

Castello

Introduced by: Councilmember Bullock, *Young, Henry* **DORSEY, Burnett, Cook, Sneed,**

Prepared by: Department of Legislative Reference

Date: April 12, 2018 *Clarke, Stokes,*

Referred to: **TAXATION, FINANCE & ECONOMIC DEVELOPMENT** Committee

Middleton, Cohen, Fusinger, Pinkelt, Schiefer

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 18-0221

A BILL ENTITLED

AN ORDINANCE concerning

**Recordation and Transfer Taxes – Surtax –
Dedicating Surtax Proceeds to Affordable Housing Trust Fund**

E.G. Cook

FOR the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City's recordation and transfer taxes.

BY repealing and reordaining, with amendments

Article 28 - Taxes
Sections 16-1, 17-2(a), and 17-3(a)
Baltimore City Code
(Edition 2000)

BY adding

Article 28 - Taxes
Sections 16-3 and 17-15
Baltimore City Code
(Edition 2000)

[Handwritten signatures and initials: Bullock, Young, Henry, Dorsey, Burnett, Cook, Sneed, Clarke, Stokes, Middleton, Cohen, Fusinger, Pinkelt, Schiefer, Robert Stefan, Margaret Clarke, Edmund H. Gershey]

No. _____

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

Agencies

<input checked="" type="checkbox"/>	Baltimore City Public School System	<input type="checkbox"/>	Department of Public Works
<input checked="" type="checkbox"/>	Baltimore Development Corporation	<input type="checkbox"/>	Department of Real Estate
<input checked="" type="checkbox"/>	City Solicitor	<input type="checkbox"/>	Department of Recreation and Parks
<input checked="" type="checkbox"/>	Comptroller's Office	<input type="checkbox"/>	Department of Transportation
<input checked="" type="checkbox"/>	Department of Audits	<input type="checkbox"/>	Fire Department
<input checked="" type="checkbox"/>	Department of Finance	<input type="checkbox"/>	Health Department
<input checked="" type="checkbox"/>	Department of General Services	<input type="checkbox"/>	Mayor's Office of Employment Development
<input checked="" type="checkbox"/>	Department of Housing and Community Development	<input type="checkbox"/>	Mayor's Office of Human Services
<input checked="" type="checkbox"/>	Department of Human Resources	<input type="checkbox"/>	Mayor's Office of Information Technology
<input checked="" type="checkbox"/>	Department of Planning	<input type="checkbox"/>	Office of the Mayor
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Police Department
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Board of Estimates	<input type="checkbox"/>	Environmental Control Board
<input type="checkbox"/>	Board of Ethics	<input type="checkbox"/>	Fire & Police Employees' Retirement System
<input type="checkbox"/>	Board of Municipal and Zoning Appeals	<input type="checkbox"/>	Labor Commissioner
<input type="checkbox"/>	Comm. for Historical and Architectural Preservation	<input type="checkbox"/>	Parking Authority Board
<input type="checkbox"/>	Commission on Sustainability	<input type="checkbox"/>	Planning Commission
<input type="checkbox"/>	Employees' Retirement System	<input type="checkbox"/>	Wage Commission
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:

Boards and Commissions

<input type="checkbox"/>	Board of Estimates	<input type="checkbox"/>	Environmental Control Board
<input type="checkbox"/>	Board of Ethics	<input type="checkbox"/>	Fire & Police Employees' Retirement System
<input type="checkbox"/>	Board of Municipal and Zoning Appeals	<input type="checkbox"/>	Labor Commissioner
<input type="checkbox"/>	Comm. for Historical and Architectural Preservation	<input type="checkbox"/>	Parking Authority Board
<input type="checkbox"/>	Commission on Sustainability	<input type="checkbox"/>	Planning Commission
<input type="checkbox"/>	Employees' Retirement System	<input type="checkbox"/>	Wage Commission
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other:	<input type="checkbox"/>	Other:

ENROLLED

**CITY OF BALTIMORE
ORDINANCE **18-215**
Council Bill 18-0221**

Introduced by: Councilmember Bullock, President Young, Councilmembers Henry, Dorsey, Burnett, Scott, Sneed, Clarke, Stokes, Middleton, Cohen, Reisinger, Costello, Pinkett, Schleifer

Introduced and read first time: April 16, 2018

Assigned to: Taxation, Finance and Economic Development Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: October 15, 2018

AN ORDINANCE CONCERNING

**~~Recordation and Transfer Taxes – Surtax –
Dedicating Surtax Proceeds to Affordable Housing Trust Fund~~**

**Recordation and Transfer Taxes, Surtaxes, and -- “Yield” Excise Tax –
Dedicating Proceeds to Affordable Housing Trust Fund**

FOR the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; imposing an excise tax based on the tax yield from any transaction for which recordation and transfer taxes are due; providing for certain exemptions from this excise tax; providing for the administration of this excise tax; imposing certain penalties for failure to comply with requirements governing this excise tax; dedicating the proceeds from ~~these surtaxes and the~~ this excise tax to the Affordable Housing Trust Fund created by City Charter Article I, § 14; ~~correcting, clarifying, and conforming related language;~~ and generally relating to the City’s recordation and transfer taxes, ~~surtaxes, and yield excise tax.~~

~~By repealing and reordaining, with amendments~~

~~Article 28 – Taxes
Sections 16-1, 17-2(a), and 17-3(a)
Baltimore City Code
(Edition 2000)~~

~~By adding~~

~~Article 28 – Taxes
Sections 16-3 and 17-15
Baltimore City Code
(Edition 2000)~~

EXPLANATION: CAPITALS indicate matter added to existing law
[Brackets] indicate matter deleted from existing law
Underlining indicates matter added to the bill by amendment
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment
Underlined italics indicate matter added to the bill by amendment after printing for third reading

Council Bill 18-0221

1 By adding

2 Article 28 - Taxes

3 Sections 17.1-1 through 17.1-7, to be under the new subtitle designation,

4 "Subtitle 17.1. Recordation and Transfer Taxes – Yield Excise Tax"

5 Baltimore City Code

6 (Edition 2000)

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

9 **Baltimore City Code**

10 **Article 28. Taxes**

11 **~~Subtitle 16. Recordation Tax~~**

12 **~~§ 16-1. Tax imposed:~~**

13 **~~(A) IN GENERAL:~~**

14 Pursuant to State Tax-Property Article § 12-103(b), the rate of tax applicable to
15 instruments recorded with the Clerk of the Circuit Court for Baltimore City is:

16 (1) in the case of instruments conveying title to property[,];

17 (i) ~~\$5 for each \$500 or fractional part of \$500 of the actual consideration paid~~
18 ~~or to be paid; PLUS~~

19 (ii) ~~EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN~~
20 ~~ADDITIONAL AMOUNT ("SURTAX") OF \$2 FOR EACH \$500 OR FRACTIONAL~~
21 ~~PART OF \$500 OF THE ACTUAL CONSIDERATION PAID OR TO BE PAID; and~~

22 (2) in the case of instruments securing a debt[,];

23 (i) ~~\$5 for each \$500 or fractional part of \$500 of the principal amount of the~~
24 ~~debt secured; PLUS~~

25 (ii) ~~EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN~~
26 ~~ADDITIONAL AMOUNT ("SURTAX") OF \$2 FOR EACH \$500 OR FRACTIONAL~~
27 ~~PART OF \$500 OF THE PRINCIPAL AMOUNT OF THE DEBT SECURED.~~

28 **~~(B) EXEMPTION FROM SURTAX:~~**

29 THE SURTAX IMPOSED BY SUBSECTION (A)(1)(ii) AND (A)(2)(ii) OF THIS SECTION DOES NOT
30 APPLY TO A CONVEYANCE OF OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE
31 INSTRUMENT IN WRITING IS ACCOMPANIED BY A STATEMENT, SIGNED UNDER OATH BY THE
32 BUYER, THAT THE BUYER WILL USE THE PROPERTY AS THE BUYER'S PRINCIPAL RESIDENCE
33 BY ACTUALLY OCCUPYING THE PROPERTY FOR AT LEAST 7 MONTHS OF THE 12 MONTH
34 PERIOD IMMEDIATELY FOLLOWING THE CONVEYANCE.

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1 ~~§ 16-3. DEDICATION OF SURTAX PROCEEDS:~~

2 ALL PROCEEDS FROM THE SURTAX IMPOSED BY § 16-1(A)(1)(H) AND (2)(H) OF THIS SUBTITLE
3 SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER
4 ARTICLE I, § 14 ("AFFORDABLE HOUSING TRUST FUND"), TO BE USED EXCLUSIVELY FOR THE
5 PURPOSES SPECIFIED IN THAT SECTION:

6 ~~Subtitle 17. Transfer Tax~~

7 ~~§ 17-2. Tax imposed – In general:~~

8 ~~(a) In general:~~

9 ~~(1) IMPOSITION OF TAX:~~

10 A tax is hereby levied and imposed upon the transfer of any estate of inheritance or
11 freehold, of any declaration or limitation of use, or any estate above 7 years, in
12 Baltimore City, [at the rate of] AS FOLLOWS:

13 ~~(i) AT THE RATE OF [1½%] 1.5% of the TRANSFER'S taxable basis [thereof], as~~
14 ~~[hereinafter] defined in § 17-5 ("TAXABLE BASIS") OF THIS SUBTITLE; PLUS~~

15 ~~(ii) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, AN~~
16 ~~ADDITIONAL AMOUNT ("SURTAX") AT THE RATE OF 0.6% OF THAT TAXABLE~~
17 ~~BASIS:~~

18 ~~(2) INAPPLICABILITY OF TAX TO CERTAIN SHORT-TERM RENEWABLE LEASES:~~

19 ~~[Except that the] THE tax levied and imposed [hereunder shall] UNDER THIS SECTION~~
20 ~~DOES not apply to any lease or sublease for an initial term of not more than 7 years~~
21 ~~[which] THAT contains any provisions for renewal for 1 or more succeeding stated~~
22 ~~terms of not more than 7 years each, if under [such provision] THOSE PROVISIONS for~~
23 ~~renewal the right to effect or prevent each [such] renewal term [shall be] IS optional~~
24 ~~with either the landlord or the tenant.~~

25 ~~(3) EXEMPTION FROM SURTAX:~~

26 THE SURTAX IMPOSED BY PARAGRAPH (1)(i) OF THIS SUBSECTION DOES NOT APPLY TO
27 A CONVEYANCE OF OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE INSTRUMENT IN
28 WRITING IS ACCOMPANIED BY A STATEMENT, SIGNED UNDER OATH BY THE BUYER;
29 THAT THE BUYER WILL USE THE PROPERTY AS THE BUYER'S PRINCIPAL RESIDENCE BY
30 ACTUALLY OCCUPYING THE PROPERTY FOR AT LEAST 7 MONTHS OF THE 12-MONTH
31 PERIOD IMMEDIATELY FOLLOWING THE CONVEYANCE:

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1 ~~§ 17-3. Tax imposed – Corporate transfers.~~

2 ~~(a) In general:~~

3 A tax is hereby levied and imposed upon the transfer of real property affected by filing of
4 articles of sale, lease, exchange, or other transfer of all or substantially all the property
5 and assets of a corporation with respect to the property subject to the certificate required
6 under State Corporations and Associations Article § 3-112, AS FOLLOWS:

7 ~~(1) at the rate of [1½%] 1.5% of the TRANSFER'S taxable basis [thereof], as~~
8 ~~[hereinafter] defined in § 17-5 ("TAXABLE BASIS") OF THIS SUBTITLE; PLUS~~

9 ~~(2) AN ADDITIONAL AMOUNT ("SURTAX") AT THE RATE OF 0.6% OF THAT TAXABLE~~
10 ~~BASIS.~~

11 ~~§ 17-15. DEDICATION OF SURTAX PROCEEDS:~~

12 ~~ALL PROCEEDS FROM THE SURTAX IMPOSED BY § 17-2(A)(1)(II) AND § 17-3(A)(2) OF THIS~~
13 ~~SUBTITLE SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY~~
14 ~~CHARTER ARTICLE I, § 14 ("AFFORDABLE HOUSING TRUST FUND"), TO BE USED~~
15 ~~EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION.~~

16 SUBTITLE 17.1. RECORDATION AND TRANSFER TAXES – YIELD EXCISE TAX

17 § 17.1-1. TAX IMPOSED.

18 (A) IN GENERAL.

19 AN EXCISE TAX, TO BE KNOWN AS THE YIELD TAX, SHALL BE LEVIED AND COLLECTED
20 BASED UPON THE TAX YIELD FROM ANY TRANSACTION FOR WHICH RECORDATION TAXES
21 AND TRANSFER TAXES ARE DUE PURSUANT TO SUBTITLES 16 AND 17 OF THIS ARTICLE.

22 (B) EXEMPTIONS.

23 (1) THE YIELD TAX DOES NOT APPLY TO:

24 (i) ANY MORTGAGE OR DEED OF TRUST RECORDED WITHIN 6 MONTHS OF THE
25 EFFECTIVE DATE OF THIS SUBTITLE AND SECURING A LOAN THE PROCEEDS OF
26 WHICH WILL PROVIDE FUNDING FOR THE CONSTRUCTION AND COMPLETION TO
27 THE ISSUANCE OF A CERTIFICATE OF USE AND OCCUPANCY OF A PROJECT AND
28 FOR WHICH A FULL BUT NOT A PARTIAL BUILDING PERMIT HAS BEEN ISSUED
29 PRIOR TO THE EFFECTIVE DATE OF THIS SUBTITLE; OR

30 (ii) ANY DEED AND ANY PURCHASE MONEY MORTGAGE OR DEED OF TRUST
31 RELATED THERETO FOR THE CONVEYANCE OF A RESIDENTIAL PROPERTY TO BE
32 OCCUPIED BY THE GRANTEE OF SUCH DEED AND WHICH DEED IS DELIVERED
33 PURSUANT TO A BONA FIDE CONTRACT OF SALE THAT HAS BEEN ENTERED INTO
34 BETWEEN THE GRANTOR AND GRANTEE OF SUCH DEED WITHIN 2 YEARS OF THE
35 EFFECTIVE DATE OF THIS SUBTITLE.

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1 (2) THE FACTS TO SUBSTANTIATE THE FOREGOING EXEMPTIONS SHALL BE SET FORTH IN
2 AN AFFIDAVIT MADE ON PERSONAL KNOWLEDGE OF THE AFFIANT AND UNDER
3 PENALTIES OF PERJURY ON FORMS TO BE FURNISHED BY THE DIRECTOR OF FINANCE
4 AND INCLUDING SUPPORTING DOCUMENTS THAT VERIFY COMPLIANCE WITH THE
5 REQUIREMENT FOR THE EXEMPTION.

6 § 17.1-2. YIELD TAX.

7 (A) TRANSACTIONS ASSESSED.

8 THE YIELD TAX SHALL BE ASSESSED ON THOSE TRANSACTIONS WHOSE VALUE EXCEEDS
9 \$1 MILLION, AS DETERMINED BY SUBTITLES 16 AND 17 OF THIS ARTICLE FOR THE
10 PURPOSES OF CALCULATING THE RECORDATION AND TRANSFER TAXES RESPECTIVELY.

11 (B) TAX RATE.

12 THE RATE OF TAX SHALL BE AS FOLLOWS:

13 (1) 0.15% ON THE AMOUNT COLLECTED UNDER SUBTITLE 16 OF THIS ARTICLE; AND

14 (2) 0.6% ON THE AMOUNT COLLECTED UNDER SUBTITLE 17 OF THIS ARTICLE.

15 § 17.1-3. DEDICATION OF TAX PROCEEDS.

16 PROCEEDS FROM THE TAX IMPOSED BY THIS SUBTITLE UP TO \$16 MILLION, AND ONE-HALF OF
17 THE PROCEEDS IN EXCESS OF \$16 MILLION, IF ANY, SHALL BE DEPOSITED IN THE CONTINUING,
18 NONLAPSING FUND CREATED BY CITY CHARTER, ARTICLE I, § 14 {"AFFORDABLE HOUSING
19 TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION,
20 SUBJECT TO APPROPRIATION PURSUANT TO THE ANNUAL ORDINANCE OF ESTIMATES.

21 § 17.1-4. INTEREST AND CIVIL PENALTIES.

22 IN THE EVENT THAT THE TAX LEVIED AND IMPOSED UNDER THIS SUBTITLE IS NOT PAID AS
23 REQUIRED BY THIS SUBTITLE, THE PERSON AND/OR OTHER LEGAL ENTITY LIABLE FOR THE
24 PAYMENT OF THAT TAX SHALL BE ASSESSED BY THE DIRECTOR OF FINANCE FOR:

25 (1) THE AMOUNT OF THE TAX DUE;

26 (2) INTEREST AT THE RATE OF ½% FOR EACH MONTH OR FRACTION OF A MONTH,
27 ACCOUNTING FROM THE DATE WHEN SUCH WRITTEN INSTRUMENT WAS RECEIVED FOR
28 REGORDATION; AND

29 (3) A PENALTY OF 10% OF THE TAX DUE.

30 § 17.1-5. LIABILITY OF TRANSFERORS AND TRANSFEREES.

31 THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE, AND ALL INCREASES, INTEREST, AND
32 PENALTIES THEREON, SHALL BE AND BECOME, FROM THE TIME DUE AND PAYABLE, THE DEBT
33 OF THE LEGAL AND EQUITABLE TRANSFERORS AND TRANSFEREES, JOINTLY AND SEVERALLY,
34 OF THE PROPERTY SUBJECT TO THE RECORDATION AND TRANSFER TAXES UPON WHICH THE
35 YIELD TAX IS CALCULATED.

Council Bill 18-0221

1 § 17.1-6. ADMINISTRATION OF SUBTITLE.

2 (A) IN GENERAL.

3 IN ORDER TO PROPERLY CARRY OUT AND ENFORCE THE PROVISIONS OF THIS SUBTITLE AND
4 TO COLLECT THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE, THE DIRECTOR OF FINANCE
5 IS HEREBY AUTHORIZED AND EMPOWERED:

6 (1) TO MAKE, ADOPT, PROMULGATE, AND AMEND, FROM TIME TO TIME, SUCH RULES
7 AND REGULATIONS AS HE MAY DEEM NECESSARY OR PROPER:

8 (I) TO CARRY OUT AND ENFORCE THE PROVISIONS OF THIS SUBTITLE;

9 (II) TO FULLY COLLECT THE TAX IMPOSED BY THIS SUBTITLE; AND

10 (III) TO DEFINE OR CONSTRUCE ANY OF THE TERMS AND PROVISIONS USED IN
11 THIS SUBTITLE IN CONNECTION WITH THE IMPOSITION OR COLLECTION OF
12 THAT TAX;

13 (2) WITH THE APPROVAL OF THE CITY SOLICITOR:

14 (I) TO COMPROMISE DISPUTED CLAIMS IN CONNECTION WITH THE TAX LEVIED
15 AND IMPOSED BY THIS SUBTITLE; AND

16 (II) FOR GOOD AND SUFFICIENT CAUSES SHOWN, TO ABATE OR REMIT INTEREST
17 AND PENALTIES AND TO REBATE AND REFUND ANY TAXES ERRONEOUSLY
18 OR IMPROPERLY PAID; AND

19 (3) TO DELEGATE ANY OF HIS POWERS, DUTIES, AND FUNCTIONS UNDER THE
20 PROVISIONS OF THIS SUBTITLE TO THE CITY COLLECTOR.

21 (B) RULES AND REGULATIONS TO BE FILED WITH DLR.

22 COPIES OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL BE FILED
23 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE.

24 § 17.1-7. CRIMINAL PENALTIES.


25 ANY PERSON WHO PARTICIPATES OR AIDS IN ANY MANNER IN THE EVASION OF THE TAX
26 LEVIED AND IMPOSED BY THIS SUBTITLE OR WHO WILLFULLY VIOLATES ANY PROVISION OF
27 THIS SUBTITLE OR OF THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE IS
28 GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN
29 \$500 FOR EACH OFFENSE.

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

33 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
34 after the date it is enacted.

Council Bill 18-0221

Certified as duly passed this _____ day of NOV 15 2018



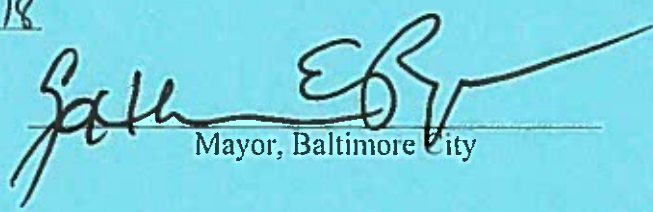
President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of NOV 19, 2018



Chief Clerk

Approved this 12 day of December, 2018



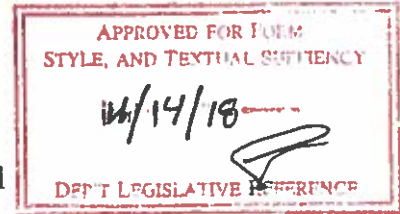
Mayor, Baltimore City

1954-1955

1956-1957

1958-1959

1960-1961



AMENDMENTS TO COUNCIL BILL 18-221
(3rd Reader Copy)

By: Councilperson Middleton
{To be offered on the Council Floor}

ADOPTED

Amendment No. 1 {Title: Short Title}

On page 1, in line 3, strike “, Surtaxes, and” and substitute “_”.

Amendment No. 2 {Title: Purpose Clause}

On page 1, strike beginning with “imposing” in line 5 through the semi-colon in line 7; and, in line 11, strike “these surtaxes and the” and substitute “this”; and strike beginning with “correcting” in line 12 through the semicolon in line 13; and, in line 13, strike “, surtaxes,”.

Amendment No. 3 {Title: Function Paragraphs}

On page 1, strike lines 15 through 24, in their entireties.

Amendment No. 4 {Statutory Text}

Strike beginning with line 11 on page 2 through line 15 on page 4, in their entireties.

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 18-0221

Introduced by: Councilmember Bullock, President Young, Councilmembers Henry, Dorsey,
Burnett, Scott, Sneed, Clarke, Stokes, Middleton, Cohen, Reisinger, Costello, Pinkett,
Schleifer

Introduced and read first time: April 16, 2018

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Committee Report: Favorable with amendments

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AN ORDINANCE CONCERNING

~~Recordation and Transfer Taxes – Surtax –
Dedicating Surtax Proceeds to Affordable Housing Trust Fund~~

Recordation and Transfer Taxes, Surtaxes, and “Yield” Excise Tax –
Dedicating Proceeds to Affordable Housing Trust Fund

FOR the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; imposing an excise tax based on the tax yield from any transaction for which recordation and transfer taxes are due; providing for certain exemptions from this excise tax; providing for the administration of this excise tax; imposing certain penalties for failure to comply with requirements governing this excise tax; dedicating the proceeds from these surtaxes and the excise tax to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City’s recordation and transfer taxes, surtaxes, and yield excise tax.

BY repealing and reordaining, with amendments

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Article 28 - Taxes
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Council Bill 18-0221

1 BY adding

2 Article 28 - Taxes

3 Sections 17.1-1 through 17.1-7, to be under the new subtitle designation,

4 "Subtitle 17.1. Recordation and Transfer Taxes – Yield Excise Tax"

5 Baltimore City Code

6 (Edition 2000)

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

9 **Baltimore City Code**

10 **Article 28. Taxes**

11 **Subtitle 16. Recordation Tax**

12 **§ 16-1. Tax imposed.**

13 (A) *IN GENERAL.*

14 Pursuant to State Tax-Property Article § 12-103(b), the rate of tax applicable to
15 instruments recorded with the Clerk of the Circuit Court for Baltimore City is:

16 (1) in the case of instruments conveying title to property[,]:

17 (i) \$5 for each \$500 or fractional part of \$500 of the actual consideration paid
18 or to be paid; PLUS

19 (ii) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN
20 ADDITIONAL AMOUNT ("SURTAX") OF \$2 FOR EACH \$500 OR FRACTIONAL
21 PART OF \$500 OF THE ACTUAL CONSIDERATION PAID OR TO BE PAID; and

22 (2) in the case of instruments securing a debt[,]:

23 (i) \$5 for each \$500 or fractional part of \$500 of the principal amount of the
24 debt secured; PLUS

25 (ii) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN
26 ADDITIONAL AMOUNT ("SURTAX") OF \$2 FOR EACH \$500 OR FRACTIONAL
27 PART OF \$500 OF THE PRINCIPAL AMOUNT OF THE DEBT SECURED.

28 (B) *EXEMPTION FROM SURTAX.*

29 THE SURTAX IMPOSED BY SUBSECTION (A)(1)(II) AND (A)(2)(II) OF THIS SECTION DOES NOT
30 APPLY TO A CONVEYANCE OF OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE
31 INSTRUMENT IN WRITING IS ACCOMPANIED BY A STATEMENT, SIGNED UNDER OATH BY THE
32 BUYER, THAT THE BUYER WILL USE THE PROPERTY AS THE BUYER'S PRINCIPAL RESIDENCE
33 BY ACTUALLY OCCUPYING THE PROPERTY FOR AT LEAST 7 MONTHS OF THE 12 MONTH
34 PERIOD IMMEDIATELY FOLLOWING THE CONVEYANCE.

Council Bill 18-0221

1 **§ 16-3. DEDICATION OF SURTAX PROCEEDS.**

2 ALL PROCEEDS FROM THE SURTAX IMPOSED BY §16-1(A)(1)(II) AND (2)(II) OF THIS SUBTITLE
3 SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER
4 ARTICLE I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE
5 PURPOSES SPECIFIED IN THAT SECTION.

6 **Subtitle 17. Transfer Tax**

7 **§ 17-2. Tax imposed – In general.**

8 (a) *In general.*

9 (1) *IMPOSITION OF TAX.*

10 A tax is hereby levied and imposed upon the transfer of any estate of inheritance or
11 freehold, of any declaration or limitation of use, or any estate above 7 years, in
12 Baltimore City, [at the rate of] AS FOLLOWS:

13 (I) AT THE RATE OF [1½%] 1.5% of the TRANSFER'S taxable basis [thereof], as
14 [hereinafter] defined IN § 17-5 {"TAXABLE BASIS"} OF THIS SUBTITLE; PLUS

15 (II) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, AN
16 ADDITIONAL AMOUNT ("SURTAX") AT THE RATE OF 0.6% OF THAT TAXABLE
17 BASIS.

18 (2) *INAPPLICABILITY OF TAX TO CERTAIN SHORT-TERM RENEWABLE LEASES.*

19 [Except that the] THE tax levied and imposed [hereunder shall] UNDER THIS SECTION
20 DOES not apply to any lease or sublease for an initial term of not more than 7 years
21 [which] THAT contains any provisions for renewal for 1 or more succeeding stated
22 terms of not more than 7 years each, if under [such provision] THOSE PROVISIONS for
23 renewal the right to effect or prevent each [such] renewal term [shall be] IS optional
24 with either the landlord or the tenant.

25 (3) *EXEMPTION FROM SURTAX.*

26 THE SURTAX IMPOSED BY PARAGRAPH (1)(I) OF THIS SUBSECTION DOES NOT APPLY TO
27 A CONVEYANCE OF OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE INSTRUMENT IN
28 WRITING IS ACCOMPANIED BY A STATEMENT, SIGNED UNDER OATH BY THE BUYER,
29 THAT THE BUYER WILL USE THE PROPERTY AS THE BUYER'S PRINCIPAL RESIDENCE BY
30 ACTUALLY OCCUPYING THE PROPERTY FOR AT LEAST 7 MONTHS OF THE 12 MONTH
31 PERIOD IMMEDIATELY FOLLOWING THE CONVEYANCE.

Council Bill 18-0221

1 § 17-3. Tax imposed – Corporate transfers.

2 (a) *In general.*

3 A tax is hereby levied and imposed upon the transfer of real property affected by filing of
4 articles of sale, lease, exchange, or other transfer of all or substantially all the property
5 and assets of a corporation with respect to the property subject to the certificate required
6 under State Corporations and Associations Article § 3-112, AS FOLLOWS:

7 (1) at the rate of [1½%] 1.5% of the TRANSFER'S taxable basis [thereof], as
8 [hereinafter] defined in § 17-5 {"TAXABLE BASIS"} OF THIS SUBTITLE; PLUS

9 (2) AN ADDITIONAL AMOUNT ("SURTAX") AT THE RATE OF 0.6% OF THAT TAXABLE
10 BASIS.

11 § 17-15. DEDICATION OF SURTAX PROCEEDS.

12 ALL PROCEEDS FROM THE SURTAX IMPOSED BY § 17-2(A)(1)(II) AND § 17-3(A)(2) OF THIS
13 SUBTITLE SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY
14 CHARTER ARTICLE I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED
15 EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION.

16 SUBTITLE 17.1. RECORDATION AND TRANSFER TAXES – YIELD EXCISE TAX

17 § 17.1-1. TAX IMPOSED.

18 (A) IN GENERAL.

19 AN EXCISE TAX, TO BE KNOWN AS THE YIELD TAX, SHALL BE LEVIED AND COLLECTED
20 BASED UPON THE TAX YIELD FROM ANY TRANSACTION FOR WHICH RECORDATION TAXES
21 AND TRANSFER TAXES ARE DUE PURSUANT TO SUBTITLES 16 AND 17 OF THIS ARTICLE.

22 (B) EXEMPTIONS.

23 (1) THE YIELD TAX DOES NOT APPLY TO:

24 (I) ANY MORTGAGE OR DEED OF TRUST RECORDED WITHIN 6 MONTHS OF THE
25 EFFECTIVE DATE OF THIS SUBTITLE AND SECURING A LOAN THE PROCEEDS OF
26 WHICH WILL PROVIDE FUNDING FOR THE CONSTRUCTION AND COMPLETION TO
27 THE ISSUANCE OF A CERTIFICATE OF USE AND OCCUPANCY OF A PROJECT AND
28 FOR WHICH A FULL BUT NOT A PARTIAL BUILDING PERMIT HAS BEEN ISSUED
29 PRIOR TO THE EFFECTIVE DATE OF THIS SUBTITLE; OR

30 (II) ANY DEED AND ANY PURCHASE MONEY MORTGAGE OR DEED OF TRUST
31 RELATED THERETO FOR THE CONVEYANCE OF A RESIDENTIAL PROPERTY TO BE
32 OCCUPIED BY THE GRANTEE OF SUCH DEED AND WHICH DEED IS DELIVERED
33 PURSUANT TO A BONA FIDE CONTRACT OF SALE THAT HAS BEEN ENTERED INTO
34 BETWEEN THE GRANTOR AND GRANTEE OF SUCH DEED WITHIN 2 YEARS OF THE
35 EFFECTIVE DATE OF THIS SUBTITLE.

Council Bill 18-0221

1 (2) THE FACTS TO SUBSTANTIATE THE FOREGOING EXEMPTIONS SHALL BE SET FORTH IN
2 AN AFFIDAVIT MADE ON PERSONAL KNOWLEDGE OF THE AFFIANT AND UNDER
3 PENALTIES OF PERJURY ON FORMS TO BE FURNISHED BY THE DIRECTOR OF FINANCE
4 AND INCLUDING SUPPORTING DOCUMENTS THAT VERIFY COMPLIANCE WITH THE
5 REQUIREMENT FOR THE EXEMPTION.

6 § 17.1-2. YIELD TAX.

7 (A) TRANSACTIONS ASSESSED.

8 THE YIELD TAX SHALL BE ASSESSED ON THOSE TRANSACTIONS WHOSE VALUE EXCEEDS
9 \$1 MILLION, AS DETERMINED BY SUBTITLES 16 AND 17 OF THIS ARTICLE FOR THE
10 PURPOSES OF CALCULATING THE RECORDATION AND TRANSFER TAXES RESPECTIVELY.

11 (B) TAX RATE

12 THE RATE OF TAX SHALL BE AS FOLLOWS:

13 (1) 0.15% ON THE AMOUNT COLLECTED UNDER SUBTITLE 16 OF THIS ARTICLE; AND

14 (2) 0.6% ON THE AMOUNT COLLECTED UNDER SUBTITLE 17 OF THIS ARTICLE.

15 § 17.1-3. DEDICATION OF TAX PROCEEDS.

