

**AMENDMENTS TO COUNCIL BILL 26-0141  
(1<sup>st</sup> Reader Copy)**

By: Councilmember Ramos  
{To be offered to the Housing and Economic Development Committee}

**Amendment No. 1**

Strike beginning with line 3 on page 1, down through and including line 34 on page 39 and substitute:

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

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

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

20       BY repealing and re-ordaining, with amendments,  
21       Article 1 - Mayor, City Council, and Municipal Agencies  
22       Section 40-14(e)(4)  
23       Baltimore City Code  
24       (Edition 2000)

1 BY repealing and re-ordaining, with amendments,  
2 Article 13 - Housing and Urban Renewal  
3 Sections 4-6, 4-9, 5-1, 5-4 to 5-7, 5-10, 5-11, 5-15, 5-16, 5-17, 5-20, 5-22, 5-24, 5-27,  
4 and 5-28  
5 Baltimore City Code  
6 (Edition 2000)

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

12 BY adding  
13 Article 13 - Housing and Urban Renewal  
14 Sections 5-8, 5-35 to 5-46, and the Part designations,  
15 “Part I. Licensing Procedures” and “Part II. Rental Property Receivership”  
16 Baltimore City Code  
17 (Edition 2000)

18 BY adding  
19 Article 15 - Licensing and Regulation  
20 Section 23-1 to be under the new subtitle designation,  
21 “Subtitle 23. Rental Inspectors”  
22 Baltimore City Code  
23 (Edition 2000)

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

26 **Baltimore City Code**

27 **Article 13. Housing and Urban Renewal**

28 **Division II. Dwellings and Vacant Structures**

29 **Subtitle 5. Licensing of Rental Dwellings**

30 **PART II. RENTAL PROPERTY RECEIVERSHIP**

31 **§ 5-35. SCOPE.**

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

1           **§ 5-36. IN GENERAL.**

2           SUBJECT TO THE PROVISIONS OF THE MARYLAND COMMERCIAL RECEIVERSHIP ACT AND  
3           THIS SUBTITLE, THE HOUSING COMMISSIONER MAY PETITION THE COURT FOR  
4           APPOINTMENT OF A RECEIVER TO REHABILITATE A RENTAL PROPERTY, MANAGE ITS  
5           OPERATIONS, DEMOLISH IT, OR SELL IT TO A QUALIFIED BUYER IF THE HEALTH AND SAFETY  
6           OF THE TENANTS IS THREATENED BECAUSE THE PROPERTY IS UNSAFE FOR HUMAN  
7           HABITATION AS DESCRIBED IN:

8                   (1) § 9-9 {"RENT ESCROW LAW: IN GENERAL"} OF THE PUBLIC LOCAL LAWS OF  
9                   BALTIMORE CITY; AND

10                   (2) § 116.1.1 {"UNSAFE STRUCTURES: GENERAL: SCOPE"} OF THE BALTIMORE CITY  
11                   BUILDING CODE.

12           **§ 5-37. CONTENTS OF PETITION.**

13           THE HOUSING COMMISSIONER’S PETITION FOR APPOINTMENT OF A RECEIVER SHALL  
14           INCLUDE A VERIFIED PLEADING THAT:

15                   (1) AVERS THAT THE HEALTH AND SAFETY OF THE TENANTS IS AT RISK AND THE  
16                   OWNER HAS CONSISTENTLY NOT COMPLIED WITH THIS SUBTITLE;

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

20                   (3) DEMONSTRATES THE CITY’S INTEREST IN THE PROPERTY, AS REQUIRED BY THE  
21                   MARYLAND COMMERCIAL RECEIVERSHIP ACT.

22           **§ 5-38. NAMED RESPONDENTS.**

23                   (A) IN GENERAL.

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

25                   (1) THE RECORD OWNER OF THE RENTAL PROPERTY;

26                   (2) ANY LIEN HOLDER ON RECORD; AND

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

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

2           IN ACCORDANCE WITH TITLE 24 {"MARYLAND COMMERCIAL RECEIVERSHIP ACT" OF  
3           THE STATE COMMERCIAL LAW ARTICLE, FAILURE TO NAME A PERSON DESCRIBED IN  
4           SUBSECTION (A) OF THIS SECTION:

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

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

9           **§ 5-39. NOTICE TO TENANTS.**

10          **(A) IN GENERAL.**

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

13          **(B) CONTENTS.**

14          THE NOTICE SHALL INCLUDE:

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

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

19           (3) ANY OTHER INFORMATION THE COMMISSIONER FINDS NECESSARY.

20          **(C) METHOD OF DELIVERY.**

21          THE NOTICE GIVEN UNDER THIS SUBSECTION SHALL BE:

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

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

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

26          **§ 5-40. FILING WITH BUREAU OF LIENS.**

27          **(A) IN GENERAL.**

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

1           **(B) INCLUDED DOCUMENTATION.**

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

4           **(C) BUREAU TO INCLUDE.**

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

7           **§ 5-41. NOTICE TO JUDGMENT CREDITORS AND LIEN HOLDERS.**

8           AFTER FILING THE PETITION, THE HOUSING COMMISSIONER SHALL GIVE NOTICE OF THE  
9           PENDENCY AND NATURE OF THE PROCEEDING TO JUDGMENT CREDITORS AND LIEN  
10           HOLDERS USING THE MEANS REQUIRED BY TITLE 24 {“MARYLAND COMMERCIAL  
11           RECEIVERSHIP ACT” OF THE STATE COMMERCIAL LAW ARTICLE.

