

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 21-0097

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

Committee Report: Favorable, with amendments

Council action: Adopted

Read second time: September 20, 2021

AN ORDINANCE CONCERNING

Emergency Security Deposit Relief Act

1
2 FOR the purpose of establishing the Emergency Security Deposit ~~Voucher Grant~~ Grant Program;
3 placing a cap on the amount of money the Emergency Security Deposit ~~Voucher Grant~~ Grant
4 Program can give each ~~family~~ landlord on behalf of a family for a security deposit; ~~providing~~
5 ~~for certain funding for the Emergency Security Deposit Voucher Program~~; setting forth the
6 eligibility requirements for the Emergency Security Deposit ~~Voucher Grant~~ Grant Program;
7 requiring that the ~~Department of Housing and~~ Mayor's Office of Children and Family
8 ~~Success-Community Development~~ adopt rules and regulations to administer the Emergency
9 Security Deposit ~~Voucher Grant~~ Grant Program; establishing ~~procedures on a family's admission~~
10 ~~into admission procedures for~~ the Emergency Security Deposit ~~Voucher Grant~~ Grant Program;
11 putting certain priorities in place for distribution of security deposit ~~vouchers grants~~;
12 ~~requiring the security deposit voucher to be used within a certain time frame~~; making a family
13 ~~liable for the cost of the security deposit voucher upon a Departmental finding that the family~~
14 ~~has used the security deposit voucher improperly~~; providing for an appeals process in case of
15 a ~~finding of improper use of the security deposit voucher or denial of a security deposit~~
16 ~~voucher grant~~; defining certain terms; and providing for termination of this subtitle on a
17 certain date.

18 BY adding

19 Article 13 - Housing and Urban Renewal

20 Sections 6B-1 through ~~6B-13~~ 6B-10, to be under the new subtitle

21 "Security Deposit ~~Vouchers~~ Grants"

22 Baltimore City Code

23 (Edition 2000)

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

Baltimore City Code

Article 4. Housing and Urban Renewal

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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SUBTITLE 6B. SECURITY DEPOSIT ~~VOUCHERS~~ GRANTS

§ 6B-1. DEFINITIONS.

(A) *IN GENERAL.*

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

(B) DIRECTOR.

“DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE MAYOR’S OFFICE OF CHILDREN AND FAMILY SUCCESS.

~~(B) COMMISSIONER.~~

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

~~(C) DEPARTMENT.~~

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

~~(D) LOW INCOME HOUSEHOLD.~~

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

~~(C)(E) FAMILY.~~

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

~~(F) FUND.~~

~~“FUND” MEANS THE CONTINUING, NONLAPSING FUND ESTABLISHED BY CITY CHARTER ARTICLE I, § 14 (“AFFORDABLE HOUSING TRUST FUND”).~~

(D) MAYOR’S OFFICE.

“MAYOR’S OFFICE” MEANS THE MAYOR’S OFFICE OF CHILDREN AND FAMILY SUCCESS.

~~(E)(G) PROGRAM.~~

“PROGRAM” MEANS THE BALTIMORE CITY EMERGENCY SECURITY DEPOSIT ~~VOUCHER~~ GRANT PROGRAM.

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1 ~~(F)(H)~~ *SECURITY DEPOSIT.*

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

5 (1) NON-PAYMENT OF RENT;

6 (2) BREACH OF THE LEASE; OR

7 (3) DAMAGE TO PROPERTY.

8 ~~(G)(H)~~ *SECURITY DEPOSIT VOUCHER GRANT; VOUCHER GRANT.*

9 “SECURITY DEPOSIT VOUCHER GRANT” OR “VOUCHER GRANT” MEANS A ONE-TIME
10 PAYMENT BY THE PROGRAM OF UP TO \$2,000 TOWARD A SECURITY DEPOSIT AND SHALL
11 NOT BE CONSIDERED INCOME FOR THE TENANT, SUBJECT TO ANY STATE OR FEDERAL LAW
12 GOVERNING THE SOURCE OF FUNDS FOR THIS VOUCHER.