16 PROCEEDS FROM THE TAX IMPOSED BY THIS SUBTITLE UP TO \$16 MILLION, AND ONE-HALF OF
17 THE PROCEEDS IN EXCESS OF \$16 MILLION, IF ANY, SHALL BE DEPOSITED IN THE CONTINUING,
18 NONLAPSING FUND CREATED BY CITY CHARTER, ARTICLE I, § 14 {"AFFORDABLE HOUSING
19 TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION,
20 SUBJECT TO APPROPRIATION PURSUANT TO THE ANNUAL ORDINANCE OF ESTIMATES.

21 § 17.1-4. INTEREST AND CIVIL PENALTIES.

22 IN THE EVENT THAT THE TAX LEVIED AND IMPOSED UNDER THIS SUBTITLE IS NOT PAID AS
23 REQUIRED BY THIS SUBTITLE, THE PERSON AND/OR OTHER LEGAL ENTITY LIABLE FOR THE
24 PAYMENT OF THAT TAX SHALL BE ASSESSED BY THE DIRECTOR OF FINANCE FOR:

25 (1) THE AMOUNT OF THE TAX DUE;

26 (2) INTEREST AT THE RATE OF ½% FOR EACH MONTH OR FRACTION OF A MONTH,
27 ACCOUNTING FROM THE DATE WHEN SUCH WRITTEN INSTRUMENT WAS RECEIVED FOR
28 RECORDATION; AND

29 (3) A PENALTY OF 10% OF THE TAX DUE.

30 § 17.1-5. LIABILITY OF TRANSFERORS AND TRANSFEREES.

31 THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE, AND ALL INCREASES, INTEREST, AND
32 PENALTIES THEREON, SHALL BE AND BECOME, FROM THE TIME DUE AND PAYABLE, THE DEBT
33 OF THE LEGAL AND EQUITABLE TRANSFERORS AND TRANSFEREES, JOINTLY AND SEVERALLY,

Council Bill 18-0221

1 OF THE PROPERTY SUBJECT TO THE RECORDATION AND TRANSFER TAXES UPON WHICH THE
2 YIELD TAX IS CALCULATED.

3 **§ 17.1-6. ADMINISTRATION OF SUBTITLE.**

4 **(A) IN GENERAL.**

5 IN ORDER TO PROPERLY CARRY OUT AND ENFORCE THE PROVISIONS OF THIS SUBTITLE AND
6 TO COLLECT THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE, THE DIRECTOR OF FINANCE
7 IS HEREBY AUTHORIZED AND EMPOWERED:

8 (1) TO MAKE, ADOPT, PROMULGATE, AND AMEND, FROM TIME TO TIME, SUCH RULES
9 AND REGULATIONS AS HE MAY DEEM NECESSARY OR PROPER:

10 (i) TO CARRY OUT AND ENFORCE THE PROVISIONS OF THIS SUBTITLE;

11 (ii) TO FULLY COLLECT THE TAX IMPOSED BY THIS SUBTITLE; AND

12 (iii) TO DEFINE OR CONSTRUE ANY OF THE TERMS AND PROVISIONS USED IN THIS
13 SUBTITLE IN CONNECTION WITH THE IMPOSITION OR COLLECTION OF THAT
14 TAX;

15 (2) WITH THE APPROVAL OF THE CITY SOLICITOR:

16 (i) TO COMPROMISE DISPUTED CLAIMS IN CONNECTION WITH THE TAX LEVIED
17 AND IMPOSED BY THIS SUBTITLE; AND

18 (ii) FOR GOOD AND SUFFICIENT CAUSES SHOWN, TO ABATE OR REMIT INTEREST
19 AND PENALTIES AND TO REBATE AND REFUND ANY TAXES ERRONEOUSLY
20 OR IMPROPERLY PAID; AND

21 (3) TO DELEGATE ANY OF HIS POWERS, DUTIES, AND FUNCTIONS UNDER THE
22 PROVISIONS OF THIS SUBTITLE TO THE CITY COLLECTOR.

23 **(B) RULES AND REGULATIONS TO BE FILED WITH DLR.**

24 COPIES OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL BE FILED
25 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE.

26 **§ 17.1-7. CRIMINAL PENALTIES.**


27 ANY PERSON WHO PARTICIPATES OR AIDS IN ANY MANNER IN THE EVASION OF THE TAX LEVIED
28 AND IMPOSED BY THIS SUBTITLE OR WHO WILLFULLY VIOLATES ANY PROVISION OF THIS
29 SUBTITLE OR OF THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A
30 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$500 FOR
31 EACH OFFENSE.

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

Council Bill 18-0221

1 SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day
2 after the date it is enacted.

Certified as duly passed this _____ day of OCT 29, 2018



President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,

this _____ day of OCT 29, 2018



Chief Clerk

Approved this _____ day of _____, 20____

Mayor, Baltimore City



10/15/18

AMENDMENTS TO TAXATION COMMITTEE'S AMENDMENTS TO
COUNCIL BILL 18-221
(1st Reader Copy)

By: Councilmember Middleton
{To be offered on the Council Floor}

ADOPTED

Amendment No. 1

On page 2 of the Taxation Committee's Amendments, in the first line of § 17.1-1(b)(1)(i), after "DEED OF TRUST", insert "RECORDED WITHIN 6 MONTHS OF THE EFFECTIVE DATE OF THIS SUBTITLE AND".

Amendment No. 2

On page 1 of the Taxation Committee's Amendments, in the last grouping of instructions, strike "and, in line 8, after the semi-colon, insert "providing for the automatic termination of this Ordinance:";"; and, on page 5 of the Taxation Committee's Amendments, strike Amendment No. 3, in its entirety.

ADOLPH

- 10/10/18

AMENDMENTS TO COUNCIL BILL 18-221
(1st Reader Copy)

By: Taxation, Finance, and Economic Development Committee

ADOPTED

Amendment No. 1

{DLR NOTE: IN THIS AMENDMENT NO. 1, DLR PROPOSES REVISIONS TO THE BILL'S TITLE TO INCORPORATE CHARTER-REQUIRED DESCRIPTIONS OF THE NEW, SUBSTANTIVE PROVISIONS ADDED TO THE BILL BY THE COMMITTEE'S ADOPTED AMENDMENTS (SEE AMENDMENT NOS. 2 AND 3) BELOW.}

On page 1, strike lines 2 and 3, in their entireties, and substitute:

“Recordation and Transfer Taxes, Surtaxes, and “Yield” Excise Tax –
Dedicating Proceeds to Affordable Housing Trust Fund”;

and, on the same page, in line 6, after the semi-colon insert:

“imposing an excise tax based on the tax yield from any transaction for which recordation and transfer taxes are due; providing for certain exemptions from this excise tax; providing for the administration of this excise tax; imposing certain penalties for failure to comply with requirements governing this excise tax.”;

and, in the same line, after “dedicating”, strike “the”; and, in the same line, after “these surtaxes”, insert “and the excise tax”; and, in line 8, after the semi-colon, insert “providing for the automatic termination of this Ordinance.”; and, in line 9, after “taxes”, insert “, surtaxes, and yield excise tax”; and, after line 19, insert:

“By adding

Article 28 - Taxes

Sections 17.1-1 through 17.1-7. to be under the new subtitle designation.

“Subtitle 17.1. Recordation and Transfer Taxes – Yield Excise Tax”

Baltimore City Code

(Edition 2000)”.

Amendment No. 2

{DLR NOTE: AMENDMENT NOS. 2 AND 3 ARE NON-SUBSTANTIVE REFORMATTINGS OF THE NON-DLR DRAFT AMENDMENTS ADOPTED BY THE COMMITTEE.}

On page 4, after line 7, insert:

Subtitle 17.1. Recordation and Transfer Taxes – Yield Excise Tax
§ 17.1-1. TAX IMPOSED.

(A) IN GENERAL.

AN EXCISE TAX, TO BE KNOWN AS THE YIELD TAX, SHALL BE LEVIED AND COLLECTED BASED UPON THE TAX YIELD FROM ANY TRANSACTION FOR WHICH RECORDATION TAXES AND TRANSFER TAXES ARE DUE PURSUANT TO SUBTITLES 16 AND 17 OF THIS ARTICLE.

(B) EXEMPTIONS.

(1) THE YIELD TAX DOES NOT APPLY TO:

(i) ANY MORTGAGE OR DEED OF TRUST SECURING A LOAN THE PROCEEDS OF WHICH WILL PROVIDE FUNDING FOR THE CONSTRUCTION AND COMPLETION TO THE ISSUANCE OF A CERTIFICATE OF USE AND OCCUPANCY OF A PROJECT AND FOR WHICH A FULL BUT NOT A PARTIAL BUILDING PERMIT HAS BEEN ISSUED PRIOR TO THE EFFECTIVE DATE OF THIS SUBTITLE; OR

(ii) ANY DEED AND ANY PURCHASE MONEY MORTGAGE OR DEED OF TRUST RELATED THERE TO FOR THE CONVEYANCE OF A RESIDENTIAL PROPERTY TO BE OCCUPIED BY THE GRANTEE OF SUCH DEED AND WHICH DEED IS DELIVERED PURSUANT TO A BONA FIDE CONTRACT OF SALE THAT HAS BEEN ENTERED INTO BETWEEN THE GRANTOR AND GRANTEE OF SUCH DEED WITHIN 2 YEARS OF THE EFFECTIVE DATE OF THIS SUBTITLE.

(2) THE FACTS TO SUBSTANTIATE THE FOREGOING EXEMPTIONS SHALL BE SET FORTH IN AN AFFIDAVIT MADE ON PERSONAL KNOWLEDGE OF THE AFFIANT AND UNDER PENALTIES OF PERJURY ON FORMS TO BE FURNISHED BY THE DIRECTOR OF FINANCE AND INCLUDING SUPPORTING DOCUMENTS THAT VERIFY COMPLIANCE WITH THE REQUIREMENT FOR THE EXEMPTION.

§ 17.1-2. YIELD TAX.

(A) TRANSACTIONS ASSESSED.

THE YIELD TAX SHALL BE ASSESSED ON THOSE TRANSACTIONS WHOSE VALUE EXCEEDS \$1 MILLION, AS DETERMINED BY SUBTITLES 16 AND 17 OF THIS ARTICLE FOR THE PURPOSES OF CALCULATING THE RECORDATION AND TRANSFER TAXES RESPECTIVELY.

(B) TAX RATE.

THE RATE OF TAX SHALL BE AS FOLLOWS:

- (1) 0.15% ON THE AMOUNT COLLECTED UNDER SUBTITLE 16 OF THIS ARTICLE;
AND
- (2) 0.6% ON THE AMOUNT COLLECTED UNDER SUBTITLE 17 OF THIS ARTICLE.

§ 17.1-3. DEDICATION OF TAX PROCEEDS.

PROCEEDS FROM THE TAX IMPOSED BY THIS SUBTITLE UP TO \$16 MILLION, AND ONE-HALF OF THE PROCEEDS IN EXCESS OF \$16 MILLION, IF ANY, SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER, ARTICLE I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION, SUBJECT TO APPROPRIATION PURSUANT TO THE ANNUAL ORDINANCE OF ESTIMATES.

§ 17.1-4. INTEREST AND CIVIL PENALTIES.

IN THE EVENT THAT THE TAX LEVIED AND IMPOSED UNDER THIS SUBTITLE IS NOT PAID AS REQUIRED BY THIS SUBTITLE, THE PERSON AND/OR OTHER LEGAL ENTITY LIABLE FOR THE PAYMENT OF THAT TAX SHALL BE ASSESSED BY THE DIRECTOR OF FINANCE FOR:

- (1) THE AMOUNT OF THE TAX DUE;
- (2) INTEREST AT THE RATE OF ½% FOR EACH MONTH OR FRACTION OF A MONTH, ACCOUNTING FROM THE DATE WHEN SUCH WRITTEN INSTRUMENT WAS RECEIVED FOR RECORDATION; AND
- (3) A PENALTY OF 10% OF THE TAX DUE.

§ 17.1-5. LIABILITY OF TRANSFERORS AND TRANSFEREES.

THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE, AND ALL INCREASES, INTEREST, AND PENALTIES THEREON, SHALL BE AND BECOME, FROM THE TIME DUE AND PAYABLE, THE DEBT OF THE LEGAL AND EQUITABLE TRANSFERORS AND TRANSFEREES, JOINTLY AND SEVERALLY, OF THE PROPERTY SUBJECT TO THE RECORDATION AND TRANSFER TAXES UPON WHICH THE YIELD TAX IS CALCULATED.

§ 17.1-6. ADMINISTRATION OF SUBTITLE.

(A) IN GENERAL.

IN ORDER TO PROPERLY CARRY OUT AND ENFORCE THE PROVISIONS OF THIS SUBTITLE AND TO COLLECT THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE, THE DIRECTOR OF FINANCE IS HEREBY AUTHORIZED AND EMPOWERED:

(1) TO MAKE, ADOPT, PROMULGATE, AND AMEND, FROM TIME TO TIME, SUCH RULES AND REGULATIONS AS HE MAY DEEM NECESSARY OR PROPER:

(i) TO CARRY OUT AND ENFORCE THE PROVISIONS OF THIS SUBTITLE;

(ii) TO FULLY COLLECT THE TAX IMPOSED BY THIS SUBTITLE; AND

(iii) TO DEFINE OR CONSTRUCT ANY OF THE TERMS AND PROVISIONS USED IN THIS SUBTITLE IN CONNECTION WITH THE IMPOSITION OR COLLECTION OF THAT TAX;

(2) WITH THE APPROVAL OF THE CITY SOLICITOR:

(i) TO COMPROMISE DISPUTED CLAIMS IN CONNECTION WITH THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE; AND

(ii) FOR GOOD AND SUFFICIENT CAUSES SHOWN, TO ABATE OR REMIT INTEREST AND PENALTIES AND TO REBATE AND REFUND ANY TAXES ERRONEOUSLY OR IMPROPERLY PAID; AND

(3) TO DELEGATE ANY OF HIS POWERS, DUTIES, AND FUNCTIONS UNDER THE PROVISIONS OF THIS SUBTITLE TO THE CITY COLLECTOR.

(B) RULES AND REGULATIONS TO BE FILED WITH DLR.

COPIES OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE SHALL BE FILED WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE.

§ 17.1-7. CRIMINAL PENALTIES.

ANY PERSON WHO PARTICIPATES OR AIDS IN ANY MANNER IN THE EVASION OF THE TAX LEVIED AND IMPOSED BY THIS SUBTITLE OR WHO WILLFULLY VIOLATES ANY PROVISION OF THIS SUBTITLE OR OF THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO A FINE OF NOT MORE THAN \$500 FOR EACH OFFENSE.

Amendment No. 3

On page 4, after line 12, insert:

“SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance will remain in effect for 7 years, at the end of which period, with no further action by the Mayor and City Council, this Ordinance will be abrogated and of no further effect. After the 5th year from the enactment of this Ordinance, however, the Mayor and City Council may, by subsequent Ordinance, modify, postpone, or repeal outright the automatic termination imposed by this Section 4.”

**BALTIMORE CITY COUNCIL
TAXATION, FINANCE AND ECONOMIC DEVELOPMENT
VOTING RECORD**

DATE: September 27, 2018

BILL#: 18-0221

**BILL TITLE: Recordation and Transfer Taxes – Surtax – Dedicating Surtax
Proceeds to Affordable Housing Trust Fund**

MOTION BY: Pinkett SECONDED BY: Reisinger

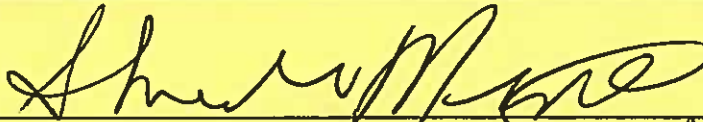
FAVORABLE

FAVORABLE WITH AMENDMENTS

UNFAVORABLE

WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Middleton, Sharon, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, Leon, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Costello, Eric	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reisinger, Edward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, Robert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS	5			

CHAIRPERSON: 

COMMITTEE STAFF: Samuel Johnson, Initials: 

CITY OF BALTIMORE

CATHERINE E. PUGH, Mayor

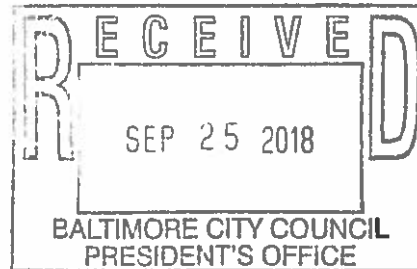


DEPARTMENT OF LAW

ANDRE M. DAVIS, City Solicitor
101 City Hall
Baltimore, Maryland 21202

September 25, 2018

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



Re: City Council Bill 18-0221 – Recordation and Transfer Taxes -Surtax-
Dedicating Surtax Proceeds to the Affordable Housing Trust Fund

Dear President and City Council Members:

The Law Department has reviewed Mayor and City Council Bill 18-0221 for form and legal sufficiency. As introduced, the bill is for the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties and dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article I, §14.

The Law Department has been asked to review significant amendments to the bill that eliminate the surtax and replace it with an excise tax, referred to as the Yield tax which is calculated as a percentage of the amount of transfer and recordation taxes paid on a transaction pursuant to existing law. The bill also dedicates a certain amount of the revenue from the Yield Tax to the Affordable Housing Trust Fund.

The Law Department has concerns regarding the City Council's authority to enact a surtax on top of the State authorized recordation and transfer taxes and the fact that the bill seems to assume that the State laws applicable to recordation and transfer taxes would be applicable to the surtax, such as payment, collection and disbursement requirements. This would result in the City imposing these requirements on the State which it does not have the authority to do.

The proposed amendments take the tax out of the City Code sections regarding recordation and transfer taxes and create an excise tax on the yield from those taxes. This is consistent with the City's broad taxing authority. See Baltimore City Charter, Art. II, Sec. 40. The tax would be

Fav w/ comments

City Council Bill 18-0221
September 25, 2018
Page 2

collected by the Director of Finance, thereby solving the issue of mandating that the State collect and disburse payments.

City Council Bill 18-0221, if the proposed amendments are passed, would be consistent with the City's taxing authority. The Law Department could, therefore, approve City Council Bill 18-0221 for form and legal sufficiency.

Sincerely yours,



Elena R. DiPietro
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Karen Stokes, Director, MOGR
Kyron Banks, Mayor's Legislative Liaison
Hilary Ruley, Chief Solicitor
Victor Tervalo, Chief Solicitor
Ashlea Brown, Assistant Solicitor
Avery Aisenstark

TJS

FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 8 TH FLOOR, 417 EAST FAYETTE STREET
	SUBJECT	CITY COUNCIL BILL #18-0221/ RECORDATION AND TRANSFER TAXES – SURTAX – DEDICATING SURTAX PROCEEDS TO AFFORDABLE HOUSING TRUST FUND

CITY of
BALTIMORE
MEMO



DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400
100 North Holliday Street

September 24, 2018

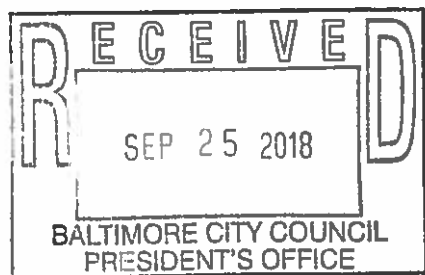
The Department of Planning is in receipt of City Council Bill #18-0221, which is for the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City's recordation and transfer taxes.

The Department of Planning defers to the Department of Housing and the Department of Finance as the more directly impacted agencies.

If you have any questions, please contact Mr. Eric Tiso, Division Chief, Land Use and Urban Design Division at 410-396-8358.

TJS/ewt

- cc: Mr. Pete Hammen, Chief Operating Officer
- Mr. Jim Smith, Chief of Strategic Alliances
- Ms. Karen Stokes, Mayor's Office
- Mr. Colin Tarbert, Mayor's Office
- Mr. Kyron Banks, Mayor's Office
- The Honorable Edward Reisinger, Council Rep. to Planning Commission
- Mr. William H. Cole IV, BDC
- Mr. Derek Baumgardner, BMZA
- Mr. Geoffrey Veale, Zoning Administration
- Ms. Sharon Daboin, DHCD
- Ms. Elena DiPietro, Law Dept.
- Mr. Francis Burnszynski, PABC
- Ms. Josh Taylor, DOT
- Ms. Natawna Austin, Council Services
- Mr. Ervin Bishop, Council Services



*Defers
to
Hed's Finance*

The Baltimore City Department of
HOUSING & COMMUNITY
DEVELOPMENT

MEMORANDUM

To: The Honorable President and Members of the Baltimore City Council
c/o Natawna Austin, Executive Secretary

From: Michael Braverman, Housing Commissioner 

Date: September 18, 2018

Re: **City Council Bill 18-0221 - Recordation and Transfer Taxes – Surtax – Dedicating Surtax Proceeds to Affordable Housing Trust Fund**

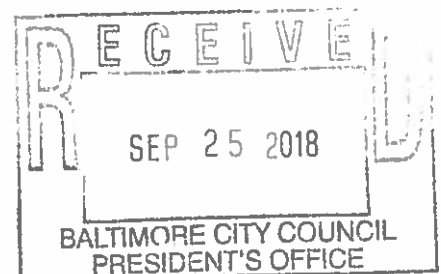
The Department of Housing and Community Development (HCD) has reviewed City Council Bill 18-0221, for the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying and conforming related language; and generally relating to the City's recordation and transfer taxes.

If enacted, this bill would provide a funding mechanism for the Affordable Housing Trust Fund that was established by a charter amendment in 2016 to provide financial assistance for the production, maintenance, or expansion of affordable housing throughout Baltimore for extremely low income families (at or below 50% of AMI). The funds for the trust fund would be generated by adding an additional excise tax on fees for the transfer and recordation of real property transactions valued over a certain dollar amount. The funds could be used for predevelopment and development activities, to support community land trusts, for affordable and fair housing related services as well as for related administrative and planning costs. The funds could also support other uses associated with production or preservation of affordable housing in accordance with the Charter as amended. The fund will be administered by HCD and overseen by a 12 member appointed commission of community members.

The Department of Housing and Community Development supports and encourages the passage of City Council Bill 18-0221.

MB:sd

cc: Ms. Karen Stokes, *Mayor's Office of Government Relations*
Mr. Kyron Banks, *Mayor's Office of Government Relations*



Robert Cennamo

FROM	NAME & TITLE	Robert Cennamo, Chief
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941
	SUBJECT	City Council Bill #18-0221 Recordation and Transfer Taxes – Yield Tax

CITY of
BALTIMORE
MEMO



DATE:

TO

September 24, 2018

The Honorable President and
Members of the City Council
Room 400, City Hall

Attention: Ms. Natawna Austin

We are herein reporting on Council Bill 18-0221, which introduces an excise tax to be known as the Yield Tax to existing real property transactions that exceed \$1 million. The Yield Tax would be applied in addition to the existing Transfer and Recordation taxes. Proceeds from the Yield Tax would be deposited into the Affordable Housing Trust Fund.

Background

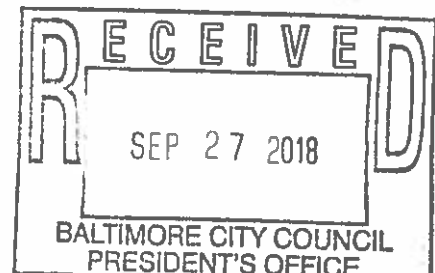
In Fiscal 2019, the City's existing Transfer and Recordation taxes are budgeted to generate \$76.7 million of General Fund revenue. The Transfer Tax rate is calculated as 1.5% of the value of a real property transfer. The Recordation Tax is calculated as \$5 per \$500 (equivalent of 1%) of the consideration value of a property transfer or refinancing transaction.

Transfer and Recordation tax receipts are a function of the activity in the commercial and residential housing market. As such, these sources are highly volatile over time and susceptible to changing economic conditions. To illustrate this volatility, the table below shows the City's actual historical receipts even as tax rates remained constant:



Fiscal Impact

Comments



CCB 18-0221 introduces a new excise tax known as the Yield Tax to property transactions exceeding \$1 million. The Yield Tax rate is 0.6% for any consideration subject to the existing Transfer Tax and 0.15% for any transaction subject to the Recordation Tax. To determine the scope of this new tax and the revenue generated, BBMR compiled all transactions subject to the Recordation Tax over the last three fiscal years (Fiscal 2016 to Fiscal 2018).

BBMR estimates that the Yield Tax will generate \$13 million annually, using the average of the last three years. Note that this assumes no change in market conditions, and no decline in demand for housing due to the new tax.

BBMR estimates that the Yield Tax will only affect 1.2% of real estate transactions. Fiscal 2017 data serves as a good illustrative example. In that year, of the 23,855 total transactions subject to the Recordation Tax, only 295 exceeded \$1 million and would have been subject to the new yield taxes.

From a consumer's standpoint, this tax will add \$7,500 to the closing costs on a \$1 million real estate transaction. Currently, on a \$1 million transaction a consumer would pay approximately 2.5% of the value in tax (1.5% Transfer Tax plus 1% Recordation), which equates to \$25,000. The new surcharge would require an additional 0.75% (0.6% Transfer plus 0.15% Recordation), which equates to \$7,500.

Implementation Considerations

The Bureau of Revenue Collections currently uses the real property application of the City's Mainframe for transfer tax and separate software for recordation tax. Modifying either system to handle a new yield tax is not considered cost-effective. Instead, the Bureau will work with BCIT to modify the cash slip application of the Mainframe. Modifications are needed to include a scan line to the cash slips and to record additional data so that reports can be created. The calculation of the yield tax would have to be performed manually. Based on present collections, the Bureau estimates that between 200 and 400 transfers each year would qualify for the tax. Customers who now submit separate checks for transfer and recordation taxes would have to submit a third check for the yield tax. The Bureau also would have to reconcile the receipts with the cash slip system at the end of each day and likely maintain a manual spreadsheet.

The Bureau will also need to notify the public of the new tax and procedures through an online alert and individual contacts with title companies.

Other Considerations

Tax Competitiveness

The burden placed on residents and businesses in the City is significant in comparison to both other local jurisdictions and major cities nationwide. The combined burden of state and local taxes for a family of three in Baltimore is in the top 20% of 51 cities surveyed for a recent *Tax Rates and Tax Burdens* report issued by the District of Columbia government. The following table illustrates the City has the highest property, transfer, and recordation tax rates of seven largest Maryland counties, and imposes the maximum possible local income tax rate under State law:

Jurisdiction	Property Tax	Income Tax	Transfer Tax	Transfer Tax >\$1M*	Recordation Tax	Recordation Tax >\$1M*
Baltimore City	2.248	3.20%	1.5%	2.1%	1.00%	1.15%
Anne Arundel County	0.923	2.50%	1.0%	1.0%	0.70%	0.70%
Baltimore County	1.100	2.83%	1.5%	1.5%	0.50%	0.50%
Harford County	1.042	3.06%	1.0%	1.0%	0.66%	0.66%
Howard County	1.190	3.20%	1.0%	1.0%	0.50%	0.50%
Montgomery County	0.999	3.20%	1.0%	1.0%	0.69%	0.69%
Prince George's County	1.374	3.20%	1.4%	1.4%	0.55%	0.55%

*Includes proposed yield taxes for transactions with consideration values greater than \$1 million

Although the new yield tax would only be applied to a fraction of property transactions, even small increases to tax rates can be more harmful than in neighboring, wealthier jurisdictions.

Effect on General Fund Revenues

Given that City tax rates are already the highest in the State, any additional tax increase has the potential to reduce investment in Baltimore, which in turn could erode General Fund revenues. To further explore this issue, we researched peer-reviewed academic studies about the impacts of real estate transaction taxes on housing market prices and activity.

The results of the studies were mixed. One study, which looked at a transfer tax on sales over \$1 million in New York and New Jersey, found evidence that transactions bunch below the new threshold, and produce strong incentives for buyers and sellers not to transact in the proximity of the threshold, which in turn led to lower sales activity. Another study, which looked at rate changes in Washington D.C., also found bunching below the new threshold, but no evidence of any change in the volume of housing sale activity in the market as a whole. Other studies in Australia, Canada, Finland, and France found lower property sales as a result of new transfer taxes. Differences in local economies and market conditions make it difficult to translate these findings to Baltimore.

Although CCB 18-0221 exempts most transactions due to the \$1 million threshold, most of the City's General Fund Transfer and Recordation revenue comes from these high-value transactions. In Fiscal 2017, the top 1.2% of transactions (over \$1 million) produced nearly 45% of the Transfer and Recordation revenue. In turn, even a small negative impact on housing transactions due to CCB 18-0221 could lead to lower General Fund revenue.

In looking at the Fiscal 2017 data, there were 295 high-value transactions subject to the Recordation Tax whose consideration value ranged from \$1 million all the way the \$142 million. If transactions were reduced by even 5% (about 15 transactions) due to the new yield taxes, General Fund revenues could be reduced by as much as \$2 million per year.

Budget Flexibility

By dedicating the proceeds of a tax increase to a new function, CCB 18-0221 will limit the City's options and flexibility in the event of a future economic downturn.

In recent years, significant tax increases have only been used selectively in response to clear financial crises. For example, in Fiscal 2011, at the peak of the recession, the City increased rates for energy, income, hotel, and parking taxes. These tax increases, combined with significant expenditure reforms on civilian pension and health benefits among others, allowed the City to survive the economic downturn with only modest service impacts to City residents.

The City's revenues historically track closely with the health of the national economy. The United States

has now entered its tenth consecutive year of expansion, the second longest since World War II, which increases the chances of a recession in the short to mid-term. In a future economic downturn, the City will have limited revenue options to choose from. The City is unlikely to pursue property tax rate increases due to the significant disparity between the City's rate and the rate in surrounding jurisdictions. The City's Income Tax is not an option since the rate of 3.2% is already capped by State law. And, the City's base Transfer and Recordation taxes along with the new yield taxes proposed in CCB 18-0221 will far exceed the highest rates in the State. Those three revenues alone make up nearly 70% of the City's Fiscal 2019 budget.

Conclusion

Given the concerns discussed above, Finance will coordinate an independent study to evaluate the impact of this legislation within two years of implementation.

cc: Henry Raymond
Karen Stokes



MEMORANDUM

TO: Honorable President and Members of the City Council
Attention: Natawna B. Austin, Executive Secretary

FROM: William H. Cole, President and CEO *[Signature]*

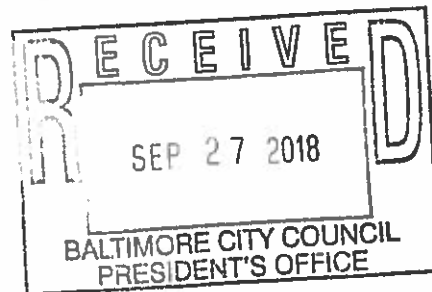
DATE: September 27, 2018 *[Signature]*

SUBJECT: City Council Resolution No. 18-0221
Recordation and Transfer Taxes – Surtax – Dedicating Surtax Proceeds to
Affordable Housing Trust Fund

The Baltimore Development Corporation (BDC) is in receipt of City Council Bill No. 18-0221, which is for the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City’s recordation and transfer taxes.

The BDC defers to the Department of Housing and the Department of Finance as the more directly impacted agencies and for additional comment.

cc: Kyron Banks



Defers to HCD & Finance

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Minutes - Final

Taxation, Finance and Economic Development Committee

Thursday, September 27, 2018

11:00 AM

Du Burns Council Chamber, 4th floor, City Hall

18-0221

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 5 - Member Sharon Green Middleton, Member Leon F. Pinkett III, Member Eric T. Costello, Member Edward Reisinger, and Member Robert Stokes Sr.

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0221

Recordation and Transfer Taxes - Surtax - Dedicating Surtax Proceeds to Affordable Housing Trust Fund

For the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article I, § 14; correcting, clarifying, and conforming related language; and generally relating to the City's recordation and transfer taxes.

Sponsors: John T. Bullock, President Young, Bill Henry, Ryan Dorsey, Kristerfer Burnett, Brandon M. Scott, Shannon Sneed, Mary Pat Clarke, Robert Stokes, Sr., Sharon Green Middleton, Zeke Cohen, Edward Reisinger, Eric T. Costello, Leon F. Pinkett, III, Isaac "Yitzy" Schleifer

A motion was made by Member Pinkett, III, seconded by Member Reisinger, that Bill 18-0221 be Recommended Favorably with Amendments. The motion carried by the following vote:

Yes: 5 - Member Middleton, Member Pinkett III, Member Costello, Member Reisinger, and Member Stokes Sr.