12           **§ 5-42. APPOINTMENT OF OWNER, ETC., INSTEAD OF RECEIVER.**

13           **(A) IN GENERAL.**

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

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

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

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

25           **(B) APPLICATION TO DISMISS OWNER.**

26                   **(1) REVOCATION OF APPOINTMENT.**

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

1           (2) BOND.

2                   THE SUBSEQUENTLY APPOINTED RECEIVER SHALL POST SUFFICIENT BOND.

3       **§ 5-43. APPOINTMENT OF RECEIVER.**

4           (A) IN GENERAL.

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

9           (B) PARTIES DIVESTED OF AUTHORITY.

10                   ON APPOINTMENT OF A RENTAL RECEIVER TO REHABILITATE, MANAGE, DEMOLISH, OR  
11                   SELL THE PROPERTY, ALL PARTIES ARE DIVESTED OF ANY AUTHORITY TO ACT IN  
12                   FURTHERANCE OF THOSE GOALS, IN ACCORDANCE WITH TITLE 24 {"MARYLAND  
13                   COMMERCIAL RECEIVERSHIP ACT"} OF THE STATE COMMERCIAL LAW ARTICLE.

14           (C) PENALTIES.

15                   ANY PARTY, OTHER THAN THE RECEIVER, WHO TAKES ANY STEP TO REHABILITATE,  
16                   MANAGE, DEMOLISH, OR SELL THE PROPERTY IS SUBJECT TO THE PENALTIES FOR  
17                   CONTEMPT, IN ACCORDANCE WITH TITLE 24 {"MARYLAND COMMERCIAL  
18                   RECEIVERSHIP ACT"} OF THE STATE COMMERCIAL LAW ARTICLE.

19       **§ 5-44. DUTIES OF RECEIVER.**

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

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

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

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

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

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

- 1                   (4) BORROWING FUNDS FOR THE PURPOSE OF MAKING REPAIRS TO BRING THE BUILDING  
2                   IN COMPLIANCE WITH THE CODE AND IN COMPLIANCE WITH THIS SUBTITLE;
- 3                   (5) MAINTAINING THE PROPERTY AND ESTABLISHING AND OVERSEEING A  
4                   MAINTENANCE SCHEDULE;
- 5                   (6) REPORTING ALL COSTS TO THE DEPARTMENT OF HOUSING AND COMMUNITY  
6                   DEVELOPMENT AND THE COURT;
- 7                   (7) UNDERGOING RENTAL INSPECTIONS AS OUTLINED IN THIS SUBTITLE;
- 8                   (8) NOTIFYING TENANTS OF THE RECEIVERSHIP AND THEIR RIGHTS;
- 9                   (9) FACILITATING THE RECEIVERSHIP ACTION;
- 10                  (10) EXERCISING ANY OTHER POWER GRANTED TO A RECEIVER UNDER § 24-301  
11                  {“POWERS AND DUTIES OF RECEIVER”} OF THE MARYLAND COMMERCIAL  
12                  RECEIVERSHIP ACT; AND
- 13                  (11) COMPLYING WITH ANY OTHER REQUIREMENTS OF THE COURT.

14                  **§ 5-45. POWERS OF RECEIVER – SALE OF PROPERTY.**

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

22                  **§ 5-46. SALE PROCEDURE.**

23                  (A) NOTICE OF AUCTION.

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

27                  (B) APPLICATION FEE.

28                  AS PERMITTED BY THE COURT, THE RECEIVER MAY CHARGE A REASONABLE FEE TO  
29                  APPLICANTS IN CONNECTION WITH THE APPLICATION TO BID AT A PUBLIC SALE OR IN  
30                  CONNECTION WITH THE SOLICITATION OF OFFERS FOR A PRIVATE SALE.

1           (C) AUCTION STARTING BID.

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

4           (D) TAX SALE REDEMPTION.

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

7           (E) FINAL ACCOUNTING.

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

11          (F) PAYMENT OF RECEIVER’S FEES AND EXPENSES.

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

15          (G) TRANSFER ON SALE.

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

19          (H) DISMISSAL.

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

22          (I) RECEIVERSHIP AUCTION PROCEEDS.

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

1            **SECTION 2. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**  
2 the Laws of Baltimore City read as follows:

3                            **Article – Building, Fire, and Related Codes**

4                                    **Part II. International Building Code**

5            **§ 2-103. City modifications.**

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

8    **Chapter 1**  
9    **Scope and Administration**

10            **Section 116. Unsafe Structures**

11                    **116.1 General.** Any structure or part of a structure found to be unsafe or unfit for human  
12 habitation or other authorized use must be rehabilitated or, as permitted or required by the  
13 Building Official, demolished.

14                    **116.1.1 Scope.** A structure may be unsafe or unfit for human habitation or other  
15 authorized use because of:

- 16                            1. conditions constituting a fire hazard or conditions of damage, decay,  
17 dilapidation, obsolescence, abandonment, vacancy (as described in § 116.4),  
18 insanitation, or vermin or rodent infestation that constitute a hazard to the  
19 health, welfare, or safety of occupants or the public,
- 20                            2. lack of sanitation, illumination, ventilation, heating, plumbing, exitways, fire  
21 protection, utilities, or other facilities adequate to protect the health, welfare,  
22 or safety of occupants or the public, or
- 23                            3. conditions that are so unsafe, insanitary, overcrowded, improper in use or  
24 occupancy, or otherwise dangerous to life, health, welfare, or safety as to  
25 create a hazard to occupants or the public.

