

CITY OF BALTIMORE
COUNCIL BILL 25-0141
(First Reader)

Introduced by: Councilmember Ramos

Cosponsored by: Councilmembers Middleton, Gray, Bullock, Blanchard, Jones, Conway,
Torrence, Porter, and Glover

Introduced and read first time: December 15, 2025

Assigned to: Housing and Economic Development Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of
Housing and Community Development, Baltimore City Information Technology, Housing
Authority of Baltimore City, Mayor's Office of Immigrant Affairs, Circuit Court for Baltimore
City, Department of Public Works

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Rental Dwelling Health and Safety Enforcement Act**

3 FOR the purpose of updating certain provisions regarding the licensing of rental dwellings;
4 establishing certain penalties; requiring certain information be filed with a registration
5 statement when applying for a rental dwelling license; requiring the Department of Housing
6 and Community Development to promulgate certain regulations; creating a registry of rental
7 inspectors; prohibiting certain actions based on actual or perceived immigration status;
8 establishing certain grounds for the revocation of a rental dwelling license; establishing a
9 process for rental dwelling receivership; making conforming changes; providing for the
10 effective dates of this Ordinance; and generally relating to the enforcement of rental dwelling
11 health and safety standards.

12 BY repealing and re-ordaining, without amendments,
13 Article - Building, Fire, and Related Codes
14 Section 2-103 (IBC §§ 116.1.1)
15 Baltimore City Revised Code
16 (2021 Edition)

17 BY repealing and re-ordaining, with amendments,
18 Article - Building, Fire, and Related Codes
19 Section 2-103 (IBC § 116.7.1)
20 Baltimore City Revised Code
21 (2021 Edition)

22 BY repealing and re-ordaining, with amendments,
23 Article 1 - Mayor, City Council, and Municipal Agencies
24 Section 41-14(5)
25 Baltimore City Code
26 (Edition 2000)

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

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BY repealing and re-ordaining, with amendments,
Article 13 - Housing and Urban Renewal
Sections 4-6, 5-1, 5-4 to 5-8, 5-10, 5-11, 5-15, 5-16, 5-17, 5-20, 5-22, 5-27, and 5-28
Baltimore City Code
(Edition 2000)

BY repealing and re-ordaining, without amendments,
Article 13 - Housing and Urban Renewal
Sections 5-2, 5-9, 5-12, 5-13, 5-19, 5-21, 5-25, and 5-26
Baltimore City Code
(Edition 2000)

BY adding
Article 13 - Housing and Urban Renewal
Section 5-35 to 5-46, and the Part designations,
“Part I. Licensing Procedures” and “Part II. Rental Property Receivership”
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 – Building, Fire, and Related Codes

Part II. International Building Code

§ 2-103. City modifications.

The additions, deletions, amendments, and other modifications adopted by the City are
as follows:

Chapter 1 Scope and Administration

Section 116. Unsafe Structures

116.1 General. Any structure or part of a structure found to be unsafe or unfit for human
habitation or other authorized use must be rehabilitated or, as permitted or required by the
Building Official, demolished.

116.1.1 Scope. A structure may be unsafe or unfit for human habitation or other
authorized use because of:

1. conditions constituting a fire hazard or conditions of damage, decay, dilapidation,
obsolescence, abandonment, vacancy (as described in § 116.4), insanitation, or
vermin or rodent infestation that constitute a hazard to the health, welfare, or
safety of occupants or the public,

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2. lack of sanitation, illumination, ventilation, heating, plumbing, exitways, fire protection, utilities, or other facilities adequate to protect the health, welfare, or safety of occupants or the public, or
3. conditions that are so unsafe, insanitary, overcrowded, improper in use or occupancy, or otherwise dangerous to life, health, welfare, or safety as to create a hazard to occupants or the public.

116.7 Remedial action by Building Official. The Building Official may take action under this § 116.7 whenever the owner, agent, or person in control cannot be found or fails to comply with a notice or order served under this Code:

1. to repair, rehabilitate, stabilize, or demolish an unsafe structure,
2. to clean, close, board, fence, or otherwise safeguard a vacant structure or lot, or
3. to remove high grass and weeds or litter, trash, and debris from the premises of a vacant structure or lot.

116.7.1 Actions authorized. The Building Official may proceed to:

1. have a receiver appointed, [or]
2. FILE FOR RENTAL PROPERTY RECEIVERSHIP UNDER CITY CODE ARTICLE 13, SUBTITLE 5, PART II {"LICENSING OF RENTAL DWELLINGS: RENTAL PROPERTY RECEIVERSHIP"}, IF
 - A. IF THE STRUCTURE IS OR CONTAINS A RENTAL DWELLING UNDER CITY CODE ARTICLE 13 § 5-1(K), AND
 - B. THE RENTAL DWELLING MEETS ALL OTHER REQUIREMENTS FOR A RENTAL PROPERTY RECEIVERSHIP ACTION, AND
3. [2.] complete all or any part of the required work through officers, agents, employees, or contractors.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 41. Civil Citations

§ 41-14. Offenses to which subtitle applies – Listing.

(5) Article 13. Housing and Urban Renewal

§ 5-4. License Required	\$1,000
§ 5-7. PREREQUISITES FOR NEW OR RENEWAL LICENSE – RENTAL INSPECTION.	\$1,000

Article 13. Housing and Urban Renewal

Subtitle 5. Licensing of Rental Dwellings

PART I. LICENSING PROCEDURES

§ 5-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Dwelling unit.*

“Dwelling unit” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

(c) *Housing Commissioner; Commissioner.*

“Housing Commissioner” or “Commissioner” means the Commissioner of Housing and Community Development or the Commissioner’s designee.

(D) *INSPECTION YEAR.*

“INSPECTION YEAR” MEANS THE CALENDAR YEAR.

(E) [(d)] *Multiple-family dwelling.*

“Multiple-family dwelling” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

(F) [(e)] *Non-owner-occupied dwelling unit.*

“Non-owner-occupied dwelling unit” has the meaning stated in § 4-1 of this article.

(G) [(f)] *Person.*

(1) *In general.*

“Person” has the meaning stated in § 1-107(a) {“Person: In general”} of the City Code’s General Provisions Article.

(2) *Qualified inclusion of governmental entities.*

Notwithstanding § 1-107(b) {“Person: Exclusion”} of the General Provisions Article, in this subtitle “person” also includes, except as used in § 5-21 {“Penalties”} of this subtitle, a governmental entity or an instrumentality or unit of a governmental entity.

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(H) [(g)] *Priority dwelling.*

(1) *In general.*

“Priority dwelling” means a rental dwelling:

(i) with 20 or more dwelling units or rooming units; and

(ii) to which 2 or more of the following criteria applied in the preceding calendar year:

A. the rental dwelling was issued a violation notice under the Building, Fire, and Related Codes article relating to interior conditions that remained unabated for more than 90 days;

B. the rental dwelling was issued four or more violation notices under the Building, Fire, and Related Codes article relating to interior conditions; and

C. the number of recorded 311 calls related to health and habitability for a rental dwelling, which may not include requests to summon law enforcement or emergency services as prohibited under § 14-126 of the State Real Property Article, divided by the total number of dwelling and rooming units in that rental dwelling, exceeds the applicable minimum value in the table below; and

Total Number of Units	Minimum Value
20 - 35	0.8
36 - 50	0.7
51 - 75	0.6
76 - 100	0.5
101 - 125	0.4
126 - 150	0.3
151+	0.2

D. the rental dwelling's U.S. Department of Housing and Urban Development (HUD) National Standards for the Physical Inspection of Real Estate (NSPIRE) inspection score for either of the 2 most recent NSPIRE inspections was less than or equal to 79.

(2) *Exceptions.*

This definition does not include any rental dwellings owned and operated by the Housing Authority of Baltimore City.

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(I) [(h)] *Priority DWELLING inspection.*

“Priority DWELLING inspection” means:

- (1) the physical inspection of a priority dwelling conducted by an inspector employed by the Department of Housing and Community Development; and
- (2) the inspector’s written evaluation of the rental dwelling’s compliance with the City’s health and safety standards specified in the rules and regulations adopted by the Commissioner under this subtitle.

(J) *PROPERTY MANAGER.*

“PROPERTY MANAGER” MEANS A PERSON AUTHORIZED BY A PROPERTY OWNER TO OPERATE OR MAINTAIN A RENTAL DWELLING.

(K) [(i)] *Rental dwelling.*

“Rental dwelling” means:

- (1) any multiple-family dwelling;
- (2) any rooming house;
- (3) any supportive housing facility; and
- (4) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased or rented or offered or available for lease or rental in exchange for any form of consideration.

(L) *RENTAL INSPECTION.*

“RENTAL INSPECTION” MEANS:

- (1) THE PHYSICAL INSPECTION OF A RENTAL DWELLING CONDUCTED BY A RENTAL INSPECTOR; AND
- (2) THE RENTAL INSPECTOR’S WRITTEN EVALUATION OF THE RENTAL DWELLING’S COMPLIANCE WITH THE CITY’S HEALTH, SAFETY, AND LICENSING STANDARDS SPECIFIED UNDER § 116.1.1 {“UNSAFE STRUCTURES: GENERAL: SCOPE”} OF THE BALTIMORE CITY BUILDING CODE AND UNDER THIS SUBTITLE.