ADJOURNMENT



HEARING NOTES

Bill: 18-0221

**Recordation and Transfer Taxes – Surtax –
Dedicating Surtax Proceeds to Affordable Housing Trust Fund**

Committee: Taxation, Finance and Economic Development

Chaired By: Councilmember Sharon Green-Middleton

Hearing Date: September 27, 2018

Time (Beginning): 11:30 a.m.

Time (Ending): 2:00 p.m.

Location: Clarence “Du” Burns Chambers

Total Attendance: Approximately 100 – 150

Committee Members in Attendance:

Sharon Green Middleton

Leon Pinkett

Eric Costello

Edward Reisinger

Robert Stokes

Bill Synopsis in the file?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Attendance sheet in the file?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Agency reports read?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Hearing televised or audio-digitally recorded?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Certification of advertising/posting notices in the file?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
Evidence of notification to property owners?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
Final vote taken at this hearing?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Motioned by:	Councilmember Pinkett		
Seconded by:	Councilmember Reisinger		
Final Vote:	Fav. with Amendments		

Major Speakers

(This is not an attendance record.)

- Robert Cennamo, Bureau of Budget and Management Research
- Michael Braverman, Department of Housing and Community Development
- Elena DePietro, Department of Law
- Thomas Earle, Liberty Resources, Inc.

Major Issues Discussed

1. Councilwoman Middleton read the bill into the record and introduced committee members.
2. Robert Cennamo, BBMR – Read agency report into the record.
 - Key Talking Points (Specific details in agency report):
 - Tax Competitiveness
 - Effect on General Fund Revenues
 - Budget Flexibility
3. Michael Braverman, DHCD – Read agency report into the record.
 - Key Talking Points (Specific details in agency report and amendments):
 - Spoke about the total number of individuals who are affected citywide due to a lack of affordable housing and how many of these families spend more than 50% of their household income on rent.
 - Went over the proposed amendments outlined in Subtitle 15. Yield Tax.
4. Eleana DiPietro, Law Department – Read agency report into the record.
 - Key Talking Points (Specific details in agency report and amendments):
 - Went over the proposed amendments outlined in the Yield Tax Exemption.

Public Testimony

1. Thomas Earle, Liberty Resources, Inc. – Read testimony into the record.
 - Key Talking Points
 - Liberty Resources, Inc. the federally funded Center for Independent Living for people with disabilities in Philadelphia.
 - Highlighted information in reference to revenue, equitable development, access for PWD, HTF Governance.
 - The City of Philadelphia provides approximately \$14 million for their Affordable Housing Trust Fund
 - Developers who elect not to participate/comply with the Affordable Housing regulations are required to pay a \$3,000 fee in lieu of making housing available.
2. C. Matthew Hill, Public Justice Center – Read testimony into the record.
 - Key Talking Points
 - Public Justice Center advises or represents over 600 of the 70,000 Baltimore City residents that become victims of eviction judgments for failure to pay rent.

Questions:

1. Councilman Reisinger to BBMR: Will there be the creation of some type of scale for what property and income tax projections would be to the General Fund?
2. Councilman Costello to DHCD: Will your agency be providing a jobs report that correlates with the number of Affordable Housing units that are supplied to families?
3. Councilman Schleifer to Thomas Earle: In Philadelphia were there any additional taxes generated to help fund the trust?
4. Councilman Costello to Josh Greenfield: Was anyone in the Real Estate community brought to the table to discuss this bill?

Amendments:

1. Councilwoman Middleton introduced the Administrations package of amendments. It was moved by Councilman Costello and seconded by Councilman Pinkett.
 - Amendments passed 5-0
2. Councilman Costello introduced a package of amendments. It was moved by Councilman Costello and seconded by Councilman Reisinger.
 - Amendments passed 5-0
3. Councilwoman Middleton made a motion that the bill be moved favorable as amended. It was moved by Pinkett and seconded by Councilman Reisinger.
4. Approximately 37 people testified at this hearing.
5. This hearing was adjourned, the final bill will be presented at the October 15, 2018 City Council meeting.

Further Study

Was further study requested?

Yes No

If yes, describe. N/A

Committee Vote:

S. Middleton: Yea
 L. Pinkett: Yea
 E. Costello: Yea
 E. Reisinger: Yea
 R. Stokes: Yea

Samuel Johnson , Committee Staff
 (410) 396-1091
 cc: Bill File
 OCS Chrono File

Date: September 27, 2018



CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Deducting Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Garrick	Good	4414	Frankford Ave	21214	garrick.good@nch.housing.org	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
LAURENCE	CAMPBELL	3408	CROWLEY RD	21215	LCampbell23@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Prestiny	Watford		Baldt. Housing Roundtable			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dorette	Ramos		Community Development Network			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Thomas	Earle		Liberty Development			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tersell	Asken		Remington Housing Network			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tony	Simmons		Baltimore Faces of Homelessness - Speakers Bureau			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St. Nicole	BATTLE		CFDCO			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St. Gary	Redwell		Appin Heights CDS			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Shannon	Snow		Episcopal Housing			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



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CITY OF BALTIMORE CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes – Surtax – Dededicating Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ricorra	Jones		SEIU			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Anthony	Williams		Housing Our Neighbors			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Michelle	Williams		YES People in Centers			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Niruki	Thomas		JOTT			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Is Green	Pallack		HOPKINS			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lisa	Hodges		NAPAC			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Narry	Murphy		BRIDGE Maryland			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
MAH	Hill		Public Justice Center			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Bill	PRICE		HOLSBROOK/NETH			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HERMAN	CHAMBERS		PAOR CLATE			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Dedicating Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓	Simmons	1533	Brantham Street	21202	duhynesimmons@aig-mail	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓	Danna	817	Wisham Ave	21222	Sahvant 2132@gmail	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓	GOSN	1817	Sydney Ave	21229	duhansjhsah@du	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓	Matt	1803	Dirdams St	21231	McHagan@sympa.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓	Henry	1544	W. North ave	21217	gradad@capitolcity.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓	Grans	2031	Plesler Pl NW	20001	cepollack@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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CITY OF BALTIMORE

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Tenel	Askeul		Reminda Housing Workgroup	21218	askeultenel@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Destiny	Waltford		Waltford W or CUR	21202	destinywaltford@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Doug	Schwartz	1010	Fleet St.		dschwartz@removeshopday.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Josh	Greenfield		MBTA		jgreenfield@marylandbusiness.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Marcella	US Williams		Yes center		marcella@uswilliams.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Debra	Wax					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vernadine	Kimball	3404	Woodbine Ave		21207 Kimball2024@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Committee: * Taxation, Finance and Economic Development

Chairperson: * Sharon Green Middleton

Date: September 27, 2018

Time: 11:00 A.M.

Place: * Clarence "Du" Burns Chambers

Subject: * - Recordation and Transfer Taxes – Surtax – Dedicating Surtax Proceeds to Affordable Housing Trust Fund

CC Bill Number: 18-0221

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John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alisha	Fenwick	303	S. Bethel St	21231	alishka2854@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vanessa	Singleton	1009	W Fayette St	21223	Vanessa.singleton@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Attendance Only

Committee: * Taxation, Finance and Economic Development

Chairperson: * Sharon Green Middleton

Date: September 27, 2018

Time: 11:00 A.M.

Place: * Clarence "Du" Burns Chambers

Subject: * - Recordation and Transfer Taxes - Surtax - Dedicated Surtax Proceeds to Affordable Housing Trust Fund

CC Bill Number: 18-0221

PLEASE PRINT

IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
longe	Williams						<input checked="" type="checkbox"/>			
A1	Ingraham		GBBE		a1@abbr.org				<input checked="" type="checkbox"/>	
Garrick	Good		NEH1		garrick.good@mtshome.org				<input checked="" type="checkbox"/>	
Kathryn	Howard		MARTA		khoward@regionalmgmt.org				<input checked="" type="checkbox"/>	
Carolina	Paul		PTC						<input checked="" type="checkbox"/>	
Paul	Frank			21211					<input checked="" type="checkbox"/>	
Robert E	Walt	St	BRIDGE Maryland	21244	rewalt@brg.org				<input checked="" type="checkbox"/>	
Mark	Council	Council	FDN	21202					<input checked="" type="checkbox"/>	
Brian	Murray		BRIDGE MD	21211	patrickmurray@gmail.com				<input checked="" type="checkbox"/>	
Angela	Mason		BRIDGE, MD	21224	mason@bridge.md				<input checked="" type="checkbox"/>	

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**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Dedicated Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO	WHAT IS YOUR POSITION ON THIS BILL?	LOBBYIST: ARE YOU REGISTERED IN THE CITY
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>
CLARENCE	Fowler		BLRGDE		Fowlerclarence1949@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
KAREN	Wabeke	201	N. Charles St. Ste. 1104	21201	karabekewabeke@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Suzanna	Zelur	201	W. Charles St. 1104	21201	hopperberzelur@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
DARICA	Pugh	201	N. Charles St. 1104	21201	darica.pugh@umaryland.edu	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
WASSEY	Kilgardon	201	knowthebill-heatthebill	21211	wasseykilgardon@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
HELVY	GIBSON		FRANKLIN ST	21203	1952@franklinst.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
GREGORY	FRIEMAN		CTTA		gregf@chabelliance.org	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Carlyle	BELISCA		Bridge Maryland	21210	gharis739@verizon.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
Jones	Kudatte		United Workers	21226	rodette76@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>
STEPHANIE	MATTHEWS		United Workers	21220	spmatth@unitedworkers.org	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>

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**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

A Hernandez Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes – Surtax – Dedicating Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

PLEASE PRINT

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Betsy	Amey	1205	Stuumsar Lane	21286	bfanney1@verizon.net	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Barbara	Waters	500	Bridgeport Ave Apt 411	21286	barbwaters500@live.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Joe	Meylan	1701	Lindal Ave Apt 3A	21217	josephmeylan1@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Geord	HAMES	45024	Bowme R RD	21216	geordadames45@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Shere	Johnson	1254	Rossiter Ave Apt 2B	21239	ishere73@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Vern	Kimball	3404	Woodbine Ave	21207	Kimball0624@gmail.com	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
George	Nyarksh Bey	8394	Cherry Creek Pk	21206		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Raymond	Lunningham	8213	Ruler Avenue	21244	RM2850@Pitt.edu	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mike	Filardi			21210	mhfilardi@iyoek.edu	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Toyola	University (Student)	4501	Nicholas St.	21210	ccs1@toyola.edu	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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**CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD**

Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Deducting Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul	Sanders		817 N Pot St.	21205	Paul05sanders@gmail.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul	SAVOY		1120 N. LAZERVE AVE.	21213			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HEATHER	STELSON		620 ATHLETIC SWAY	21202	SNOW IDOR		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sarah	WOODS		3217 BERTSHIRE RD	21214	SARAH LOUISE 41@msn.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sarah	Zwick	6512	31 NICKBOUS	21210			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda	DELSTAND		United Workers	21218	amanda@unitedworkers.org		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MM Anderson		504	York Rd	21212	mm@swaneycleveland.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert	Blackwell	5164	Yanck Rd	21212			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kelsy	WYATT	4501	N. CHARLES ST.	21210	KAWYATT@royalca.edu		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reginaid	SMITH		Charmet land trust / united workers	21205	ReginaidSmith207@gmail.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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CITY OF BALTIMORE
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Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Dedicated Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deborah	Elliot		113 Baltimore Ave.		deborahelliot13@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gwen	Coobbs		1119 Elliott Dr	21216	gwencoobbs28@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Dan	Ellis		NHS 25 E 20th St	21212	dellis@nhsatlantmore.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sally	Scott		CDN	21210	salwah.scott@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kendy	Wilson		CDN	21210	curwardkell@yellona	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ravi	Clark		CCW	21218	.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mark	Sabanis		WEST	21216	petersonsci.org	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Melany	Thomas		United Vertae	21225		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Christy	Loe		PSC	21223	luecepublicjustice.org	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Stephanie	Warner		CLL	21231	warnsonh14@fcsmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clayton	Smith		827 N. Antietam Ave #504	21817	Gsmith1123@yahoo.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Taylor	Smith-Thoms		2300 N Calvert St	21218	Taylor@chesapeakeclaiming.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ronald	Rucker		1631 Normay Ave	21213		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sharon	Atyst		208 N. Haven	21204	sharon@reagan-7dd.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Erin	Brock		Public Justice Center, 1 Market	21201	brock@publicjustice.org	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adriana	Fisher		8885 Mt. Pleasant	21224	adriana@vnpd.org	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Debra	Young		126 W Mount	21223		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Andrew	Hinz	1427	Park Avenue	21217	ahinz61@ostok.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Timothy	Adler	1922	Bohler St	21217	timothyadler@adler.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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CITY OF BALTIMORE

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Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Dedicated Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mariya	Sheqobrihova	5505	Busk Ave	21215	marsh76@comcast.net		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meadygr	Arden		40th St	21211			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Meredith	Danperkel		2203 Callow Ave	21227	mer@yeshivapark.org		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tania	Downs				Downstonics43@gmail.com		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leticia	Pender		2315 N Charles st 3rd Fl	21218	lettie.pender9@gmail.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thanya	Jackson Cooper	3814	W.J. Berg Avenue	21225	gannajackson@yahoo.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sergio	Esparza	2111	Huntington Ave	21211	esparza@clw-md.org		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Belar	Flanagan		2107 Lake Mendelbelfer	21218			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Karl	Burton		818 E. Lake Ave	21212			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doe	100	North Charles Street	21202	Johndoenbmore@yahoo.com		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tamera	Blackwell	8122	285 carell	21218	He196@gmail.com		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
David	Fedd	524	2315 N Charles St	21218	lean.palmer32@hotmail.com		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lee	Palmer	524	South Pava St	21230			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ashe	Boebers	2315	N Charles St	21218	nick@readingincenfer.org		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Laura	Conen	2107	Lakehurstblvd.	21218	laura.conen@gmail.com		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
KEVIN	KOTTRE-FREYH	3741	Commerce DR.	21212	Kevin.Kottre@habitatforhumanity.org		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lauren	Hughes	3741	Commerce Dr.	21227	l.hughes@habitatforhumanity.org		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
William	Russell	3741	Commerce Dr.	21227	crussell@habitatforhumanity.org		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Theresa	Staubell	201	N. Charles St	21201	afstaubell@hnpplan.org		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Jane	Fernison	201	1361 Copperhill Rd	21209	janefernison@concord.net		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

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CITY OF BALTIMORE

CITY COUNCIL HEARING ATTENDANCE RECORD

Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Dedicating Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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IF YOU WANT TO TESTIFY PLEASE CHECK HERE



FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
John	Doc	100	North Charles Street	21202	Johndoenbmore@yahoo.com		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Leslie	Clarke		Habitat for Humanity	21227	leslie.clarke@yhq.usa.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kyle	Tilghman		Habitat	21227	rtilghman@Habitatchesapeake.org	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Daniel	Brown	3536	Roole St	21211	dbrown@smcm.edu	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BRENDA	HARRY	3855	W. FOSTER AVE	21216	BREHLER@YAHOO.COM	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Margaret	Holtzclaw	2729	Riggs Ave	21216		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Arsel	Brand		Reverent	21218		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Iletha	JONES		United workers	21209	iletha.j@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mary	Pattik		Curtis Bay CT	21025	Mary.Pattik@y4u.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Madison	Paddock	4	United workers	21025		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Madison	Batten	4	United workers	21025	MadisonBatten@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(*) NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD. REGISTRATION IS A SIMPLE PROCESS. FOR INFORMATION AND FORMS, CALL OR WRITE: BALTIMORE CITY BOARD OF ETHICS, C/O DEPARTMENT OF LEGISLATIVE REFERENCE, 626 CITY HALL, BALTIMORE, MD 21202. TEL: 410-396-4730; FAX: 410-396-8483.



CITY OF BALTIMORE
CITY COUNCIL HEARING ATTENDANCE RECORD

Attendance Only

Committee: * Taxation, Finance and Economic Development Chairperson: * Sharon Green Middleton
 Date: September 27, 2018 Time: 11:00 A.M. Place: * Clarence "Du" Burns Chambers
 Subject: * - Recordation and Transfer Taxes - Surtax - Dedicated Surtax Proceeds to Affordable Housing Trust Fund CC Bill Number: 18-0221

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Salomey	Mette		2640 St. Paul's St		Salomeyette@comcast.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spandica	petrin		2000 Charles St	72201	ejohned@pbk.org	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yvonne	Jones-Rudolf					<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Edward	Amets		3810 Burnside Rd	21133	smithinnovations@yahoocor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Michael	Colveran		5010 Parkbridge Wdrkts	21215		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Randolph G.	Ford Sr.		947 W. Lombard St	21203	randolphford@gmail.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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FIRST NAME	LAST NAME	ST. #	ADDRESS/ORGANIZATION NAME	ZIP	EMAIL ADDRESS	TESTIFY	FOR	AGAINST	YES	NO
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Maurice	Hoyes	3835	Fendale Ave	21007	mhbhoyes@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marilyn	Hunter	107	Greadcaldy	21403	marilynhunter@concord.net	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sina	Sircuz		honor ave	21208	Sircuzpca@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon	Byrd		2640 St Paul			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Touchstone	Milkinson		W5thpe	20774	Touchstone4christa@icloud.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wes	Hoyas		WESTPAC CEX / W5thpe	21230	WRHESQ@gmail.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Timothy	Schlaack	41	E. Main St WESTPAC	21157	tim@brook-bound.com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maessa	Singler		W. Fayette Street	21223	WSingler2011@gmail.com	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Testimony
Maryland Working Families**

**In SUPPORT of
Baltimore City Bill 18-0189 - Short Term Residential Rentals – Regulation and
Taxation**

August 28, 2018

Council President Jack Young and Members of the Baltimore City Council, Maryland Working Families (MDWF) strongly supports Baltimore City Bill 18-0189 - Short Term Residential Rentals – Regulation and Taxation.

MDWF is an independent grassroots organization fighting for a government that represents the values and needs of working families. MDWF enlists a grassroots movement to hold our leaders accountable through public education and engagement; supports progressive laws and policies that improve the economic security of working families; and works to develop and elect leaders who share our vision and values. MDWF is affiliated with the national Working Families Organization.

City Council Bill 18-0189 will extend the hotel tax to certain short-term rentals facilitated by hosting platforms like Airbnb, require them to be licensed with the city and put an annual 60-night rental cap on un-hosted rental units. These measures would bring needed oversight to what has grown into a large, unregulated commercial lodging market within Baltimore City.

Several studies have shown that a large proportion of short-term rentals (at least 30%) are run by commercial operators. Commercial interests renting out multiple properties as short term hotels have been shown to negatively impact communities and are a major concern for working families. By taking residential units off the market, there are even fewer viable options for working families to live in.

Baltimore's hotel and bed and breakfast industry cannot compete with this unregulated enterprise which does not comply with health, safety, zoning, insurance, and taxation requirements that lodging operators must normally follow. When a consumer chooses cheaper short-term rental units, hotel and bed and breakfast rooms go unfilled¹, and operators have no choice but to cut shifts and even staff altogether – putting hard working Baltimore city residents out of work and unable to pay their bills. Many hotel employees in Maryland are represented by strong labor

¹ Note also that this means the lodging transaction goes untaxed in Baltimore City.

unions which means that in such cases these jobs are middle-class jobs with fair wages, family healthcare, benefits, and fair workplaces. Even for non-union workers, a hotel job may be the main livelihood for a working family.

Furthermore, Baltimore is in the midst of a serious affordable housing crisis. Earning the minimum wage (\$10.10), Baltimore city workers have to work 107 hours per week to afford a modest 2-bedroom rental home in the city at a fair market rent.² The city's announcement to fund the Affordable Housing Trust is an excellent step in addressing the housing crisis. However, without the passage of 18-0189, commercial investors will continue to buy up single-family homes to flip and rent out on short-term rental sites, reducing the available housing inventory and as a result, drive up the long-term rental prices.³ We cannot sit idly by while Baltimore's hardworking professionals and families struggle to find places to live, while investors profit.

Lastly, by requiring operators [hosts] and hosting platforms to be licensed, 18-0189 would ensure that short-term rentals are competing fairly in the hospitality industry in Baltimore, and not trying to get ahead by cheating Baltimore residents. The bill also leaves room for small-scale "home-sharing" operations to continue, striking the right balance between residential and tourist use of our city's valuable housing stock. And it means that the City gets the tax revenue it needs to continue to invest in our vital tourist industry.

For all of these reasons, MDWF urges the City Council to SUPPORT 18-0189.

For more information contact:

Jay Hutchins, jhutchins@workingfamilies.org

² <http://nlihc.org/oor/maryland>

³ <https://www.citylab.com/equity/2017/08/where-airbnb-is-raising-rents/535674/>

My name is Nancy Newman and I live in Butcher's Hill. I am a member of the Board of BRIDGE Maryland. It's Mission is to use intentional relationship building, organizing and intensive leadership development in order to strengthen congregations and faith leaders to demonstrate and advance justice in the world. I am also the widow of the founding Executive Director of the organization which was formed in 2001 shortly after my husband, Rev. David Casey, completed a fellowship at HUD. Affordable housing has been one of a number of social justice issues of concern to BRIDGE members who have been advocates here in Baltimore City in the surrounding Counties and in Annapolis.

I am also a retired social worker having spent more than 10 of my 37 years in the field as the Director of The Ark Preschool which was a program of Episcopal Community Services. The Ark was an emergency MSDE Accredited Preschool program serving up to 75 children a year who were experiencing homelessness. Our goal was to provide high quality education to the children, support to the parents and to transition the children to permanent school settings as soon as their families secured stable housing.

Many people have an image of who is homeless assuming that they suffer from addiction or mental health problems. This is true for some, however the vast majority are homeless due to the lack of affordable housing. Many of the parents in The Ark were employed, but their incomes were inadequate to afford stable housing. The impact of housing instability was very evident in the development of the children who attended The Ark. Although, they had good potential, they were already showing developmental delays due to the instability that they were experiencing. At times, parents came back to visit after they found stable housing and brought report cards to show how well their children were doing in their new schools.

So, I am here in support of the legislation, as amended, to finally put some serious money in the Affordable Housing Trust Fund, more than the \$5 that I sent in in March when an account hadn't even been established or the \$2M added shortly thereafter, according to an email I received from Mr. Braverman. The future of Baltimore City children depends on stable housing and that requires truly affordable housing. I am here for my husband, as well. This is the work that we would be doing side by side if he were still alive.

Hello my name is Anthony Williams; I am a member of Housing Our Neighbors- Housing Our Neighbors is a grassroots group of homeless persons and allies organizing to end homelessness through permanent affordable housing.

I was homeless off and on all my life starting here in Baltimore- I am formerly homeless myself.

I became housed a little over 3 years ago. I now have a Section 8 voucher which I acquired through Healthcare for the Homeless. When I first got my voucher, I was receiving \$185 a month through TDAP- my rent is \$800 a month. If I lose any of my benefits, I could potentially become homeless again. We have to make sure that the system is working for all people across the board, especially the most vulnerable.

The city has made a commitment to ending homelessness- this legislation is a step towards making that happen. Funds put in the Affordable Housing Trust Fund will ensure that people who are homeless will be able to be housed. On behalf of Housing our Neighbors' 150 members, I urge you to support the Fund The Trust Act.

Thank you ~~we~~ Chairman, members of the Council
Sponsors and others.

Good Morning, I am Dr. Gary Rodwell Executive
Director of the CoppinHeights Community
Development Corporation located in West
Baltimore.

I come to you this ~~exciting~~ morning on behalf of
the Clergy and Lay Leaders like Minister Smith
of our CDC and our President Dr. John Bullock
who has lead us in our organization for the last
4 years and tonight will be sworn in for his 5th

year in office. We are asking that you pass Council
Bill 18-0271 and Fund the Affordable Housing Trust
We would like to thank the Mayor and City

Council and all of the hard working housing
advocates in this city who bring us this ~~glorious~~ opportunity

~~day~~. For many years we have toiled in the
vineyard of community and affordable housing
development with precious few resources and
only what we could cobble together to support
our work. Now comes this historic opportunity
to see that some of the most underserved
neighborhoods in the city get a shot at

revitalization. And make no mistake about it, these funds can be put to immediate and productive use.

For example in our neighborhood the CDC has partnered with NHS and the Osprey

Development Company to redevelop the old Walbrook Lumber Yard into affordable

apartments and retail space. We are all excited that construction is now under way and 11

months from now we will be having a ribbon cutting, but the most important aspect of the

development of that 5 acre parcel is that it will be the anchor to our neighborhood

revitalization plan. Going westward to

Walbrook junction there are 3 blocks 60 vacant properties. I need to say that again, there are 3

blocks that have more than 60 vacant properties. Our plan is to acquire and

rehabilitate those 60 units for equitable and affordable development that will benefit

current families and new families alike. The
resources that we are ^{welcoming for today} celebrating here today
will assist us in making that effort a reality for
our community.

So again on behalf of all of us in West Baltimore
we salute your efforts and say Thank you!

Thank you! Thank You!

FUND THE TRUST
FUND THE TRUST

ERIC FINCH

443-752-6009

call carol -

Testimony of Thomas H. Earle, Esquire

CEO Liberty Resources, Inc.

**Committee for Taxation, Finance & Econ. Development –
Baltimore City Council**

Councilman Bullock, Chairperson

September 27, 2018 11:00 am

Introduction: Good morning/afternoon Mr. Chair and members of City Council. I am Thomas Earle and I am the CEO Liberty Resources, Inc. (LRI) the federally funded Center for Independent Living for people with disabilities in Philadelphia. For almost 40 years, LRI's mission has advanced disability rights, including fair housing rights for the disabled community. LRI is one of 400 similar centers throughout the United States like the IMAGE Center in Baltimore/Towson. Since 2001, LRI has advocated for increased affordable, accessible and integrated housing for our city's many low-income people with disabilities and seniors. We are a proud member of the past Affordable Housing Coalition and a founding member of the current Philadelphia Coalition for Affordable Communities. For decades we have fought to end the institutional bias in our long-term care system, so people can move out of nursing homes and live independently in the community. I am here today to share my experience and insight on the design and passage of the Housing Trust Fund in Philadelphia. The Philadelphia Housing Trust Fund has several key provisions supporting fair and equitable housing development for low-income households, the disabled and seniors that are worthy of serious consideration by Baltimore's City Council.

- After substantial, open, and transparent collaboration with the Philadelphia Affordable Housing Coalition, Disability Advocates, Community Development Corporations, and many Housing stakeholders, City Council with the leadership of Councilwomen Jannie Blackwell and Blondelle Reynolds-Brown passed the original Housing Trust Fund in June 2005.
- This landmark City ordinance established the Philadelphia's first ever Housing Trust Fund because City Council's legislative findings found that there was "a critical shortage of affordable, accessible housing" for the city's many low-income renters and homeowners, including people with disabilities and seniors.

- Today, that critical need continues as Philadelphia is ranked number one in the country for poverty of any major city in the United States.
- A recent research study by Pew, also has found that our city has the highest population of people with disabilities of any major city in the United States. A whopping 16% of our city's total population are people with disabilities.
- The city's own research confirms that more than half of Philadelphia households are "cost-burdened" because they spend more than 30% of their incomes on expensive housing costs.¹
- **Revenue** - The HTF in Philadelphia derives its funding from the city recording fees (**Section 3**). For recording deeds (1/2 of \$144=\$72.00); for mortgage recordings (1/2 of the \$114 fee = \$57.00), and mortgage satisfaction recordings fees (1/2 of \$112 = \$56), annualized these fees have generated approximately \$13m-\$16m in HTF revenue.
- **Equitable Development** - One of the most important parts Philadelphia's Housing Trust Fund is **Section 2 §21-1603(4)** which specifically requires that no less than 50% of the HTF monies must be used to develop housing projects that benefit households with low incomes of 30% or less of area median income (AMI). Most of our city's residents with disabilities and seniors fall into this low-income category.
- The other 50% of the Philly HTF is to be used for housing development for households earning 50%-up to 115% of Area Median Income. This carefully struck balance help ensure future housing development in Philadelphia is fair and equitable to very low to moderate income levels.
- **Access for PWD** - Additionally, the HTF required that at least 10% of the newly constructed units must be "**accessible**" to renters/owners with mobility disabilities, including those using wheelchairs (see **Section 2 §21-1603(6)**) and wisely all units must be "visitable" or alternatively required to pay an in-lieu fee of \$3,000 per unit constructed in the HTF.
- **HTF Governance** - To ensure accountability and transparency the Philadelphia ordinance established an Oversight Board (Section 4 to annually review all grant awards to ensure compliance with the ordinance with a comprehensive public Annual Report.

¹ See City's Land Bank Reports, City's Eviction Task Force Report, and PCAC's Development w/out Displacement Call to Action Reports.

- **Performance** - Since its inception, our HTF has worked well, and has helped fund the development of 1,572 units of affordable, accessible housing. LHDC has itself received funding on four projects (44 units) to build affordable accessible housing for our many clients. The HTF has also helped 21,500 emergency heater repairs, 1,577 adaptive modifications for PWD, and prevented 3047 households from becoming homeless. We have also seen a 4.7% increase in property values near HTF developments.
- **Closing Remarks** - By no means has our city won the war on poverty, or met the rapidly increasing demand for accessible, affordable housing. But the HTF has proven to be a vitally important resource for our city's poorest and most vulnerable residents. As elected officials, public servants and housing advocates we must widely support Housing Trust Funds, Land Banks, Community Land Trusts and other innovative housing initiatives to help win the war on poverty. Accordingly, I recommend that Baltimore City Council aggressively fund its HTF, it's public money wisely spent.



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C. Matthew Hill, Esq.
410-625-9409, ext. 229
hillm@publicjustice.org

CB 18-0221
Recordation and Transfer Taxes – Surtax –
Dedicating Surtax Proceeds to Affordable Housing Trust Fund
Hearing of the Taxation, Finance, and Economic Dev. Committee, September 27, 2018

SUPPORT WITH AMENDMENTS

Dear Madame Chair and Members of the Committee:

The Public Justice Center (PJC) supports CB 18-0221, known as the “Fund the Trust Act,” with the amendments supported by the bill sponsor, Councilman Bullock, and the Administration. The need for this legislation has never been more urgent: Each year, over 70,000 eviction judgments for failure to pay rent are entered against Baltimore City residents. In a City with approximately 110,000 renter households, that is an incredible number. The PJC advises or represents over 600 of those families every year trying to avoid eviction. In addition to housing that is unaffordable, PJC clients often confront landlords who attempt to charge excessive fees at every turn while refusing to repair conditions at the property that threaten the life, health or safety of the occupants.

The Fund the Trust Act will help address this fundamental human rights deprivation by creating and preserving housing opportunities that are affordable, habitable, fair and accessible. The bill, with amendments, is projected to generate average revenue of \$13 million per year. Together with the commitment of the Administration to additional revenue as part of the capital budget or other sources, the legislation and agreement will result in a Trust Fund that is projected ultimately to take in average annual revenues of \$20 million. Over 10 years, the Housing For All Coalition estimates that those funds could:

- Create or preserve over 4,000 affordable housing opportunities;
- Prevent eviction and homelessness for over 4,600 families;
- Rehabilitate over 1,600 vacant properties;
- Repair or modify over 1,000 homes for senior homeowners and disabled persons;
- Provide mobility and housing counseling to over 6,000 families; and
- Employ 8,500 construction workers.

While Baltimore City’s 2.5% local transfer and recordation rate – 3% total when including the State’s 0.5% fee – is slightly higher than other jurisdictions. It is still lower than many of our Mid-Atlantic peers:

Baltimore City	3.0%*
Philadelphia	4.1%
Pittsburgh	4.5% (5% in 2020)
Washington, D.C.	2.9% (on transactions over \$400,000)
Wilmington	4%

Even with the Fund the Trust Act implemented, the City’s total effective transfer and recordation rate only for properties values at over \$1,000,000 will be 3.75%, which is still below Philadelphia, Pittsburgh and Wilmington. There is no credible policy research suggesting that this kind of excise tax will decrease real property transaction volumes or result increased rents.¹ The Maryland Center for Economic Policy estimates that real property transactions involving non-residential properties and residential properties of 20 or more units that would be subject to this bill if the transaction is valued at more than \$1,000,000, only transfer ownership an average of once every 20 years.

We want to thank the Council for their co-sponsorship and support for this bill when it was introduced. The Housing For All Coalition behind this bill has already agreed to significant compromises to get this legislation moving and would strongly oppose any last-minute, additional amendments that would weaken the bill further.