26                    **116.7 Remedial action by Building Official.** The Building Official may take  
27 action under this § 116.7 whenever the owner, agent, or person in control cannot be  
28 found or fails to comply with a notice or order served under this Code:

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

1 **116.7.1 Actions authorized.** The Building Official may proceed to:

- 2 1. have a receiver appointed, [or]
- 3 2. FILE FOR RENTAL PROPERTY RECEIVERSHIP UNDER CITY CODE ARTICLE 13,
- 4 SUBTITLE 5, PART II {"LICENSING OF RENTAL DWELLINGS: RENTAL
- 5 PROPERTY RECEIVERSHIP"}, IF
  - 6 A. IF THE STRUCTURE IS OR CONTAINS A RENTAL DWELLING UNDER
  - 7 CITY CODE ARTICLE 13 § 5-1(K), AND
  - 8 B. THE RENTAL DWELLING MEETS ALL OTHER REQUIREMENTS FOR A
  - 9 RENTAL PROPERTY RECEIVERSHIP ACTION, AND
- 10 3. [2.] complete all or any part of the required work through officers, agents,
- 11 employees, or contractors.

12 **Article 1. Mayor, City Council, and Municipal Agencies**

13 **Subtitle 40. Environmental Control Board**

14 **§ 40-14. Offenses to which subtitle applies – Listing.**

15 *(e) Provisions and penalties enumerated.*

16 **(4) Article 13. Housing and Urban Renewal**

17	<u>...</u>	
18	<u>Subtitle 5. Licensing of Rental Dwellings</u>	
19	<u>§ 5-4. License Required</u>	<u>\$1,000</u>
20	<u>§ 5-7. PREREQUISITES FOR NEW OR RENEWAL</u>	
21	<u>LICENSE – RENTAL INSPECTION</u>	<u>\$1,000</u>
22	<u>§ 5-11. Posting license; license number</u>	<u>\$250</u>
23	<u>§ 5-15. Denial, suspension, or revocation of license</u>	<u>\$750</u>
24	<u>All other provisions</u>	<u>\$500</u>
25	<u>Subtitle 8. Rent Increases</u>	<u>\$1,000</u>
26	<u>SUBTITLE 23. RENTAL INSPECTORS</u>	<u>\$1,000</u>

1 Article 13. Housing and Urban Renewal

2 Division II. Dwellings and Vacant Structures

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

5 § 4-6. Registration Statement.

6 (a) Form and contents.

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

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

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

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

14 (4) if the owner is a corporation, partnership, limited partnership, limited liability  
15 company, or similar entity, [the name, street address, telephone number, and email  
16 address of a natural person who serves as the owner's chief executive officer,  
17 managing partner, or managing member, or in a similarly authoritative position.]  
18 THE IDENTIFICATION SHALL INCLUDE:

19 (I) THE NAME AND STREET ADDRESS OF THE PRINCIPAL OFFICE OF SUCH  
20 BUSINESS ENTITY;

21 (II) IDENTIFICATION OF THE NATURAL PERSON OR BUSINESS ENTITY WHO IS A  
22 MEMBER, PARTNER, OR SHAREHOLDER WITH THE LARGEST OWNERSHIP  
23 INTEREST IN THE OWNER; AND

24 (III) CONTACT INFORMATION FOR THE PERSON SPECIFIED IN SUBPARAGRAPH (II)  
25 OF THIS PARAGRAPH, INCLUDING THE PERSON'S STREET ADDRESS,  
26 TELEPHONE NUMBER, EMAIL ADDRESS, AND ANY ADDITIONAL  
27 INFORMATION REQUIRED BY THE COMMISSIONER; AND

28 (5) IF THE PERSON SPECIFIED IN PARAGRAPH (4)(II) OF THIS SUBSECTION IS NOT A  
29 NATURAL PERSON, THE STATEMENT SHALL IDENTIFY AND PROVIDE CONTACT  
30 INFORMATION FOR THE NATURAL PERSON WHO HAS THE LARGEST OWNERSHIP  
31 SHARE IN THE ENTITY DESCRIBED IN PARAGRAPH (4)(II) OF THIS SUBSECTION.



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

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

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

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

6 (G) [(f)] Person.

7 (1) In general.

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

10 (2) Qualified inclusion of governmental entities.

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

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

16 (1) In general.

17 “Priority dwelling” means a rental dwelling:

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

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

21 A. the rental dwelling was issued [a violation notice] 2 OR MORE  
22 VIOLATION NOTICES under the Building, Fire, and Related Codes  
23 article relating to interior conditions that remained unabated for  
24 more than 90 days;

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

1 C. the number of recorded 311 calls related to health and habitability  
2 for a rental dwelling, which may not include requests to summon  
3 law enforcement or emergency services as prohibited under  
4 § 14-126 of the State Real Property Article, divided by the total  
5 number of dwelling and rooming units in that rental dwelling,  
6 exceeds the applicable minimum value in the table below; and

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

7  
8  
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13  
14  
15 D. the rental dwelling's U.S. Department of Housing and Urban  
16 Development (HUD) National Standards for the Physical  
17 Inspection of Real Estate (NSPIRE) inspection score for either of  
18 the 2 most recent NSPIRE inspections was less than or equal to 79.

19 (2) Exceptions.

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

22 (i) [(h)] Priority DWELLING inspection.

23 “Priority DWELLING inspection” means:

24 (1) the physical inspection of a priority dwelling conducted by an inspector  
25 employed by the Department of Housing and Community Development; and

26 (2) the inspector’s written evaluation of the rental dwelling’s compliance with the  
27 City’s health and safety standards specified in the rules and regulations  
28 adopted by the Commissioner under this subtitle.

1           (J) PROPERTY MANAGER.

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

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

5           “Rental dwelling” means:

6           (1) any multiple-family dwelling;

7           (2) any rooming house;

8           (3) any supportive housing facility; and

9           (4) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is  
10           leased or rented or offered or available for lease or rental in exchange for any  
11           form of consideration.