(M) *RENTAL INSPECTOR.*

“RENTAL INSPECTOR” MEANS AN INDIVIDUAL:

- (1) WHO IS LICENSED AS A HOME INSPECTOR UNDER TITLE 16, SUBTITLE 3A OF THE STATE BUSINESS OCCUPATION AND PROFESSIONS ARTICLE; AND

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(2) WHO, AS REQUIRED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS
SUBTITLE:

(I) HAS REGISTERED WITH THE HOUSING COMMISSIONER AS GENERALLY
AVAILABLE TO INSPECT AND CERTIFY RENTAL DWELLINGS UNDER THIS
SUBSECTION;

(II) HAS, AS SPECIFIED BY THE RULES AND REGULATIONS ADOPTED UNDER THIS
SUBTITLE, SUBMITTED TO THE COMMISSIONER A CONFLICT-OF-INTEREST
STATEMENT; AND

(III) FOR EACH HOME INSPECTION TO BE PERFORMED UNDER THIS SUBSECTION
CERTIFIES THAT NEITHER THE RENTAL INSPECTOR NOR ANY OWNER,
PARTNER, DIRECTOR, OFFICER, EMPLOYEE, OR AGENT OF THE RENTAL
INSPECTOR OR OF THE HOME INSPECTOR'S BUSINESS HAS ANY FINANCIAL
INTEREST IN:

(A) THE RENTAL DWELLING TO BE INSPECTED;

(B) THE OWNER OR OPERATOR OF THAT RENTAL DWELLING; OR

(C) ANY OWNER, PARTNER, DIRECTOR, OFFICER, EMPLOYEE, OR AGENT
OF THE RENTAL DWELLING'S OWNER OR OPERATOR.

(N) [(j)] *Rooming house*.

"Rooming house" has the meaning stated in § 202.2 of the Property Maintenance Code of
Baltimore City.

(O) [(k)] *Rooming unit*.

"Rooming unit" has the meaning stated in § 202.2 of the Property Maintenance Code of
Baltimore City.

(P) [(j)] *Supportive housing facility*.

"Supportive housing facility" has the meaning stated in § 202.2.56 of the Baltimore City
Building Code.

§ 5-2. Rules and regulations.

Subject to Title 4 {"Administrative Procedure Act – Regulations"} of the City General
Provisions Article, the Commissioner may adopt rules and regulations to carry out this
subtitle.

§ 5-3. {Reserved}

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§ 5-4. License required.

(a) *In general.*

Except as provided in subsection (b) of this section, no person may:

(1) rent or offer to rent to another all or any part of any rental dwelling without a currently effective license to do so from the Housing Commissioner; or

(2) charge, accept, retain, or seek to collect any rental payment or other compensation for providing to another the occupancy of all or any part of any rental dwelling unless the person was licensed under this subtitle at both the time of offering to provide and the time of providing this occupancy.

(b) *Exception.*

A license is not required under this subtitle for any rental dwelling that is owned and operated by the Housing Authority of Baltimore City.

(c) *Notice to all occupants.*

(1) When the Department of Housing and Community Development has notice or actual knowledge that a rental dwelling is rented without a license as required in this section, the Commissioner shall promptly notify the record owner or the managing operator, if other than the record owner, to post a notice in the rental dwelling in an area accessible to all occupants.

(2) The notice required in paragraph (1) of this subsection shall include:

(i) a description of the duties and obligations of the record owner and managing operator of the rental dwelling regarding compliance with this subtitle;

(ii) the civil citations and criminal penalties that may arise under §§ 5-25 and 5-26 of this subtitle;

(iii) a statement that each day the violation continues is a separate offense; and

(iv) any additional information the Commissioner deems necessary to include.

(3) The notice [must] SHALL remain posted for at least 90 days or until the building is licensed, whichever is longer.

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(d) *Notice to HABC.*

When the Department of Housing and Community Development has notice or actual knowledge that a rental dwelling is rented without a license as required in this section, the Commissioner shall promptly notify the Housing Authority of Baltimore City, including any information the Commissioner deems necessary.

§ 5-5. Application for new or renewal license.

(a) *In general.*

The application for a new or renewal rental dwelling license [must] SHALL be made in the form and contain the information and documentation that the Housing Commissioner requires.

(b) *By whom to be made.*

The application [must] SHALL be made and signed by:

(1) the record owner of the premises; and

(2) the managing operator of the premises, if other than the record owner.

(c) *Application period for renewal.*

To renew a license issued under this subtitle, an application for renewal [must] SHALL be submitted to the Commissioner no more than 120 days before the license expires.

(d) *License application – Form and contents.*

Each application for a new or renewed license, [must] SHALL contain the following information:

(1) a description of the premises by street number and by block-and-lot numbers;

(2) the name, street address, telephone number, and email address of the rental dwelling's record owner;

(3) the name, street address, telephone number, and email address of the rental dwelling's managing operator, if other than the record owner; and

(4) any other information requested by the Commissioner of the Department of Housing and Community Development or the Commissioner's designee.

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§ 5-6. Prerequisites for new or renewal license – In general.

A rental dwelling license [may] SHALL be issued or renewed under this subtitle only if:

- (1) all dwelling units and rooming units are currently registered as required by Subtitle 4 {“Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures”} of this article;
- (2) all registration fees for these units and all related interest and late fees required by Subtitle 4 have been paid;
- (3) the premises have passed [an] A RENTAL inspection, as required by § 5-7 {“Prerequisites ... – [Inspection”]} RENTAL INSPECTION”} or § 5-10 {“Priority DWELLING inspections”} of this subtitle;
- (4) the premises are in compliance with all federal, State, and City laws and regulations governing lead paint;
- (5) for premises that include a hotel or motel subject to City Code Article 15 {“Licensing and Regulation”}, Subtitle 10 {“Hotels”}, the hotel or motel is in compliance with the training, certification, and posting requirements of that subtitle; [and]
- (6) the premises are not subject to any violation notice or order that:
 - (i) has been issued under the Baltimore City Building, Fire, and Related Codes Article; and
 - (ii) notwithstanding the passage of more than 90 days since its issuance, has not been abated before the license issuance or renewal.

§ 5-7. Prerequisites for new or renewal license – [Inspection.] RENTAL INSPECTION.

(a) *In general.*

The RENTAL inspection required by § 5-6 {“Prerequisites ... – In general”} of this subtitle [must] SHALL comply with either:

- (1) subsection (b) {“Third-party home inspections”} of this section;
- (2) subsection (c) {“Governmental agency inspections”} of this section; or
- (3) § 5-10 {“Priority DWELLING inspections”} of this subtitle.

(b) *Third-party home inspections.*

[(1) *Definitions.*]

[(i) *In general.*]

[In this subsection, the following terms have the meanings indicated.]

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1 [(ii) *Home inspection.*]

2 ["Home inspection" means a home inspector's written evaluation of a rental
3 dwelling's compliance with the City's health and safety standards specified in the
4 Housing Commissioner's rules and regulations adopted under this subtitle.]

5 [(iii) *Home inspector.*]

6 ["Home inspector" means an individual:]

7 [(A) who is licensed as a home inspector under Title 16, Subtitle 3A of the
8 State Business Occupation and Professions Article; and]

9 [(B) who, as required by the rules and regulations adopted under this subtitle:]

10 [1. has registered with the Housing Commissioner as generally
11 available to inspect and certify rental dwellings under this
12 subsection;]

13 [2. has, as specified by the rules and regulations adopted under this
14 subtitle, submitted to the Commissioner a conflict-of-interest
15 statement; and]

16 [3. for each home inspection to be performed under this subsection,
17 certifies that neither the home inspector nor any owner, partner,
18 director, officer, employee, or agent of the home inspector or of the
19 home inspector's business has any financial interest in:]

20 [a. the rental dwelling to be inspected;]

21 [b. the record owner or operator of that rental dwelling; or]

22 [c. any owner, partner, director, officer, employee, or
23 agent of the rental dwelling's record owner or operator.]

24 (1) *REGISTRY OF RENTAL INSPECTORS.*

25 (I) THE HOUSING COMMISSIONER SHALL MAINTAIN A REGISTRY OF RENTAL
26 INSPECTORS.

27 (II) IF THE HOUSING COMMISSIONER FINDS THAT A RENTAL INSPECTOR HAS ISSUED A
28 CERTIFICATE OF SATISFACTORY COMPLIANCE FOR A PROPERTY PURSUANT TO
29 PARAGRAPH (8)(I)(B) OF THIS SUBSECTION, AND THAT THE RENTAL INSPECTOR
30 KNEW OR REASONABLY SHOULD HAVE KNOWN THAT THE PROPERTY WAS NOT IN
31 SATISFACTORY COMPLIANCE:

32 (A) THE HOUSING COMMISSIONER SHALL REMOVE THE RENTAL INSPECTOR
33 FROM THE REGISTRY; AND

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(B) THE RENTAL INSPECTOR MAY NOT PERFORM A RENTAL INSPECTION FOR THE PURPOSES OF THIS SUBTITLE.