Please issue a FAVORABLE REPORT WITH AMENDMENTS on CB 18-0221. If you have any questions, please contact Matt Hill, Attorney, Public Justice Center, at 410-625-9409 or hillm@publicjustice.org

¹ See Slemrod et al., *The Behavioral Response to Housing Transfer Taxes: Evidence from a Notched Change in D.C. Policy*, 3 (Apr. 2016); Sturtevant, Lisa, *Separating Fact from Fiction to Design Effective Inclusionary Housing Programs*, 5 (May 2016).

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CB 18-0221
The Fund the Trust Act

Position: SUPPORT WITH AMENDMENTS

Hearing of the Taxation, Finance, and Economic Development Committee
September 27, 2018

Dear Vice President Middleton and Members of the Committee:

The Baltimore Housing Roundtable (BHR) strongly supports CB 18-0221, the Fund the Trust Act, with the amendments offered by the Administration and supported by Councilman Bullock. The Baltimore Housing Roundtable is a collaborative of organizations and individuals dedicated to implementing a new vision for housing and community development in which development resources prioritize human rights through permanently affordable housing, living wage jobs and neighborhood-driven development.

The status quo in which the public continues to subsidize Wall Street development while residents do not have living-wage jobs, affordable housing, and good schools is not sustainable. Development must include all members of our society, not only those wealthy enough to afford it. Non-profit, resident-led community development organizations ensure that all members of our society are included in development.

BHR has helped support and sustain a movement of nascent community land trusts (CLTs) in Baltimore that should be the backbone for resident-led development that does not displace current residents through the creation of permanently affordable homeownership and rental housing opportunities. In the homeownership model, the CLT continues to own the land while leasing the building to the homeowner with a 99-year, renewable lease. The homeowner takes out a mortgage and builds wealth by paying down the principal on the loan. The community retains control to ensure that the property is resold to a new homeowner who is income-qualified and meets other community priorities. The research is clear that CLTs are a more sustainable, supported means of homeownership for low-income families than traditional homeownership. Several studies have shown that roughly 50% of all first-time, low-income

homebuyers revert to rental housing within five years of buying a CLT home. By contrast, within five years of buying a CLT home, nearly 90% of low-income, first-time CLT buyers remained in their CLT homes or had purchased another home with help from the equity built in the CLT home.¹

A fully funded Trust Fund would empower CLTs and others to put this kind of equitable development into action by empowering communities and supporting development of quality, affordable housing as part of broader neighborhood redevelopment plans. Baltimore's neighborhoods are often left out of the tax and zoning breaks that benefit larger developments. The Fund the Trust Act would help direct critical investment toward neighborhood development for Baltimore residents. The excise tax would generate approximately \$13 million annually for the Trust Fund. The Mayor has agreed to allocate additional funding to the Trust Fund starting with \$2 million in FY 2020, rising to \$7 million in FY 2023.

The impact of this kind of historic funding for neighborhood-based development is tremendous. As the attached impact graphic explains, \$20 million/year over 10 years could:

- Create or preserve over 4,000 housing opportunities
- Rehabilitate over 1,600 vacant properties
- Prevent eviction and homelessness for 4,600 households
- Repair or modify 1,000 homes for senior citizens
- Provide mobility or housing counseling to over 6,000 families
- Employ over 8,500 construction workers
- Supporting the operations of 6 community land trusts

We also want to address one criticism of this proposal: that there is no “plan” to spend these funds. Nothing could be further from the truth. There are a number of recent studies, plans and reports about housing and community development in Baltimore City and the region. These studies analyze needs, identify spending priorities, or make recommendations regarding best practices. All of these studies identify the lack of funding that will become available under the Fund the Trust Act as a major impediment to more equitable development. These studies include:

- The City has a detailed 5-year plan that has been approved by HUD: Baltimore City's Consolidated Housing and Community Development Plan:
<http://static.baltimorehousing.org/pdf/DraftBaltimoreCityConsolidatedPlan2015-2020.pdf>
- The Baltimore Metropolitan Council has studied the issue of housing and development regionally with numerous private and public actors at the table and come up with a detailed plan and recommendations:
<https://drive.google.com/file/d/1rgDKTmGctOqZQu9ooO6NIkdPRNumJ7sX/view>

¹ Rick Jacobus and John Emmeus Davis, *The Asset Building Potential of Shared Equity Homeownership* at 3 (Jan. 2010), <https://cltnetwork.org/wp-content/uploads/2014/01/2010-Asset-Building-Potential-of-Shared-Equity.pdf>

- The Baltimore Housing Roundtable issued its own report and plan:
https://d3n8a8pro7vhmx.cloudfront.net/unitedworkers/pages/239/attachments/original/1453986068/C_L_T_web.pdf?1453986068
- Together with regional partners, the City has begun a detailed, updated analysis of fair housing choice in the region and will be publishing an assessment and set of recommendations in the Spring of 2019: <https://sites.google.com/baltometro.org/home/our-work/community-planning/regional-housing-planning>

We strongly urge you to issue a **FAVORABLE REPORT WITH AMENDMENTS ON CB 18-0221.**

C. Matthew Hill, Attorney
Public Justice Center
Baltimore Housing Roundtable Coordinating Committee member
Phone: (410) 625-9409, ext. 229
hillm@publicjustice.org

What can Baltimore accomplish with the Affordable Housing Trust Fund? Over 10 years at \$20 million/year, Fund the Trust could:

Create or preserve over
4,000 AFFORDABLE HOUSING OPPORTUNITIES

Support
6 COMMUNITY LAND TRUSTS

Prevent eviction and homelessness for over

4,600 HOUSEHOLDS

Rehabilitate over
1,600 VACANT PROPERTIES

Provide mobility and housing counseling to over
6,000 FAMILIES

Repair or modify

1,000 HOMES

For senior home-owners and disabled persons

Employ over

8,500 CONSTRUCTION WORKERS

RISE. RECLAIM. REBUILD!



Fund The Trust Act (Council Bill 18-0221) And City Agreement Estimated 10-Year Impact

As illustrated in the attached graphic, Housing for All (HFA) has estimated the 10-year impact of amended CB 18-0221 and the agreement with the City once the terms are fully implemented at \$20 million/year. HFA relied on data from existing housing trust funds as well as cost estimates from housing developers and service providers in Baltimore.

Trust Fund Impact: Philadelphia

Over 770 state, city and county trust funds generate over \$1.2 billion annually. On average, city housing trust funds leverage \$6 in additional public and private funds for every dollar of trust fund money.¹ Since 2006, Philadelphia's housing trust fund has relied on a portion of transfer and recordation charges to produce significant economic development outcomes (right).²

The transfer tax rate in Philadelphia is 4.1% (including state tax). If the Fund the Trust Act passes as amended, Baltimore City's transfer/recordation rate for properties valued at over \$1 million (including state tax) will be 3.75%.

FY 2006-2017 Housing Trust Fund Impact at a Glance



Everyone Should Have The Opportunity To Live In A Safe, Healthy, Affordable Home

Over 72,000 households in Baltimore City earning less than 50% of Area Median Income (AMI) (\$45K for a family of four) live in "unaffordable" housing (paying more than 30% of income for housing). The greatest need is for families earning less than 30% of AMI (\$27K for a family of 4).³ The Baltimore Metropolitan Council estimates that 51,000 new homes affordable to families below 30% of AMI are needed.⁴ Most families at 30% AMI work full-time jobs (\$12/hr. full-time is less than \$25K per year) or rely on disability or Social Security benefits. When these families pay more than 30% or 50% of their income to rent, it leaves little income for necessities such as food, transportation, and clothing. There is no margin for error. One small disruption in income or unexpected medical expense can send that family into a spiral of paying late, mounting fees, and threatened eviction. There are over 70,000 eviction judgments each year in Baltimore City for failure to pay rent, driving families and individuals deeper into poverty.

The City's Affordable Housing Trust Fund is dedicated to assisting families at or below 50% and 30% of AMI. While not nearly enough, the Fund the Trust Act's \$20 Million per year will provide meaningful assistance to families in avoiding eviction, helping neighborhoods rebuild without displacing current residents, and generating job opportunities for thousands of Baltimore residents.

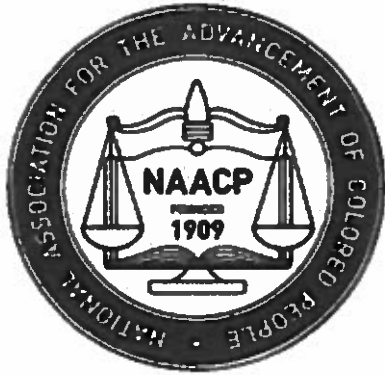
For additional information, contact Matt Hill, hillm@publicjustice.org, Odette Ramos, odette@communitydevelopmentmd.org or Amanda DeStefano, amanda@unitedworkers.org

¹ Opening Doors to Homes for All, Center for Community Change, 17 (2016), http://housingtrustfundproject.org/wp-content/uploads/2016/10/HTF_Survey-Report-2016-final.pdf

² Expanding Housing Opportunities and Revitalizing Neighborhoods, Philadelphia Housing Trust Fund (FY 2016-17) <http://ohcdphila.org/wp-content/uploads/2018/05/htf-cover-2016-to-2017.jpg>

³ Baltimore City Consolidated Plan 2015-2020, <http://static.baltimorehousing.org/pdf/DraftBaltimoreCityConsolidatedPlan2015-2020.pdf>

⁴ Baltimore Metro Council Opportunity Collaborative, Strong Communities, Strong Region (2014) http://baltometro.org/phocadownload/Publications/OpportunityCollaborative/170508_Strong-Communities-Strong-Region-The-Baltimore-Regional-Housing-Plan-and-Fair-Housing-Equity-Assessment-November-2014.pdf



September 27, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee,

In my capacity as Chair of the Baltimore Chapter of the NAACP Housing Committee, I offer this testimony to urge your favorable vote on Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

The Baltimore Chapter of the NAACP has been working for over a hundred years to ensure the political, educational, social, and economic equality of all citizens and we believe that access to decent, safe, quality, affordable housing is the cornerstone upon which all of these is based. According to the United Way's ALICE (Asset Limited, Income Constrained, Employed) report, 55% of Baltimore residents spend more than 1/3 of their income on rent, making them housing insecure and at risk for eviction. The gap in rental stock needed to meet current need is 30,000 units. We are woefully behind in Baltimore when it comes to the preservation and production of decent, safe, affordable housing.

There are an estimated 128,000 rental units that would not pass inspection, rendering them substandard. Baltimore has one of the highest eviction rates in the country, ironically, for this substandard housing.

Housing insecurity has real consequences for families and children. According to the Institute for Children, Poverty & Homelessness homeless students are 23-29% less proficient in reading and 23% less proficient in math than other students. Baltimore had over 2000 homeless students in 2015. The Housing Trust Fund will address a critical need to combat housing insecurity for our children.

Housing is considered a strong social determinant of health. Housing insecurity is associated with poor health, lower weight, and developmental risk among young children. The Housing Trust Fund will help to improve the health and welfare of our children and families.

This is a first step for Baltimore; other jurisdictions already have a dedicated revenue source to fund affordable housing. Since 2001 the District of Columbia has been funding an affordable housing trust fund that has produced over 9000 units using a percentage of the deed transfer and recordation tax, last year revenue was \$100 million. We applaud the Mayor and City Council for championing a dedicated revenue source for the Housing Trust Fund and making sure the annual contribution reached \$20 million within five years.

We will continue to monitor progress toward the goal of fully funding the trust fund, making sure appointments to the oversight Commission represent true advocates for equity, and who recognize the need to expeditiously deploy this resource. We will also monitor the efforts of Baltimore Department of Housing and Community Development to ensure funds are efficiently managed and transparently deployed and urge regular oversight hearings by this body to do the same.

We urge you to vote in favor of this important legislation and move it forward with all deliberate speed to a full council vote. Our residents have waiting long enough for decent, safe, quality affordable housing.

Sincerely,

Lisa R. Hodges, Esquire
Chair
Baltimore Chapter, NAACP Housing Committee



Bill Title: City Council Bill 18-0221, Recordation and Transfer Taxes - Surtax -
Dedicating Surtax Proceeds to Affordable Housing Trust Fund

Committee: Taxation, Finance and Economic Development Committee

Date: September 27, 2018

Position: Support with Amendments

This testimony is offered on behalf of Maryland Multi-Housing Association (MMHA). We are a professional trade association established in 1996, whose members consists of owners and managers of more than 190,000 rental housing homes in over 800 apartment communities. In addition, MMHA represents companies that manage over 35,000 condominium and home owner associations in over 250 communities. Our members house over 556,000 residents of the State of Maryland. Lastly, MMHA represents over 200 associate member companies who supply goods and services to the multi-housing industry.

Affordable Housing Trust Fund

In 2016, Baltimore City voters supported a ballot measure to create an Affordable Housing Trust Fund. This Fund would support the preservation and production of inexpensive housing by providing loans or grants for the planning, production, maintenance and expansion of such housing for low-income renters and homeowners. Money from the trust would help create community land trusts that would develop, own or operate permanently affordable rental housing and to guide low-income residents to a path for homeownership.

The Affordable Housing Trust Fund is intended to assist those with incomes at or below 50% Area Median Income (AMI) (about \$46,000 for a family of 4) with half reserved for families earning below 30% of the AMI (\$27,000 for a family of 4).

Amended Bill

While the ballot measure did not identify a funding source, Council Bill 18-0221 was introduced raising transfer and recordation taxes on all non-owner occupied real estate transactions by 40%. However, based upon media reports, we understand Council Bill 18-0221 will be amended to establish a 0.6% excise tax on the transfer of real property valued at or above \$1,000,000 and a 0.15% excise tax on the recordation of instruments concerning real property on transactions valued at or above \$1,000,000 ("Excise tax"). The revenue from this bill would be dedicated to the Trust Fund. In addition, the Mayor and City Council appear to have an agreement which will:

- Require the City allocate, within the next five years, at least \$20 million annually to the Affordable Housing Trust Fund. The Trust Fund will be funded through a



combination of legislation from the City Council, general obligation bonds, and other revenue sources.

- Provide \$13 million annually to the Trust Fund. If the legislation generates more than \$16 million in a given year, additional revenue will be split with half to the Trust Fund and half to the General Fund.
- Require, at a minimum, additional funds to the Affordable Housing Trust Fund either through the annual Ordinance of Estimates or other legislation (City or State) on the following schedule:
 - FY 2020: \$2 million
 - FY 2021: \$3.5 million
 - FY 2022: \$5 million
 - FY 2023 and subsequent years: \$7 million

MMHA’s Position

MMHA is disappointed with the lack of transparency and engagement in striking this apparent agreement. However, MMHA shares the goal of eradicating poverty and providing those in need with opportunities for socioeconomic advancement.

Based upon data from Real Capital Analytics:

Multifamily Transactions	Transaction Value	0.6% Transfer of Real Property	.15% Recordation on Instruments	Total Taxation
2016	\$334,241,999	\$2,005,451.99	\$501,363	\$2,506,814.99
2017	\$312,214,622	\$1,873,287.73	\$468,321.93	\$2,341,609.66

Commercial Transactions	Transaction Value	0.6% Transfer of Real Property	.15% Recordation on Instruments	Total Taxation
2016	\$652,540,017	\$3,915,240.10	\$978,810.03	\$4,894,050.13
2017	\$959,680,690	\$5,758,084.14	\$1,439,521.04	\$7,197,605.18

If the last two years are any indication, passage of Council Bill 18-0221 will result in an approximate, increased tax for multi-family property owners each year of more than \$2 million dollars. Commercial transactions, outside the multi-family industry, could result in \$4M to \$7M annually.

MMHA is concerned with how the City will operate and expend these dollars. Given passage of City Council Resolution 17-0058, we strongly urge that the Task Force on Improving Baltimore City’s Housing Programs is convened and empowered to make recommendations on how the funding should be distributed.



Specifically, the Task Force should review:

- How many individuals will be served annually?
- What is the anticipated timeline and costs for funding preservation projects?
- What is the anticipated timeline and costs for the production of inexpensive housing?
- Will Low Income Tax Credit programs be hindered by passage of the legislation?
- Will these funds not only be directed at creating new affordable housing opportunities but also be directed to aiding renters already in place in affordable rental housing to be assisted in staying in place?
- Will any of these funds be available to owners of currently affordable units to upgrade or remodel those units (ie for accessibility, capital upgrades and the like) to keep them not only affordable but to make them more desirable?

Residential housing providers are in the business of supplying individuals with safe and livable environments. Baltimore should have a thriving housing market with accessible housing stock for all residents, regardless of rental amount. Council Bill 18-0221 will raise considerable resources for the City. The determinative question, which the Task Force on Improving Baltimore's Housing Program ought to address on an ongoing basis, will be how the funds will be expended in the most impactful manner.

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF COUNCIL BILL 18-0211

Fund The Trust Act

TO: Councilwoman Sharon Green Middleton, Chair, and members of the Taxation,
Finance & Economic Development Council
FROM: Nikki Thompson, Senior Policy Advocate
DATE: September 27, 2018

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that advocates for better jobs, skills training, and wages for low-income workers and job seekers in Maryland. JOTF supports Council Bill 18-0211 as a means to ensure that low-wage workers in Baltimore city have affordable and reliable options for housing, as we understand that housing security directly impacts the ability to secure and maintain employment.

In Baltimore City, nearly 7,000 families are evicted each year due to the lack of affordable housing and escalating rental costs, driving working individuals and families deeper into poverty and job insecurity.¹ Studies show that most of Baltimore's families who work full-time and are at 30 percent of Area Median Income (AMI) *still* pay 50 percent of their income to rent. This leaves little-to-no-room for any margin of error or emergency, which places the city's residents on the brink of income volatility.

Council Bill 18-0211 seeks to address this issue by establishing a dedicated funding stream for the Affordable Housing Trust Fund in order to build affordable housing for the city's most vulnerable. The legislation would specifically add a 1 percent surcharge on sales and other transfers of non-owner-occupied properties, including residential and commercial transactions but not to people who intend to live in the home as their primary residence. More broadly, a fully funded Trust Fund would address the housing crisis impacting Baltimore residents through the support of quality, affordable housing that is community driven and part of inclusive neighborhood development plans. The need for affordable housing, especially as neighborhoods boom with development, is a crucial tool to avoiding displacement and the further alienation of Baltimore's most impoverished communities. We must act now to ensure that the investment is directed into these neighborhoods that have historically been left behind.

JOTF will always support legislation that provides for the needs of Baltimore's low-wage workers. We believe that what is proposed in Council Bill 18-0211 will better support our communities and our workers through the creation of stable, affordable housing options. For these reasons, we respectfully urge a favorable report of Council Bill 18-0211.

¹ Baltimore City Consolidated Plan 2015-2020, <http://static.baltimorehousing.org/odf/DraftBaltimoreCityConsolidatedPlan2015-2020.pdf>

TESTIMONY IN SUPPORT OF COUNCIL BILL 18-0221

AFFORDABLE HOUSING TRUST FUND

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

THURSDAY, SEPTEMBER 27, 2018



Health Care for the Homeless works to prevent and end homelessness for vulnerable individuals and families by providing quality, integrated health care, and promoting access to affordable housing and sustainable incomes through direct service, advocacy and community engagement. We deliver comprehensive medical care, mental health and addiction treatment, case management, dental care and housing services to over 10,000 Maryland residents annually.

Health Care for the Homeless is in strong support of CB 18-0221, which will fund the Affordable Housing Trust Fund for Baltimore City. For over 35 years, we have seen the devastating impact that homelessness and the pervasive lack of affordable housing has had on individuals, families and the community at large. Since 2005, we have partnered with the City on initiatives to house its most vulnerable residents and provide them with supportive services they need to stay housed. The need, however, has always greatly exceeded available resources. Additional housing units and support through the Trust Fund will yield great benefits to the community.

- **Housing is health care.** Individuals experiencing homelessness have greater rates of acute and chronic illnesses and higher instances of mental health and substance use disorders than their housed counterparts. However, when these same individuals gain housing, they engage in treatment and recovery, improve their health, and increase their stability.
- **Housing is cost-effective.** Myriad studies nationally have shown that stable housing reduces the costs associated with frequent emergency department usage and inpatient hospitalizations, interactions with the criminal justice system, and contacts with police and emergency services personnel.
- **Housing is a human right.** No one benefits from homelessness, and we have a moral obligation to provide for those who are most vulnerable in our community. The additional housing units funded through the Trust Fund can help end homelessness and housing instability for over 4,000 households, and prevent eviction for 4,600 additional families.

In the absence of strong federal leadership and action to address the nation's housing crisis, we increasingly need our local communities to respond to these critical needs. The funding generated from the Affordable Housing Trust Fund will make a tangible contribution to preventing and ending homelessness in Baltimore City. We strongly encourage the passage of CB 18-0221.

Everyone deserves to go home.



1500 Union Ave., Suite 2000, Baltimore, MD 21211
Phone: 410-727-6352 | Fax: 410-727-6389
www.DisabilityRightsMD.org

TAXATION, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE
September 27, 2018

CB-18-0221

POSITION: SUPPORT with amendments supported by the sponsor, Councilman Bullock, and the Administration

Thank you for the opportunity to **support** CB-18-0221, the “Fund the Trust” bill.

Disability Rights Maryland (DRM) is the protection and advocacy agency for the state of Maryland, federally mandated to advance the civil rights of persons with disabilities. The lack of affordable, accessible housing remains the most significant barrier for people with disabilities wanting to move out of facilities, institutions, and nursing homes into fully integrated community environments.

DRM supports CB-18-0221, the “Fund the Trust” bill, to grow the number of affordable housing opportunities. The lack of affordable housing disproportionately impacts persons with disabilities. People with disabilities do not participate in the work force at disproportionately higher numbers when compared to their non-disabled peers. However, the security provided by the minimal safety net provided for people who are disabled, or become disabled after working, is barely enough. In Baltimore City, the average monthly rent for a one bedroom apartment is around \$1,000 a month, but supplemental security income for someone who has never participated in the workforce is only \$721 a month. Without additional subsidy to bridge this, many people with disabilities are confronted with either homelessness or institutionalization. These additional subsidies for housing have traditionally come from the federal government, such as public housing or vouchers; and the majority of applicants and participants in the City’s public housing and voucher program are people with disabilities. Congress has not proved reliable in funding these resources at the levels necessary to meet the demand.

With a locally dedicated source to fund the Affordable Housing Trust Fund, Baltimore City can do its part to produce affordable housing without relying solely on Congress and the federal government to do the right thing for Baltimore. Affordable housing will help stem the crisis of homelessness and evictions and ensure people with disabilities have an opportunity to reside in the community.

Disability Rights Maryland strongly **supports** CB-18-0221. Thank you for considering our views. For additional information, please contact DRM attorney David Prater at 410-727-6352, ext. 2500 or DavidP@DisabilityRightMD.org.



September 25th, 2018

Sharon Middleton
Chairwoman, Taxation & Finance Committee
Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

Subject: Fund the Trust Act - Letter of Support

Councilwoman Middleton,

It is without question that quality affordable housing is at severe shortage in our city, and the demand for such has never been greater. Statistics show that a large number of Baltimore residents are paying more than a third of their income towards rent, which is by no means a sustainable trend for our most vulnerable of citizens. It is estimated that over 50,000 new residential units available to families making below 30% AMI (Area Median Income) are needed to meet the current demand. Combine this with a generally substandard stock of existing rental properties in the city, and the demand for quality affordable housing becomes all the more clear.

Approving the Fund the Trust act would work towards resolving this deep-rooted issue and take a step towards improving the quality of life for so many of our neighbors and friends. An estimated \$13 million annually towards developing and maintaining affordable housing for city residents will provide an additional and much-needed funding mechanism to combat this ever-increasing issue. Quality and well-designed affordable housing has been proven to strengthen communities, through added health benefits, unique services, and an overall better sense of place. Please contribute to assisting our city's residents and communities by voting in favor of the Fund the Trust Act.

Sincerely,

Patrick Lundberg
President, Patterson Park Neighborhood Association (PPNA)
president@pattersonparkneighbors.org

Cc: Samuel Johnson, Taxation & Finance Committee



*Bringing people together to build
homes, communities & hope*

September 26, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221 as amended

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee:

Habitat for Humanity of the Chesapeake has been delighted to see the progress made in securing a funding source for the Affordable Housing Trust Fund as devised in the amended Council Bill 18-0221. We share the sense of urgency that prompted the bill to fund the trust and applaud all of the efforts that have been made to prioritize affordable housing and seek a sustainable funding source in Baltimore.

We are writing to urge your favorable vote in support of Council Bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

To provide some background for our support, Habitat Chesapeake has been offering affordable homeownership opportunities in Baltimore for more than 36 years. During this time, we have built 750 homes across Central Maryland and helped more than 2,500 children and family members find safety, stability and a chance for a brighter future. By far, the greatest concentration of our work – more than 600 homes and 2,000 family members – are located in Baltimore City.

The families that Habitat Chesapeake serves earn 30 – 80% of area median income and are screened for a variety of factors, including credit worthiness, debt-to-income ratio and employment history among others. All Habitat homeowners commit to a modest down payment and 250 hours of “sweat equity” hours building their homes and others, while receiving homebuyer education, financial coaching and ultimately a zero-percent interest mortgage with monthly payments less than 30% of the homebuyer's monthly income. This model ensures that buyers are not housing cost burdened and have a true opportunity for financial stability and wealth-building across generations.

As we help individual families, we are also helping to revitalize neighborhoods. Our homes bring tangible, visible investment to communities like Sandtown, Pigtown, Woodbourne-McCabe and others. Thanks to our staff, thousands of volunteers and our HabiCorps workforce development trainees, entire blocks have come alive. Long-vacant homes have been transformed from shells to beautiful, healthy homes filled with engaged, long-term residents. Additionally, Habitat Chesapeake works with community associations, residents, faith-based organizations, fellow nonprofits and other stakeholders in each community to address quality of life improvements, such as upgrades to green space, speed bumps to slow traffic and enhanced street lighting.



In short, Habitat Chesapeake's work is directly related to The Affordable Housing Trust Fund. While we are clear that the precise use of funds remains to be determined by the Affordable Housing Trust Fund Commission, we see a number of ways that the funds could be put to use . For example, funding from this legislation could enable us to construct dozens of new homes for families who might otherwise be excluded from the dream of homeownership. Or, it could serve as a revolving construction fund, fast-tracking development as we await reimburseable grant awards. Funds could support some of the critical repair work that Habitat Chesapeake must do on homes adjoining vacants. Or, funds could support much-needed infrastructure work, such as sidewalks and street repairs on blocks where we are constructing new homes to diversify the neighborhood's housing mix.

However the Fund is utilized, we are firmly convinced of its necessity and of the need for a wide spectrum of solutions – from homeownership to rental – to the affordable housing crisis. Housing costs will only continue to rise as Baltimore sees more and more D.C. transplants and interest related to high-speed rail systems. Without this fund and other initiatives, many Baltimore families will be at risk of displacement and homelessness.

Please vote in favor of this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike", written in a cursive style.

Mike Posko
CEO
Habitat for Humanity of the Chesapeake



September 26th 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221 as amended

Dear Chairwoman Middleton and members of the Taxation, Finance and
Economic Development Committee:

The Clergy and Lay leadership of the Coppin Heights Community
Development Corporation are writing to urge your favorable vote to support
Council bill 18-0221 with the amendments proposed by the Housing for All
Coalition, Mayor's Office and Council President's office.

The CHCDC was founded in 1995 to create and sustain affordable housing
development in the Greater Coppin Heights/ Rosemont Neighborhood.

If enacted, the funding from this legislation into the Affordable Housing
Trust Fund would help us combat the tremendous number of vacant homes
that we have in our neighborhood. With this funding we could create
affordable homeownership opportunities throughout West Baltimore.

Please vote in favor of this important legislation.

Sincerely,
Dr. Gary D. Rodwell
Executive Director



GEDCO Programs

Ascension Homes
CARES

CARES Career Connection

Epiphany House

Gallagher Mansion

Harford House

Harford Senior Center

Micah House

Senior Network of North Baltimore

Stadium Place



Building Caring and Compassionate Communities

September 26, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

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**Govans Ecumenical
Development Corporation**
1010 East 33rd Street
Baltimore, Maryland 21218
T: 410-433-2442 F: 410-433-4834
www.gedco.org

Re: Council Bill 18-0221

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee

Govans Ecumenical Development Corporation (GEDCO) is writing to urge your favorable vote to support Council Bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

GEDCO is a 27-year-old community-based non-profit in northeast Baltimore that provides affordable housing and supportive services for seniors, those who are formerly homeless, and those with mental disabilities. We also provide emergency services that address hunger, unemployment, poverty, and housing insecurity.

If enacted, the funding from this legislation into the Affordable Housing Trust Fund would assist GEDCO in addressing the growing need of affordable housing for seniors 62 years and older and help us to complete the only mixed income senior community in Maryland. At Stadium Place, we have a waiting list of over 500 people with a majority of those on the list making below 50% of the Area Median Income, that need of affordable and safe housing within a community where they can age in place. The fund will also allow GEDCO to provide additional housing for those who are homeless while also addressing the supportive service needs of those we currently and will be able to house. With the provision of housing with services, the fund will enable us to support our operational needs by providing a source of unrestricted dollars that non-profits often need to be sustainable.

This is a very important bill and provides funding that does not currently exists in a political climate that is not supportive of those most vulnerable in our communities.

Please vote in favor of this important legislation.

Sincerely,

Nichole Doye Battle
Chief Executive Officer

September 26, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202



An Affordable
Housing Corporation

Re: Council Bill 18-0221

Dear Chairwoman Middleton & Members of the Taxation, Finance and Economic Development Committee:

On behalf of Greater Baltimore AHC, a nonprofit affordable housing developer working throughout Baltimore City, I am writing to urge you and your committee's support of Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor Pugh's Office and the Council President's office.

Greater Baltimore AHC's mission is to provide high quality housing affordable to low- and moderate-income families, seniors and persons with disabilities while building strong futures for our residents through programming and services. Our communities include more than 1,100 units affordable to households earning 60% Area Median Income (AMI) or less in Baltimore City with many of those units serving very low-income households.

A key component to creating additional housing, particularly for those at lower income levels is the availability of soft, local financing and/or grants. The cost of new construction, acquisition, and rehabilitation is often the same for affordable housing as it is for market-rate. To serve those families that can pay much less, our projects often have significant gaps. Additionally, it's been increasingly difficult to access more valuable Low-Income Housing Tax Credit equity for Baltimore City in recent years which only increases the gap in financing new projects.

The enactment of the Affordable Housing Trust Fund could help several projects we currently are trying to fill gaps on as well as our many developer colleagues. Tangible examples include a community to serve formerly homeless veterans and the creation of new family housing in the Park Heights community. Both are projects we have struggled to find the full sources to fund and would serve vulnerable populations with high needs.

We strongly encourage you vote yes on this important legislation.

Sincerely,

A handwritten signature in blue ink that reads "Mary Claire Davis".

Mary Claire Davis
Director

KENNETH C. MONTAGUE, JR.
Attorney at Law
513 East 39th Street
Baltimore, Maryland 21218-1902
MontagueLaw@AOL.com

September 26, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221 as amended

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee:

I am writing to urge your favorable vote to support Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

I am a member of the Board of Directors of Citizens Planning and Housing Association (CPHA), an organization with an over 70 year history of working in behalf of the Communities of Baltimore on quality of life issues. Housing and land use are among the concerns that we focus on.

If enacted, the funding from this legislation put into the Affordable Housing Trust Fund would provide a stable source for financing projects and goals of the City's affordable housing law. The recent state supported initiative for demolition of housing structures in parts of the city, historically occupied by minority and low income individuals, demands attention to the question of where and how will the low to moderate income housing being demolished be replaced . Failure to timely address this question could result in inertia toward gentrification. The Trust Fun and the Mayor's commitment to provide an infusion are important to address this possibility.

Please vote in favor of this important legislation.

Sincerely,

Kenneth C. Montague, Jr.