12          (L) RENTAL INSPECTION.

13          “RENTAL INSPECTION” MEANS:

14          (1) THE PHYSICAL INSPECTION OF A RENTAL DWELLING CONDUCTED BY A RENTAL  
15          INSPECTOR; AND

16          (2) THE RENTAL INSPECTOR’S WRITTEN EVALUATION OF THE RENTAL DWELLING’S  
17          COMPLIANCE WITH THE CITY’S HEALTH, SAFETY, AND LICENSING STANDARDS  
18          SPECIFIED UNDER § 116.1.1 {“UNSAFE STRUCTURES: GENERAL: SCOPE”} OF  
19          THE BALTIMORE CITY BUILDING CODE AND UNDER THIS SUBTITLE.

20          (M) RENTAL INSPECTOR.

21          “RENTAL INSPECTOR” MEANS AN INDIVIDUAL WHO IS LICENSED UNDER § 23-1 OF  
22          ARTICLE 15 OF THE CITY CODE.

23          (N) [(j)] Rooming house.

24          “Rooming house” has the meaning stated in § 202.2 of the Property Maintenance  
25          Code of Baltimore City.

26          (O) [(k)] Rooming unit.

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

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

2 “Supportive housing facility” has the meaning stated in § 202.2.56 of the Baltimore  
3 City Building Code.

4 **§ 5-2. Rules and regulations.**

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

8 **§ 5-3. {Reserved}**

9 **§ 5-4. License required.**

10 (a) In general.

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

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

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

18 (b) Exception.

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

21 (C) NOTICE TO LICENSEES.

22 THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL NOTIFY A  
23 LICENSEE PRIOR TO EXPIRATION OF A LICENSE ABOUT THE ONGOING LICENSE  
24 REQUIREMENTS UNDER THIS SUBTITLE.

25 (D) [(c)] Notice to all occupants.

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

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

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

5                   (ii) the civil citations and criminal penalties that may arise under §§ 5-25 and  
6                   5-26 of this subtitle;

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

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

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

13           (E) [(d)] *Notice to HABC.*

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

18           **§ 5-5. Application for new or renewal license.**

19           (a) *In general.*

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

23           (b) *By whom to be made.*

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

25                   (1) the record owner of the premises; and

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

27           (c) *Application period for renewal.*

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

1 (d) License application – Form and contents.

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

- 4 (1) a description of the premises by street number and by block-and-lot numbers;  
5 (2) the name, street address, telephone number, and email address of the rental  
6 dwelling’s record owner;  
7 (3) the name, street address, telephone number, and email address of the rental  
8 dwelling’s managing operator, if other than the record owner; and  
9 (4) any other information requested by the Commissioner of the  
10 Department of Housing and Community Development or the  
11 Commissioner’s designee.

12 **§ 5-6. Prerequisites for new or renewal license – In general.**

13 (A) QUALIFICATIONS.

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

- 16 (1) all dwelling units and rooming units are currently registered as required by  
17 Subtitle 4 {“Registration of Non-Owner-Occupied Dwellings, Rooming  
18 Houses, and Vacant Structures”} of this article;  
19 (2) all registration fees for these units and all related interest and late fees required  
20 by Subtitle 4 have been paid;  
21 (3) A RENTAL INSPECTOR HAS SUBMITTED TO THE COMMISSIONER  
22 DOCUMENTATION THAT VERIFIES THAT the premises have passed [an] A  
23 RENTAL inspection, as required by § 5-7 {“Prerequisites ... – [Inspection”]} [  
24 RENTAL INSPECTION”} or § 5-10 {“Priority DWELLING inspections”} of this  
25 subtitle;  
26 (4) the premises are in compliance with all federal, State, and City laws and  
27 regulations governing lead paint;  
28 (5) for premises that include a hotel or motel subject to City Code Article 15  
29 {“Licensing and Regulation”}, Subtitle 10 {“Hotels”}, the hotel or motel is in  
30 compliance with the training, certification, and posting requirements of that  
31 subtitle; [and]

1           (6) the premises are not subject to any violation notice or order that:

2                   (i) has been issued under the Baltimore City Building, Fire, and Related  
3                   Codes Article; and

4                   (ii) notwithstanding the passage of more than 90 days since its issuance,  
5                   has not been abated before the license issuance or renewal.

6           (B) DISQUALIFICATION.

7                   THE DEPARTMENT MAY NOT ISSUE OR RENEW A RENTAL DWELLING LICENSE UNDER  
8                   THIS SUBTITLE IF THE PROPERTY’S MUNICIPAL WATER BILL REMAINS UNPAID 60 DAYS.

9           § 5-7. Prerequisites for new or renewal license – [Inspection.] RENTAL INSPECTION.

10           (a) In general.

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

13                   (1) subsection (b) {“Third-party home inspections”} of this section;

14                   (2) subsection (c) {“Governmental agency inspections”} of this section; or

15                   (3) § 5-10 {“Priority DWELLING inspections”} of this subtitle.

16           (b) Third-party home inspections.

17                   [(1) Definitions.]

18                   [(i) In general.]

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

20                   [(ii) Home inspection.]

21                   [“Home inspection” means a home inspector’s written evaluation of a rental  
22                   dwelling’s compliance with the City’s health and safety standards specified in  
23                   the Housing Commissioner’s rules and regulations adopted under this  
24                   subtitle.]

25                   [(iii) Home inspector.]

26                   [“Home inspector” means an individual:]

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

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

3 [1. has registered with the Housing Commissioner as generally  
4 available to inspect and certify rental dwellings under this  
5 subsection;]

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

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

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

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

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

17 (1) REGISTRY OF RENTAL INSPECTORS.