(2) *Applicant to contract for timely RENTAL inspection.*

(i) [Before] SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (4) OF THIS SUBSECTION, BEFORE applying for a rental dwelling license or renewal license, the applicant [must,] SHALL, at the applicant's expense, contract with a [home] RENTAL inspector to perform a [home] RENTAL inspection under this section.

(ii) [Inspections] RENTAL INSPECTIONS may not be performed more than 90 days before a person submits an application for a rental dwelling license or an application for renewal of a rental dwelling license to the Commissioner of the Department of Housing and Community Development or the Commissioner's designee.

(3) *SELECTION OF RENTAL INSPECTOR.*

AN APPLICANT, INCLUDING THE RECORD OWNER AND ANY MANAGING OPERATOR, MAY NOT USE THE SAME RENTAL INSPECTOR OR RENTAL INSPECTION COMPANY TWICE IN THE SAME 8-YEAR PERIOD FOR THE SAME PROPERTY.

(4) [(3)] *Number of units to be inspected.*

(i) For any rental dwelling that comprises 9 or fewer dwelling or rooming units, all dwelling and rooming units [must] SHALL be inspected under this subsection.

(ii) For any multiple-family dwelling or rooming house that comprises 10 or more dwelling or rooming units, the number of units that [must] SHALL be inspected are as determined in the rules and regulations adopted under this subtitle.

(5) [(4)] [*Inspector's*] *RENTAL INSPECTOR'S reports and certification.*

(i) After the [home] RENTAL inspection, the [home] RENTAL inspector [must] SHALL issue to the [applicant:] APPLICANT AND THE HOUSING COMMISSIONER:

(A) a written report of every RENTAL inspection conducted under this section;
and

(B) if the rental dwelling meets the City's health and safety standards specified in the rules and regulations adopted under this subtitle, a certificate of satisfactory compliance with those standards.

(ii) The reports and the certification [must] SHALL be:

(A) in the form required by the Commissioner; and

(B) signed by the [home] RENTAL inspector, under oath and under the [home] RENTAL inspector's seal.

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1 (6) *PENALTIES.*

2 (1) *IN GENERAL.*

3 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT
4 PROCEDURE, THIS SUBSECTION MAY BE ENFORCED BY ISSUANCE OF A CIVIL
5 CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}.

6 (II) THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBSECTION DOES NOT PRECLUDE
7 ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED
8 BY LAW.

9 (c) *Governmental agency inspections.*

10 (1) *Scope of subsection.*

11 This subsection applies to any rental dwelling unit that is required to undergo periodic
12 inspections conducted by a governmental agency in accordance with federal or State
13 inspection standards.

14 (2) *Required evidence of compliance with most recent inspection.*

15 For a rental dwelling unit described in paragraph (1) of this subsection, the applicant
16 for a license or renewal license may, in lieu of the requirements of subsection (b)
17 {"Third-party home inspections"} of this section, submit evidence satisfactory to the
18 Housing Commissioner that the unit has passed [the most recent periodic] AN
19 inspection by the applicable governmental agency WITHIN THE PAST 6 MONTHS.

20 (d) *Commissioner to audit RENTAL inspections.*

21 (1) *IN GENERAL.*

22 The Commissioner shall conduct an annual audit of BETWEEN 100 AND 200
23 inspections OF LICENSED PROPERTIES conducted under this section.

24 (2) THE COMMISSIONER SHALL MAKE ALL FINDINGS OF AN AUDIT CONDUCT UNDER THIS
25 SUBSECTION AVAILABLE ON THE CITY'S WEBSITE.

26 (e) *Commissioner's inspection authority not affected.*

27 This section does not in any way prevent or limit the authority of the Housing
28 Commissioner to conduct routine, spot, quality-control, or other inspections of rental
29 dwellings under the City Building, Fire, and Related Codes Article.

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(f) *[Inspection] RENTAL INSPECTION reports – Distribution.*

[Inspection] RENTAL INSPECTION reports used to satisfy § 5-6 {“Prerequisites . . . – In general”} of this subtitle [must] SHALL be distributed by the record owner or, the managing operator, if other than the record owner, to each resident of the rental dwelling for which a person is applying for a new or renewed rental license at the time the application for a new or renewed license is submitted.

§ 5-8. *{Reserved}*

§ 5-9. License terms.

Each rental dwelling license and rental dwelling renewal license issued under this subtitle expires 2 years from the date of issuance.

§ 5-10. Priority DWELLING inspections.

(a) *In general.*

A Department of Housing and Community Development inspector shall conduct priority DWELLING inspections of at least 25 priority dwellings each inspection year.

[(b) *Definition - Inspection year.*]

[In this subsection, the term “inspection year” means the calendar year.]

(B) [(c)] *Identification of priority dwellings.*

Based on data from the previous inspection year, the Department of Housing and Community Development shall identify all priority dwellings in the City by January 31st of each inspection year.

(C) [(d)] *Notification of priority dwelling status.*

Upon identifying a priority dwelling, the Department of Housing and Community Development [must] SHALL notify the record owner and, if one exists, the managing operator, of the following:

(1) [(i)] the factors that are used to identify rental dwellings as priority dwellings; [and;] AND

(2) [(ii)] that, because the dwelling is identified as a priority dwelling, a Department of Housing and Community Development inspector shall issue an environmental citation if a violation of a section of the City’s Property Maintenance Code listed in Article 1, § 40-14(e) {“Provisions and penalties enumerated”} is identified.

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(D) [(e)] *Number and frequency of PRIORITY DWELLING inspections.*

During each inspection year, at least 2 priority DWELLING inspections [must] SHALL be conducted:

(1) at least 4 months apart; and

(2) between the months of February and November.

(E) [(f)] *Number of units to be inspected.*

(1) *In general.*

A Department of Housing and Community Development inspector shall attempt to inspect at least a certain percentage of the total dwelling and rooming units in the priority dwelling, as provided for in the table below.

Total Number of Units	[minimum] MINIMUM Percentage of Total Units
20 - 35	40%
36 - 50	35%
51 - 75	30%
76 - 100	25%
101 - 125	20%
126 - 150	15%
151, or more	10%

(2) *Documentation of PRIORITY DWELLING inspections.*

A Department of Housing and Community Development inspector shall record for each unit if the PRIORITY DWELLING inspection was either ‘attempted’ or ‘completed’.

(F) [(g)] *Notice and meeting requirements — Record owner and managing operator.*

The Commissioner of the Department of Housing and Community Development or the Commissioner’s designee shall notify the record owner and the managing operator of a priority dwelling that:

(1) the record owner and the managing operator shall attend a meeting at a time and place determined by the Commissioner or the Commissioner’s designee to:

(i) discuss unresolved violation notices, complaints, and property maintenance;

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(ii) establish a schedule for the record owner and the managing operator to abate all unresolved violation notices;

(iii) establish a schedule for regular property maintenance to prevent future violations; and

(iv) any other matters deemed appropriate by the Commissioner or the Commissioner's designee; and

(2) failure to attend the meeting described in paragraph (1) shall result in:

(i) the denial of an application for a rental dwelling license;

(ii) the denial of an application for a renewal rental dwelling license; or

(iii) the revocation of a rental dwelling license.

(G) [(e)] *Notice of priority DWELLING inspection.*

(1) *In general.*

The record owner or managing operator of a priority dwelling shall notify all tenants of the date and time of a priority DWELLING inspection no fewer than 20 days prior to the date of the priority DWELLING inspection.

(2) *Anonymous requests for priority DWELLING inspection.*

(i) *In general.*

The record owner and the managing operator shall deliver to all tenants directions to submit an anonymous request that the Department of Housing and Community Development inspector inspect the tenant's dwelling unit or rooming unit as part of the priority DWELLING inspection.

(ii) *Form of instructions.*

The Commissioner of the Department of Housing and Community Development or the Commissioner's designee shall establish the form and content of the instructions delivered to tenants under subparagraph (i) of this paragraph.

§ 5-11. Posting license; license number.

(a) *Dwellings.*

The license issued under this subtitle [must] SHALL be prominently posted:

(1) for a multiple-family dwelling or rooming house, in the vestibule, lobby, or other public place on the premises; and

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(2) for a 1- or 2-family dwelling, in an area of each dwelling unit that is accessible to that unit's occupants and to [housing] RENTAL inspectors.

(b) *Lease agreements.*

A license issued under this subtitle [must] SHALL be provided to:

(1) any prospective tenant who requests an application; and

(2) all existing or future tenants at the time a rental dwelling lease agreement or renewal lease agreement is:

(i) offered;

(ii) executed; or

(iii) renewed.

(c) *Advertising materials.*

(1) *In general.*

Any material advertising a rental dwelling for rent covered by this subtitle [must] SHALL include the rental license number for the advertised rental dwelling.