3986 ROLAND AVENUE
BALTIMORE, MD 21211
PHONE 410 366 6200
FAX 410 366 2961

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F. Barton Harvey III

Simon Hewat

The Rt. Rev. Robert W. Ihloff

The Rt. Rev. John L. Robb

The Hon. William Donald Schoefer

(In Memoriam)

Daniel McCarthy
Executive Director

September 26, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221 as amended

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee:

I am writing to ask for your favorable vote in support of Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

Episcopal Housing Corporation is a nonprofit real estate developer based in Baltimore City. We develop affordable rental housing, special needs housing for those who are formerly homeless or in recovery from substance abuse, and community facilities. We support this legislation as it will provide a dedicated funding stream for the development of housing for those who are very low and extremely low income. As a developer of affordable housing, we can testify to how challenging it is to assemble the financing needed to build housing for these populations and the impact such a fund will have.

The Housing Trust Fund will provide an important new source of funds to increase the development of affordable housing for low income Baltimore residents. Passage of the Trust Fund will also demonstrate the Baltimore City Council's willingness to take the affordable housing crisis seriously and to take the bold step of dedicating a nominal increase in taxes to fund the Trust Fund.

Sincerely,

Shannon Snow
Projects Director



September 25, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221 as amended

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic
Development Committee:

I am writing to urge your favorable vote to support Council Bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

Marian House is a holistic, healing community for women and their children who are in need of housing and support services. Marian House provides wraparound support services to assist women and families in their efforts to obtain employment and housing. Marian House strongly supports Council Bill 18-0221 as amended.

If enacted, the funding from this legislation into the Affordable Housing Trust Fund would help promote and support fair and affordable housing throughout Baltimore for extremely low income families. Many of the women we serve have made significant changes to better their lives, gaining employment, continuing their education, pursuing recovery, and more during their time at Marian House. Yet, all of these women face the same challenge as they prepare to exit our program: lack of stable, affordable housing in the community. As an organization, Marian House has renovated to previously abandoned school buildings into a total of 41 units of affordable permanent supportive housing. The Affordable Housing Trust Fund will allow us to continue to expand in this way and serve more of one of Baltimore's most vulnerable populations: homeless women and homeless women with children.

On behalf of the women we serve at Marian House and their families I respectfully urge you to vote in favor of this important legislation.

Thank you for your support.

A handwritten signature in black ink that reads "Katie Allston".

Katie Allston, LCSW-C
Executive Director



September 25, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221 as amended

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee:

I am writing to urge your favorable vote to support Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

Founded in 1941, Citizens Planning and Housing Association works to fight for an equitable Baltimore region where everyone has a good quality of life. We empower neighborhoods, fight for fair housing, promote public transportation, and advocate for smart growth. As an organization founded by activists concerned over the deplorable living conditions faced by too many Baltimoreans, CPHA recognizes the importance of ensuring all residents have access to safe and affordable housing.

If enacted, the funding from this legislation will provide funding for the poorest households in Baltimore City that the market is unable to provide for and federal and state funding is inadequate to address.

Please vote in favor of this important legislation,

Sincerely,

Citizens Planning and Housing Association, Inc. • P.O. Box 4512, Baltimore, Maryland 21212

www.cphabaltimore.org • phone 410.539.1369



Baltimore Housing Mobility Program
20 South Charles Street, Suite 801
Baltimore, Maryland 21201
410-223-2222
www.brhp.org

September 25, 2018

The Honorable Jack Young, Council President
The Honorable Sharon Green Middleton, Chair
Taxation, Finance & Economic Development Committee
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

RE: Support for City Council Bill 18-0221, Recordation and Transfer Taxes - Surtax – Dedicating Surtax Proceeds to Affordable Housing Trust Fund

Dear Council President Jack Young and Councilmember Middleton,

The Baltimore Regional Housing Partnership is dedicated to providing housing assistance and counseling to some of Baltimore's lowest income families. While we serve over 4,000 families in and from Baltimore City, we know that tens of thousands more need and deserve access to safe, affordable, and equitable housing. BRHP strongly supports City Council Bill 18-0221 to fund the Affordable Housing Trust Fund to begin to address this need.

Two years ago when 83 percent of City voters approved the creation of the Affordable Housing Trust fund, they created a tool for local government to promote, create, support, and maintain affordable housing for low-income City residents. Your constituents recognized the need around them, and this bill is a step towards a solution.

Nationwide, affordable housing development is driven by Federal policy and funding constraints – funding constraints that have only worsened over time, and policies that have incentivized housing in the most segregated and impoverished neighborhoods. In Baltimore City, an estimated 88,689 households (68%) make less than \$50,000, below 60% of the Area Median Income (\$86,700)¹. The stock of naturally occurring affordable housing, combined with subsidized and public housing, falls woefully short of the need. Census bureau estimates place the number of extremely low income families who are severely rent burdened at over half (26,759).

¹ It is important to note that the AMI defined by HUD for the Baltimore-Columbia-Towson area is almost twice as much at the median income within the city limits.



Tuesday September 25, 2018

Re: Fund the Trust Act CB 18-0221
Taxation, Finance, and Economic Development Committee

Dear Committee Chairperson Middleton Green,

On behalf of the Remington Housing Workgroup I write to you to express our support for the Fund the Trust Act CB 18-0221 including the amendments made by Councilman Bullock and Mayor Pugh's administration. This bill is critically important to ensuring gentrifying neighborhoods like Remington will be a place for people of all incomes to live for years to come.

In Remington, housing prices have gone up over \$15,000 every year for the last 6 years, driving rents and property taxes up with them. This rapid increase has meant that long term and low income residents are at risk of displacement from a neighborhood that is improving. We hope that other communities receive the investment and attention that Remington has gotten but without funding for affordable housing many residents will not enjoy the benefits of those investments.

The Remington Housing Workgroup are neighbors working together to build a Community Land Trust to Remington that will create permanently affordable community controlled housing but we need funding. Without support from the city, neighborhoods will only grow more segregated by race and class and we don't want that for our community.

Given the diminishing federal and state funding for affordable housing we need the city to step up and make the hard choices needed to ensure that everyone has a safe, clean, and affordable place to live.

Thank you for your consideration in this matter,
Ryan Flanigan
Member, Remington Housing Workgroup



September 25, 2018

Dear Taxation, Finance, and Economic Development Committee Members,

Clean Water Action is a national environmental advocacy organization with over 8,000 members within Baltimore City. We work for swimmable, fishable waters in Maryland, for safe drinking water, and for environmentally healthy communities. Because of this commitment to creating healthy communities, we are writing in strong support of City Council Bill 18-0221 – Recordation and Transfer Taxes – Surtax – Dedicating Proceeds to Affordable Housing Trust Fund. The Affordable Housing Trust Fund is a crucial tool for Baltimore’s residents to build stronger, greener, more resilient, and more sustainable communities through building affordable housing, community-controlled revitalization of Baltimore neighborhoods, and development without displacement. Following through on Baltimore City’s promise to create the Affordable Housing Trust Fund is critical to creating healthy neighborhoods where everyone can thrive and creating a city that will be resilient to climate change and fair to all its residents.

Bill 18-0221 would raise an estimated \$13 Million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Creating permanently affordable housing for individuals and families at this income level is absolutely crucial to protect human rights in a rapidly changing city, as both economic pressures and environmental catastrophes risk displacing longtime residents from their neighborhoods and worsening their health due to substandard housing stock.

Climate change threatens to bring Baltimore extreme weather – more hurricanes, more intense rainstorms, more extreme heat and cold. These conditions will only exacerbate the housing pressures that Baltimoreans are already feeling, from the impacts of extreme weather on homeless people in Baltimore, to the impacts on families living in housing that is not resilient to the weather. Recent data suggests that 1/3 of all rental properties in Baltimore are considered substandard, for example with leaking roofs, flooding basements, moldy walls, overflowing sewage pipes, and other conditions that are hazardous to residents’ health. Since we know these conditions will continue to worsen as climate change intensifies in the coming decades, now is the time to invest in developing strong, resilient housing that will protect Baltimore’s residents. Bill 18-0221 is an excellent policy mechanism to do that.

It is anticipated that in Baltimore, \$13 million annually would support the development of 6 community land trusts and create or preserve more than 400 affordable housing opportunities each year. With these funds, Baltimore City has the incredible opportunity to put neighborhood residents who have fought for their neighborhoods for years in charge of how their neighborhoods are redeveloped through community land trusts. Members of land trusts across the city – many of whom have been engaged in environmental campaigns in their communities, from fighting trash incinerators and crude oil train shipments to developing community gardens and local food solutions – are already engaging in conversations around how to make homes developed through the Affordable Housing Trust Fund environmentally friendly and healthy for their residents. Land trusts are especially well positioned to use economies of scale to bring energy efficiency, stormwater infrastructure, and solar power to their homes.

Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

9/25/2018

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

Communities United is a membership-based organization of low to moderate-income individuals and families in Maryland. Our mission is to help our members and their families achieve transformative change on issues of social, economic, and environmental justice. Last year, students at Ben Franklin High School identified over 500 vacant and abandoned homes in their neighborhood, many owned by speculators and slumlords from different states. Our members have been displaced involuntarily, experienced housing insecurity and homelessness. This is why we support United Workers in their organizing a network of community land trusts- to foster neighborhood-driven, equitable development that is accountable to community needs. We are writing to thank you for your work on the Fund The Trust Act, Council Bill 0221, which we see as a means of addressing historic disinvestment and blight in low income communities of color.

In the face of diminishing Federal housing resources and HUD Secretary Carson's "Making Affordable Housing Work Act," the need for sustainable, local housing funding has never been greater. Currently, 57% of renters in Baltimore are paying more than a third of their income on rent- a level deemed unaffordable by the federal government. The Baltimore Metropolitan Council estimates that 51,000 new homes affordable to families below 30% of area median income (\$27,000 annually for a family of 4) are needed. Recent data suggests that 1/3 of all rental properties in Baltimore are considered substandard; many of our members have endured hazardous conditions such as lead paint, black mold, collapsing ceilings, and pest infestations.

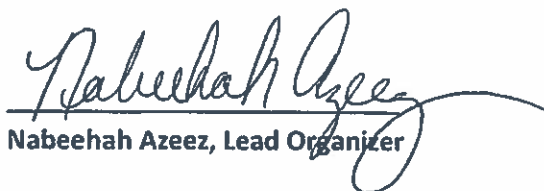
The Fund the Trust Act would raise an estimated \$13 Million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Funding our city's Affordable Housing Trust Fund would provide housing services as well as capital funds and development subsidy. Over the last 10 years, Philadelphia's Affordable Housing Trust Fund has financed the rehabilitation of over 1,500 homes, generated 4,000 home and accessibility repairs for low income residents, prevented 3,000 evictions, and employed more than 10,000 construction workers. It is anticipated that in Baltimore, \$13 million annually would support the development of 6 community land trusts and create or preserve more than 400 affordable housing opportunities each year.

Communities United urges you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million each year.

Respectfully



Jane Henderson, Executive Director
Communities United



Nabeedah Azeez, Lead Organizer

2221 Maryland Avenue, Baltimore, MD 21218



September 25, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee,

On behalf of Enterprise Community Partners, I am writing today to urge your favorable vote to support Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

For more than 35 years, the mission of Enterprise Community Partners (Enterprise) has been to connect families to opportunity, starting with a well-designed, affordable home. Headquartered in Maryland, Enterprise brings impact capital, innovative solutions, and transformative public policy to make thriving communities a reality for people throughout the Mid-Atlantic area.

Since 1983, Enterprise has invested over \$830 million in debt and equity and over \$8.1 million in grants to produce or preserve over 14,400 affordable homes and 1.9 million sq. ft. of commercial and community space in Baltimore City. Most recently, Enterprise has been a leader in *The Journey Home*, Baltimore City's plan to make homelessness rare and brief, and has collaborated with the University of Baltimore to offer a Faith-Based Development Certificate program which has trained thirteen houses of worship in Baltimore on revitalizing their underutilized property into affordable homes and community facilities.

In Baltimore today, there is a **significant need for dedicated resources** to create and preserve high-quality affordable housing opportunities, prevent evictions, increase homeownership, accelerate proven community-land trust models, and revitalize communities. Many of our residents face severe challenges to living affordably, including:

- 3,000 individuals, including children, experience homelessness¹;
- 6,800 elderly and non-elderly households in need of affordable, accessible homes²;
- 119,000 individuals who are housing insecure – either homeless or paying more than half their income on rent or their mortgage.

¹ <https://www.journeyhomebaltimore.org/>

² Strong Communities, Strong Region: The Baltimore Regional Housing Plan and Fair Housing Equity Assessment (FHEA), 2014.



Addressing Baltimore's housing affordability challenges at the scale of need will take many forms and require bold leadership. It will be important to continue to track changes and levels of need, and to report annually on how the trust fund investments are being used directly to address the challenge. This information will lead all of us to understand what additional actions, from the public and private sector together, can be taken to maximize the benefit of the trust fund and supplement it to reach our goals for all Baltimoreans.

Today, this legislation represents an important and much-needed investment - a **down-payment - towards meeting the need**, and progress in the right direction. We stand ready to work with you, and many others who support greater housing affordability in the city of Baltimore, to achieve these shared goals.

Please vote in favor of this important legislation. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Bowers", is written over a light blue circular stamp.

David C. Bowers

Vice Presidents & Market Leader, Mid-Atlantic

CC: Melissa Bondi, State & Local Policy Director
Jessica Sorrell, Program Director

Johnson Jr., Samuel

From: Middleton, Sharon
Sent: Tuesday, September 25, 2018 11:26 AM
To: Joshua Greenfeld; City Council President; Scott, Brandon; Reisinger, Edward; Costello, Eric; Henry, Bill (email); Clarke, Mary Pat; Dorsey, Ryan; Pinkett, Leon; Schleifer, Isaac; Stokes, Robert; Sneed, Shannon; Cohen, Zeke; Burnett, Kristerfer; Bullock, John
Cc: Huber, Michael; Davis, Lester; Stokes, Karen; Cole, William H.; Smith, Jim T.; Hammen, Peter
Subject: Re: Real Estate Development and Investment Community Brief Statement on Fund the Trust Act

Your opinion is recieved and will be sent to committee for review.

Sincerely,
Sharon Middleton

Sent from my Verizon Samsung Galaxy smartphone

----- Original message -----

From: Joshua Greenfeld <jgreenfeld@marylandbuilders.org>
Date: 9/25/18 10:25 AM (GMT-05:00)
To: City Council President <City.CouncilPresident@baltimorecity.gov>, "Scott, Brandon" <Brandon.Scott@baltimorecity.gov>, "Reisinger, Edward" <Edward.Reisinger@baltimorecity.gov>, "Costello, Eric" <Eric.Costello@baltimorecity.gov>, "Henry, Bill (email)" <Bill.Henry@baltimorecity.gov>, "Middleton, Sharon" <Sharon.Middleton@baltimorecity.gov>, "Clarke, Mary Pat" <MaryPat.Clarke@baltimorecity.gov>, "Dorsey, Ryan" <Ryan.Dorsey@baltimorecity.gov>, "Pinkett, Leon" <Leon.Pinkett@baltimorecity.gov>, "Schleifer, Isaac" <Isaac.Schleifer@baltimorecity.gov>, "Stokes, Robert" <Robert.Stokes@baltimorecity.gov>, "Sneed, Shannon" <Shannon.Sneed@baltimorecity.gov>, "Cohen, Zeke" <Zeke.Cohen@baltimorecity.gov>, "Burnett, Kristerfer" <Kristerfer.Burnett@baltimorecity.gov>, "Bullock, John" <John.Bullock@baltimorecity.gov>
Cc: "Huber, Michael" <Michael.Huber@baltimorecity.gov>, "Davis, Lester" <Lester.Davis@baltimorecity.gov>, "Stokes, Karen" <Karen.Stokes@baltimorecity.gov>, "Cole, William H." <wcole@baltimoredevelopment.com>, "Smith, Jim T." <Jim.Smith@baltimorecity.gov>, "Hammen, Peter" <peter.hammen@baltimorecity.gov>
Subject: Real Estate Development and Investment Community Brief Statement on Fund the Trust Act

Dear President Young and Members of the Taxation, Finance and Economic Development Committee:

I write in advance of Thursday's hearing on the Fund the Trust Act to clarify the real estate development community's position on this legislation and refute any notion the real estate development and investment community supports this bill. While the MBIA supports funding the Housing Trust and signed onto the Housing Roundtable's 20/20 goal to fund affordable housing, the MBIA strongly believes raising already-high taxes on real estate transactions in Baltimore City is not the way to achieve our shared goals. The MBIA and others in the industry have suggested non-tax or blended funding options to the Mayor, Council President and bill sponsor including using general fund revenues and new tax revenue capture techniques, but have never supported raising transfer and recordation taxes to fund the Trust.

Moreover, we have not been part of the conversations leading to this tax based solution which falls almost exclusively on our industry.

Second, MBIA has heard the Committee may vote on this legislation, with amendments as agreed upon with the proponents, on Thursday. The MBIA urges the Committee to defer any vote on this legislation until a worksession or additional hearings takes place. The MBIA believes it is irresponsible for the Council to act on such an impactful bill without full discussion and consideration of all the issues, including all stakeholders. We previously understood from Council leadership there would be adequate time for such discussion. A vote taken the same day as the first hearing is not consistent with this commitment.

We look forward to Thursday's hearing and a full and fair discussion of the bill.
Best regards,

Josh Greenfeld, Esq.
jgreenfeld@marylandbuilders.org
Vice President of Government Affairs
Maryland Building Industry Association
11825 W. Market Place
Fulton, MD 20759
Ph: 443-515-0025



Fall Membership Drive - Sept. 1-30
Help Us Recruit 50 New Members in 30 Days. [Click here](#) for info.

Harbor Highlights Cruise - Sept. 26
Join FIL aboard The Raven in Baltimore. [Register here](#).

Networking Event at MGM TAP Sports Bar - October 3
Hosted by MBIA's Prince George's Chapter. [Register here](#).

Check out NAHB's Member Advantage Program at www.nahb.org/ma



September 24, 2018

The Honorable Sharon Middleton
Chair, Taxation, Finance and Economic Development Committee
Baltimore City Council
100 N. Holiday Street, Suite 500
Baltimore, MD 21202

Re: Council Bill 18-0221

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee

I am writing to urge your favorable vote to support Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

The French Companies have been an active real estate developer and property manager in Baltimore City for over thirty years. Our focus is on affordable housing and we have developed many projects using a variety of financing sources including tax credits, private equity, MD rental housing programs, bonds and Baltimore City's HOME Program.

If enacted, the funding from this legislation into the Affordable Housing Trust Fund would help developers like ourselves meet the needs of individuals and families making 50% of the Areawide Median Income (AMI) and below. Individuals with incomes below 50% of AMI have much greater difficulty finding quality housing and, without new forms of capital subsidy, developers have difficulty meeting the needs of this population. It is our sincere hope that the Affordable Housing Trust Fund will help ease the housing cost burden for Baltimore's most vulnerable individuals and families by making available more units in this price range.

Please vote in favor of this important legislation.

Sincerely,

James L. French
President

partnering to build communities

429 N. Eutaw Street, Suite 3 South
Baltimore, Maryland 21201
P. 410.332.8400 F. 410.332.0064
www.thefrenchcompanies.com



Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

9/24/2018

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

United Workers is an economic human rights organization dedicated to organizing low-income residents across class and color lines in Baltimore, building a movement to end poverty. Our membership is made of low-wage workers and residents citywide, including the historically disinvested Curtis Bay, McElderry Park, Harlem Park, Belair-Edison, Brooklyn, and Middle East neighborhoods. Last year, students at Ben Franklin High School identified over 500 vacant and abandoned homes in their neighborhood, many owned by speculators and slumlords from different states. Our members have been displaced involuntarily, experienced housing insecurity and homelessness. This is why we have organized a network of community land trusts- to foster neighborhood-driven, equitable development that is accountable to community needs. We are writing to thank you for your work on the Fund The Trust Act, Council Bill 0221, which we see as a means of addressing historic disinvestment and blight in low income communities of color.

In the face of diminishing Federal housing resources and HUD Secretary Carson's "Making Affordable Housing Work Act," the need for sustainable, local housing funding has never been greater. Currently, 57% of renters in Baltimore are paying more than a third of their income on rent- a level deemed unaffordable by the federal government. The Baltimore Metropolitan Council estimates that 51,000 new homes affordable to families below 30% of area median income (\$27,000 annually for a family of 4) are needed. Recent data suggests that 1/3 of all rental properties in Baltimore are considered substandard; many of our members have endured hazardous conditions such as lead paint, black mold, collapsing ceilings, and pest infestations.

The Fund the Trust Act will raise an estimated \$13 Million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Funding our city's Affordable Housing Trust Fund would provide housing services as well as capital funds and development subsidy. Over the last 10 years, Philadelphia's Affordable Housing Trust Fund has financed the rehabilitation of over 1,500 homes, generated 4,000 home and accessibility repairs for low income residents, prevented 3,000 evictions, and employed more than 10,000 construction workers. It is anticipated that in Baltimore, \$13 million annually would support the development of 6 community land trusts and create or preserve more than 400 affordable housing opportunities each year.

On behalf of our membership, United Workers urges you to vote in favor of the Fund the Trust Act (Council Bill 0221) to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million each year.

Respectfully,
United Workers Association





**CENTER for
COMMUNITY CHANGE**



Housing Trust Fund Project
Building Power for Housing Justice

September 24, 2018

Members of the Taxation, Finance and Economic Development Committee,

My name is Katy Heins and I am a Senior Organizer with the Housing Trust Fund Project for the Center for Community Change. It is my honor to submit testimony on the Baltimore Affordable Housing Trust Funds and its potential impact.

Since 1986, the Housing Trust Fund Project has been a clearinghouse for information related to state and local housing trust funds. We monitor the advances and impact of housing trust funds, including conducting periodic national surveys. Currently, there are more than 790 housing trust funds operating to address locally identified housing need. Cities throughout the U.S. annually collect more than \$385 million a year.

Affordable housing trust funds are the backbone of the housing development in many cities. They demonstrate what is possible, encourage local participation, and when adequately and consistently funded, housing trust funds have the scope and scale to make a measurable impact on addressing critical housing needs. The strength inherent to all housing trust funds is that cities design them to meet the specific priorities of that city.

Baltimore advocates and city officials have done their due diligence in finding two sources of funding that together would add up to a substantial funding sources. Cities have to be creative about the sources of revenue they use due to the many different local jurisdictional laws. Furthermore, many cities, such as Austin, TX, Portland OR or Nashville, TN to name a few, have aggregated multiple sources of funding in order to realize a funding amount that makes a substantial impact in community.

The impact of housing trust funds is proven to have substantial positive effects in their community. For example, the city of Minneapolis 10 year report of their Affordable Housing Trust Fund (2002-2012) shows expenditures \$73 million. This investment attracted an additional \$777 million in capital to fund housing projects throughout the city. The total development costs of these projects are approximately \$850 million that produced 6,328 homes and apartments.

As is the case with all successful local affordable housing trust funds, the key to the impact of the Affordable Housing Trust Fund will be its dedicated source of revenue from excise tax certain property transfers and recordation. Having a consistent, predictable source of revenue allows a city to deploy resources strategically over time while being fluid enough to respond to market opportunities. For the developers of affordable housing and their financial partners whose investments make the housing possible, dedicated annual revenue provides the assurance and confidence needed to negotiate a multi-year financing plan. The dedication of annual revenue is also a recognition that for a community to thrive, all of the community members need a home or an apartment that they can afford. Whether its first responders, teachers, bank tellers or home health care aides, housing trust funds are a core financial tool for building homes for the people who make the community work.

The investment that Baltimore can make by passing the Fund the Trust Act, CB 18-0221, with the amendments supported by the sponsor, Councilman Bullock, and the Administration, will make Baltimore a safe, affordable place to call home to thousands of Baltimore families. It will make Baltimore a model of how to help all their residents thrive.

I would welcome any follow-up questions or related inquiries from members of the committee.

Sincerely,

A handwritten signature in black ink that reads "Katy Heins". The signature is written in a cursive style with a large, looping flourish at the end.

Katy Heins
Senior Organizer, Housing Trust Fund Project
Center for Community Change



September 24, 2018

Honorable Jack Young, President
Honorable Sharon Green Middleton, Chair, Taxation, Finance &
Economic Development Committee
Baltimore City Council
Attn: Samuel.johnsonjr@baltimorecity.gov
100 N. Holliday Street
Baltimore, Maryland 21202

Re: Testimony in Support of CC 18-0221: Dedicating Surtax Proceeds to Baltimore City Affordable Housing Trust Fund

Dear President Young, Chairperson Middleton and Members of the Council:

The ACLU of Maryland **supports** CC 18-0221, and the amendments proposed by the Administration, to establish an excise tax on the amounts collected by the transfer and recordation tax on real property transactions valued at or above \$1,000,000, and the dedication of those revenues to the City's Affordable Housing Trust Fund.

These dedicated excise tax revenues, together with other sources contributed by the City, are expected to provide the Trust Fund with \$20 million per year to allocate for a variety of uses promoting affordable and fair housing, especially for Baltimoreans most in need, those who are at or below 50% of the Area Median Income (AMI).

We have seen the damaging impacts of homelessness and unstable, unaffordable, substandard and unsafe housing on the residents of Baltimore, and especially on the children who are the future of our City. A large body of research evidence substantiates the harms caused by housing problems. To cite just a few examples:

- Housing instability among pregnant and new mothers impacts birth outcomes and infant mortality. Case managers from the Baltimore City Health Department's recognized home visiting infant mortality program, Bmore for Healthy Babies, estimate that at least 70% of their clients experience housing instability, i.e. they cannot pay their rent, have to double up, and/or move frequently.¹
- By increasing parental stress, poor housing conditions result in emotional and behavior problems in children.²

¹ Bmore for Healthy Babies, *The Need for Stable Housing for Pregnant Women and Babies in Baltimore* (April 2012). <http://healthybabiesbaltimore.com/our-initiatives/housing>

² Rebekah Coley et al., *Issue Brief: Poor Quality Housing is Tied to Children's Emotional and Behavior Problems*, MacArthur Foundation (2013) https://www.macfound.org/media/files/HHM_-_Poor_Quality_Housing_Is_Tied_to_Childrens_Emotional_and_Behavioral_Problems.pdf

AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION OF
MARYLAND

MAIN OFFICE
& MAILING ADDRESS
3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
or 210-274-5295
F/410-366-7838

FIELD OFFICE
8930 CARROLL AVENUE
SUITE 610
TAKOMA PARK, MD 20912
T/240-271-5295

WWW.ACLU-MD.ORG

OFFICERS AND DIRECTORS
COLEMAN BAZELON
PRESIDENT

DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

- Poor housing conditions are a major contributor to a rate of asthma in Baltimore's children that is more than double the national average. Baltimore's pediatric asthma hospitalization rate is the highest in Maryland and one of the highest in the nation. Asthma accounts for the greatest loss of productivity either through missed work days or school absenteeism.³
- Unaffordable housing consigns low income families to financial ruin, leading to eviction, churning and greater poverty.⁴ As a result, children experience interruption in their schooling and fall behind their peers. Moving three times during childhood reduces later earnings by nearly 52%.⁵ Classmates and entire schools are burdened by high rates of student turnover.

We have also seen that safe, stable, healthy and affordable housing can serve as a platform to improve family health and well-being. To rebuild Baltimore, we must start from the ground up with our children.

At its core, stable affordable housing enables children to have better cognitive development and improved learning, reduces parents' stress, allows families to maintain relationships and build social connections, and may provide resources for training, education, and enrichment, along with many other benefits.⁶

- Access to decent, affordable housing provides stability for vulnerable families and helps prevent homelessness.⁷
- Affordable housing allows parents to invest in their children's cognitive and socio-emotional development, which pays off in greater success in school, higher employment and less incarceration.⁸

³ Baltimore City Health Department, *Asthma*, <https://health.baltimorecity.gov/node/454>

⁴ Matthew Desmond, *Issue Brief: Poor Black Women Are Evicted at Alarming Rates, Setting Off a Chain of Hardship*, MacArthur Foundation (2014) https://www.macfound.org/media/files/HHM_-_Poor_Black_Women_Are_Evicted_at_Alarming_Rates.pdf

⁵ Kathleen Ziol-Gues and Ariel Kalil, *Issue Brief: Frequent Moves in Childhood Can Affect Later Earnings, Work, and Education*, MacArthur Foundation (2014) <https://howhousingmatters.org/wp-content/uploads/2014/09/How-Housing-Matters-Policy-Research-Brief-Frequent-Moves-in-Childhood-Can-Affect-Later-Earnings-Work-and-Education.pdf>

⁶ Pamela Blumentahal and John McGinty, *Research Report: Housing Policy Levers to Promote Economic Mobility*, Urban Institute (2015) <https://www.urban.org/sites/default/files/alfresco/publication-pdfs/2000428-Housing-Policy-Levers-to-Promote-Economic-Mobility.pdf>

⁷ *Impact of Affordable Housing on Families and Communities: A Review of the Evidence Base*, Enterprise Community Partners, (2014) <http://homeforallsmc.org/wp-content/uploads/2017/05/Impact-of-Affordable-Housing-on-Families-and-Communities.pdf>

⁸ Sandra Newman and Scott Holupka, *Issue Brief: Affordable Housing is Associated with Greater Spending on Child Enrichment and Stronger Cognitive Development*, MacArthur Foundation (2014) https://www.macfound.org/media/files/HHM_-_Affordable_Housing_-_Stronger_Cognitive_Development.pdf

- Affordable housing “protects” children from food insecurity and other health risks.⁹

Just as housing stability is important to family well-being, the provision of affordable housing and related services depends on the kind of stable, and reliable sources of funding. To a greater extent than other services, the process and pipeline for creation of affordable housing necessitates years of planning and does not end when the housing is constructed. To work effectively and efficiently, housing providers need predictability. A Trust Fund with a dedicated revenue source provides that predictability and minimizes the uncertainty inherent in annual appropriations.

The creation and funding of the Baltimore City Affordable Housing Trust Fund is a matter of racial equity. The harms of unaffordable, unsafe, unstable and substandard housing fall hardest on Baltimore households with incomes at or below 50% AMI. As a result of our long history of discrimination and segregation, these individuals and families are disproportionately African American. The Trust Fund is designed to benefit those who have been most burdened by these harms.

Standing alone, the Trust Fund cannot be expected to solve all of our problems. But it will provide a dedicated and predictable resource to help Baltimore City to address the serious housing challenges that have long compromised the City’s prosperity and stability. We commend the Mayor and City Council for taking this historic step.

Sincerely,



Barbara Samuels, Managing Attorney – Fair Housing

AMERICAN CIVIL
LIBERTIES UNION OF
MARYLAND

Taxation, Finance and Economic Development Committee
Baltimore City Hall
100 N Holliday St
Baltimore, MD 21202

Chairwoman Middleton and Honorable Members of the Taxation, Finance and Economic Development Committee,

My name is Rianna Eckel, I am the Maryland Organizer with Food & Water Watch and a resident of Baltimore City. I am writing on behalf of the 14,000+ Food & Water Watch members in Baltimore City in support of CB 18-0221 with the amendments supported by the sponsor, Councilman Bullock, and the Mayor's Administration. I want to thank Councilman Bullock for sponsoring this critical legislation, and the members of the committee for the opportunity to provide input.

Everyone in our city deserves a high quality of life, but due to a lack of permanently affordable housing, many families are burdened with unaffordable living costs. 57% of renters in Baltimore are currently paying more than a third of their income on rent, a level deemed unaffordable by the federal government. This, when compounded with unaffordable water bills, and high electricity bills and food costs, leaves families with impossible choices.

The Fund the Trust Act would raise an estimated \$13 million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Funding our city's Affordable Housing Trust Fund would provide housing services as well as capital funds and development subsidy.

By 2023, the legislation and additional allocation would generate an average of \$20 million each year. Based on data from other jurisdictions, over 10 years, this funding could create or preserve over 4,000 affordable homeownership or rental opportunities and create 8,500 construction jobs. It would also allow senior homeowners to fix up and stay in their homes, ensure communities can reclaim vacant properties, and lead all of us towards building a Baltimore where everyone has a decent place to call home.

This legislation will provide assistance to families in avoiding eviction, help neighborhoods rebuild without displacing current residents, and generate job opportunities for thousands of Baltimore residents. It's a monumental step forward in our collective work for a more equitable Baltimore.

Thank you again for your time. We respectfully urge you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million each year.