18 (i) THE HOUSING COMMISSIONER SHALL MAINTAIN A REGISTRY OF ALL RENTAL  
19 INSPECTORS LICENSED UNDER SUBTITLE 23 OF CITY CODE ARTICLE 15  
20 {“RENTAL INSPECTORS”}.

21 (ii) IF THE HOUSING COMMISSIONER FINDS THAT A RENTAL INSPECTOR HAS ISSUED  
22 A CERTIFICATE OF SATISFACTORY COMPLIANCE FOR A PROPERTY AND THAT  
23 THE RENTAL INSPECTOR KNEW OR REASONABLY SHOULD HAVE KNOWN THAT  
24 THE PROPERTY WAS NOT IN SATISFACTORY COMPLIANCE:

25 (A) THE HOUSING COMMISSIONER SHALL REVOKE THE RENTAL INSPECTOR'S  
26 LICENSE; AND

27 (B) THE HOUSING COMMISSIONER MAY NOT APPROVE A RENTAL DWELLING  
28 LICENSE APPLICATION THAT INCLUDES AN INSPECTION REPORT FROM THE  
29 RENTAL INSPECTOR.

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

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

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

11 (3) NOTICE TO CURRENT TENANT.

12 (i) AT LEAST 7 DAYS PRIOR TO AN INSPECTION, AN APPLICANT SHALL NOTIFY  
13 EACH TENANT RESIDING AT THE PROPERTY WHERE THE RENTAL DWELLING  
14 INSPECTION WILL OCCUR IN WRITING OF THE FOLLOWING:

15 (A) THE DATE AND TIME THE INSPECTION WILL TAKE PLACE;

16 (B) THE NAME OF THE RENTAL INSPECTOR AND THE INSPECTION  
17 COMPANY; AND

18 (C) A STATEMENT THAT THE TENANT MAY BE PRESENT FOR THE  
19 INSPECTION.

20 (ii) AN APPLICANT SHALL DELIVER THE NOTICE REQUIRED UNDER THIS  
21 PARAGRAPH (3) BY, EITHER:

22 (A) POSTING ON THE PROPERTY; OR

23 (B) FIRST-CLASS MAIL, WITH THE CERTIFICATE OF MAILING ATTACHED.

24 (iii) THE APPLICANT SHALL RETAIN IN THEIR RECORDS EVIDENCE OF NOTICE,  
25 INCLUDING:

26 (A) A DATE-STAMPED PHOTOGRAPH OF THE POSTING; OR

27 (B) A COPY OF THE CERTIFICATE OF MAILING.

28 (4) SELECTION OF RENTAL INSPECTOR.

29 THE HOUSING COMMISSIONER MAY NOT GRANT A RENTAL DWELLING LICENSE IF  
30 THE APPLICANT, INCLUDING THE RECORD OWNER AND ANY MANAGING OPERATOR,  
31 USES THE SAME RENTAL INSPECTOR OR RENTAL INSPECTION COMPANY TWICE IN  
32 THE SAME 8-YEAR PERIOD FOR THE SAME PROPERTY.  
33

1 (5) [(3)] Number of units to be inspected.

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

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

8 (6) [(4)] [Inspector's] RENTAL INSPECTOR'S reports and certification.

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

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

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

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

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

18 (B) ACCOMPANIED BY SUPPORTING DATE STAMPED PHOTOGRAPHS AS  
19 SPECIFIED BY THE COMMISSIONER; AND

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

22 (7) PENALTIES.

23 (I) IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT  
24 PROCEDURE, THIS SUBSECTION MAY BE ENFORCED BY ISSUANCE OF AN  
25 ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40  
26 {“ENVIRONMENTAL CONTROL BOARD”}.

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

1 (c) Governmental agency inspections.

2 (1) Scope of subsection.

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

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

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

13 (d) Commissioner to audit RENTAL inspections.

14 (1) The Commissioner shall conduct an annual audit of AT LEAST 100 inspections OF  
15 LICENSED PROPERTIES conducted under this section.

16 (2) A PORTION OF THE PROPERTIES AUDITED SHALL INCLUDE EVERY PROPERTY THAT  
17 RECEIVED A VIOLATION ISSUED BY A CITY INSPECTOR WITHIN 60 DAYS AFTER THE  
18 PROPERTY'S RENTAL LICENSE WAS ISSUED AND THE VIOLATION WAS THEN NOT  
19 ABATED FOR AT LEAST 60 DAYS.

20 (3) THE COMMISSIONER SHALL MAKE ALL FINDINGS OF AN AUDIT CONDUCT UNDER  
21 THIS SUBSECTION AVAILABLE ON THE CITY'S WEBSITE.

22 (e) Commissioner's inspection authority not affected.

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

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

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

1           **§ 5-8. PREREQUISITES FOR NEW OR RENEWAL LICENSE – PROPERTY MANAGER.**

2           **(A) SCOPE.**

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

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

6                   (2) 20 OR MORE OF THOSE DWELLING UNITS ARE DESIGNATED HOUSING FOR  
7                   RESIDENTS AGED 55 YEARS OR OLDER.

8           **(B) CONTENTS.**

9           THE TRAINING REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

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

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

14           **(C) TIME LINE FOR COMPLETION.**

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

17           **(D) REQUIRED CURRICULUM.**

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

21           **§ 5-9. License terms.**

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

1 **§ 5-10. Priority DWELLING inspections.**

2 (a) In general.

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

5 [(b) Definition - Inspection year.]

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

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

8 Based on data from the previous inspection year, the Department of Housing and  
9 Community Development shall identify all priority dwellings in the City by January  
10 31<sup>st</sup> of each inspection year.

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

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

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

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

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

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

25 (1) at least 4 months apart; and

26 (2) between the months of February and November.