(2) *Prohibitions.*

Any material advertising a rental dwelling for rent that is covered by this subtitle may not include a rental license number that is, pursuant to this subtitle:

(i) expired;

(ii) suspended; or

(iii) revoked.

(3) *Exceptions.*

Notwithstanding anything contained in this section to the contrary, the record owner and managing operator, if any, of a newly constructed or renovated dwelling unit or rooming unit that does not yet have a rental dwelling license number shall include the following text in any lease agreement, advertising material, or other publicly facing document:

“This is a newly constructed or renovated dwelling unit and does not currently have a rental license. As soon as available, a rental license will be provided to all individuals as required by Article 13, Subtitle 5 {“Licensing of Rental Dwellings”} of the Baltimore City Code.”.

1 **§ 5-12. Transfer of license prohibited.**

2 (a) *In general.*

3 The transfer of a rental license is prohibited under this subtitle.

4 (b) *Application for new license.*

5 A person shall apply for a new rental license according to the procedures established
6 under § 5-5 {"Application for new or renewal license"} of this subtitle within 60 days of
7 assuming:

8 (1) record ownership of a rental dwelling; or

9 (2) operation of a rental dwelling.

10 **§ 5-13. Discontinuance of multiple-family or rooming-house operations.**

11 Notwithstanding any discontinuance, in whole or in part, of a multiple-family dwelling's or a
12 rooming house's operations, a license issued under this subtitle is still required unless the
13 Housing Commissioner has issued a permit reflecting a change of use for the property.

14 **§ 5-14. {Reserved}**

15 **§ 5-15. Denial, suspension, or revocation of license – In general.**

16 (a) *"Nuisance property" defined.*

17 In this section, "nuisance property" means any property that is maintained or operated so
18 as to cause or allow a nuisance of the sort described in any 1 or another of the following
19 definitions:

20 (1) State Code Real Property Article, § 14-120(a)(5) {defining "nuisance"};

21 (2) City Code Article 19, § 43-1(l) {defining "public nuisance"};

22 (3) City Code Article 19, § 43B-1(b) {defining "neighborhood nuisance"}; and

23 (4) City Code Article 19, § 43B-1(o) {defining "unruly social event"}.

24 (b) *Causes for denial, suspension, or revocation.*

25 Subject to the hearing provisions of § 5-16 of this subtitle, the Housing Commissioner
26 may deny, suspend, or revoke a rental dwelling license or renewal license for any of the
27 following causes:

28 (1) making any material false statement in an application for an initial or renewal
29 license;

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- (2) fraudulently or deceptively obtaining a rental dwelling license for oneself or for another;
- (3) fraudulently or deceptively using a rental dwelling license;
- (4) falsifying any RENTAL inspection report or certificate;
- (5) refusal by a record owner or operator of a rental dwelling to allow the Commissioner to conduct a routine, spot, quality-control, proactive, or other inspection of the rental dwelling as authorized by this subtitle or the City Building, Fire, and Related Codes Article;
- (6) failing to abate within 120 days of issuance any violation notice, order, or citation for violating any provision of the City Building, Fire, and Related Codes Article, the City Health Article, or the Zoning Code of Baltimore City;
- (7) failing to abate any violation notice issued during a priority DWELLING inspection within the time required;
- (8) failing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle; [or]
- (9) if the Housing Commissioner finds, or if the Fire Chief, Health Commissioner, or Police Commissioner certify to the Housing Commissioner, that:
 - (i) the record owner, operator, or lessee of a rental dwelling has failed to comply with any lawful notice, order, or citation to correct a violation that affects the health, safety, morals, or general welfare of the occupants of the property or of the general public; or
 - (ii) the record owner, operator, or lessee of a rental dwelling, or any agent of the record owner, operator, or [lessee:] LESSEE HAS ALLOWED THE PREMISES TO BE USED AS A NUISANCE PROPERTY, OR KNEW OR SHOULD HAVE KNOWN THAT THE PREMISES WERE BEING USED AS A NUISANCE PROPERTY AND FAILED TO PREVENT THEM FROM BEING SO USED;
 - [(A) has allowed the premises to be used as a nuisance property; or]
 - [(B) knew or should have known that the premises were being used as a nuisance property and failed to prevent them from being so used.]
- (10) TAKING 1 OF THE FOLLOWING ACTIONS:
 - (I) DEMANDING, REQUESTING, OR COLLECTING INFORMATION REGARDING OR RELATING TO THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY;

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(II) DISCLOSING OR THREATENING TO DISCLOSE INFORMATION REGARDING OR RELATING TO THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT, PROSPECTIVE TENANT, OR APPLICANT TO ANY PERSON, ENTITY, OR LAW ENFORCEMENT AGENCY;

(III) REFUSING TO ENTER INTO A RENTAL AGREEMENT, APPROVE A SUBTENANCY, OR OTHERWISE PRECLUDE FROM OCCUPYING A DWELLING UNIT, A TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY, BASED SOLELY OR IN PART ON THE IMMIGRATION OR CITIZENSHIP STATUS OF THE TENANT, PROSPECTIVE TENANT, OR APPLICANT FOR TENANCY; OR

(IV) BRINGING AN ACTION TO RECOVER POSSESSION OF A DWELLING UNIT BASED SOLELY OR IN PART ON THE IMMIGRATION OR CITIZENSHIP STATUS OF A TENANT; OR

(11) VIOLATING THE PROVISIONS OF § 3-701 {"EXTORTION GENERALLY"} OF THE STATE CRIMINAL LAW ARTICLE.

(C) REINSPECTION REQUIRED.

(1) IN GENERAL.

IF THE HOUSING COMMISSIONER REVOKES A RENTAL DWELLING LICENSE, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL REINSPECT THE PROPERTY BEFORE A NEW LICENSE MAY BE ISSUED.

(2) PROPERTY SHALL PASS.

THE HOUSING COMMISSIONER MAY NOT ISSUE A NEW LICENSE UNLESS THE PROPERTY PASSES THE RENTAL INSPECTION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) REINSPECTION FEE.

THE DEPARTMENT MAY CHARGE AN APPLICANT A FEE OF \$50 PER DWELLING UNIT FOR AN INSPECTION UNDER THIS SUBSECTION.

§ 5-16. Denial, suspension, or revocation of license – Notice and hearing.

(a) In general.

No license may be denied, suspended, or revoked unless the Housing Commissioner first gives the record owner, the managing operator, and the lessees of any dwelling or rooming unit to which the license applies:

(1) not less than 10 days notice in writing of the Commissioner's intent to deny, suspend, or revoke the license; and

(2) an opportunity to be heard as to why the license should not be denied, suspended, or revoked.

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1 (b) *Exception.*

2 The Commissioner may deny, suspend, or revoke a license without prior notice and
3 opportunity to be heard if, in the opinion of the Commissioner or the Fire Chief, Health
4 Commissioner, or Police Commissioner, the health, safety, or welfare of the occupants or
5 of the general public are in imminent danger.

6 (C) *APPEAL.*

7 PURSUANT TO § 128 {“ADMINISTRATIVE AND JUDICIAL REVIEW”} OF THE BALTIMORE
8 CITY BUILDING CODE, ANY PERSON MAY APPEAL A DECISION MADE BY THE
9 COMMISSIONER UNDER THIS SECTION.

10 **§ 5-17. Vacating premises.**

11 (A) *IN GENERAL.*

12 The Commissioner may require a rental dwelling to be vacated within 24 hours AT THE
13 EXPENSE OF THE DEPARTMENT if:

14 (1) the property is being operated without a valid license; and

15 (2) vacating the premises is necessary for the public health, safety, and welfare.

16 (B) *NOTICE REQUIRED.*

17 (1) *IN GENERAL.*

18 IF THE COMMISSIONER REQUIRES A RENTAL DWELLING TO BE VACATED UNDER THIS
19 SECTION, THE COMMISSIONER SHALL PROVIDE NOTICE TO TENANTS BY POSTING A
20 WRITTEN NOTICE ON THE DOOR OF EACH DWELLING UNIT.

21 (2) *CONTENT OF NOTICE.*

22 A NOTICE ISSUED UNDER THIS SUBSECTION SHALL INCLUDE INFORMATION REGARDING
23 ALL RESOURCES AVAILABLE TO TENANTS FOR RELOCATION.

24 **§ 5-18. {Reserved}**

25 **§ 5-19. Impairing constitutional rights.**

26 (a) *“Reasonable accommodation” defined.*

27 In this section, “reasonable accommodation” means affirmative steps that do not impose
28 an undue financial hardship or a substantial burden.

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1 (b) *Prohibited conduct.*

2 No bylaw, rule, or regulation governing a rental dwelling, nor any action or inaction of
3 the governing body or management of a rental dwelling, may:

4 (1) unreasonably impair any rights guaranteed by the Free-Exercise Clause of the
5 First Amendment to the United States Constitution or by Article 36 of the
6 Maryland Declaration of Rights; or

7 (2) prohibit or deny any reasonable accommodation for religious practices.