Rianna Eckel
Maryland Organizer
Food & Water Watch
reckel@fwwatch.org

Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

9/23/2018

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

I am writing to express my strong support for the Fund the Trust Act to create, preserve, and maintain affordable housing for city residents at or below 50% area median income. As a public artist and organizer I work to make our city more inclusive and livable through public art, creative walking tours, and civic engagement. I offer these services through my small, social enterprise Graham Projects LLC. I am also an active leader with the New Auchentoroly Terrace Association in Mondawmin, West Baltimore. Through my walking tours, community meetings, and public projects, I've engaged hundreds of residents in discussions on the challenges faced by our rapidly changing neighborhoods. Time and again, I've heard people express frustration over the lack of quality affordable housing in Baltimore. The time is now for the City Council and Mayor follow through on establishing a permanent funding mechanism to support the Affordable Housing Trust Fund approved by a landslide vote in the 2016 election.

Through projects such as artistic crosswalks and creative wayfinding I seek to work with the city and residents on making neighborhoods safer and more accessible for people who do not have access or cannot drive cars. The city is making great advances towards transportation equity through projects such as the ongoing expansion of our bicycle network and demonstration projects like the Big Jump walking path. In addition, non-profits such as Baltimore Office of Promotion and the Arts are supporting working artists like myself with public art commissions that attract residents and visitors alike to neighborhoods across the city. Studies have shown that investments in active transportation and public art increase the quality of life for residents, improve public health indicators, and stimulate long term neighborhood economic development. Unfortunately, sometimes these investments attract so many higher earning newcomers that neighborhoods become unaffordable for the existing, long-term residents. As the city continues to invest in transportation and the arts, we must be careful to avoid such pitfalls of gentrification. The primary way we can ensure long term neighborhood affordability is by transitioning thousands of homes from the current free market to a community-controlled market of permanently affordable land trusts.

For years we've witnessed vacant properties in Baltimore go undeveloped and deteriorate beyond repair or be bought up by developers through the city's Vacants-to-Value program, renovated, and then sold at prices out of reach for most Baltimoreans. The current incentives to build or renovate homes in Baltimore primarily serve the middle and upper classes. Building more "market rate" housing is certainly needed, but doing so alone is not enough in a city where the average annual income is, like mine, just over \$37,000. It is the city government's moral imperative to serve the needs of our majority lower income residents first and foremost by investing in community-controlled land trusts funded and staffed to redevelop affordable

properties. The Fund the Trust Act will provide the necessary housing services as well as capital funds and development subsidy.

By passing the Fund the Trust Act, Baltimore will put itself on a path towards creating an ever-increasing market of affordable housing options for our existing and future working income residents. Baltimore's economy is already booming, but only in certain areas. It is just a matter of time before our city attracts the widespread level of investment currently taking place in cities like Washington, D.C. At this point, properties in D.C. are too expensive for the city to make the kind of massive, cost-effective investments in affordable housing they so badly need. However unlike D.C., Baltimore is in the unique position of having tens of thousand of vacant, inexpensive properties ready to be rehabbed as permanently affordable housing. We must act now to protect and expand as much affordable housing as possible before the inevitable wave of gentrification takes place across all of Baltimore.

I urge you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million each year.

Respectfully,

A handwritten signature in black ink, appearing to read 'Graham Coreil-Allen', written in a cursive style.

Graham Coreil-Allen

Public Artist and Owner, Graham Projects LLC
3210 Auchentoroly Terrace, Baltimore, MD 21217
917-683-5922 | graham@grahamprojects.com
<https://grahamprojects.com>



LOYOLA UNIVERSITY MARYLAND

— 1852 —

September 20, 2018

Chair Sharon Green Middleton
Vice Chair Leon Pinkett
Taxation, Finance & Economic Development Committee
100 Holliday St.
Baltimore, MD 21202

Subject: Testimony in Support of Council Bill 18-0221

Dear Chair Middleton, Vice Chair Pinkett, and Committee Members,

On behalf of Loyola University Maryland's York Road Initiative, I am writing in support of Council Bill 18-0221. As an anchor institution committed to strengthening the neighborhoods and quality of life for residents in our Greater Govans community, and as a member of the resident-led York Road Partnership, Council Bill 18-0221 is critical to ensuring safe, quality, and affordable housing for families and ensuring the stability of our neighborhoods.

As you know, close to 57% of Baltimoreans pay more than 30% towards housing costs and of that, a 33% pay more than half of their income to meet housing needs. In Greater Govans, 52% of our neighbors live in housing that is unaffordable. This disproportionate income to rent/mortgage payment ratio results in the displacement of long-term renters and homeowners, resulting in vacant and abandoned housing stock and the decline of our vibrant neighborhoods and insecurity for families.

This summer, the York Road Partnership commissioned a community survey to more fully understand the state of vacant property in its neighborhoods. To offer a snapshot, Woodbourne-McCabe has a vacancy rate of 14.4%, with four out of ten total blocks to be considered hypervacant (vacancy rate above 20%). Winston-Govans, a historically Black stable community, has an estimated vacancy rate of 10.4%. The average vacancy rate for the 2,305 housing units surveyed along the eastside of the York Road corridor is 8.18%. A solution to address these statistics and support families seeking affordable housing and neighborhoods seeking stability, Council Bill-0221 has the potential to dramatically address the housing and community development opportunities for our city and our neighborhoods.

In solidarity with our neighbors and the York Road Partnership, I thank you for your commitment to invest in the future of Baltimore by issuing a favorable report for Council Bill-0221. Please contact me with any questions at 410-617-2699 or eokeefe@loyola.edu.

Sincerely,

Erin S. O'Keefe, M.P.P.
Director
Center for Community Service and Justice & York Road Initiative

September 20, 2018

Dear City Council President Jack Young and members of the Council,

I am writing in support of City Council Bill 18-0221 to dedicate tax proceeds for the Affordable Housing Trust Fund.

By way of background, I am an Associate Professor in the Department of Health Policy Management at the Johns Hopkins Bloomberg School of Public Health and the Johns Hopkins School of Medicine. I provide this testimony in my own individual capacity. I am not representing the view or position of the Johns Hopkins University or Bloomberg School of Public Health.

I am a practicing primary care physician and health researcher who, for over 10 years, has studied the connection between housing and health. Through my clinical experience and research, I have observed the importance of affordable housing for health and well-being.

Through my clinical practice, I have seen the trade-offs that my patients and their families make between paying for rent and paying for medicines. I have witnessed the extreme stress of living in unstable housing, frequently described as symptoms of anxiety or depression. In short, many of my patients have needed a prescription for affordable housing to get at the root of their health problems.

Research in the area of housing and health supports my clinical experience on the critical connection between housing affordability and health. Key research findings include:

- Overall, adults who have difficulty affording housing costs are less likely to have a primary care doctor and more likely to delay medical care.ⁱ They are more likely to report poor health and have higher risks of certain medical conditions.ⁱⁱ
- Households with high housing costs tend to spend less on food and other household needs. In their annual report, the Harvard University's Joint Center for Housing Studies reported that low income households who spend over half their income on housing costs, on average, spent 53% less on food, healthcare, and transportation combined compared to households that lived in affordable housing.ⁱⁱⁱ
- Residential instability—which is often precipitated by unaffordable housing—has been linked with a range of problems for children and adolescents including poor cognitive development, behavioral and emotional problems, higher rates of teen pregnancy, lower rates of healthcare continuity, and increased preventable hospitalizations.^{iv,v}

- Some families that face high housing costs, experience residential crowding, sometimes due to households 'doubling up' in their home. Crowding has been linked with poor academic achievement,^{vi} and, among adults, with psychological withdrawal and potentially elevated blood pressure.^{vii,viii}
- As another trade-off, some families live in poor quality housing marked by toxic exposures, structural issues or system deficiencies and in poorer quality neighborhoods. There is a rich literature on the importance of housing and neighborhood exposures for adult and child health and well-being.^{ix,x}
- At the extreme, unaffordable housing may lead to evictions among renters and foreclosure among homeowners which may lead to worse mental and physical health outcomes.^{xi}

In summary, both my clinical experience working as a primary care physician and my research support the importance of investing in high quality, affordable housing as a way to improve health.

Sincerely,



Craig Pollack, MD, MHS
cepollack@gmail.com

ⁱ Kushel MB, Gupta R, Gee L, Haas JS. Housing instability and food insecurity as barriers to health care among low-income americans. *J Gen Intern Med.* 2006;21(1):71-77.

ⁱⁱ Pollack CE, Griffin BA, Lynch J. Housing affordability and health among homeowners and renters. *Am J Prev Med.* 2010;39(6):515-521.

ⁱⁱⁱ The Joint Center for Housing Studies. Harvard University. The state of the nation's housing: 2017.

^{iv} Jelleyman T, Spencer N. Residential mobility in childhood and health outcomes: A systematic review. *J Epidemiol Community Health.* 2008;62(7):584-592.

^v Hutchings HA, Evans A, Barnes P, et al. Residential moving and preventable hospitalizations. *Pediatrics.* 2016;138(1):2836.

^{vi} Solari CD, Mare RD. Housing crowding effects on children's wellbeing. *Soc Sci Res.* 2012;41(2):464-476.

^{vii} D'Atri DA. Psychophysiological responses to crowding. *Environment and Behavior.* 1975;44(1):59-80.

^{viii} Paulus PB, McCain G, Cox VC. Death rates, psychiatric commitments, blood pressure, and perceived crowding as a function of institutional crowding. *Environmental psychology and nonverbal behavior.* 1978;3(2):107-116.

^{ix} Evans GW, Saltzman H, Cooperman, JL. Housing quality and children's socioemotional health. *Environment and Behavior.* 2001;33(3):389-399.

^x Diez Roux AV, Mair C. Neighborhoods and health. *Ann N Y Acad Sci.* 2010;1186:125-145.

^{xi} Pollack CE, Lynch J. Health status of people undergoing foreclosure in the philadelphia region. *Am J Public Health.* 2009;99(10):1833-1839.



Bill: Recordation and Transfer Taxes - Surtax - Dedicating Surtax Proceeds to Affordable Housing Trust Fund (Ordinance 18-0221)
Committee: Taxation, Finance & Economic Development Committee
Position: SUPPORT
Date: September 18, 2018

Honorable Chairwoman Middleton and Committee Members,

My name is Taylor Smith-Hams and I'm a Baltimore City resident and the Healthy Communities Campaign Organizer for CCAN Action Fund. CCAN Action Fund strives toward a healthy environment and sustainable future in Baltimore City and across Maryland. To achieve this future, we must ensure access to safe, affordable, and healthy housing for all. We support Ordinance 18-0221 to provide dedicated funding to the Affordable Housing Trust Fund.

For far too long, Baltimore has been forced to bear the burden of failed development that pollutes the city, causes disproportionate health impacts, and forces residents out of their communities. We know that a healthy and safe environment includes clean air and water and a stable climate, as well as permanently affordable housing and family-sustaining jobs. The Fund the Trust Act is an opportunity for the city to invest in community-driven, equitable development to meet our basic needs for housing and environmental sustainability while addressing the historic disinvestment and blight in low-income communities of color across our city.

Failed development has caused immense harm to our communities. On any given night, 2,500 people are homeless in Baltimore.¹ Our city has some of the worst air pollution in the country, and environmental injustice threatens the health and safety of entire neighborhoods.² Recent data suggests that a third of all rental properties in Baltimore are considered substandard, with residents enduring hazardous conditions such as lead paint, black mold, collapsing ceilings, and pest infestations.³ These unacceptable conditions are a clear example of environmental racism.

The Fund the Trust Act would raise an estimated \$13 million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. It is anticipated that in Baltimore, \$13 million annually would support the development of six

¹ Mayor's Office of Human Services, "Homeless Services Program," <https://human-services.baltimorecity.gov/homeless-services>.

² Fern Shen, "Measuring smog and particulates, report ranks Baltimore air pollution among worst in U.S." *Baltimore Brew*, 27 June 2018, <https://www.baltimorebrew.com/2018/06/27/measuring-smog-and-particulates-report-ranks-baltimore-air-pollution-among-worst-in-u-s/>.

³ Doug Donovan and Jean Marbella, "Dismissed: Tenants lose, landlords win in Baltimore's rent court," *Baltimore Sun*, 26 April 2017, <http://data.baltimoresun.com/news/dismissed/>.

community land trusts and create or preserve more than 400 affordable housing opportunities each year.⁴

The Fund the Trust Act will help put Baltimore on track to a healthier environment and a more just, sustainable future. We urge a favorable report for this important legislation.

Respectfully,



Taylor Smith-Hams
Healthy Communities Campaign Organizer
CCAN Action Fund

⁴ Housing for All: Baltimore, "Fund the Trust!" fact sheet, September 2018.

Charm City Land Trusts
2424 McElderry Street
Baltimore, MD 21205

September 14, 2018

Baltimore City Hall
100 Holliday St.
Baltimore, MD 21202

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

Charm City Land Trusts, Inc. (CCLT) is the longest-tenured community land trust (CLT) in Baltimore City. In 2000, CCLT was incorporated by community residents to ensure the long-term community control of land resources through the preservation, development, and acquisition of land. Over the 18 years of its existence, CCLT has organized community residents and stewarded land in the East Baltimore neighborhoods of Patterson Park and McElderry Park, most notably the Amazing Port Street Commons, a multi-use community garden that was completed in 2002 behind the Amazing Grace Lutheran Church. In 2015, CCLT acquired its first residential property on the 500 block of North Luzerne Avenue—a Wells Fargo foreclosure that symbolizes the dangers posed by speculative development and its ruinous potential on neighborhood stability. We write to thank you for your work on the Fund the Trust Act, Council Bill 0221, which we view as a vital measure to reverse the tide of speculative perdition that has imperiled low-income communities of color in Baltimore City for centuries.

McElderry Park is at a major crossroads. According to the Baltimore Neighborhood Indicators Alliance, 18.4 percent of the houses in this area are vacant or abandoned, 60.1 percent of the area's residents are paying more than 30 percent of their total household income on rent, 16.3 percent of the area's residents are unemployed, and 32.4 percent of the area's residents live below the federal poverty line. What is more, in McElderry Park, only 23.1 percent of the homes are owner-occupied—the lowest percentage in the entire city. As development booms around the Johns Hopkins University Medical Institute (JHMI), McElderry Park's majority of renters do not reap any benefits and face the threat of displacement as the values of their homes rise—a threat compounded by the Housing Authority of Baltimore City's \$1 billion project to develop a 200-acre corridor between Harbor East and JHMI. We have no presumptions of halting development, but we view the Fund the Trust Act as a crucial measure to ensure that, as high-cost development activity continues around McElderry Park, that speculative forces do not impede the ability of the neighborhood's residents to stay in their community. Moreover, through the fund, organizations like CCLT can harness community land and resources to ensure that the dire quality of life conditions in the neighborhood improve, and we can all rise together, in trust.

Charm City Land Trusts, Inc. urges you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million annually.

Respectfully,

Charm City Land Trusts, Inc.

Johnson Jr., Samuel

From: Louise Harmony <harmonylouise3@gmail.com>
Sent: Wednesday, September 12, 2018 9:18 PM
To: Johnson Jr., Samuel
Cc: Amanda Affordable Housing De
Subject: Please pass the Fund the Trust Act at the September 27th hearing

Passing the Fund the Affordable Housing Trust Act is necessary in order to have Affordable Housing in Baltimore City. The big developers do not do enough to make any difference regarding affordable housing - and do nothing for Seniors.

In Northeast Baltimore, there is one (1) Senior Apartment complex with about 12-20 MARKET RATE APARTMENTS. Please NOTE: neither Waverly nor Essex is in Northeast Baltimore.

I hope that SOME of the money from the Fund the Trust Act will be used to support AFFORDABLE Senior housing in Northeast Baltimore.

In addition, the vacant properties in NE Baltimore CONTINUE to hold down home sale prices (banks are keeping these properties in their portfolios because of the TAX reward for doing so). This has been going on since 2010 when the housing crisis was at it's height and contributed significantly to the S-L-O-W RECOVERY of the housing market in this area.

I hope the a job creation program to train city residents (emphasis on TRAINING) will be funded to rehab vacant houses (ex. Civic Works) OR to partner with Habitat for Humanity to rehab vacant housing stock.

Regarding Civic Works - my friend had her house insulated and now she has mold in the cellar. Better TRAINING and more understanding of humidity, air flow, and how mildew grows is necessary to prevent mistakes like this one.

In order to do ANY of these things - The Affordable Housing Trust must be funded.

AND do not believe for one skinny minute that you will be able to depend on Washington for money for affordable housing.

Sincerely,
Louise Harmony, 5105 Walther Avenue, Baltimore 21214

Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

September 5, 2018

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

Nurses for Justice Baltimore is a network of Baltimore nurses, working to build a nursing presence in social justice advocacy and rooted in harm reduction principles. Nurses for Justice Baltimore's vision is for a vibrant Baltimore with health and justice for all. Our mission is to foster networking, support and action among Baltimore nurses on issues of social justice that affect the person, profession and community. As nurses we work under a code of ethics that integrates social justice as central tenants of our work. Nurses for Justice Baltimore seeks to carry these out at the local level in Baltimore City to reduce health and justice disparities. To do this, we have become involved in certain issues that we see affecting the health of our city on a large scale; one of these issues is affordable housing. We are writing to thank you for your work on the Fund the Trust Act-a piece of long overdue legislation that we believe will lead to a healthier Baltimore.

Affordable housing is directly related to health. According to Healthcare for the Homeless, a non-profit working with and for people experiencing homelessness in Baltimore city, those experiencing homelessness are "3-4 times more likely to die prematurely, 2 times as likely to have a heart attack or stroke, and 3 times more likely to die of heart disease between the ages of 25 and 44 years old." Even overlooking the issue of homelessness, one of the greatest indicators of health isn't genetics, but zip code. In Baltimore, one can expect to see up to a twenty-year difference in life expectancy based on a person's zip code. According to Baltimore City's Health Department Commissioner Leana Wen, "when it comes down to it, the biggest driver [of health] is poverty."

Given the clear link between housing and health, it's not hard to see how the affordable housing crisis we are experiencing in Baltimore could lead to a less healthy city. The Baltimore Housing Roundtable's Fund the Trust Act is the only long-term solution to the housing crisis that is being proposed right now. The Fund the Trust Act would create, maintain, and provide services for permanently affordable housing for Baltimoreans, giving low-income residents the opportunity and the resources to prioritize their health in a way they haven't been able to do before. The Fund the Trust Act will create a healthier, happier Baltimore.

The architects of the Fund the Trust Act estimate that the legislation will create or preserve more than 400 affordable housing opportunities each year. That's 400 individuals or families that will have access to a clean place where they can prioritize their health. We urge you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust fund, and to prioritize the health of Baltimore city's most vulnerable populations.



**Testimony
Maryland Working Families**

**In SUPPORT of
Baltimore City Bill 18-0189 - Short Term Residential Rentals – Regulation and
Taxation**

August 28, 2018

Council President Jack Young and Members of the Baltimore City Council, Maryland Working Families (MDWF) strongly supports Baltimore City Bill 18-0189 - Short Term Residential Rentals – Regulation and Taxation.

MDWF is an independent grassroots organization fighting for a government that represents the values and needs of working families. MDWF enlists a grassroots movement to hold our leaders accountable through public education and engagement; supports progressive laws and policies that improve the economic security of working families; and works to develop and elect leaders who share our vision and values. MDWF is affiliated with the national Working Families Organization.

City Council Bill 18-0189 will extend the hotel tax to certain short-term rentals facilitated by hosting platforms like Airbnb, require them to be licensed with the city and put an annual 60-night rental cap on un-hosted rental units. These measures would bring needed oversight to what has grown into a large, unregulated commercial lodging market within Baltimore City.

Several studies have shown that a large proportion of short-term rentals (at least 30%) are run by commercial operators. Commercial interests renting out multiple properties as short term hotels have been shown to negatively impact communities and are a major concern for working families. By taking residential units off the market, there are even fewer viable options for working families to live in.

Baltimore's hotel and bed and breakfast industry cannot compete with this unregulated enterprise which does not comply with health, safety, zoning, insurance, and taxation requirements that lodging operators must normally follow. When a consumer chooses cheaper short-term rental units, hotel and bed and breakfast rooms go unfilled¹, and operators have no choice but to cut shifts and even staff altogether – putting hard working Baltimore city residents out of work and unable to pay their bills. Many hotel employees in Maryland are represented by strong labor

¹ Note also that this means the lodging transaction goes untaxed in Baltimore City.

unions which means that in such cases these jobs are middle-class jobs with fair wages, family healthcare, benefits, and fair workplaces. Even for non-union workers, a hotel job may be the main livelihood for a working family.

Furthermore, Baltimore is in the midst of a serious affordable housing crisis. Earning the minimum wage (\$10.10), Baltimore city workers have to work 107 hours per week to afford a modest 2-bedroom rental home in the city at a fair market rent.² The city's announcement to fund the Affordable Housing Trust is an excellent step in addressing the housing crisis. However, without the passage of 18-0189, commercial investors will continue to buy up single-family homes to flip and rent out on short-term rental sites, reducing the available housing inventory and as a result, drive up the long-term rental prices.³ We cannot sit idly by while Baltimore's hardworking professionals and families struggle to find places to live, while investors profit.

Lastly, by requiring operators [hosts] and hosting platforms to be licensed, 18-0189 would ensure that short-term rentals are competing fairly in the hospitality industry in Baltimore, and not trying to get ahead by cheating Baltimore residents. The bill also leaves room for small-scale "home-sharing" operations to continue, striking the right balance between residential and tourist use of our city's valuable housing stock. And it means that the City gets the tax revenue it needs to continue to invest in our vital tourist industry.

For all of these reasons, MDWF urges the City Council to SUPPORT 18-0189.

For more information contact:

Jay Hutchins, jhutchins@workingfamilies.org

² <http://nlihc.org/oor/maryland>

³ <https://www.citylab.com/equity/2017/08/where-airbnb-is-raising-rents/535674/>

Johnson Jr., Samuel

From: Middleton, Sharon
Sent: Wednesday, July 11, 2018 1:50 PM
To: Hampden Community Council; City Council President; Pinkett, Leon; Costello, Eric; Reisinger, Edward; Stokes, Robert; Clarke, Mary Pat; Bullock, John
Cc: Johnson Jr., Samuel
Subject: Re: Council Bill 18-0221 - Hampden Community Council Support

Good afternoon;

I'm in receipt of your testimony.

As Chairwoman, I will make sure this email will be added to the committee bill file, for review.

Thank you.

Sincerely,
Sharon Green Middleton

Sent from my Verizon Samsung Galaxy smartphone

----- Original message -----

From: Hampden Community Council <hccpresident@gmail.com>
Date: 7/11/18 11:01 AM (GMT-05:00)
To: "Middleton, Sharon" <Sharon.Middleton@baltimorecity.gov>, City Council President <City.CouncilPresident@baltimorecity.gov>, "Pinkett, Leon" <Leon.Pinkett@baltimorecity.gov>, "Costello, Eric" <Eric.Costello@baltimorecity.gov>, "Reisinger, Edward" <Edward.Reisinger@baltimorecity.gov>, "Stokes, Robert" <Robert.Stokes@baltimorecity.gov>, "Clarke, Mary Pat" <MaryPat.Clarke@baltimorecity.gov>, "Bullock, John" <John.Bullock@baltimorecity.gov>
Subject: Council Bill 18-0221 - Hampden Community Council Support

Councilwoman Middleton,

Please find attached a letter expressing the Hampden Community Council's support for Council Bill 18-0221, the "Fund the Trust Act". Our community is greatly concerned about the lack of affordable housing options throughout Baltimore and voted overwhelmingly to support this legislation at our June general meeting.

Thank you for your favorable consideration.

Best,
Matt Stegman

President
Hampden Community Council
(440) 413-4822



hampden community council

Hampden Community Council

PO Box 19957 – Baltimore, Maryland 21211

Proudly Serving the Hampden Community Since 1976

July 11, 2018

Taxation, Finance, and Economic Development Committee
Baltimore City Council
City Hall, Room 408
100 North Holiday St.
Baltimore, MD 21202

Re: 18-0221 – “Fund the Trust Act” - Support

Members of the Land Use & Transportation Committee;

On behalf of the Hampden community at large, the **Hampden Community Council (HCC)** requests your favorable consideration of **Council Bill 18-0221**. This bill would impose a modest surcharge on sales of non-owner occupied dwellings and dedicates those funds to the City’s Affordable Housing Trust Fund. The surcharge does not apply to purchasers who will use a property as their primary residence.

The unavailability of affordable housing options is a major concern in communities across Baltimore City. It is estimated that a third of City residents are at risk of homelessness, and 3,000 of our neighbors – including children – are in emergency shelters or on the street any given day. In our Hampden community, an explosion of market-rate development in recent years has left few affordable options. This has priced out many longtime residents and made homeownership unattainable for many of the young families that keep a community vital and growing.

In 2016 voters overwhelmingly approved creation of the Affordable Housing Trust Fund, but that fund can only serve the citizens of Baltimore if there is a sustained, dedicated funding source available. At our June 2018 meeting, the HCC’s general membership voted overwhelmingly to support this bill. The community is interested in seeing Baltimore City make a sustained commitment to investment in affordable housing.

Thank you for your favorable consideration of Council Bill 18-0221.

Sincerely,

Matthew Stegman

Matthew Stegman, President
Hampden Community Council
Hccpresident@gmail.com

Cc: Council President Bernard “Jack” Young
Councilwoman Sharon Green Middleton, Chair
Councilman Leon Pinkett, Vice-Chair
Councilman Eric Costello
Councilman Ed Reisinger
Councilman Robert Stokes
Councilwoman Mary Pat Clarke



**GREATER REMINGTON
IMPROVEMENT ASSOCIATION**

**(443) 620-4742
www.griaonline.org**

**Phong Le
President**

**Leah Irwin
Vice President**

**Aaron Brewer
Secretary**

**Nellie Power
Treasurer**

Board Members at Large

**David Belew
Bill Cunningham
Ryan Flanigan
Josh Greenfeld
Maryanne Kondratenko
Peter Morrill
Emma Simpson
Jed Weeks
Aden Wiesel**

May 24th, 2018

Dear City Council President Young,,

I write to you to express the Greater Remington Improvement Association's support for City Council Bill 18-0221 known as the "Fund the Trust Act." We appreciate your co-sponsorship of this bill and urge you to vote for it unamended.

This legislation is a critical step in creating affordable housing in Baltimore and in Remington. Home values in Remington have skyrocketed in the last 5 years making living here unaffordable for many low income and long term residents. Our recently passed Neighborhood Master Plan expresses our goals to keep Remington a multi-class community and to preserve housing options for people of all incomes. Without the dedicated funding this act provides we won't be able to achieve this in Remington or citywide. Few issues have animated our community as much as the need for affordable housing. We believe affordable housing must be funded and believe this will do so without curbing development.

This support was determined by a vote of the membership at our May 16th meeting and is recorded in our minutes appropriately.

Thank you,

**Phong Le
President
Greater Remington Improvement Association**



**Testimony before the Taxation, Finance and Economic Development Committee
Baltimore City Council**

Council Bill 18-0221

Favorable with Amendments

Dear Chairwoman Middleton and members of the Taxation, Finance and Economic Development Committee

On behalf of the Community Development Network of Maryland, I am submitting this testimony to urge your support for support Council bill 18-0221 with the amendments proposed by the Housing for All Coalition, Mayor's Office and Council President's office.

CDN is a statewide 501c3 network made up of over 180 member organizations across the state. CDN is the voice for Maryland's community development industry, particularly the critically important nonprofit, small developer and community based organization members of that industry. Our purpose is to strengthen, promote, and advocate for Maryland's community development industry who serve rural, urban and suburban communities. CDN has a strong coalition of member organizations here in Baltimore who work together on various issues, the Affordable Housing Trust Fund work is one of our best initiatives and we look forward to many more.

This legislation as amended, would increase the transfer tax on property above \$1million by .06% and increase the recordation tax .15% on properties above \$1million. This would garner roughly \$13million toward our \$20million goal. Per our written agreement, the Mayor has committed to fill the gap to get to \$20million each year by 2023.

This legislation is in answer to the charter amendment that was passed by 83% of the vote in 2016 where our coalition, Housing For All, worked hard to collect over 18,500 signatures to get the charter amendment on the ballot. That charter amendment gave the City Council power to create and direct funds to the Affordable Housing Trust Fund. It also outlined what the Trust Fund would provide, the Commission, and other details. The most important details are:

- The Trust Fund is designed only to serve families who are 50% or below area median income. For a family of four, that's earning roughly \$44,000 a year. This is a population who are the most in need of stable housing, but also the most expensive to serve because of the services needed to support them, and the fact that they cannot pay market rents so rents have to be more deeply subsidized.
- The Trust Fund is designed to have capital and operating dollars to help fund various housing units and services. Up to 1/3 of the funding can be used for services for this population.
- The Commission established by the Charter Amendment is designed to guide Baltimore DHCD on decision making related to how the funds are spent. The funds should be spent based on needs. Funds could go into Low Income Housing Tax Credit projects where typically only families making 60% of AMI are served, this funding would be a way to house more people of lower incomes in mixed income communities. Funds could go toward permanent supportive housing which supports families who have recently been homeless. Funds could go toward voucher programs to help families pay their rents. Funds could go toward services such as weatherization, and making homes safe for seniors to age in place. Funds could go toward affordable homeownership. The scope of the possibilities are exciting.

CDN consists of the nonprofit affordable housing developers and also the nonprofit groups that facilitate development in their neighborhoods. You will hear from some of them today. They will specifically talk about

how this funding will impact their work. You will also hear from people who are in need of housing, and some who can tell us how housing has changed their lives.

We're honored to be at this place today. This is more than three years in the making. We appreciate the Council President and the Chairwoman's leadership on this issue, and thank Councilman Bullock for sponsoring this legislation. We appreciate the commitment of Mayor Pugh to move this forward. It is truly an honor to work with all of you.

Sincerely,

A handwritten signature in black ink, appearing to read "Odette", written in a cursive style.

Odette T. Ramos
Executive Director

CHESAPEAKE PSR

PHYSICIANS FOR SOCIAL RESPONSIBILITY

Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

Chesapeake Physicians for Social Responsibility is the statewide affiliate of Physicians for Social Responsibility. With 300 dues paying members and 1000 activists locally, our mission is to address the greatest public health threats of all: nuclear war and climate change, but we are also committed locally to addressing environmental injustice and health disparities. Health disparities may arise from problems with lack of employment, lack of educational opportunities, unhealthy environments, but nothing is more central to causing health disparities than housing insecurity.

Housing insecurity, includes high housing costs in proportion to income, poor housing quality, unstable neighborhood-, overcrowding, and homelessness.¹

Poor housing conditions are associated with respiratory infections, asthma, lead poisoning, injuries, and mental health.² Asthma is a particularly serious example of how poor housing can threaten lives. “Poor housing, often the result of poverty and lack of social resources, is the real elephant in the chronic asthma room” wrote the authors of an

¹ <https://aspe.hhs.gov/report/ancillary-services-support-welfare-work>

² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447157/>

article entitled Home Visits are needed to Address Asthma Health Disparities in Adults”³

Asthma is twice as common in people at or below the poverty line than those in the highest income quartile. ⁴

Children hospitalized for asthma who were from a census tract with high density of housing code violations were more likely to be return to the ER or be re-hospitalized than children in neighborhoods with lower density of housing code violations.⁵ This was a study out of Cincinnati.