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

28 (1) In general.

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

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

(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;

(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;

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

3                   (iii) the revocation of a rental dwelling license.

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

5                   (1) In general.

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

9                   (2) Anonymous requests for priority DWELLING inspection.

10                   (i) In general.

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

15                   (ii) Form of instructions.

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

20           **§ 5-11. Posting license; license number.**

21                   (a) Dwellings.

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

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

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

27                   (b) Lease agreements.

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

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

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

3                   (i) offered;

4                   (ii) executed; or

5                   (iii) renewed.

6                   (c) Advertising materials.

7                   (1) In general.

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

10                  (2) Prohibitions.

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

13                  (i) expired;

14                  (ii) suspended; or

15                  (iii) revoked.

16                  (3) Exceptions.

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

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

26                  **§ 5-12. Transfer of license prohibited.**

27                  (a) In general.

28                  The transfer of a rental license is prohibited under this subtitle.  
29

1 (b) Application for new license.

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

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

6 (2) operation of a rental dwelling.

7 **§ 5-13. Discontinuance of multiple-family or rooming-house operations.**

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

12 **§ 5-14. {Reserved}**

13 **§ 5-15. Denial, suspension, or revocation of license – In general.**

14 (a) "Nuisance property" defined.

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

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

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

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

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

22 (b) Causes for denial, suspension, or revocation.

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

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

28 (2) fraudulently or deceptively obtaining a rental dwelling license for oneself or  
29 for another;

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

- 1           (4) falsifying any RENTAL inspection report or certificate;
- 2           (5) refusal by a record owner or operator of a rental dwelling to allow the  
3           Commissioner to conduct a routine, spot, quality-control, proactive, or other  
4           inspection of the rental dwelling as authorized by this subtitle or the City  
5           Building, Fire, and Related Codes Article;
- 6           (6) failing to abate within 120 days of issuance any violation notice, order,  
7           or citation for violating any provision of the City Building, Fire, and Related  
8           Codes Article, the City Health Article, or the Zoning Code of Baltimore City;
- 9           (7) failing to abate any violation notice issued during a priority DWELLING  
10           inspection within the time required;
- 11           (8) WHEN THE LEASE WAS EXECUTED, THE PROPERTY’S MUNICIPAL WATER BILL  
12           REMAINED UNPAID 60 DAYS;
- 13           (9) [(8)] failing to comply with any provision of this subtitle or of any rule or  
14           regulation adopted under this subtitle; [or]
- 15           (10) [(9)] if the Housing Commissioner finds, or if the Fire Chief, Health  
16           Commissioner, or Police Commissioner certify to the Housing Commissioner,  
17           that:
- 18                   (i) the record owner, operator, or lessee of a rental dwelling has  
19                   failed to comply with any lawful notice, order, or citation to correct a  
20                   violation that affects the health, safety, morals, or general welfare of the  
21                   occupants of the property or of the general public; or
- 22                   (ii) the record owner, operator, or lessee of a rental dwelling, or any  
23                   agent of the record owner, operator, or [lessee:] LESSEE HAS ALLOWED  
24                   THE PREMISES TO BE USED AS A NUISANCE PROPERTY, OR KNEW OR  
25                   SHOULD HAVE KNOWN THAT THE PREMISES WERE BEING USED AS A  
26                   NUISANCE PROPERTY AND FAILED TO PREVENT THEM FROM BEING SO  
27                   USED;
- 28                           [(A) has allowed the premises to be used as a nuisance property;  
29                           or]
- 30                           [(B) knew or should have known that the premises were being  
31                           used as a nuisance property and failed to prevent them from  
32                           being so used.]
- 33           (11) TAKING A RETALIATORY, DISCRIMINATORY, OR INTIMIDATING ACTION OF ANY  
34           KIND AGAINST A TENANT FOR ANY REASON, INCLUDING AN ACTION TAKEN  
35           BASED ON THE TENANT’S STATUS AS A PROTECTED CLASS OR BASED ON THE  
36           TENANT’S COUNTRY OF ORIGIN OR IMMIGRATION STATUS;

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

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

5 (C) REINSPECTION REQUIRED.

6 (1) IN GENERAL.

7  
8 IF THE HOUSING COMMISSIONER REVOKES A RENTAL DWELLING LICENSE, A  
9 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL  
10 REINSPECT THE PROPERTY BEFORE A NEW LICENSE MAY BE ISSUED.

11 (2) PROPERTY SHALL PASS.

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

15 (3) REINSPECTION FEE.

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

18 **§ 5-16. Denial, suspension, or revocation of license – Notice and hearing.**

19 (a) In general.

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

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

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

27 (b) Exception.

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

1 (C) LESSEE COMPLAINT.

2 (1) IN GENERAL.

3 A LESSEE OR FORMER LESSEE OF A DWELLING MAY RAISE A COMPLAINT WITH THE  
4 COMMISSIONER REGARDING A VIOLATION OF THIS SUBTITLE.

5 (2) COMMISSIONER RESPONSE.

6 (I) ANY COMPLAINT UNDER THIS SUBSECTION TO DENY, SUSPEND, OR REVOKE A  
7 LANDLORD'S LICENSE SHALL BE IN THE FORM AND MANNER REQUIRED BY THE  
8 COMMISSIONER.

9 (II) THE COMMISSIONER SHALL MAKE A DECISION AND NOTIFY THE COMPLAINANT  
10 ON ANY COMPLAINT UNDER THIS SUBSECTION WITHIN 10 BUSINESS DAYS OF  
11 RECEIVING THE COMPLAINT.