13 **§ 6B-2. PROGRAM ESTABLISHED.**

14 (A) *IN GENERAL.*

15 THERE IS AN EMERGENCY SECURITY DEPOSIT ~~VOUCHER~~ GRANT PROGRAM IN BALTIMORE
16 CITY.

17 (B) *PURPOSE.*

18 THE PURPOSE OF THE PROGRAM IS TO PROVIDE FAMILIES WHO ARE IN NEED OF PERMANENT
19 HOUSING ~~AND WHO HAVE LOW INCOMES~~ WITH SECURITY DEPOSIT ~~VOUCHERS~~ GRANTS FOR
20 PERMANENT HOUSING.

21 (C) *ADMINISTRATION.*

22 THE PROGRAM SHALL BE ADMINISTERED BY THE ~~DEPARTMENT~~ MAYOR’S OFFICE.

23 ~~**§ 6B-3. PROGRAM FUNDING.**~~

24 ~~(A) *IN GENERAL.*~~

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

26 ~~(2) ANY UNUSED OR UNOBLIGATED FUND DISBURSEMENTS SHALL REVERT BACK TO THE~~
27 ~~FUND ON AN ANNUAL BASIS.~~

28 ~~(B) *SUPPLEMENTAL FUNDING.*~~

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

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1 **§ ~~6B-3.~~ 6B-4. RULES AND REGULATIONS.**

2 (A) *IN GENERAL.*

3 SUBJECT TO THE REQUIREMENTS IN THIS SECTION AND SUBJECT TO TITLE 4
4 {"ADMINISTRATIVE PROCEDURE ACT - REGULATIONS"} OF THE CITY GENERAL
5 PROVISIONS ARTICLE, THE ~~DEPARTMENT~~ MAYOR'S OFFICE SHALL ADOPT RULES AND
6 REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS PART.

7 ~~(B) *COLLABORATION.*~~

8 ~~IN DEVELOPING THE RULES AND REGULATIONS REQUIRED BY THIS SECTION AND ANY~~
9 ~~SUBSEQUENT AMENDMENTS, THE DEPARTMENT SHALL COLLABORATE WITH THE~~
10 ~~AFFORDABLE HOUSING TRUST FUND COMMISSION ESTABLISHED BY CITY CHARTER~~
11 ~~ARTICLE I, § 14 AND THE BALTIMORE CITY CONTINUUM OF CARE TO ENSURE~~
12 ~~CONSISTENCY OF POLICY AND PROCEDURE.~~

13 ~~(B) (C) *HEARING PERIOD.*~~

14 IN ADDITION TO THE REQUIREMENTS SET FORTH IN THE TITLE 4 {"ADMINISTRATIVE
15 PROCEDURE ACT - REGULATIONS"} OF THE CITY GENERAL PROVISIONS ARTICLE, THE
16 ~~DEPARTMENT~~ MAYOR'S OFFICE MUST HOLD A PUBLIC HEARING PRIOR TO:

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

18 (2) AMENDING OR REPEALING ANY RULES AND REGULATIONS ADOPTED UNDER THIS
19 SUBTITLE.

20 **§ ~~6B-4.~~ 6B-5. PROGRAM ELIGIBILITY.**

21 (A) *APPLICATION REQUIRED.*

22 FAMILIES SEEKING TO PARTICIPATE IN THE PROGRAM SHALL SUBMIT AN APPLICATION TO
23 THE ~~DEPARTMENT~~ MAYOR'S OFFICE IN THE FORM THE ~~DEPARTMENT~~ MAYOR'S OFFICE
24 REQUIRES.

25 (B) *ELIGIBILITY.*

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

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

28 (2) ~~IS A LOW INCOME HOUSEHOLD~~ MEETS THE INCOME REQUIREMENTS FOR A GRANT.