8 **§ 5-20. Sanitation Guide.**

9 (a) *Preparation of Guide.*

10 The record owner or managing operator of every rental dwelling, other than a hotel or
11 motel, [must] SHALL prepare, in the form and containing the information required by the
12 Commissioner, a Sanitation Guide for the premises that provides notice to all occupants
13 of the requirements and procedures for the separation, disposition, collection, and proper
14 storage pending collection of mixed refuse, recyclable materials, yard waste, bulk trash,
15 and all other forms of garbage, rubbish, waste, and trash.

16 (b) *Dissemination.*

17 A copy of the Sanitation Guide [must] SHALL be:

18 (1) provided to each dwelling unit on the premises; and

19 (2) prominently posted within each common collection room, if any, on the premises.

20 **§ 5-21. {Reserved}**

21 **§ 5-22. Public access to information.**

22 The Housing Commissioner shall make freely available for review on and download from the
23 website of the Department of Housing and Community Development:

24 (1) the license number and license status of any rental dwelling subject to this subtitle;

25 (2) the following records relating to that rental dwelling:

26 (i) violation notices, orders, or citations issued by the Department of Housing and
27 Community Development under this article or the City Building, Fire, and
28 Related Codes Article;

29 (ii) the rental dwelling's status as a priority dwelling for at least the past 5 years;
30 [and]

31 (III) ALL RENTAL INSPECTION RECORDS ASSOCIATED WITH THE RENTAL DWELLING;

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(IV) [(iii)] notices of any denial, suspension, or revocation of the rental dwelling's license; and

(V) ALL DOCUMENTS SUBMITTED BY THE HOLDER OF THE RENTAL DWELLING LICENSE AS PART OF THEIR APPLICATION FOR THE RENTAL DWELLING LICENSE;
AND

(3) the following information:

(i) the address of the rental dwelling;

(ii) the name of the record owner of the rental dwelling;

(iii) the name of the managing operator of the rental dwelling;

(iv) phone numbers for both the record owner and the managing operator of the rental dwelling; and

(v) email addresses for both the record owner and the managing operator of the rental dwelling.

§ 5-23. *{Reserved}*

§ 5-24. Judicial and appellate review.

(a) *Judicial review.*

A person aggrieved by a decision of the Housing Commissioner under this subtitle may seek judicial review of that decision by petition to the Circuit Court for Baltimore City in accordance with the Maryland Rules of Procedure.

(b) *Stays.*

(1) The filing of a petition for judicial review does not stay the decision of the Commissioner.

(2) However, on motion and after hearing, the Court may grant a stay as provided in the Maryland Rules of Procedure.

(c) *Appellate review.*

A party to the judicial review may appeal the court's final judgment to the Court of Special Appeals in accordance with the Maryland Rules of Procedure.

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§ 5-25. Enforcement by citation.

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of an environmental citation as authorized by City Code Article 1, Subtitle 40 {"Environmental Control Board"} or a civil citation under City Code Article 1, Subtitle 41 {"Civil Citations"}.

(b) *Priority dwelling – Citation.*

For priority dwellings, a Department of Housing and Community Development inspector shall issue an environmental citation if a violation of a section of the City's Property Maintenance Code listed in Article 1, § 40-14(e) {"Provisions and penalties enumerated"} is identified.

(c) *Process not exclusive.*

The issuance of an environmental citation to enforce this subtitle does not preclude pursuing any other civil or criminal remedy or enforcement action authorized by law.

(d) *Separate offenses.*

Each day that a violation continues is a separate offense.

§ 5-26. Penalties.

(a) *In general.*

Any person who violates any provision of this subtitle (including any offense listed in § 5-15 of this subtitle as potential cause for a denial, suspension, or revocation of a license) or any provision of a rule, regulation, or order adopted or issued under this subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$1,000 for each offense.

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

§ 5-27. Data collection.

(a) *In general.*

The Commissioner, the City's Chief Data Officer, and any other City employee who maintains data pertaining to priority dwellings or priority DWELLING inspections [must] SHALL collaborate to develop a system to track and analyze priority dwellings and priority DWELLING inspections.

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(b) *Discretion of Commissioner.*

The Department of Housing and Community Development may use existing resources to track and analyze priority dwellings at the discretion of the Commissioner.

§ 5-28. Annual Report.

(a) *In general.*

Not later than May 1 of each year, the Department of Housing and Community Development [must] SHALL submit an annual report for the previous calendar year to the Mayor and the City Council detailing:

- (1) the number of priority dwellings;
- (2) the number of priority dwellings for which the Department of Housing and Community Development conducted 2 priority DWELLING inspections;
- (3) the number of priority dwellings where at least 1 violation notice was issued during a priority DWELLING inspection that was not abated within the allowable time;
- (4) the number of priority dwellings where at least 1 citation was issued during a priority DWELLING inspection;
- (5) the number of attempted priority DWELLING inspections;
- (6) the number of rental licenses revoked under § 5-15(b)(6) of this [subtitle;] FOR BOTH PRIORITY AND NONPRIORITY DWELLINGS;
- (7) the number of rental licenses revoked under § 5-15(b)(7) of this [subtitle;] FOR BOTH PRIORITY AND NONPRIORITY DWELLINGS;
- (8) the total number of rental licenses revoked;
- (9) the number of completed priority DWELLING inspections;
- (10) of the total number of priority DWELLING inspections completed, the percentage of priority inspections that did not yield any violation notices or citations; [and]
- (11) THE NUMBER OF RENTAL PROPERTY RECEIVERSHIP ACTIONS THAT WERE FILED;
- (12) THE NUMBER OF AUDITS PERFORMED;
- (13) THE NUMBER OF COMPLETED RENTAL INSPECTIONS PERFORMED BY THE DEPARTMENT; AND

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(14) [(11)] any other information requested by the Mayor or [by a Resolution of] the City Council.

(b) *Inclusions - All licensed rental dwellings.*

(1) *Totals.*

The annual report required under subsection (a) of this section [must] SHALL include a matrix identifying the following in aggregate for all licensed rental dwellings:

(i) the total number of 3-1-1 complaints;

(ii) the total number of notices issued by the Department of Housing and Community Development;

(iii) the total number of notices abated within 90 days;

(iv) the number of notices for which the Department of Housing and Community Development pursued legal action; and

(v) the total number of citations issued.

(2) *Specific categories.*

The annual report required under subsection (a) of this section [must] SHALL include a matrix identifying the data required under subsection (b)(1) of this section for all licensed rental dwellings in aggregate, for each of the following categories:

(i) heating;

(ii) ventilation;

(iii) plumbing;

(iv) roof leaks;

(v) rodents;

(vi) lead paint;

(vii) fire protection;

(viii) electrical systems;

(ix) water supply;

(x) structural deficiencies;

(xi) insects;

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- (xii) elevators;
- (xiii) weatherproofing; and
- (xiv) appearance of mold.

(c) *Inclusions - Priority dwellings.*

(1) *Totals.*

The annual report required under subsection (a) of this section [must] SHALL include a matrix identifying the following for all priority dwellings:

- (i) the total number of 3-1-1 complaints;
- (ii) the total number of notices issued by the Department of Housing and Community Development;
- (iii) the total number of notices abated within 90 days;
- (iv) the number of notices for which the Department of Housing and Community Development pursued legal action; and
- (v) the total number of citations issued.

(2) *Specific categories.*

The annual report required under subsection (a) of this section [must,] SHALL, for all priority dwellings, include a matrix identifying the data required under subsection (b)(1) of this section for each of the following categories:

- (i) heating;
- (ii) ventilation;
- (iii) plumbing;
- (iv) roof leaks;
- (v) rodents;
- (vi) lead paint;
- (vii) fire protection;
- (viii) electrical systems;
- (ix) water supply;
- (x) structural deficiencies;

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(xi) bed bugs; and

(xii) elevators.

§§ 5-28 TO 5-34. {RESERVED}

PART II. RENTAL PROPERTY RECEIVERSHIP

§ 5-35. SCOPE.

THIS SUBTITLE APPLIES TO A PROPERTY THAT CONTAINS 1 OR MORE RENTAL DWELLING UNITS, AS DEFINED IN § 5-1(G) OF THIS SUBTITLE.

§ 5-36. IN GENERAL.

SUBJECT TO THE PROVISIONS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT AND THIS SUBTITLE, THE HOUSING COMMISSIONER MAY PETITION THE COURT FOR APPOINTMENT OF A RECEIVER TO REHABILITATE A RENTAL PROPERTY, MANAGE ITS OPERATIONS, DEMOLISH IT, OR SELL IT TO A QUALIFIED BUYER IF:

- (1) THE OWNER OF THE RENTAL PROPERTY HAS BEEN CITED BY THE CITY MORE THAN 5 TIMES FOR FAILING TO OBTAIN A RENTAL DWELLING LICENSE UNDER THIS SUBTITLE AND HAS MADE NO ATTEMPT TO BRING THE RENTAL PROPERTY INTO COMPLIANCE; OR
- (2) THE HEALTH AND SAFETY OF THE TENANTS IS THREATENED BECAUSE THE PROPERTY IS UNSAFE FOR HUMAN HABITATION AS DESCRIBED IN:

(I) § 9-9 {"RENT ESCROW LAW: IN GENERAL"} OF THE PUBLIC LOCAL LAWS OF BALTIMORE CITY; AND

(II) § 116.1.1 {"UNSAFE STRUCTURES: GENERAL: SCOPE"} OF THE BALTIMORE CITY BUILDING CODE.