12 (III) IF THE COMMISSIONER PERMITS A LANDLORD TO RETAIN A LICENSE UNDER  
13 THIS SUBSECTION, THE COMMISSIONER SHALL ISSUE A WRITTEN  
14 DETERMINATION TO THE COMPLAINANT DOCUMENTING WHY THE LICENSE WAS  
15 NOT DENIED, SUSPENDED, OR REVOKED.

16 (3) COMPLAINTS RETAINED.

17 THE COMMISSIONER SHALL MAINTAIN A RECORD OF ALL COMPLAINTS MADE  
18 UNDER THIS SUBSECTION, INCLUDING THE COMPLAINT'S OUTCOME.

19 (D) APPEAL.

20 PURSUANT TO § 128 {"ADMINISTRATIVE AND JUDICIAL REVIEW"} OF THE BALTIMORE  
21 CITY BUILDING CODE, ANY PERSON MAY APPEAL A DECISION MADE BY THE  
22 COMMISSIONER UNDER THIS SECTION.

23 **§ 5-17. Vacating premises.**

24 (A) IN GENERAL.

25 The Commissioner may require a rental dwelling to be vacated within 24 hours AT  
26 THE EXPENSE OF THE PROPERTY OWNER if:

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

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

1           (B) NOTICE REQUIRED.

2           (1) IN GENERAL.

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

6           (2) CONTENT OF NOTICE.

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

9           § 5-18. {Reserved}

10          § 5-19. Impairing constitutional rights.

11          (a) "Reasonable accommodation" defined.

12           In this section, "reasonable accommodation" means affirmative steps that do not  
13           impose an undue financial hardship or a substantial burden.

14          (b) Prohibited conduct.

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

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

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

21          § 5-20. Sanitation Guide.

22          (a) Preparation of Guide.

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

30          (b) Dissemination.

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

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

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

4                   § 5-21. {Reserved}

5                   § 5-22. Public access to information.

6                   The Housing Commissioner shall make freely available for review on and download from  
7                   the website of the Department of Housing and Community [Development:]  
8                   DEVELOPMENT, IN ACCORDANCE WITH THE MARYLAND PUBLIC INFORMATION ACT AND  
9                   ANY OTHER APPLICABLE STATE OR FEDERAL LAW:

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

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

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

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

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

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

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

25                  (3) the following information:

26                                  (i) the address of the rental dwelling;

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

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

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

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

3       **§ 5-23. {Reserved}**

4       **§ 5-24. Judicial and appellate review.**

5           (a) Judicial review.

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

9           (b) Stays.

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

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

14           (c) Appellate review.

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

17           PURSUANT TO § 128 {"ADMINISTRATIVE AND JUDICIAL REVIEW"} OF THE BALTIMORE  
18           CITY BUILDING CODE, ANY PERSON MAY APPEAL A DECISION MADE BY THE  
19           COMMISSIONER UNDER THIS SECTION.

20       **§ 5-25. Enforcement by citation.**

21           (a) In general.

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

26           (b) Priority dwelling – Citation.

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

1           (c) Process not exclusive.

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

4           (d) Separate offenses.

5                     Each day that a violation continues is a separate offense.

6           **§ 5-26. Penalties.**

7           (a) In general.

8                     Any person who violates any provision of this subtitle (including any offense listed in  
9                     § 5-15 of this subtitle as potential cause for a denial, suspension, or revocation of a  
10                    license) or any provision of a rule, regulation, or order adopted or issued under this  
11                    subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more  
12                    than \$1,000 for each offense.

13          (b) Each day a separate offense.

14                    Each day that a violation continues is a separate offense.

15          **§ 5-27. Data collection.**

16          (a) In general.

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

21          (b) Discretion of Commissioner.

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

25          **§ 5-28. Annual Report.**

26          (a) In general.

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

30                    (1) the number of priority dwellings;

- 1                   (2) the number of priority dwellings for which the Department of Housing and  
2                   Community Development conducted 2 priority DWELLING inspections;
- 3                   (3) the number of priority dwellings where at least 1 violation notice was issued  
4                   during a priority DWELLING inspection that was not abated within the  
5                   allowable time;
- 6                   (4) the number of priority dwellings where at least 1 citation was issued during a  
7                   priority DWELLING inspection;
- 8                   (5) the number of attempted priority DWELLING inspections;
- 9                   (6) the number of rental licenses revoked under § 5-15(b)(6) of this [subtitle:] FOR  
10                   BOTH PRIORITY AND NONPRIORITY DWELLINGS;
- 11                   (7) the number of rental licenses revoked under § 5-15(b)(7) of this [subtitle:] FOR  
12                   BOTH PRIORITY AND NONPRIORITY DWELLINGS;
- 13                   (8) the total number of rental licenses revoked;
- 14                   (9) the number of completed priority DWELLING inspections;
- 15                   (10) of the total number of priority DWELLING inspections completed, the  
16                   percentage of priority inspections that did not yield any violation notices or  
17                   citations; [and]
- 18                   (11) THE NUMBER OF RENTAL PROPERTY RECEIVERSHIP ACTIONS THAT WERE FILED  
19                   AND THE RESULTS OF EACH COMPLAINT;
- 20                   (12) THE NUMBER OF AUDITS PERFORMED AND A SUMMARY OF THE  
21                   RESULTS OF EACH AUDIT;
- 22                   (13) THE NUMBER OF COMPLETED RENTAL INSPECTIONS PERFORMED BY THE  
23                   DEPARTMENT;
- 24                   (14) THE NUMBER OF COMPLAINTS MADE UNDER § 5-16(C) OF THIS SUBTITLE AND  
25                   THE NUMBER OF LICENSES REVOKED IN RESPONSE; AND
- 26                   (15) [(11)] any other information requested by the Mayor or [by a Resolution of]  
27                   the City Council.