The worst asthma hot spot in Baltimore is in zip code 21223, “where decrepit houses, rodents and bugs trigger the disease” and visits to the hospital at a rate 4 x that of residences in wealthier neighborhoods in Baltimore.⁶

IN addition to asthma, lead poisoning is another life threatening consequences of poor housing. A Baltimore Sun investigative report on rental court published recently documented that families were allowed to rent even where inspectors found that there were lead hazards noted in the rental unit.⁷ In 2013, The Abell Foundation report “Justice Diverted” based on a survey of people brought before renter’s court, found that 41% noted flaking or peeling paint.”⁸

Young children exposed to overcrowding and/or multiple moves in one year, often associated with food insecurity as well as housing insecurity, were more often felt by their caregivers to have poor health, impaired educational, social or emotional skills, and to be measured to have low weight compared to other children.⁹

³ [https://www.jacionline.org/article/S0091-6749\(16\)31218-0/pdf](https://www.jacionline.org/article/S0091-6749(16)31218-0/pdf)

⁴ https://www.cdc.gov/nchs/data/series/sr_03/sr03_035.pdf#page=38

⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4458371/>

⁶ https://www.washingtonpost.com/national/health-science/hospitals-find-asthma-hot-spots-more-profitable-to-neglect-than-fix/2017/12/01/0d804ce2-b806-11e7-be94-fabb0f1e9ffb_story.html?utm_term=.e5696d4197c4

⁷ <http://data.baltimoresun.com/news/dismissed/>

⁸ <http://abell.org/sites/default/files/files/cd-justicediverted216.pdf>

⁹ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3134514/>

In older children and adolescents, a history of multiple moves has been associated with mental health problems substance abuse, increased behavior problems, poor school performance, and increased risk of teen pregnancy. These negative outcomes will likely handicap them in their adult lives. (see reference #5)

Homelessness is the extreme of housing insecurity and homeless people have a shocking loss of life expectancy from 78 in the general population to 42-52 among the homeless.¹⁰

A recent article in JAMA described housing as “health” and suggested that we should consider providing housing as equivalent to giving a vaccine in regards to preventing illness and disability.¹¹

Housing insecurity, therefore, makes people sick, leads to expensive and ineffective overutilization of expensive emergency room and hospital care and certainly with homelessness, leads to a tragic shortening of life. It is not surprising that studies are showing that providing adequate housing to people who would otherwise be among the housing insecure, in addition to being the right thing to do, often saves money. A housing study in Massachusetts found that after providing housing for 766 homeless people, health costs went from “\$33,190 per year included hospitalization, emergency room visits, drug detox, incarceration, to \$15,468 per year for housing and health care, because health care costs dropped so precipitously after housing was provided¹².

In Baltimore there is a shortage of affordable low-cost housing and among large cities, a high eviction rate exceeded only in Detroit.¹³ Fifty-six % of renters are burdened by housing costs, paying over 30% of their income. Only four other cities have a higher per cent of rent burdened residents. A two-bedroom rental is basically out of reach for too many. State programs that give incentives to investors to build housing do nothing to provide more low-income housing and might even drive up housing costs.¹⁴ All of this is a recipe for a housing

¹⁰ <https://www.nationalhomeless.org/factsheets/health.html> m

¹¹ <https://jamanetwork.com/journals/jama/fullarticle/2667710>

¹² https://www.csh.org/wp-content/uploads/2014/07/SocialDeterminantsofHealth_2014.pdf

¹³ <http://abell.org/sites/default/files/files/cd-justicediverted216.pdf>

¹⁴ <https://www.citylab.com/equity/2016/05/in-baltimore-even-full-time-working-families-cant-afford-housing/482190/>

insecurity and health crisis.

That is why Chesapeake Physicians for Social Responsibility believe it is a public health imperative to support Fund the Trust Act which would raise at least \$13 Million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Housing is health.

Dr. Gwen L. DuBois

President, Chesapeake Physicians for Social Responsibility

September 25, 2018

**Maryland Property, Recordation, & Transfer Taxes
as of August 2018**

	Real Property	State Property	Local Transfer	Local Recordation	State Transfer	Total Trans/Reg
Baltimore City Current Law	2.248%	0.112%	1.50%	1.00%	0.50%	3.00%
City Commitment per 8/10 Press Release	2.248%	0.112%	2.10%	1.15%	0.50%	3.75%
Increase only on transactions over \$1 million						
Baltimore City Proposed (Bullock)	2.248%	0.112%	2.10%	1.40%	0.50%	4.00%
Exempts Owner-Occupied Transfers						
Baltimore City Proposed (Henry)	2.248%	0.112%	1.75%	1.20%	0.50%	3.45%
No Owner-Occupied Exemption						
Alleghany County	0.977%	0.112%	0.50%	0.70%	0.50%	1.70%
Anne Arundel County	0.907%	0.112%	1.00%	0.70%	0.50%	2.20%
Baltimore County	1.100%	0.112%	1.50%	0.50%	0.50%	2.50%
Calvert County	0.952%	0.112%		1.00%	0.50%	1.50%
Caroline County	0.980%	0.112%	0.50%	1.00%	0.50%	2.00%
Carroll County	1.018%	0.112%		1.00%	0.50%	1.50%
Cecil County	1.041%	0.112%	0.50%	0.82%	0.50%	1.82%
Charles County	1.141%	0.112%	0.50%	1.00%	0.50%	2.00%
Dorchester County	0.974%	0.112%	0.75%	1.00%	0.50%	2.25%
Frederick County	1.060%	0.112%		1.20%	0.50%	1.70%
Garrett County	0.990%	0.112%	1.00%	0.70%	0.50%	2.20%
Harford County	1.042%	0.112%	1.00%	0.66%	0.50%	2.16%
Howard County	1.014%	0.112%	1.00%	0.50%	0.50%	2.00%
Kent County	1.022%	0.112%	0.50%	0.66%	0.50%	1.66%
Montgomery County	0.748%	0.112%	1.00%	0.89%	0.50%	2.39%
Prince George's County	1.000%	0.112%	1.40%	0.55%	0.50%	2.45%
Queen Anne's County	0.847%	0.112%	0.50%	0.99%	0.50%	1.99%
St. Mary's County	0.848%	0.112%	1.00%	0.80%	0.50%	2.30%
Somerset County	1.000%	0.112%		0.66%	0.50%	1.16%
Talbot County	0.571%	0.112%	1.00%	1.20%	0.50%	2.70%
Washington County	0.941%	0.112%	0.50%	0.76%	0.50%	1.76%
Wicomico County	0.940%	0.112%		0.70%	0.50%	1.20%
Worcester County	0.835%	0.112%	0.50%	0.66%	0.50%	1.66%
Washington, DC Residential	0.850%		1.45%	1.45%		2.90%
DC Commercial & Ind.	1.650%		1.45%	1.45%		2.90%
DC Vacant	5%					
DC Blighted	10%					

Sources & Notes

1. MD State Property Taxes - [http://dat.maryland.gov/Documents/Tax%20Table%202017%20\(3\).pdf](http://dat.maryland.gov/Documents/Tax%20Table%202017%20(3).pdf)
2. Charles County Property Tax Rate excludes .064% Fire Tax
3. DC Property Tax Rates - <https://otr.cfo.dc.gov/page/real-property-tax-rates>
4. Maryland Transfer/Recordation Rates - <https://capitoltitle.com/md-transferrecordation-chart/>
5. DC Transfer/Recordation Rates - <https://cfo.dc.gov/page/tax-rates-and-revenues-property-taxes>
6. Rates converted to percentages for ease of review. Base tax rates only, no credits or exemptions included.

Impact of City 8/10 Commitment	Local Transfer Increase plus 0.60%	Local Recordation Increase plus 0.15%	Local Total Increase plus 0.75%
			30% Increase
\$1 million transfer	\$6,000	\$1,500	\$7,500
\$5 million transfer	\$30,000	\$7,500	\$37,500
\$10 million transfer	\$60,000	\$15,000	\$75,000
\$50 million transfer	\$300,000	\$75,000	\$375,000
\$1 million financing		\$1,500	\$1,500
\$5 million financing		\$7,500	\$7,500
\$10 million financing		\$15,000	\$15,000
\$50 million financing		\$75,000	\$75,000

September 27, 2018

Re: TESTIMONY IN OPPOSITION – Fund the Trust Act

Dear Chairwoman Green Middleton and Members of the Taxation, Finance and Economic Development Committee:

Testimony by Josh Greenfeld, Vice President of Government Affairs, Maryland Building Industry Association

I am testifying today in opposition to this bill as drafted but first I want to make clear the MBIA supports affordable housing and funding the Trust Fund – only without tax increases.

I want to discuss process and then substance. In late 2016, Councilman Henry's inclusionary housing legislation failed to pass and the Council promised a comprehensive affordable housing task force. After a year, this task force did not materialize and in December 2017, the Council passed a unanimous resolution calling for a comprehensive affordable housing task force. In April 2018, before a task force even began work, legislation to fund \$20 million for the Trust, made up by a massive increase to transfer and recordation taxes to commercial properties, was introduced without consultation with the business community. At this time, promises for multiple hearings, work sessions and input were made to the business community. Then, without hearings, work sessions or significant negotiation input from the business community, a deal to raise taxes on properties over \$1 million was announced in August. And yesterday, an MOU was signed by stakeholders binding the parties to this deal as amended. We still have not seen the MOU or finalized amendments. Today, we are at a hearing for what is apparently a done deal with a vote coming directly after the hearing.

This is not how the process should work and is not transparent. It is unfair and does damage to the City's reputation we cannot afford.

On substance, we have grave concerns over raising yet another tax in a jurisdiction already boasting the highest taxes in the region. Specifically, we have concerns over raising this tax without any fiscal or policy analysis. We have done our research on transfer and recordation taxes in the peer reviewed literature. The literature is clear that although volume of transaction may not decrease, sale prices do decrease. This means lower assessable values and less property tax revenue. We are concerned about taking a one time increased fee in exchange for a lifetime of lower property tax revenues for the City.

Finally, while this tax increases seems a done deal, this Committee should pass 3 substantive amendments. First, a grandfathering provision to protect investments already made. Second, there should be a sunset provision to evaluate the effectiveness of this program. And third, the retroactive nature of this tax, which taxes every dollar beginning at \$0 once the transaction goes over \$1 million, should be eliminated.

Thank you.

Mayor Pugh and City Council,

My name is Matt Garono and I have lived in Fell's Point for ten years, started a small real estate brokerage company in the neighborhood, and own five investment properties totaling 13 apartments and 1 retail space in the neighborhood. I testified today at the Taxation Committee hearing regarding bill 18-0221 in opposition to the bill due to the method of funding. To be clear, I am in favor of affordable housing but against the method of funding. Councilman Bullock said that he was creative in funding this bill but, sir, you could have not been less creative. The city always comes to the real estate community whenever you want more money. We have the highest taxes and fees across the board as well as the most oppressive regulatory requirements in the state. This is the second increase in the cost of doing business this year, the first being privatizing rental inspections which requires landlords to pay for the inspections.

I come to you today as the little guy and gal in real estate who is not making hundreds of thousands of dollars or millions of dollars. I'm not the big developer who gets all of the incentives from the government but I do receive all of the punishment imposed on the real estate community by the government.

You say your amendment to start this tax on properties over \$1,000,000 or, \$1M, protects the small businessperson but it does not because it takes \$250,000 to buy a \$1M building. Three or four people making \$50,000 to \$60,000 per year in their job could save money for a couple of years, pool their resources, and purchase a \$1M building with \$250,000 down and a \$750,000 loan. Now, they are being treated the same as Bozzuto, Avalon Bay, etc... this is not fair. I propose that the property exemption should be based on what \$1M of cash could buy you, which is a \$4M building, using the same math. Please consider changing the exemption to properties over \$4M because this gives the small businesspeople a chance to build a business.

I was disgusted this summer when I read in the paper that affordable housing was "funded and a done deal" with pictures and a story about Mayor Pugh, Council President Young, and other members of this council at the Maryland party in Las Vegas at the ICSC RECON event where they rubbed shoulders, partied, and sold this tax increase to all of the big developers. It is not difficult to figure out how the conversation went: from the perspective of our government leaders "Big developer, remember when we gave you those incentives and pushed everything you needed through so you could build your big building and make a lot of money? Well I need to call in that favor and need your support of this additional tax so I can say the real estate community backs it and I get re-elected. Once I'm re-elected, I'll take care of you on the next deal." Then it was all over the papers that the real estate community supported it and this was a done deal but there was no public hearing, no chance for the small businessperson to opine. I inquired to Mr. Bullock's office twice in April and May asking about when the council is having a hearing but received no response. Then I contacted Sharon Middleton's office in May, who had the decency to respond, and learned there was no schedule for a public hearing. The reason I spoke today and the reason I am writing you now is because you finally deemed it worthy of having a public hearing. Clearly, this council was either too scared to face the rest of the real estate community or had such little respect for us that you avoided holding a public hearing from the outset so you could bulldoze it through and make this farce of a public hearing today just a mere formality. Shame on you.

It is this kind of backroom dealing, shady politics, arrogance, and attitude of abuse towards the real estate community that scares and sickens me. How will you abuse us next? Well, I do not want to stick around to find out and it may be time to take my business elsewhere in the state where I can receive fair treatment.

I love Baltimore and so do many small real estate businesspeople but Baltimore does not love us. I implore you to actually be creative in funding this bill and stop hurting the real estate community. Everyone is in favor of affordable housing. You should be helping the small businesses and lowering our costs so we're the ones investing and developing in Baltimore. It is the small property owners who preserve the character and integrity of our neighborhoods and communities, not the big developers. Please help us or else we're going to have to leave the city and build our businesses elsewhere.

Respectfully,



Matthew Garono

mattgarono@gmail.com

410.688.5285

Johnson Jr., Samuel

From: Middleton, Sharon
Sent: Tuesday, September 25, 2018 11:26 AM
To: Joshua Greenfeld; City Council President; Scott, Brandon; Reisinger, Edward; Costello, Eric; Henry, Bill (email); Clarke, Mary Pat; Dorsey, Ryan; Pinkett, Leon; Schleifer, Isaac; Stokes, Robert; Sneed, Shannon; Cohen, Zeke; Burnett, Kristerfer; Bullock, John
Cc: Huber, Michael; Davis, Lester; Stokes, Karen; Cole, William H.; Smith, Jim T.; Hammen, Peter
Subject: Re: Real Estate Development and Investment Community Brief Statement on Fund the Trust Act

Your opinion is recieved and will be sent to committee for review.

Sincerely,
Sharon Middleton

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Joshua Greenfeld <jgreenfeld@marylandbuilders.org>
Date: 9/25/18 10:25 AM (GMT-05:00)
To: City Council President <City.CouncilPresident@baltimorecity.gov>, "Scott, Brandon" <Brandon.Scott@baltimorecity.gov>, "Reisinger, Edward" <Edward.Reisinger@baltimorecity.gov>, "Costello, Eric" <Eric.Costello@baltimorecity.gov>, "Henry, Bill (email)" <Bill.Henry@baltimorecity.gov>, "Middleton, Sharon" <Sharon.Middleton@baltimorecity.gov>, "Clarke, Mary Pat" <MaryPat.Clarke@baltimorecity.gov>, "Dorsey, Ryan" <Ryan.Dorsey@baltimorecity.gov>, "Pinkett, Leon" <Leon.Pinkett@baltimorecity.gov>, "Schleifer, Isaac" <Isaac.Schleifer@baltimorecity.gov>, "Stokes, Robert" <Robert.Stokes@baltimorecity.gov>, "Sneed, Shannon" <Shannon.Sneed@baltimorecity.gov>, "Cohen, Zeke" <Zeke.Cohen@baltimorecity.gov>, "Burnett, Kristerfer" <Kristerfer.Burnett@baltimorecity.gov>, "Bullock, John" <John.Bullock@baltimorecity.gov>
Cc: "Huber, Michael" <Michael.Huber@baltimorecity.gov>, "Davis, Lester" <Lester.Davis@baltimorecity.gov>, "Stokes, Karen" <Karen.Stokes@baltimorecity.gov>, "Cole, William H." <wcole@baltimoredevelopment.com>, "Smith, Jim T." <Jim.Smith@baltimorecity.gov>, "Hammen, Peter" <peter.hammen@baltimorecity.gov>
Subject: Real Estate Development and Investment Community Brief Statement on Fund the Trust Act

Dear President Young and Members of the Taxation, Finance and Economic Development Committee:

I write in advance of Thursday's hearing on the Fund the Trust Act to clarify the real estate development community's position on this legislation and refute any notion the real estate development and investment community supports this bill. While the MBIA supports funding the Housing Trust and signed onto the Housing Roundtable's 20/20 goal to fund affordable housing, the MBIA strongly believes raising already-high taxes on real estate transactions in Baltimore City is not the way to achieve our shared goals. The MBIA and others in the industry have suggested non-tax or blended funding options to the Mayor, Council President and bill sponsor including using general fund revenues and new tax revenue capture techniques, but have never supported raising transfer and recordation taxes to fund the Trust.

Moreover, we have not been part of the conversations leading to this tax based solution which falls almost exclusively on our industry.

Second, MBIA has heard the Committee may vote on this legislation, with amendments as agreed upon with the proponents, on Thursday. The MBIA urges the Committee to defer any vote on this legislation until a worksession or additional hearings takes place. The MBIA believes it is irresponsible for the Council to act on such an impactful bill without full discussion and consideration of all the issues, including all stakeholders. We previously understood from Council leadership there would be adequate time for such discussion. A vote taken the same day as the first hearing is not consistent with this commitment.

We look forward to Thursday's hearing and a full and fair discussion of the bill.
Best regards,

Josh Greenfeld, Esq.
jgreenfeld@marylandbuilders.org
Vice President of Government Affairs
Maryland Building Industry Association
11825 W. Market Place
Fulton, MD 20759
Ph: 443-515-0025



Fall Membership Drive - Sept. 1-30
Help Us Recruit 50 New Members in 30 Days. [Click here](#) for info.

Harbor Highlights Cruise - Sept. 26
Join FIL aboard The Raven in Baltimore. [Register here.](#)

Networking Event at MGM TAP Sports Bar - October 3
Hosted by MBIA's Prince George's Chapter. [Register here.](#)

Check out NAHB's Member Advantage Program at www.nahb.org/ma



Bill: Recordation and Transfer Taxes - Surtax - Dedicating Surtax Proceeds to Affordable Housing Trust Fund (Ordinance 18-0221)
Committee: Taxation, Finance & Economic Development Committee
Position: SUPPORT
Date: September 18, 2018

Honorable Chairwoman Middleton and Committee Members,

My name is Taylor Smith-Hams and I'm a Baltimore City resident and the Healthy Communities Campaign Organizer for CCAN Action Fund. CCAN Action Fund strives toward a healthy environment and sustainable future in Baltimore City and across Maryland. To achieve this future, we must ensure access to safe, affordable, and healthy housing for all. We support Ordinance 18-0221 to provide dedicated funding to the Affordable Housing Trust Fund.

For far too long, Baltimore has been forced to bear the burden of failed development that pollutes the city, causes disproportionate health impacts, and forces residents out of their communities. We know that a healthy and safe environment includes clean air and water and a stable climate, as well as permanently affordable housing and family-sustaining jobs. The Fund the Trust Act is an opportunity for the city to invest in community-driven, equitable development to meet our basic needs for housing and environmental sustainability while addressing the historic disinvestment and blight in low-income communities of color across our city.

Failed development has caused immense harm to our communities. On any given night, 2,500 people are homeless in Baltimore.¹ Our city has some of the worst air pollution in the country, and environmental injustice threatens the health and safety of entire neighborhoods.² Recent data suggests that a third of all rental properties in Baltimore are considered substandard, with residents enduring hazardous conditions such as lead paint, black mold, collapsing ceilings, and pest infestations.³ These unacceptable conditions are a clear example of environmental racism.

The Fund the Trust Act would raise an estimated \$13 million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. It is anticipated that in Baltimore, \$13 million annually would support the development of six

¹ Mayor's Office of Human Services, "Homeless Services Program," <https://human-services.baltimorecity.gov/homeless-services>.

² Fern Shen, "Measuring smog and particulates, report ranks Baltimore air pollution among worst in U.S." *Baltimore Brew*, 27 June 2018, <https://www.baltimorebrew.com/2018/06/27/measuring-smog-and-particulates-report-ranks-baltimore-air-pollution-among-worst-in-u-s/>.

³ Doug Donovan and Jean Marbella, "Dismissed: Tenants lose, landlords win in Baltimore's rent court," *Baltimore Sun*, 26 April 2017, <http://data.baltimoresun.com/news/dismissed/>.

community land trusts and create or preserve more than 400 affordable housing opportunities each year.⁴

The Fund the Trust Act will help put Baltimore on track to a healthier environment and a more just, sustainable future. We urge a favorable report for this important legislation.

Respectfully,



Taylor Smith-Hams
Healthy Communities Campaign Organizer
CCAN Action Fund

⁴ Housing for All: Baltimore, "Fund the Trust!" fact sheet, September 2018.

Johnson Jr., Samuel

From: Middleton, Sharon
Sent: Wednesday, July 11, 2018 1:50 PM
To: Hampden Community Council; City Council President; Pinkett, Leon; Costello, Eric; Reisinger, Edward; Stokes, Robert; Clarke, Mary Pat; Bullock, John
Cc: Johnson Jr., Samuel
Subject: Re: Council Bill 18-0221 - Hampden Community Council Support

Good afternoon;

I'm in receipt of your testimony.
As Chairwoman, I will make sure this email will be added to the committee bill file, for review.

Thank you.

Sincerely,
Sharon Green Middleton

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Hampden Community Council <hccpresident@gmail.com>
Date: 7/11/18 11:01 AM (GMT-05:00)
To: "Middleton, Sharon" <Sharon.Middleton@baltimorecity.gov>, City Council President <City.CouncilPresident@baltimorecity.gov>, "Pinkett, Leon" <Leon.Pinkett@baltimorecity.gov>, "Costello, Eric" <Eric.Costello@baltimorecity.gov>, "Reisinger, Edward" <Edward.Reisinger@baltimorecity.gov>, "Stokes, Robert" <Robert.Stokes@baltimorecity.gov>, "Clarke, Mary Pat" <MaryPat.Clarke@baltimorecity.gov>, "Bullock, John" <John.Bullock@baltimorecity.gov>
Subject: Council Bill 18-0221 - Hampden Community Council Support

Councilwoman Middleton,

Please find attached a letter expressing the Hampden Community Council's support for Council Bill 18-0221, the "Fund the Trust Act". Our community is greatly concerned about the lack of affordable housing options throughout Baltimore and voted overwhelmingly to support this legislation at our June general meeting.

Thank you for your favorable consideration.

Best,
Matt Stegman

President
Hampden Community Council
(440) 413-4822



hcc

hampden community council

Hampden Community Council

PO Box 19957 – Baltimore, Maryland 21211
Proudly Serving the Hampden Community Since 1976

July 11, 2018

Taxation, Finance, and Economic Development Committee
Baltimore City Council
City Hall, Room 408
100 North Holiday St.
Baltimore, MD 21202

Re: 18-0221 – “Fund the Trust Act” - Support

Members of the Land Use & Transportation Committee;

On behalf of the Hampden community at large, the **Hampden Community Council (HCC)** requests your favorable consideration of **Council Bill 18-0221**. This bill would impose a modest surcharge on sales of non-owner occupied dwellings and dedicates those funds to the City's Affordable Housing Trust Fund. The surcharge does not apply to purchasers who will use a property as their primary residence.

The unavailability of affordable housing options is a major concern in communities across Baltimore City. It is estimated that a third of City residents are at risk of homelessness, and 3,000 of our neighbors – including children – are in emergency shelters or on the street any given day. In our Hampden community, an explosion of market-rate development in recent years has left few affordable options. This has priced out many longtime residents and made homeownership unattainable for many of the young families that keep a community vital and growing.

In 2016 voters overwhelmingly approved creation of the Affordable Housing Trust Fund, but that fund can only serve the citizens of Baltimore if there is a sustained, dedicated funding source available. At our June 2018 meeting, the HCC's general membership voted overwhelmingly to support this bill. The community is interested in seeing Baltimore City make a sustained commitment to investment in affordable housing.

Thank you for your favorable consideration of Council Bill 18-0221.

Sincerely,

Matthew Stegman

Matthew Stegman, President
Hampden Community Council
Hccpresident@gmail.com

Cc: Council President Bernard “Jack” Young
Councilwoman Sharon Green Middleton, Chair
Councilman Leon Pinkett, Vice-Chair
Councilman Eric Costello
Councilman Ed Reisinger
Councilman Robert Stokes
Councilwoman Mary Pat Clarke

Johnson Jr., Samuel

From: Matt Hill (hillm@publicjustice.org) <hillm@publicjustice.org>
Sent: Tuesday, September 11, 2018 1:25 PM
To: Johnson Jr., Samuel
Subject: RE: Testimony and hearing on CB 18-0221 in Tax and Finance on Sept. 27

Thank you.

--

C. Matthew Hill
Attorney
Public Justice Center
One North Charles Street, Suite 200
Baltimore, MD 21201
Phone: (410) 625-9409, ext. 229
Fax: (410) 625-9423
Pronouns: He/Him

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United Way of Central Maryland Campaign: 6393
Maryland Charity Campaign: 521412226
Combined Federal Campaign: 40003

From: Johnson Jr., Samuel <Samuel.JohnsonJr@baltimorecity.gov>
Sent: Tuesday, September 11, 2018 12:06 PM
To: Matt Hill (hillm@publicjustice.org) <hillm@publicjustice.org>
Subject: RE: Testimony and hearing on CB 18-0221 in Tax and Finance on Sept. 27

You're welcome.

If they are interested in bringing their written testimony to the hearing then I would recommend approximately 10 – 12 copies to satisfy the committee members and any additional council members that might be in attendance. There is no deadline to get it in before the hearing but I would hope to have everything by Monday, September 24, 2018 so that I will have enough time to prepare those documents for the committee.

Regards,

Sam Johnson

From: Matt Hill (hillm@publicjustice.org) [<mailto:hillm@publicjustice.org>]
Sent: Tuesday, September 11, 2018 11:37 AM
To: Johnson Jr., Samuel <Samuel.JohnsonJr@baltimorecity.gov>
Subject: RE: Testimony and hearing on CB 18-0221 in Tax and Finance on Sept. 27

Thank you!

One more question: If folks want to bring written testimony to the hearing itself (instead of emailing it in advance) how many copies should they bring and is there a deadline for getting it in prior to the hearing?

Thank you!!!

Matt

--

C. Matthew Hill
Attorney
Public Justice Center
One North Charles Street, Suite 200
Baltimore, MD 21201
Phone: (410) 625-9409, ext. 229
Fax: (410) 625-9423
Pronouns: He/Him

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United Way of Central Maryland Campaign: 6393
Maryland Charity Campaign: 521412226
Combined Federal Campaign: 40003

From: Johnson Jr., Samuel <Samuel.JohnsonJr@baltimorecity.gov>
Sent: Tuesday, September 11, 2018 10:55 AM
To: Matt Hill (hillm@publicjustice.org) <hillm@publicjustice.org>
Cc: Cooper-Miller, Tywanda D. <Tywanda.Miller@BaltimoreCity.gov>
Subject: RE: Testimony and hearing on CB 18-0221 in Tax and Finance on Sept. 27

Good morning,

Thank you for reaching out to me with the below listed information. Please feel free to share my email address with those organizations that wish to send in written testimony as soon as possible and it will be added to the bill file, and made available for the members of the committee. You can sign those individuals who are in attendance in or they can sign themselves in that is completely up to you. If you have any additional questions please don't hesitate to contact me.

Regards,

Sam Johnson

From: Matt Hill (hillm@publicjustice.org) [<mailto:hillm@publicjustice.org>]
Sent: Monday, September 10, 2018 10:17 PM
To: Johnson Jr., Samuel <Samuel.JohnsonJr@baltimorecity.gov>
Cc: Cooper-Miller, Tywanda D. <Tywanda.Miller@BaltimoreCity.gov>
Subject: Testimony and hearing on CB 18-0221 in Tax and Finance on Sept. 27

Good Evening Mr. Johnson:

I'm working with a number of organizations that will be submitting written testimony for the Tax and Finance Committee hearing on Sept. 27 at 11am on CB 18-0221. I am under the impression that those organizations can email the testimony to you in advance and that you will print and provide the testimony to Committee members. Is that correct? If so, how far in advance of the hearing would you need the testimony so it can be received by Committee members?

Also, we plan on having a number of folks sign up to testify on different issues involved in the bill. I have a list of who will be testifying. Can I sign those persons up just before the hearing to provide for a smoother process or do they need to be physically present to sign themselves up prior to the hearing?

I've cc'ed Tywanda Cooper-Miller from Councilwoman Middleton's office because she was involved in some of our initial discussions on this. Thank you for your guidance!

Matt

--

C. Matthew Hill
Attorney
Public Justice Center
One North Charles Street, Suite 200
Baltimore, MD 21201
Phone: (410) 625-9409, ext. 229
Fax: (410) 625-9423
Pronouns: He/Him

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United Way of Central Maryland Campaign: 6393
Maryland Charity Campaign: 521412226
Combined Federal Campaign: 40003

TESTIMONY IN SUPPORT OF COUNCIL BILL 18-0221

AFFORDABLE HOUSING TRUST FUND

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

THURSDAY, SEPTEMBER 27, 2018



Health Care for the Homeless works to prevent and end homelessness for vulnerable individuals and families by providing quality, integrated health care, and promoting access to affordable housing and sustainable incomes through direct service, advocacy and community engagement. We deliver comprehensive medical care, mental health and addiction treatment, case management, dental care and housing services to over 10,000 Maryland residents annually.

Health Care for the Homeless is in strong support of CB 18-0221, which will fund the Affordable Housing Trust Fund for Baltimore City. For over 35 years, we have seen the devastating impact that homelessness and the pervasive lack of affordable housing has had on individuals, families and the community at large. Since 2005, we have partnered with the City on initiatives to house its most vulnerable residents and provide them with supportive services they need to stay housed. The need, however, has always greatly exceeded available resources. Additional housing units and support through the Trust Fund will yield great benefits to the community.

- **Housing is health care.** Individuals experiencing homelessness have greater rates of acute and chronic illnesses and higher instances of mental health and substance use disorders than their housed counterparts. However, when these same individuals gain housing, they engage in treatment and recovery, improve their health, and increase their stability.
- **Housing is cost-effective.** Myriad studies nationally have shown that stable housing reduces the costs associated with frequent emergency department usage and inpatient hospitalizations, interactions with the criminal justice system, and contacts with police and emergency services personnel.
- **Housing is a human right.** No one benefits from homelessness, and we have a moral obligation to provide for those who are most vulnerable in our community. The additional housing units funded through the Trust Fund can help end homelessness and housing instability for over 4,000 households, and prevent eviction for 4,600 additional families.

In the absence of strong federal leadership and action to address the nation's housing crisis, we increasingly need our local communities to respond to these critical needs. The funding generated from the Affordable Housing Trust Fund will make a tangible contribution to preventing and ending homelessness in Baltimore City. We strongly encourage the passage of CB 18-0221.

Everyone deserves to go home.

CB 18-0221 "Fund the Trust Act"

Homeless Persons Representation Project, Inc.

Taxation, Finance and Economic Development Committee, September 27, 2018

Homeless Persons Representation Project, Inc. (HPRP) is a non-profit legal services provider that provides free legal representation to people who are homeless or at risk of homelessness and advocates for public policy that will end homelessness.

HPRP SUPPORTS CB 18-0221

Baltimore, like many cities across the nation, is experiencing an affordable housing crisis. One need only look as far as the 75,000 households who applied to be added to the federal housing choice voucher waiting list to see that families, predominately low-income families from communities of color, are being bled dry by rapidly rising housing prices that puts them in danger of having nowhere to live at all.¹ The creation and funding of this Affordable Housing Trust Fund will not only spur the development of affordable housing units to counteract the effects of this crisis, but will also signal that the City of Baltimore is committed to ending homelessness.

The lack of affordable housing in Baltimore City means that for most low-income individuals, access to housing is tenuous at best, leading many to continuously cycle in and out of homelessness. In a 2017 point-in-time survey of Maryland's homeless population, Baltimore City was found to have 2,669 residents experiencing homelessness, amounting to forty one percent of the state's total population of people experiencing homelessness.² In addition, there were over 500 unaccompanied youth under the age of 25 that reported sleeping on the street in Baltimore City last year.³ These numbers pale in comparison to the number of low-income individuals that struggle to pay for housing each month. Fifty five percent of Baltimore renters pay more than thirty percent of their household income on rent, and up to 70,000 eviction notices are sent out in Baltimore City every year.⁴ These numbers underscore what HPRP sees as it works with low income clients: the number of homeless and low-income families exceed the number of affordable housing units available.

HPRP was ecstatic to hear that Baltimore City voters decided to follow the lead of over 300 cities, counties and states across the nation by establishing an Affordable Housing Trust Fund.⁵ Cities with dedicated funding for their trusts have seen an increase in their affordable housing stock and a boost in employment numbers. San Diego's Housing Trust Fund, which was established with dedicated funding in 1990, has facilitated the construction of 4,000 affordable housing units since its creation.⁶ The Philadelphia trust fund, which also collects dedicated revenue from real estate transactions, has assisted more than 27,000 households in its first 10 years, facilitating the construction of new units, the rehabilitation of existing units as well as weatherization and renovation assistance for low income households.⁷ Hopefully, through the establishment of dedicated funding for Baltimore's own Affordable Housing Trust Fund, Baltimore can see similar successes and begin erasing the legacy of under-investment in affordable housing and homelessness.