§ 5-37. CONTENTS OF PETITION.

THE HOUSING COMMISSIONER'S PETITION FOR APPOINTMENT OF A RECEIVER SHALL INCLUDE:

- (1) A COPY OF EACH VIOLATION NOTICE OR ORDER AND A DESCRIPTION OF EACH VIOLATION;
- (2) A COPY OF EACH OF THE 5 OR MORE CITATIONS DESCRIBED UNDER § 5-36(1) OF THIS SUBTITLE; AND
- (3) A VERIFIED PLEADING THAT:
 - (I) AVERS THAT THE HEALTH AND SAFETY OF THE TENANTS IS AT RISK AND THE OWNER HAS CONSISTENTLY NOT COMPLIED WITH THIS SUBTITLE;

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(II) IDENTIFIES AND STATES THE QUALIFICATIONS OF THE PROPOSED RECEIVER, IF OTHER THAN THE HOUSING COMMISSIONER AND NAMES A SUITABLE RECEIVER FOR THE COURT TO CONSIDER, IF OTHER THAN THE HOUSING COMMISSIONER; AND

(III) DEMONSTRATES THE CITY'S INTEREST IN THE PROPERTY, AS REQUIRED BY THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

§ 5-38. NAMED RESPONDENTS.

(A) *IN GENERAL.*

THE PETITION FILED PURSUANT TO § 5-37 SHALL NAME AS RESPONDENTS:

(1) THE RECORD OWNER OF THE RENTAL PROPERTY;

(2) ANY LIEN HOLDER ON RECORD;

(3) THE PLAINTIFF IN ANY PROCEEDING THAT WAS TIMELY FILED UNDER STATE TAX – PROPERTY ARTICLE § 14-833 {“FORECLOSING RIGHT OF REDEMPTION”} AND FOR WHICH THE TIME FOR SECURING A DECREE OF FORECLOSURE HAS NOT YET EXPIRED; AND

(4) ANY PERSON OR ENTITY WITH ANY INTEREST IN THE PROPERTY, INCLUDING A SPRINGING INTEREST.

(B) *EFFECT OF FAILURE TO NAME PLAINTIFF.*

FAILURE TO NAME A PERSON DESCRIBED IN SUBSECTION (A) OF THIS SECTION:

(1) DOES NOT PREVENT THE ACTION FROM GOING FORWARD; BUT

(2) DOES PREVENT THE RECEIVER'S LIEN FOR EXPENSES INCURRED IN REHABILITATING, MANAGING, DEMOLISHING, OR SELLING THE RENTAL PROPERTY FROM HAVING PRIORITY OVER THAT PERSON'S LIEN INTEREST.

§ 5-39. NOTICE TO TENANTS.

(A) *IN GENERAL.*

AFTER FILING A PETITION UNDER THIS SUBTITLE, THE DEPARTMENT SHALL PROVIDE NOTICE OF THE PENDING ACTION TO ALL TENANTS.

(B) *CONTENTS.*

THE NOTICE SHALL INCLUDE:

(1) A STATEMENT THAT THE DEPARTMENT HAS FILED FOR RENTAL RECEIVERSHIP UNDER THIS SUBTITLE AND A CASE NUMBER, IF ONE HAS BEEN ASSIGNED;

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(2) CONTACT INFORMATION FOR A PRO BONO LEGAL SERVICE THAT CAN ADVISE
TENANTS OF THEIR RIGHTS DURING THE ACTION; AND

(3) ANY OTHER INFORMATION THE COMMISSIONER FINDS NECESSARY.

(C) *METHOD OF DELIVERY.*

THE NOTICE GIVEN UNDER THIS SUBSECTION SHALL BE:

(1) PROVIDED TO AN OCCUPANT OF EACH DWELLING UNIT; AND

(2) POSTED IN A LOBBY, ELEVATOR, OR OTHER COMMON AREA OF THE PROPERTY, IF
ACCESSIBLE; AND

(3) POSTED ON THE EXTERIOR OF THE BUILDING IN A VISIBLE LOCATION.

§ 5-40. FILING WITH BUREAU OF LIENS.

(A) *IN GENERAL.*

THE HOUSING COMMISSIONER SHALL FILE A NOTICE OF THE PROCEEDING WITH THE
BUREAU OF LIENS.

(B) *INCLUDED DOCUMENTATION.*

THE HOUSING COMMISSIONER SHALL INCLUDE A COPY OF EACH VIOLATION NOTICE OR
ORDER WITH THE NOTICE FILED UNDER SUBSECTION (A) OF THIS SECTION.

(C) *BUREAU TO INCLUDE.*

THE BUREAU OF LIENS SHALL INCLUDE A RECORD OF THE DOCUMENTS FILED UNDER THIS
SECTION IN ITS LIEN REPORTS.

§ 5-41. NOTICE TO JUDGMENT CREDITORS AND LIEN HOLDERS.

(A) *IN GENERAL.*

AFTER FILING THE PETITION AND BEFORE A RECEIVER IS APPOINTED PURSUANT TO THIS
SUBTITLE, THE HOUSING COMMISSIONER SHALL GIVE NOTICE OF THE PENDENCY AND
NATURE OF THE PROCEEDINGS BY REGULAR AND CERTIFIED MAIL TO THE LAST-KNOWN
ADDRESSES OF ALL JUDGMENT CREDITORS AND LIEN HOLDERS WITH A RECORDED
INTEREST IN THE PROPERTY.

(B) *EXCEPTIONS.*

(1) THE NOTICE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION IS NOT REQUIRED FOR
RESPONDENTS NAMED UNDER § 5-38 {"NAMED RESPONDENTS"} OF THIS SUBTITLE.

(2) THE HOUSING COMMISSIONER IS NOT REQUIRED TO SEND NOTICES TO ANY CREDITOR
OR LIEN HOLDER WHOSE INTEREST IN THE PROPERTY IS UNRECORDED.

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§ 5-42. APPOINTMENT OF OWNER, ETC., INSTEAD OF RECEIVER.

(A) IN GENERAL.

INSTEAD OF APPOINTING A RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR SELL A RENTAL PROPERTY, THE COURT MAY PERMIT AN OWNER, MORTGAGEE, OR OTHER PERSON WITH AN INTEREST IN THE PROPERTY TO REHABILITATE, MANAGE, DEMOLISH, OR SELL IT, IF THAT PERSON:

(1) DEMONSTRATES THE ABILITY TO COMPLETE THE REHABILITATION, MANAGEMENT, DEMOLITION, OR SALE WITHIN A REASONABLE TIME;

(2) AGREES TO COMPLY WITH A SPECIFIED SCHEDULE FOR REHABILITATION, MANAGEMENT, DEMOLITION, OR SALE; AND

(3) POSTS BOND, IN AN AMOUNT DETERMINED BY THE COURT, AS SECURITY FOR PERFORMANCE OF THE REQUIRED WORK IN COMPLIANCE WITH THE SPECIFIED SCHEDULE.

(B) APPLICATION TO DISMISS OWNER.

(1) REVOCATION OF APPOINTMENT.

IF IT APPEARS TO THE HOUSING COMMISSIONER THAT THE PERSON APPOINTED IS NOT PROCEEDING WITH DUE DILIGENCE OR IN COMPLIANCE WITH THE COURT-ORDERED SCHEDULE, THE PETITIONER MAY APPLY TO THE COURT FOR IMMEDIATE REVOCATION OF THAT PERSON'S APPOINTMENT AND FOR APPOINTMENT OF A RECEIVER.

(2) BOND.

THE SUBSEQUENTLY APPOINTED RECEIVER SHALL POST SUFFICIENT BOND.

§ 5-43. APPOINTMENT OF RECEIVER.

(A) IN GENERAL.

IF NO QUALIFIED PERSON WITH AN OWNERSHIP INTEREST REQUESTS APPOINTMENT TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY, OR IF AN APPOINTEE IS DISMISSED, THE COURT SHALL THEN APPOINT A RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY.

(B) PARTIES DIVESTED OF AUTHORITY.

ON APPOINTMENT OF A RENTAL RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY, ALL PARTIES ARE DIVESTED OF ANY AUTHORITY TO ACT IN FURTHERANCE OF THOSE GOALS.

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(C) *PENALTIES.*

ANY PARTY, OTHER THAN THE RECEIVER, WHO TAKES ANY STEP TO REHABILITATE, MANAGE, DEMOLISH, OR SELL THE PROPERTY IS SUBJECT TO THE PENALTIES FOR CONTEMPT.

§ 5-44. DUTIES OF RECEIVER.