29 **§ ~~6B-5.~~ 6B-6. PROGRAM ADMISSION.**

30 (A) *IN GENERAL.*

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

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1 (B) *FUNDING AVAILABILITY.*

2 ADMISSION INTO THE PROGRAM IS SUBJECT TO THE AVAILABILITY OF FUNDS AND IS NOT
3 AN ENTITLEMENT.

4 **§ ~~6B-6. 6B-7.~~ {RESERVED}**

5 **§ ~~6B-7. 6B-8.~~ VOUCHER GRANT PAYMENT.**

6 (A) *MANNER OF PAYMENT.*

7 A SECURITY DEPOSIT ~~VOUCHER~~ GRANT MADE UNDER THIS SECTION SHALL BE GIVEN
8 DIRECTLY TO ~~THE TENANT TO PAY THE LANDLORD~~ ON BEHALF OF THE FAMILY.

9 (B) *AUDITS.*

10 THE ~~DEPARTMENT~~ MAYOR'S OFFICE SHALL CONDUCT AUDITS AT LEAST ANNUALLY TO
11 ENSURE THAT FAMILIES RECEIVING SECURITY DEPOSIT ~~VOUCHERS~~ GRANTS ARE ELIGIBLE
12 FOR ASSISTANCE;

13 ~~(1) ELIGIBLE FOR ASSISTANCE; AND-~~

14 ~~(2) APPROPRIATELY USING THE VOUCHERS TO PAY FOR SECURITY DEPOSITS FOR~~
15 ~~PERMANENT HOUSING.~~

16 **§ ~~6B-9.~~ ROOMING UNITS.**

17 (A) ~~“ROOMING UNIT” DEFINED.~~

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

20 (B) ~~ASSISTANCE ALLOWED.~~

21 ~~A SECURITY DEPOSIT PAYMENT MADE UNDER THE PROGRAM MAY BE PROVIDED FOR A~~
22 ~~ROOMING UNIT.~~

23 **§ ~~6B-8. 6B-10.~~ VOUCHER GRANT PRIORITY; EQUITY.**

24 TO ENSURE THAT ~~VOUCHERS~~ GRANTS ARE DISBURSED IN AN EQUITABLE MANNER, THE
25 ~~DEPARTMENT~~ MAYOR'S OFFICE SHALL PRIORITIZE ~~VOUCHER~~ GRANT RECIPIENTS BASED ON:

26 (1) MEDIAN HOUSEHOLD INCOME IN THE VICINITY OF A FAMILY'S DESIRED PERMANENT
27 HOUSING, WITH AREAS WITH THE LOWEST MEDIAN INCOME RECEIVING HIGHEST
28 PRIORITY; AND

29 (2) WHETHER THE FAMILY HAS RECEIVED A SECURITY DEPOSIT ~~VOUCHER~~ GRANT FROM
30 THE ~~DEPARTMENT~~ MAYOR'S OFFICE IN A PRIOR YEAR.

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1 ~~§ 6B-11. TIME LIMITATIONS FOR USE OF VOUCHER.~~

2 ~~(A) IN GENERAL.~~

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

5 ~~(B) EXTENSION.~~

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

9 ~~(C) DEPARTMENTAL DISCRETION.~~

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

12 ~~§ 6B-12. MISUSE OF VOUCHER.~~

13 ~~(A) IN GENERAL.~~

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

18 ~~(B) WRITTEN NOTICE OF FINDING.~~

19 IF THE DEPARTMENT FINDS THAT THE FAMILY IS USING THE VOUCHER FOR PURPOSES
20 OTHER THAN PAYMENT OF A SECURITY DEPOSIT FOR PERMANENT HOUSING, THE
21 DEPARTMENT MUST PROVIDE THE FAMILY WITH A WRITTEN NOTICE OF THE FINDING AND
22 THE FAMILY'S SUBSEQUENT LIABILITY, INCLUDING THE REASONS FOR THE FINDING, WITHIN
23 15 BUSINESS DAYS OF THE FINDING.