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

29                   (1) *Totals.*

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

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

8                    (2) Specific categories.

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

- 13                    (i) heating;
- 14                    (ii) ventilation;
- 15                    (iii) plumbing;
- 16                    (iv) roof leaks;
- 17                    (v) rodents;
- 18                    (vi) lead paint;
- 19                    (vii) fire protection;
- 20                    (viii) electrical systems;
- 21                    (ix) water supply;
- 22                    (x) structural deficiencies;
- 23                    (xi) insects;
- 24                    (xii) elevators;
- 25                    (xiii) weatherproofing; and
- 26                    (xiv) appearance of mold.

1 (c) Inclusions - Priority dwellings.

2 (1) Totals.

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

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

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

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

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

11 (v) the total number of citations issued.

12 (2) Specific categories.

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

16 (i) heating;

17 (ii) ventilation;

18 (iii) plumbing;

19 (iv) roof leaks;

20 (v) rodents;

21 (vi) lead paint;

22 (vii) fire protection;

23 (viii) electrical systems;

24 (ix) water supply;

25 (x) structural deficiencies;

26 (xi) bed bugs; and

27 (xii) elevators.



1 (D) TERM.

2 (1) IN GENERAL.

3 THE TERM OF A LICENSE IS FROM JANUARY 1 THROUGH DECEMBER 31 OF EACH  
4 YEAR.

5 (2) PARTIAL TERM.

6 AN INDIVIDUAL MAY OBTAIN A LICENSE FOR A PARTIAL TERM.

7 (E) APPLICATION FOR LICENSE – CONTENTS; FEE.

8 (1) CONTENTS.

9 AN APPLICANT FOR A RENTAL INSPECTOR LICENSE SHALL SUBMIT TO THE  
10 COMMISSIONER AN APPLICATION IN THE FORM REQUIRED BY THE COMMISSIONER  
11 THAT INCLUDES:

12 (I) DOCUMENTATION THAT CONFIRMS THE APPLICANT IS LICENSED AS A HOME  
13 INSPECTOR UNDER TITLE 16, SUBTITLE 3A OF THE STATE BUSINESS  
14 OCCUPATIONS AND PROFESSIONS ARTICLE; AND

15 (II) DOCUMENTATION THAT THE APPLICANT HAS COMPLETED THE RENTAL  
16 INSPECTION TRAINING DELIVERED BY THE DEPARTMENT.

17 (2) APPLICATION AND LICENSING FEE.

18 THE DEPARTMENT MAY NOT CHARGE REASONABLY APPLICATION AND LICENSING  
19 FEES, AS APPROVED BY THE BOARD OF ESTIMATES.

20 (F) APPROVAL OR DENIAL.

21 UPON RECEIPT OF A COMPLETE AND SATISFACTORY APPLICATION, THE COMMISSIONER  
22 SHALL APPROVE OR DENY THE LICENSE IN ACCORDANCE WITH THE CRITERIA SET  
23 FORTH IN THIS SECTION.

24 (G) APPROVAL.

25 UPON APPROVAL OF THEIR APPLICATION, A RENTAL INSPECTOR SHALL:

26 (1) BE ABLE TO INSPECT AND CERTIFY RENTAL DWELLINGS FOR THE PURPOSE OF  
27 OBTAINING OR RENEWING A RENTAL DWELLING LICENSE; AND

28 (2) SUBMIT TO THE COMMISSIONER A CONFLICT-OF-INTEREST STATEMENT, AS  
29 SPECIFIED BY THE RULES AND REGULATIONS ADOPTED UNDER SUBTITLE 5  
30 {“LICENSING OF RENTAL DWELLINGS”} OF ARTICLE 13 OF THE CITY CODE.

1 (H) DENIAL, SUSPENSION, OR REVOCATION.

2 THE COMMISSIONER MAY DENY, SUSPENDED, OR REVOKE A LICENSE FOR THE  
3 FOLLOWING CAUSES:

4 (1) MAKING ANY MATERIAL FALSE STATEMENT IN ANY APPLICATION FOR AN  
5 INITIAL, PARTIAL TERM, OR RENEWAL LICENSE; OR

6 (2) FAILING TO COMPLY WITH ANY PROVISION OF:

7 (I) THIS SUBTITLE;

8 (II) A RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE; OR

9 (III) A CONDITION IMPOSED UNDER THIS SUBTITLE ON THE LICENSE.

10 (I) APPEAL.

11 PURSUANT TO § 128 {"ADMINISTRATIVE AND JUDICIAL REVIEW"} OF THE BALTIMORE  
12 CITY BUILDING CODE, ANY AGGRIEVED PERSON MAY APPEAL A DECISION MADE BY  
13 THE COMMISSIONER UNDER THIS SECTION.

14 (J) RULES AND REGULATIONS.

15 SUBJECT TO TITLE 4 {"ADMINISTRATIVE PROCEDURE ACT – REGULATIONS"} OF THE  
16 CITY GENERAL PROVISIONS ARTICLE, THE COMMISSIONER MAY ADOPT AND ENFORCE  
17 RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

18 (K) ENFORCEMENT BY CITATION.

19 (1) IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT  
20 PROCEDURE, THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF AN  
21 ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40  
22 {"ENVIRONMENTAL CONTROL BOARD"}.

23 (2) THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE  
24 PURSUING ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION  
25 AUTHORIZED BY LAW.

26 **SECTION 3. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That**  
27 Section 2 of this Ordinance shall take effect on December 1, 2026.

28 **SECTION 4. AND BE IT FURTHER ORDAINED, That, except as provided in Section 3 of**  
29 this Ordinance, this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.”.