A RECEIVER APPOINTED PURSUANT TO THIS PART SHALL MANAGE THE PROPERTY FOR UP TO 3 YEARS, WHICH SHALL INCLUDE:

(1) PRESENTING AN ABATEMENT PLAN TO THE COURT THAT BRINGS THE PROPERTY UP TO COMPLIANCE WITH THE CODE, INCLUDING MAKING THE REPAIRS NECESSARY TO ABATE THE HEALTH AND SAFETY VIOLATIONS THAT MADE THE PROPERTY UNSAFE FOR HUMAN HABITATION AS DESCRIBED IN:

(i) § 9-9 {"RENT ESCROW LAW: IN GENERAL"} OF THE PUBLIC LOCAL LAWS OF BALTIMORE CITY; AND

(ii) § 116.1.1 {"UNSAFE STRUCTURES: GENERAL: SCOPE"} OF THE BALTIMORE CITY BUILDING CODE;

(2) ONCE THE ABATEMENT PLAN IS APPROVED BY THE COURT, IMPLEMENTING THE ABATEMENT PLAN IN A TIMELY MANNER, AS OVERSEEN BY THE COURT;

(3) COLLECTING RENT FROM TENANTS AND ABIDING BY ANY RENT ESCROW OR PAYMENT PLANS AUTHORIZED BY THE COURT;

(4) BORROWING FUNDS FOR THE PURPOSE OF MAKING REPAIRS TO BRING THE BUILDING IN COMPLIANCE WITH THE CODE AND IN COMPLIANCE WITH THIS SUBTITLE;

(5) MAINTAINING THE PROPERTY AND ESTABLISHING AND OVERSEEING A MAINTENANCE SCHEDULE;

(6) REPORTING ALL COSTS TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE COURT;

(7) UNDERGOING RENTAL INSPECTIONS AS OUTLINED IN THIS SUBTITLE;

(8) NOTIFYING TENANTS OF THE RECEIVERSHIP AND THEIR RIGHTS;

(9) FACILITATING THE RECEIVERSHIP ACTION;

(10) EXERCISING ANY OTHER POWER GRANTED TO A RECEIVER UNDER § 24-301 {"POWERS AND DUTIES OF RECEIVER"} OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT;
AND

(11) COMPLYING WITH ANY OTHER REQUIREMENTS OF THE COURT.

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§ 5-45. POWERS OF RECEIVER – SALE OF PROPERTY.

IN ADDITION TO ALL NECESSARY AND CUSTOMARY POWERS, AND SUBJECT TO THE REQUIREMENTS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT, A RECEIVER APPOINTED TO REHABILITATE, MANAGE, DEMOLISH, OR SELL A RENTAL PROPERTY MAY SELL THE PROPERTY OR THE LAND UPON WHICH THE PROPERTY FORMERLY STOOD, AT PUBLIC AUCTION OR PRIVATE SALE, FOLLOWING THE PROVISIONS THAT APPLY TO A RECEIVER APPOINTED UNDER RULE 3-722 {"RECEIVERS"} AND TITLE 14, CHAPTER 300 {"JUDICIAL SALES"} OF THE MARYLAND RULES.

§ 5-46. SALE PROCEDURE.

(A) NOTICE OF AUCTION.

IN THE NOTICE OF PUBLIC AUCTION, IT IS SUFFICIENT TO DESCRIBE THE PROPERTY BY A STREET ADDRESS AND BY REFERENCE TO THE LIBER AND FOLIO NUMBER OF THE TITLE DEED RECORDED IN THE LAND RECORDS OF BALTIMORE CITY.

(B) BUYER QUALIFICATIONS.

BEFORE ANY SALE, THE APPLICANTS TO BID IN A PUBLIC SALE OR THE PROPOSED BUYER IN A PRIVATE SALE SHALL DEMONSTRATE THE ABILITY AND EXPERIENCE NEEDED TO MANAGE AND PROPERLY MAINTAIN THE PROPERTY IN ACCORDANCE WITH THE BALTIMORE CITY BUILDING CODE.

(C) APPLICATION FEE.

THE RECEIVER MAY CHARGE A REASONABLE FEE TO APPLICANTS IN CONNECTION WITH THE APPLICATION TO BID AT A PUBLIC SALE OR IN CONNECTION WITH THE SOLICITATION OF OFFERS FOR A PRIVATE SALE.

(D) AUCTION STARTING BID.

IF THE PROPERTY IS BEING SOLD AT PUBLIC AUCTION, THE STARTING BID SHALL BE THE FAIR MARKET VALUE OF THE PROPERTY.

(E) TAX SALE REDEMPTION.

A RECEIVER MAY REDEEM A TAX SALE CERTIFICATE AT ANY TIME AFTER THE RECEIVER'S APPOINTMENT BY COURT.

(F) FINAL ACCOUNTING.

AT THE END OF THE RECEIVER'S TENURE, THE RECEIVER SHALL FILE A FINAL ACCOUNTING WITH THE COURT AND FOLLOW ALL OTHER REQUIREMENTS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

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(G) *PAYMENT OF RECEIVER'S FEES AND EXPENSES.*

SUBJECT TO § 24-701 {"PAYMENT OF FEES AND EXPENSES"} OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT, THE COURT MAY AWARD REASONABLE AND NECESSARY FEES AND EXPENSES TO THE RECEIVER.

(H) *TRANSFER ON SALE.*

FOLLOWING COURT RATIFICATION OF A SALE, A DEED SHALL BE EXECUTED CONVEYING TITLE TO THE BUYER, SUBJECT TO THE REQUIREMENTS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT AND THE MARYLAND RULES.

(I) *DISMISSAL.*

ON THE SALE OF THE PROPERTY, THE RECEIVERSHIP SHALL TERMINATE AS PROVIDED IN THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

(J) *RECEIVERSHIP AUCTION PROCEEDS.*

IF THE PROPERTY IS SOLD AT PUBLIC AUCTION, THE PROCEEDS OF THE SALE OF THE PROPERTY SHALL BE ISSUED IN THE ORDER THE COURT INSTRUCTS, IN ACCORDANCE WITH THE MARYLAND COMMERCIAL RECEIVERSHIP ACT.

SECTION 2. 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

Division II. Dwellings and Vacant Structures

Subtitle 4. Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structure

§ 4-6. Registration Statement.

(a) *Form and contents.*

Each registration statement [must] SHALL be in the form that the Commissioner requires and contain the following information:

(1) a description of the premises by street number or by block-and-lot;

(2) the name, street address, telephone number, and email address of the premises' owner of record;

(3) the name, street address, telephone number, and email address of the premises' managing operator, if other than the owner; [and]

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(4) if the owner is a corporation, partnership, limited partnership, limited liability company, or similar entity, [the name, street address, telephone number, and email address of a natural person who serves as the owner's chief executive officer, managing partner, or managing member, or in a similarly authoritative position.] THE IDENTIFICATION SHALL INCLUDE THE NAME AND ADDRESS OF SUCH CORPORATION TOGETHER WITH THE NAMES, RESIDENCES AND BUSINESS ADDRESSES OF THE OFFICERS;

(5) IF THE OWNER OF A MULTIPLE DWELLING IS A CORPORATION:

(I) THE IDENTIFICATION SHALL ALSO INCLUDE THE NAMES AND ADDRESSES OF ANY PERSON WHOSE SHARE OF OWNERSHIP OF THE CORPORATION EXCEEDS 25%; AND

(II) FOR THE PURPOSES OF THIS DIVISION, ANY PERSON OWNING A SHARE OF A PARENT CORPORATION SHALL BE DEEMED TO BE AN OWNER OF A SHARE OF A SUBSIDIARY CORPORATION EQUAL TO THE PRODUCT OF THE PERCENTAGE OF THEIR OWNERSHIP OF THE PARENT CORPORATION MULTIPLIED BY THE PERCENTAGE OF THE PARENT CORPORATION'S OWNERSHIP OF THE SUBSIDIARY CORPORATION.

(6) IF THE OWNER OF A MULTIPLE DWELLING IS A PARTNERSHIP, THE IDENTIFICATION SHALL INCLUDE:

(I) THE NAME AND BUSINESS ADDRESS OF SUCH PARTNERSHIP TOGETHER WITH THE NAMES AND BUSINESS ADDRESSES OF EACH GENERAL PARTNER; AND

(II) FOR EACH LIMITED PARTNER WHOSE SHARE OF OWNERSHIP OF THE PARTNERSHIP EXCEEDS 25%, THE NAMES AND BUSINESS ADDRESSES OF ALL SUCH LIMITED PARTNERS; AND

(7) IF THE OWNER OF A MULTIPLE DWELLING IS A LIMITED LIABILITY COMPANY OR SIMILAR BUSINESS ENTITY:

(I) THE IDENTIFICATION SHALL INCLUDE THE NAME AND BUSINESS ADDRESS OF SUCH COMPANY TOGETHER WITH THE NAMES AND BUSINESS ADDRESSES OF EACH MEMBER OF THE COMPANY; AND

(II) IF A MEMBER OF THE COMPANY IS NOT A NATURAL PERSON, THE IDENTIFICATION SHALL INCLUDE THE NAMES AND BUSINESS ADDRESSES OF EACH NATURAL PERSON WHO HOLDS A FINANCIAL INTEREST IN THE MEMBER.