24 ~~(C) APPEAL.~~

25 ~~(1) IN GENERAL.~~

26 THE FAMILY MAY APPEAL THE DEPARTMENTAL FINDING TO THE COMMISSIONER OF
27 THE DEPARTMENT.

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1 ~~(2) *FORMAT OF APPEAL.*~~

2 ~~IN APPEALING THE DEPARTMENTAL FINDING, THE FAMILY MUST:~~

3 ~~(I) PUT THE APPEAL IN WRITING;~~

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

5 ~~(III) SEND THE APPEAL TO THE COMMISSIONER WITHIN 10 BUSINESS DAYS OF~~
6 ~~RECEIPT OF THE DEPARTMENTAL FINDING.~~

7 ~~(3) *DECISION.*~~

8 ~~THE COMMISSIONER MUST ISSUE A WRITTEN DECISION WITHIN 15 BUSINESS DAYS OF~~
9 ~~RECEIPT OF THE FAMILY'S APPEAL.~~

10 **§ 6B-9. 6B-13. DENIAL OF VOUCHER GRANT BY THE DEPARTMENT MAYOR'S OFFICE.**

11 (A) *IN GENERAL.*

12 THE ~~DEPARTMENT~~ MAYOR'S OFFICE MAY DENY A ~~VOUCHER~~ GRANT TO A FAMILY IF THE
13 ~~DEPARTMENT~~ MAYOR'S OFFICE FINDS THAT THE FAMILY:

14 (1) FAILED TO SUPPLY THE INFORMATION TO THE ~~DEPARTMENT~~ MAYOR'S OFFICE
15 REQUIRED BY THIS SUBTITLE OR THE RULES AND REGULATIONS ADOPTED UNDER
16 THIS SUBTITLE;

17 (2) DOES NOT RESIDE IN BALTIMORE CITY AT THE TIME OF APPLICATION; OR

18 (3) ~~IS NOT LOW INCOME HOUSEHOLD~~ DOES NOT MEET THE INCOME REQUIREMENTS FOR
19 A GRANT.

20 (B) *WRITTEN NOTICE OF DENIAL.*

21 IF THE ~~DEPARTMENT~~ MAYOR'S OFFICE DENIES A FAMILY'S APPLICATION FOR A ~~VOUCHER~~
22 GRANT, IT MUST PROVIDE THE FAMILY WITH A WRITTEN NOTICE OF THE DENIAL,
23 INCLUDING THE REASONS FOR THE DENIAL, WITHIN 15 BUSINESS DAYS OF THE DENIAL.

24 (C) *APPEAL.*

25 (1) *IN GENERAL.*

26 THE FAMILY MAY APPEAL THE ~~DEPARTMENT'S~~ MAYOR'S OFFICE'S DENIAL TO THE
27 COMMISSIONER DIRECTOR OF THE DEPARTMENT MAYOR'S OFFICE.

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1 (2) *FORMAT OF APPEAL.*

2 IN APPEALING THE ~~DEPARTMENT'S~~ MAYOR'S OFFICE'S DENIAL, THE FAMILY MUST:

3 (I) PUT THE APPEAL IN WRITING;

4 (II) STATE THE REASONS WHY THE ~~DEPARTMENT~~ MAYOR'S OFFICE SHOULD HAVE
5 GRANTED THE ~~VOUCHER~~ GRANT; AND

6 (III) SEND THE APPEAL TO THE ~~COMMISSIONER~~ DIRECTOR WITHIN 15 BUSINESS
7 DAYS OF RECEIPT OF THE ~~DEPARTMENT'S~~ MAYOR'S OFFICE'S WRITTEN
8 DENIAL.

9 (3) *DECISION.*

10 THE ~~COMMISSIONER~~ DIRECTOR MUST ISSUE A WRITTEN DECISION WITHIN BUSINESS 15
11 DAYS OF RECEIPT OF THE FAMILY'S APPEAL.

12 **§ 6B-10. COMPLIANCE.**

13 TENANTS AND LANDLORDS INVOLVED IN THE PROGRAM MUST COMPLY WITH ALL STATE AND
14 LOCAL LAWS REGARDING SECURITY DEPOSITS.

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

18 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
19 after the date it is enacted. It will remain effective through ~~October 31, 2023~~ September 30, 2022,
20 and, immediately after that date, with no further action by the Mayor and the City Council, this
21 Ordinance will be abrogated and of no further effect.

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Certified as duly passed this 20 day of September, 2021



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 20 day of September, 2021



Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City