dear President and City Council Members:

The Law Department has reviewed City Council Bill 13-0176 for form and legal sufficiency. The bill provides a property tax credit for certain newly constructed or converted high-performance market-rate rental housing projects and establishes related limitations, conditions, and qualifications. The bill provides for the administration of the credit. It defines certain terms and sets a date for the program's termination.

Section 9-242 of the Tax- Property Article of the Annotated Code of Maryland permits local governments such as Baltimore City to grant, by law, a local property tax credit for a high performance building. The statute defines a high performance building as a building that:

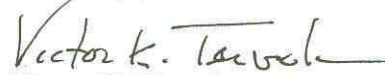
- (i) achieves at least a silver rating according to the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) green building rating system as adopted by the Maryland Green Building Council;*
- (ii) is a residential building that achieves at least a silver rating according to the International Code Council's 700 National Green Building Standards;*
- (iii) achieves at least a comparable rating according to any other appropriate rating system; or*
- (iv) meets comparable green building guidelines or standards approved by the State.*

Md. TAX-PROPERTY Code Ann. § 9-242(a). Besides establishing the tax credit, the State law permits a local government to establish the amount of the property tax credit, its duration, the criteria and qualification necessary to receive the credit, "and any other provisions necessary to carry out this section." § 9-242(c).



Council Bill 13-0176 satisfies the State law requirements. As there are no legal impediments to the adoption of this bill, the Law Department approves it for form and legal sufficiency as drafted.

Sincerely yours,

A handwritten signature in black ink that reads "Victor K. Tervala". The signature is written in a cursive style with a horizontal line underlining the name.

Victor K. Tervala

cc: George Nilson, City Solicitor
Angela C. Gibson, Mayor's Legislative Liaison
Elena DiPietro, Chief Solicitor
Hilary Ruley, Assistant Solicitor