(b) Change of listed information.

The Commissioner [must] SHALL be notified within 10 days of any change in the identity of or contact information for the owner of record or any other person listed in the registration statement.

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(C) *INVALID ADDRESS.*

FOR THE PURPOSES OF THIS SECTION, A UNITED STATES POSTAL SERVICE MAIL DELIVERY BOX, A MAIL DELIVERY BOX MAINTAINED THROUGH A PRIVATELY OPERATED MAIL HANDLING FACILITY, OR THE ADDRESS AT WHICH A SIMILAR SERVICE IS PROVIDED SHALL BE DEEMED AN INVALID BUSINESS ADDRESS AND THE DEPARTMENT SHALL NOT ACCEPT FOR FILING ANY REGISTRATION STATEMENT CONTAINING ONLY SUCH AN ADDRESS.

Subtitle 5. Licensing of Rental Dwellings

Part I. Licensing Procedures

§ 5-6. Prerequisites for new or renewal license – In general.

(A) *QUALIFICATIONS.*

A rental dwelling license shall be issued or renewed under this subtitle only if:

- (1) all dwelling units and rooming units are currently registered as required by Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures"} of this article;
- (2) all registration fees for these units and all related interest and late fees required by Subtitle 4 have been paid;
- (3) the premises have passed rental inspection, as required by § 5-7 {"Prerequisites ... – Rental inspection"} or § 5-10 {"Priority dwelling inspections"} of this subtitle;
- (4) the premises are in compliance with all federal, State, and City laws and regulations governing lead paint;
- (5) for premises that include a hotel or motel subject to City Code Article 15 {"Licensing and Regulation"}, Subtitle 10 {"Hotels"}, the hotel or motel is in compliance with the training, certification, and posting requirements of that subtitle; and
- (6) the premises are not subject to any violation notice or order that:
 - (i) has been issued under the Baltimore City Building, Fire, and Related Codes Article; and
 - (ii) notwithstanding the passage of more than 90 days since its issuance, has not been abated before the license issuance or renewal.

(B) *DISQUALIFICATION.*

A RENTAL DWELLING LICENSE MAY NOT BE ISSUED OR RENEWED UNDER THIS SUBTITLE IF THE PROPERTY'S MUNICIPAL WATER BILL REMAINS UNPAID 60 DAYS AFTER THE NOTICE REQUIRED UNDER § 9-724(C)(3) {"WATER SERVICE"} OF THE STATE ENVIRONMENT ARTICLE.

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§ 5-8. PREREQUISITES FOR NEW OR RENEWAL LICENSE – PROPERTY MANAGER.

(A) SCOPE.

THE PROVISIONS OF THIS SUBSECTION APPLY ONLY TO A PROPERTY MANAGER IF THE RENTAL DWELLING THE PROPERTY MANAGER IS OPERATING OR MAINTAINING:

(1) CONSISTS OF 20 OR MORE DWELLING UNITS; AND

(2) 20 OR MORE OF THOSE DWELLING UNITS ARE DESIGNATED HOUSING FOR RESIDENTS AGED 55 YEARS OR OLDER.

(B) CONTENTS.

THE TRAINING REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

(1) THE HEALTH AND SAFETY REQUIREMENTS ESTABLISHED UNDER CITY LAW FOR A RENTAL DWELLING; AND

(2) A METHOD FOR AN EMPLOYEE TO ANONYMOUSLY REPORT A SUSPECTED VIOLATION OF THE HEALTH AND SAFETY REQUIREMENTS TO THE CITY.

(C) TIME LINE FOR COMPLETION.

ALL STAFF SHALL COMPLETE THE TRAINING REQUIRED UNDER THIS SUBSECTION WITHIN 45 DAYS OF THEIR HIRING DATE WITH THE PROPERTY MANAGEMENT COMPANY.

(D) REQUIRED CURRICULUM.

THE CURRICULUM AND TRAINING PROCESS SHALL BE DEVELOPED BY THE COMMISSIONER AND THE OFFICE OF OLDER ADULTS AFFAIRS AND ADVOCACY OR THEIR SUCCESSOR AGENCY.

§ 5-15. Denial, suspension, or revocation of license – In general.

(a) “Nuisance property” defined.

In this section, “nuisance property” means any property that is maintained or operated so as to cause or allow a nuisance of the sort described in any 1 or another of the following definitions:

(1) State Code Real Property Article, § 14-120(a)(5) {defining “nuisance”};

(2) City Code Article 19, § 43-1(l) {defining “public nuisance”};

(3) City Code Article 19, § 43B-1(b) {defining “neighborhood nuisance”}; and

(4) City Code Article 19, § 43B-1(o) {defining “unruly social event”}.

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1 (b) *Causes for denial, suspension, or revocation.*

2 Subject to the hearing provisions of § 5-16(A) of this subtitle, the Housing Commissioner
3 may deny, suspend, or revoke a rental dwelling license or renewal license for any of the
4 following causes:

5 (1) making any material false statement in an application for an initial or renewal
6 license;

7 (2) fraudulently or deceptively obtaining a rental dwelling license for oneself or for
8 another;

9 (3) fraudulently or deceptively using a rental dwelling license;

10 (4) falsifying any rental inspection report or certificate;

11 (5) refusal by a record owner or operator of a rental dwelling to allow the
12 Commissioner to conduct a routine, spot, quality-control, proactive, or other
13 inspection of the rental dwelling as authorized by this subtitle or the City
14 Building, Fire, and Related Codes Article;

15 (6) failing to abate within 120 days of issuance any violation notice, order,
16 or citation for violating any provision of the City Building, Fire, and Related
17 Codes Article, the City Health Article, or the Zoning Code of Baltimore City;

18 (7) failing to abate any violation notice issued during a priority dwelling inspection
19 within the time required;

20 (8) WHEN THE LEASE WAS EXECUTED, THE PROPERTY'S MUNICIPAL WATER BILL
21 REMAINED UNPAID 60 DAYS AFTER THE NOTICE REQUIRED UNDER § 9-724(C)(3)
22 {"WATER SERVICE"} OF THE STATE ENVIRONMENT ARTICLE;

23 (9) [(8)] failing to comply with any provision of this subtitle or of any rule or
24 regulation adopted under this subtitle;

25 (10) [(9)] if the Housing Commissioner finds, or if the Fire Chief, Health
26 Commissioner, or Police Commissioner certify to the Housing Commissioner,
27 that:

28 (i) the record owner, operator, or lessee of a rental dwelling has
29 failed to comply with any lawful notice, order, or citation to correct a
30 violation that affects the health, safety, morals, or general welfare of the
31 occupants of the property or of the general public; or

32 (ii) the record owner, operator, or lessee of a rental dwelling, or any
33 agent of the record owner, operator, or lessee has allowed the premises to
34 be used as a nuisance property, or knew or should have known that the
35 premises were being used as a nuisance property and failed to prevent
36 them from being so used; [or]

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(11) [(10)] taking 1 of the following actions:

(i) demanding, requesting, or collecting information regarding or relating to the immigration or citizenship status of a tenant, prospective tenant, or applicant for tenancy;

(ii) disclosing or threatening to disclose information regarding or relating to the immigration or citizenship status of a tenant, prospective tenant, or applicant to any person, entity, or law enforcement agency;

(iii) refusing to enter into a rental agreement, approve a subtenancy, or otherwise preclude from occupying a dwelling unit, a tenant, prospective tenant, or applicant for tenancy, based solely or in part on the immigration or citizenship status of the tenant, prospective tenant, or applicant for tenancy; [or]

(iv) bringing an action to recover possession of a dwelling unit based solely or in part on the immigration or citizenship status of a tenant; or

(12) [(11)] violating the provisions of § 3-701 {"Extortion generally"} of the State Criminal Law [Article.] ARTICLE; OR

(13) IF APPLICABLE, VIOLATING THE PROVISIONS OF § 5-8 {"PREREQUISITES FOR NEW OR RENEWAL LICENSE – PROPERTY MANAGER"} OF THIS SUBTITLE.

(c) *Reinspection required.*

(1) *In general.*

If the Housing Commissioner revokes a rental dwelling license, a Department of Housing and Community Development inspector shall reinspect the property before a new license may be issued.

(2) *Property shall pass.*

The Housing Commissioner may not issue a new license unless the property passes the rental inspection required under paragraph (1) of this subsection.

(3) *Reinspection fee.*

The Department may charge an applicant a fee of \$50 per dwelling unit for an inspection under this subsection.

SECTION 3. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That Section 2 of this Ordinance shall take effect 6 months after the date it was enacted.

SECTION 4. AND BE IT FURTHER ORDAINED, That, except as provided in Section 3 of this Ordinance, this Ordinance takes effect 30 days after the date it was enacted.