We strongly urge the Committee to vote in favor of CB 18-0221.

¹ <http://www.baltimoresun.com/news/maryland/baltimore-city/bs-md-ci-voucher-wait-list-20170112-story.html>

² <https://dhcd.maryland.gov/HomelessServices/Documents/MD%20PIT%202017%20Analysis%20by%20CoC.pdf>

³ <http://www.youthreachmd.com/content/wp-content/uploads/2018/02/YRMD-2017-Report-Final-2.pdf>

⁴ <http://www.baltimoresun.com/news/opinion/editorial/bs-ed-eviction-20170508-story.html>

⁵ http://housingtrustfundproject.org/wp-content/uploads/2016/10/HTF_Survey-Report-2016-final.pdf

⁶ Id.

⁷ http://www.phillytrib.com/news/philadelphia-housing-trust-fund-marks-th-anniversary/article_5afbb5cb-a988-5e1c-8039-e428dff4f787.html



Homeless Persons Representation Project, Inc.

201 North Charles Street, Suite 1104

Baltimore, MD 21201

Phone: 410-685-6589

www.hprplaw.org



Empowerment. Integration. Equality.

1500 Union Ave., Suite 2000, Baltimore, MD 21211

Phone: 410-727-6352 | Fax: 410-727-6389

www.DisabilityRightsMD.org

TAXATION, FINANCE, AND ECONOMIC DEVELOPMENT COMMITTEE
September 27, 2018

CB-18-0221

POSITION: SUPPORT with amendments supported by the sponsor, Councilman Bullock, and the Administration

Thank you for the opportunity to support CB-18-0221, the “Fund the Trust” bill.

Disability Rights Maryland (DRM) is the protection and advocacy agency for the state of Maryland, federally mandated to advance the civil rights of persons with disabilities. The lack of affordable, accessible housing remains the most significant barrier for people with disabilities wanting to move out of facilities, institutions, and nursing homes into fully integrated community environments.

DRM supports CB-18-0221, the “Fund the Trust” bill, to grow the number of affordable housing opportunities. The lack of affordable housing disproportionately impacts persons with disabilities. People with disabilities do not participate in the work force at disproportionately higher numbers when compared to their non-disabled peers. However, the security provided by the minimal safety net provided for people who are disabled, or become disabled after working, is barely enough. In Baltimore City, the average monthly rent for a one bedroom apartment is around \$1,000 a month, but supplemental security income for someone who has never participated in the workforce is only \$721 a month. Without additional subsidy to bridge this, many people with disabilities are confronted with either homelessness or institutionalization. These additional subsidies for housing have traditionally come from the federal government, such as public housing or vouchers; and the majority of applicants and participants in the City’s public housing and voucher program are people with disabilities. Congress has not proved reliable in funding these resources at the levels necessary to meet the demand.

With a locally dedicated source to fund the Affordable Housing Trust Fund, Baltimore City can do its part to produce affordable housing without relying solely on Congress and the federal government to do the right thing for Baltimore. Affordable housing will help stem the crisis of homelessness and evictions and ensure people with disabilities have an opportunity to reside in the community.

Disability Rights Maryland strongly supports CB-18-0221. Thank you for considering our views. For additional information, please contact DRM attorney David Prater at 410-727-6352, ext. 2500 or DavidP@DisabilityRightMD.org.



September 25th, 2018

Sharon Middleton
Chairwoman, Taxation & Finance Committee
Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

Subject: Fund the Trust Act - Letter of Support

Councilwoman Middleton,

It is without question that quality affordable housing is at severe shortage in our city, and the demand for such has never been greater. Statistics show that a large number of Baltimore residents are paying more than a third of their income towards rent, which is by no means a sustainable trend for our most vulnerable of citizens. It is estimated that over 50,000 new residential units available to families making below 30% AMI (Area Median Income) are needed to meet the current demand. Combine this with a generally substandard stock of existing rental properties in the city, and the demand for quality affordable housing becomes all the more clear.

Approving the Fund the Trust act would work towards resolving this deep-rooted issue and take a step towards improving the quality of life for so many of our neighbors and friends. An estimated \$13 million annually towards developing and maintaining affordable housing for city residents will provide an additional and much-needed funding mechanism to combat this ever-increasing issue. Quality and well-designed affordable housing has been proven to strengthen communities, through added health benefits, unique services, and an overall better sense of place. Please contribute to assisting our city's residents and communities by voting in favor of the Fund the Trust Act.

Sincerely,

Patrick Lundberg
President, Patterson Park Neighborhood Association (PPNA)
president@pattersonparkneighbors.org

Cc: Samuel Johnson, Taxation & Finance Committee



Baltimore Regional
Housing Partnership

Baltimore Housing Mobility Program
20 South Charles Street, Suite 801
Baltimore, Maryland 21201
410-223-2222
www.brhp.org

September 25, 2018

The Honorable Jack Young, Council President
The Honorable Sharon Green Middleton, Chair
Taxation, Finance & Economic Development Committee
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

RE: Support for City Council Bill 18-0221, Recordation and Transfer Taxes - Surtax – Dedicating Surtax Proceeds to Affordable Housing Trust Fund

Dear Council President Jack Young and Councilmember Middleton,

The Baltimore Regional Housing Partnership is dedicated to providing housing assistance and counseling to some of Baltimore's lowest income families. While we serve over 4,000 families in and from Baltimore City, we know that tens of thousands more need and deserve access to safe, affordable, and equitable housing. BRHP strongly supports City Council Bill 18-0221 to fund the Affordable Housing Trust Fund to begin to address this need.

Two years ago when 83 percent of City voters approved the creation of the Affordable Housing Trust fund, they created a tool for local government to promote, create, support, and maintain affordable housing for low-income City residents. Your constituents recognized the need around them, and this bill is a step towards a solution.

Nationwide, affordable housing development is driven by Federal policy and funding constraints – funding constraints that have only worsened over time, and policies that have incentivized housing in the most segregated and impoverished neighborhoods. In Baltimore City, an estimated 88,689 households (68%) make less than \$50,000, below 60% of the Area Median Income (\$86,700)¹. The stock of naturally occurring affordable housing, combined with subsidized and public housing, falls woefully short of the need. Census bureau estimates place the number of extremely low income families who are severely rent burdened at over half (26,759).

¹ It is important to note that the AMI defined by HUD for the Baltimore-Columbia-Towson area is almost twice as much at the median income within the city limits.



In spite of all of the Federal Housing assistance in the city – in the form of Public Housing, Housing Choice Vouchers (HCV), Project-Based Rental Assistance, and LIHTC - the share of rent burdened households across income levels (51%) has remained relatively constant over the past several years, and more than 1 in 4 households pays more than 50% of their income towards rent, an unsustainable position for any family. There is simply not enough federal housing assistance to meet the needs of Baltimore residents, and for many of them, wages are not keeping up with rising rents.

The need is clear – it is evidenced by the data, but more importantly Baltimore’s residents see and experience it daily. That is why an overwhelming majority supported the creation of the Affordable Housing Trust Fund, and why they now support this mechanism for funding it. The Board of Directors of the Affordable Housing Trust Fund must be empowered and funded so that they may consider creative solutions that do not depend on federal funding and policy. These solutions should include Community Land Trusts, Project-Based Voucher Assistance, locally funded housing vouchers, housing counseling, and home loan subsidies and incentives. They should work to ensure that where development occurs, displacement does not. They should promote not only permanently affordable rental housing but also opportunities for homeownership and establishment of equity. They should create job opportunities for Baltimoreans, and implement more adequate remedies to vacancy. Establishing a sustainable source of funding for the Affordable Housing Trust Fund is imperative for its success, and we believe the mechanisms established by this bill are equitable and fiscally responsible. To that end, we urge the City Council to pass bill 18-0221 without further amendments.

Sincerely,



Sheila Proano
Interim Executive Director



Pete Cimolic
Interim Executive Director



Tuesday September 25, 2018

Re: Fund the Trust Act CB 18-0221
Taxation, Finance, and Economic Development Committee

Dear Committee Chairperson Middleton Green,

On behalf of the Remington Housing Workgroup I write to you to express our support for the Fund the Trust Act CB 18-0221 including the amendments made by Councilman Bullock and Mayor Pugh's administration. This bill is critically important to ensuring gentrifying neighborhoods like Remington will be a place for people of all incomes to live for years to come.

In Remington, housing prices have gone up over \$15,000 every year for the last 6 years, driving rents and property taxes up with them. This rapid increase has meant that long term and low income residents are at risk of displacement from a neighborhood that is improving. We hope that other communities receive the investment and attention that Remington has gotten but without funding for affordable housing many residents will not enjoy the benefits of those investments.

The Remington Housing Workgroup are neighbors working together to build a Community Land Trust to Remington that will create permanently affordable community controlled housing but we need funding. Without support from the city, neighborhoods will only grow more segregated by race and class and we don't want that for our community.

Given the diminishing federal and state funding for affordable housing we need the city to step up and make the hard choices needed to ensure that everyone has a safe, clean, and affordable place to live.

Thank you for your consideration in this matter,
Ryan Flanigan
Member, Remington Housing Workgroup

Baltimore City Hall
100 Holliday St
Baltimore, MD 21202

9/25/2018

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

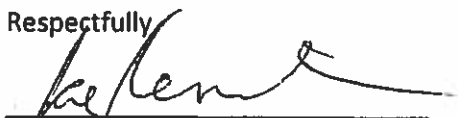
Communities United is a membership-based organization of low to moderate-income individuals and families in Maryland. Our mission is to help our members and their families achieve transformative change on issues of social, economic, and environmental justice. Last year, students at Ben Franklin High School identified over 500 vacant and abandoned homes in their neighborhood, many owned by speculators and slumlords from different states. Our members have been displaced involuntarily, experienced housing insecurity and homelessness. This is why we support United Workers in their organizing a network of community land trusts- to foster neighborhood-driven, equitable development that is accountable to community needs. We are writing to thank you for your work on the Fund The Trust Act, Council Bill 0221, which we see as a means of addressing historic disinvestment and blight in low income communities of color.

In the face of diminishing Federal housing resources and HUD Secretary Carson's "Making Affordable Housing Work Act," the need for sustainable, local housing funding has never been greater. Currently, 57% of renters in Baltimore are paying more than a third of their income on rent- a level deemed unaffordable by the federal government. The Baltimore Metropolitan Council estimates that 51,000 new homes affordable to families below 30% of area median income (\$27,000 annually for a family of 4) are needed. Recent data suggests that 1/3 of all rental properties in Baltimore are considered substandard; many of our members have endured hazardous conditions such as lead paint, black mold, collapsing ceilings, and pest infestations.

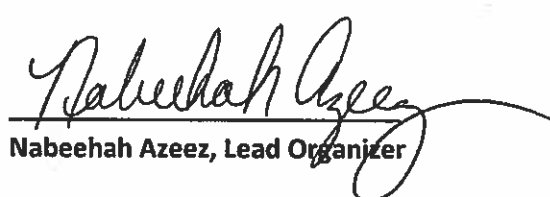
The Fund the Trust Act would raise an estimated \$13 Million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Funding our city's Affordable Housing Trust Fund would provide housing services as well as capital funds and development subsidy. Over the last 10 years, Philadelphia's Affordable Housing Trust Fund has financed the rehabilitation of over 1,500 homes, generated 4,000 home and accessibility repairs for low income residents, prevented 3,000 evictions, and employed more than 10,000 construction workers. It is anticipated that in Baltimore, \$13 million annually would support the development of 6 community land trusts and create or preserve more than 400 affordable housing opportunities each year.

Communities United urges you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million each year.

Respectfully



Jane Henderson, Executive Director
Communities United



Nabeelah Azeez, Lead Organizer

2221 Maryland Avenue, Baltimore, MD 21218

September 25, 2018

Dear Taxation, Finance, and Economic Development Committee Members,

Clean Water Action is a national environmental advocacy organization with over 8,000 members within Baltimore City. We work for swimmable, fishable waters in Maryland, for safe drinking water, and for environmentally healthy communities. Because of this commitment to creating healthy communities, we are writing in strong support of City Council Bill 18-0221 – Recordation and Transfer Taxes – Surtax – Dedicating Proceeds to Affordable Housing Trust Fund. The Affordable Housing Trust Fund is a crucial tool for Baltimore’s residents to build stronger, greener, more resilient, and more sustainable communities through building affordable housing, community-controlled revitalization of Baltimore neighborhoods, and development without displacement. Following through on Baltimore City’s promise to create the Affordable Housing Trust Fund is critical to creating healthy neighborhoods where everyone can thrive and creating a city that will be resilient to climate change and fair to all its residents.

Bill 18-0221 would raise an estimated \$13 Million dollars annually to create, preserve, and maintain affordable housing for city residents at or below 50% of area median income. Creating permanently affordable housing for individuals and families at this income level is absolutely crucial to protect human rights in a rapidly changing city, as both economic pressures and environmental catastrophes risk displacing longtime residents from their neighborhoods and worsening their health due to substandard housing stock.

Climate change threatens to bring Baltimore extreme weather – more hurricanes, more intense rainstorms, more extreme heat and cold. These conditions will only exacerbate the housing pressures that Baltimoreans are already feeling, from the impacts of extreme weather on homeless people in Baltimore, to the impacts on families living in housing that is not resilient to the weather. Recent data suggests that 1/3 of all rental properties in Baltimore are considered substandard, for example with leaking roofs, flooding basements, moldy walls, overflowing sewage pipes, and other conditions that are hazardous to residents’ health. Since we know these conditions will continue to worsen as climate change intensifies in the coming decades, now is the time to invest in developing strong, resilient housing that will protect Baltimore’s residents. Bill 18-0221 is an excellent policy mechanism to do that.

It is anticipated that in Baltimore, \$13 million annually would support the development of 6 community land trusts and create or preserve more than 400 affordable housing opportunities each year. With these funds, Baltimore City has the incredible opportunity to put neighborhood residents who have fought for their neighborhoods for years in charge of how their neighborhoods are redeveloped through community land trusts. Members of land trusts across the city – many of whom have been engaged in environmental campaigns in their communities, from fighting trash incinerators and crude oil train shipments to developing community gardens and local food solutions – are already engaging in conversations around how to make homes developed through the Affordable Housing Trust Fund environmentally friendly and healthy for their residents. Land trusts are especially well positioned to use economies of scale to bring energy efficiency, stormwater infrastructure, and solar power to their homes.

Old Baltimore rowhomes leak hot air in the summer and cold air in the winter, and inefficient appliances cost their residents money. Land trusts homes can be renovated to be energy efficient with insulation, new windows, energy-efficient appliances, modern lightbulbs, and efficient heating and cooling for water; by making these improvements accessible to low-income homebuyers at or below 50% AMI, land trusts can reduce their energy costs by 20% - saving \$341 per year and reducing their energy usage by almost 1,500 kWh each year. On average, electricity consumes seven times more of a low-income household's budget than a high-income household's budget. Ensuring that land trust homes use as little energy as possible will help ensure that first-time homeowners in these homes can stay there. With support from the Affordable Housing Trust Fund, land trusts can invest in these improvements as they redevelop homes, making them more sustainable and more deeply affordable both to purchase and to live in. And just two homes with these improvements prevent as much climate-change-causing pollution each year as taking a car off the road – cleaning up the air for all Baltimoreans.

Likewise, land trusts provide a mechanism for building stormwater infrastructure into Baltimore's neighborhoods. Using the economies of scale inherent in redeveloping multiple land trust homes in close proximity and leveraging grant funding to match the city's investment can make it possible for land trust homes to incorporate rain barrels, green roofs, stormwater planters, tree plantings, depaving projects, and more. Projects like these provide enormous benefits to the environment and to residents, but are often out of reach of low income residents due to their cost. But by installing stormwater infrastructure all at once in sets of nearby homes, land trusts could reduce the costs of this infrastructure by 15% - stretching available grant money to achieve the maximum water quality benefit. And once they're in place, these designs will save land trust residents money each month: credits are available to reduce water bills in homes with stormwater retention. These improvements will also help our stormwater and sewer infrastructure handle the increased rainfall and intense storms that Baltimore is experiencing this year and that will only increase with climate change, reducing instances of flooding and sewage back-ups for neighbors.

Funding the Affordable Housing Trust Fund will help create a more fair and equitable Baltimore that puts our poorest and most vulnerable residents in a position to improve their own lives, take charge of their own neighborhoods' redevelopment, and create resilient communities that can weather the intense storms and other threats we know will increase with climate change. For these reasons, Clean Water Action urges you to vote in favor of City Council Bill 18-0221 – Recordation and Transfer Taxes – Surtax – Dedicating Proceeds to Affordable Housing Trust Fund to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million each year. Thank you for your consideration.

Sincerely,



Jennifer Kunze
Maryland Program Organizer
jkunze@cleanwater.org

Charm City Land Trusts
2424 McElderry Street
Baltimore, MD 21205

September 14, 2018

Baltimore City Hall
100 Holliday St.
Baltimore, MD 21202

Honorable Chairwoman Middleton and Taxation and Finance Committee Members,

Charm City Land Trusts, Inc. (CCLT) is the longest-tenured community land trust (CLT) in Baltimore City. In 2000, CCLT was incorporated by community residents to ensure the long-term community control of land resources through the preservation, development, and acquisition of land. Over the 18 years of its existence, CCLT has organized community residents and stewarded land in the East Baltimore neighborhoods of Patterson Park and McElderry Park, most notably the Amazing Port Street Commons, a multi-use community garden that was completed in 2002 behind the Amazing Grace Lutheran Church. In 2015, CCLT acquired its first residential property on the 500 block of North Luzerne Avenue—a Wells Fargo foreclosure that symbolizes the dangers posed by speculative development and its ruinous potential on neighborhood stability. We write to thank you for your work on the Fund the Trust Act, Council Bill 0221, which we view as a vital measure to reverse the tide of speculative perdition that has imperiled low-income communities of color in Baltimore City for centuries.

McElderry Park is at a major crossroads. According to the Baltimore Neighborhood Indicators Alliance, 18.4 percent of the houses in this area are vacant or abandoned, 60.1 percent of the area's residents are paying more than 30 percent of their total household income on rent, 16.3 percent of the area's residents are unemployed, and 32.4 percent of the area's residents live below the federal poverty line. What is more, in McElderry Park, only 23.1 percent of the homes are owner-occupied—the lowest percentage in the entire city. As development booms around the Johns Hopkins University Medical Institute (JHMI), McElderry Park's majority of renters do not reap any benefits and face the threat of displacement as the values of their homes rise—a threat compounded by the Housing Authority of Baltimore City's \$1 billion project to develop a 200-acre corridor between Harbor East and JHMI. We have no presumptions of halting development, but we view the Fund the Trust Act as a crucial measure to ensure that, as high-cost development activity continues around McElderry Park, that speculative forces do not impede the ability of the neighborhood's residents to stay in their community. Moreover, through the fund, organizations like CCLT can harness community land and resources to ensure that the dire quality of life conditions in the neighborhood improve, and we can all rise together, in trust.

Charm City Land Trusts, Inc. urges you to vote in favor of the Fund the Trust Act to create sustainable funding for our city's Affordable Housing Trust Fund at \$13 million annually.

Respectfully,

Charm City Land Trusts, Inc.

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland
21202

Meeting Agenda - Final

Taxation, Finance and Economic Development Committee

Thursday, September 27, 2018

11:00 AM

Du Burns Council Chamber, 4th floor, City Hall

18-0221

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

ITEMS SCHEDULED FOR PUBLIC HEARING

18-0221

Recordation and Transfer Taxes - Surtax - Dedicating Surtax Proceeds to Affordable Housing Trust Fund

For the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City's recordation and transfer taxes.

Sponsors:

John T. Bullock, President Young, Bill Henry, Ryan Dorsey, Kristerfer Burnett, Brandon M. Scott, Shannon Sneed, Mary Pat Clarke, Robert Stokes, Sr., Sharon Green Middleton, Zeke Cohen, Edward Reisinger, Eric T. Costello, Leon F. Pinkett, III, Isaac "Yitzy" Schleifer

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC



BALTIMORE CITY COUNCIL TAXATION, FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

Mission Statement

On behalf of the Citizens of Baltimore City, the mission of the Taxation, Finance and Economic Development Committee of the Baltimore City Council is to legislate policy that will deter unnecessary tax burdens while seeking and supporting projects and initiatives that will generate and increase our tax base. Reviewing and considering financing tools that impact the retention and sustainability of our economic base is essential. Introducing and enhancing legislation that perpetuates equal access to economic development for African Americans/Minorities/Women and other members of our community that will result in an improved quality of life for all citizens of Baltimore is a critical component of Baltimore's success.

**The Honorable Sharon Green Middleton
Chairwoman**

PUBLIC HEARING

**Thursday, September 27, 2018
11:00 AM
CLARENCE "DU" BURNS COUNCIL CHAMBERS**

**Bill 18-0221
Recordation and Transfer Taxes –
Surtax – Dedicating Surtax Proceeds to
Affordable Housing Trust Fund**

CITY COUNCIL COMMITTEES

BUDGET AND APPROPRIATIONS

Eric Costello – Chair
Leon Pinkett – Vice Chair
Bill Henry
Sharon Green Middleton
Brandon M. Scott
Isaac "Yitzy" Schleifer
Shannon Sneed
Staff: Marguerite Currin

EDUCATION AND YOUTH

Zeke Cohen – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Kristerfer Burnett
Ryan Dorsey
Staff: Matthew Peters

EXECUTIVE APPOINTMENTS

Robert Stokes – Chair
Kristerfer Burnett – Vice Chair
Mary Pat Clarke
Zeke Cohen
Isaac "Yitzy" Schleifer
Staff: Marguerite Currin

HOUSING AND URBAN AFFAIRS

John Bullock – Chair
Isaac "Yitzy" Schleifer – Vice Chair
Kristerfer Burnett
Bill Henry
Shannon Sneed
Zeke Cohen
Ryan Dorsey
Staff: Richard Krummerich

JUDICIARY AND LEGISLATIVE INVESTIGATIONS

Eric Costello – Chair
Mary Pat Clarke – Vice Chair
John Bullock
Leon Pinkett
Edward Reisinger
Brandon Scott
Robert Stokes
Staff: Matthew Peters

LABOR

Shannon Sneed – Chair
Robert Stokes – Vice Chair
Eric Costello
Bill Henry
Mary Pat Clarke
Staff: Samuel Johnson

LAND USE AND TRANSPORTATION

Edward Reisinger - Chair
Sharon Green Middleton – Vice Chair
Mary Pat Clarke
Eric Costello
Ryan Dorsey
Leon Pinkett
Robert Stokes
Staff: Jennifer Coates

PUBLIC SAFETY

Brandon Scott – Chair
Ryan Dorsey – Vice Chair
Kristerfer Burnett
Shannon Sneed
Zeke Cohen
Leon Pinkett
Isaac "Yitzy" Schleifer
Staff: Richard Krummerich

TAXATION, FINANCE AND ECONOMIC DEVELOPMENT

Sharon Green Middleton – Chair
Leon Pinkett – Vice Chair
Eric Costello
Edward Reisinger
Robert Stokes
Staff: Samuel Johnson
- Larry Greene (pension only)



BILL SYNOPSIS

Committee: Taxation, Finance and Economic Development

Bill 18-0221

Recordation and Transfer Taxes – Surtax – Dedicating Surtax Proceeds to Affordable Housing Trust Fund

Sponsor: Councilmember Bullock

Introduced: April 16, 2018

Purpose:

For the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City's recordation and transfer taxes.

Effective: On the 30th day after the date of enactment

Hearing Date/Time/Location: September 27, 2018 / 11:00 a.m. / Clarence "Du" Burns Chamber

Agency Reports

City Solicitor	Favorable/Comments
Department of Planning	No Position
Department of Housing and Community Development	Favorable/Amend
Baltimore Development Corporation	No Position
Department of Real Estate	
Department of Finance	Favorable/Comments



Analysis

Current Law:

Article 28 - Taxes; Section 16-1, 17-2(a), and 17-3(a); Baltimore City Code; (2000 Edition)

Background

In 2016, 83% of Baltimore City residents voted yes for ballot Question J to establish an Affordable Housing Trust Fund. The “Housing for All: Baltimore” campaign was created to promote and support fair and affordable housing throughout Baltimore for extremely low income families by providing financial assistance for production, maintenance, or expansion of affordable housing.

In August of 2018, a historic agreement was reached where the City of Baltimore will allocate, within the next five years, at least \$20 million annually to the Affordable Housing Trust Fund. The Trust Fund will be funded through City Council legislation, general obligation bonds, and other revenue sources.

Amendments to the original bill will now establish a 0.6% excise tax on the transfer of real property valued at or above \$1,000,000, and a 0.15% excise tax on the recordation of instruments concerning real property on transactions valued at or above \$1,000,000. Projected revenue from this legislation is expected to average \$13 million annually to the Trust Fund, and if it generates more than \$16 million during a given year the additional revenue will be divided with half going to the Trust Fund and the remaining portion going to the General Fund.

The Mayor will allocate additional funds to the Affordable Housing Trust Fund either through the annual Ordinance of Estimates or other legislation at a minimum on the following schedule:

- Fiscal Year 2020: \$2 million
- Fiscal Year 2021: \$3.5 million
- Fiscal Year 2022: \$5 million
- Fiscal Year 2023 and subsequent years: \$7 million

The Trust Fund mandates that revenue be directed to help those with incomes at or below 50% Area Median Income (AMI) (about \$46,000 for a family of 4) with half reserved for families earning below 30% of the AMI (\$27,000 for a family of 4). The poverty earnings for a family of four in Baltimore is \$23,850 and approximately 23% of Baltimoreans live at or below the poverty line.

The Trust Fund will be administered by the Department of Housing and Community Development. They have already provided an initial \$2 million in funding from a prior year's appropriation of its Affordable Housing Program Bonds. The Charter will constitute the

formation of a 12-member commission made up of various individuals with expertise in housing and community development. The commission will serve in an advisory capacity and will consult members of DHCD to develop policies for Affordable Housing Trust Fund spending, they will submit an annual report on the usage of the proceeds, and they will ensure that an audit is conducted every four years.

Projections: 10 years at \$20 million/year, the Fund the Trust Act could:

- Create or preserve over 4,100 permanently affordable rental and homeowner opportunities
- Provide fair housing, eviction prevention and housing counseling services to over 12,000 families
- Rehabilitate 1,600 vacant properties
- Support 6 community land trusts
- Employ 8,500 construction workers

Additional Information

Fiscal Note: Not Available

Information Source(s): Mayor's Office Press Release, Maryland Alliance for the Poor "Maryland Poverty Profiles 2016", Agency Report

Analysis by: Samuel Johnson 
Analysis Date: September 25, 2018

Direct Inquiries to: (410) 396-1091

04/12/18

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL 18-0221

Introduced by: Councilmember Bullock

A BILL ENTITLED

AN ORDINANCE concerning

**Recordation and Transfer Taxes – Surtax –
Dedicating Surtax Proceeds to Affordable Housing Trust Fund**

TFED
Law
Planning Dept
ACD, BDC
Real Est.
Finance
BoE

FOR the purpose of imposing a surtax on recordations subject to the recordation tax and a surtax on property transfers subject to the transfer tax; providing for an exemption from these surtaxes for certain residential properties; dedicating the proceeds from these surtaxes to the Affordable Housing Trust Fund created by City Charter Article 1, § 14; correcting, clarifying, and conforming related language; and generally relating to the City's recordation and transfer taxes.

BY repealing and reordaining, with amendments

Article 28 - Taxes
Sections 16-1, 17-2(a), and 17-3(a)
Baltimore City Code
(Edition 2000)

BY adding

Article 28 - Taxes
Sections 16-3 and 17-15
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 28. Taxes

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

* WARNING: THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.

Subtitle 16. Recordation Tax

§ 16-1. Tax imposed.

(A) *IN GENERAL.*

Pursuant to State Tax-Property Article § 12-103(b), the rate of tax applicable to instruments recorded with the Clerk of the Circuit Court for Baltimore City is:

(1) in the case of instruments conveying title to property[.]:

- (i) \$5 for each \$500 or fractional part of \$500 of the actual consideration paid or to be paid; PLUS
- (ii) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN ADDITIONAL AMOUNT (“SURTAX”) OF \$2 FOR EACH \$500 OR FRACTIONAL PART OF \$500 OF THE ACTUAL CONSIDERATION PAID OR TO BE PAID; and

(2) in the case of instruments securing a debt[.]:

- (i) \$5 for each \$500 or fractional part of \$500 of the principal amount of the debt secured; PLUS
- (ii) EXCEPT AS PROVIDED UNDER SUBSECTION (B) OF THIS SECTION, AN ADDITIONAL AMOUNT (“SURTAX”) OF \$2 FOR EACH \$500 OR FRACTIONAL PART OF \$500 OF THE PRINCIPAL AMOUNT OF THE DEBT SECURED.

(B) *EXEMPTION FROM SURTAX.*

THE SURTAX IMPOSED BY SUBSECTION (A)(1)(II) AND (A)(2)(II) OF THIS SECTION DOES NOT APPLY TO A CONVEYANCE OF OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE INSTRUMENT IN WRITING IS ACCOMPANIED BY A STATEMENT, SIGNED UNDER OATH BY THE BUYER, THAT THE BUYER WILL USE THE PROPERTY AS THE BUYER’S PRINCIPAL RESIDENCE BY ACTUALLY OCCUPYING THE PROPERTY FOR AT LEAST 7 MONTHS OF THE 12 MONTH PERIOD IMMEDIATELY FOLLOWING THE CONVEYANCE.

§ 16-3. DEDICATION OF SURTAX PROCEEDS.

ALL PROCEEDS FROM THE SURTAX IMPOSED BY §16-1(A)(1)(II) AND (2)(II) OF THIS SUBTITLE SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER ARTICLE I, § 14 {“AFFORDABLE HOUSING TRUST FUND”}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION.

Subtitle 17. Transfer Tax

§ 17-2. Tax imposed – In general.

(a) *In general.*

(1) *IMPOSITION OF TAX.*

A tax is hereby levied and imposed upon the transfer of any estate of inheritance or freehold, of any declaration or limitation of use, or any estate above 7 years, in Baltimore City, [at the rate of] AS FOLLOWS:

- (I) AT THE RATE OF [1½%] 1.5% of the TRANSFER'S taxable basis [thereof], as [hereinafter] defined IN § 17-5 {"TAXABLE BASIS"} OF THIS SUBTITLE; PLUS
- (II) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, AN ADDITIONAL AMOUNT ("SURTAX") AT THE RATE OF 0.6% OF THAT TAXABLE BASIS.

(2) *INAPPLICABILITY OF TAX TO CERTAIN SHORT-TERM RENEWABLE LEASES.*

[Except that the] THE tax levied and imposed [hereunder shall] UNDER THIS SECTION DOES not apply to any lease or sublease for an initial term of not more than 7 years [which] THAT contains any provisions for renewal for 1 or more succeeding stated terms of not more than 7 years each, if under [such provision] THOSE PROVISIONS for renewal the right to effect or prevent each [such] renewal term [shall be] IS optional with either the landlord or the tenant.

(3) *EXEMPTION FROM SURTAX.*

THE SURTAX IMPOSED BY PARAGRAPH (1)(I) OF THIS SUBSECTION DOES NOT APPLY TO A CONVEYANCE OF OWNER-OCCUPIED RESIDENTIAL PROPERTY IF THE INSTRUMENT IN WRITING IS ACCOMPANIED BY A STATEMENT, SIGNED UNDER OATH BY THE BUYER, THAT THE BUYER WILL USE THE PROPERTY AS THE BUYER'S PRINCIPAL RESIDENCE BY ACTUALLY OCCUPYING THE PROPERTY FOR AT LEAST 7 MONTHS OF THE 12 MONTH PERIOD IMMEDIATELY FOLLOWING THE CONVEYANCE.

§ 17-3. Tax imposed – Corporate transfers.

(a) *In general.*

A tax is hereby levied and imposed upon the transfer of real property affected by filing of articles of sale, lease, exchange, or other transfer of all or substantially all the property and assets of a corporation with respect to the property subject to the certificate required under State Corporations and Associations Article § 3-112, AS FOLLOWS:

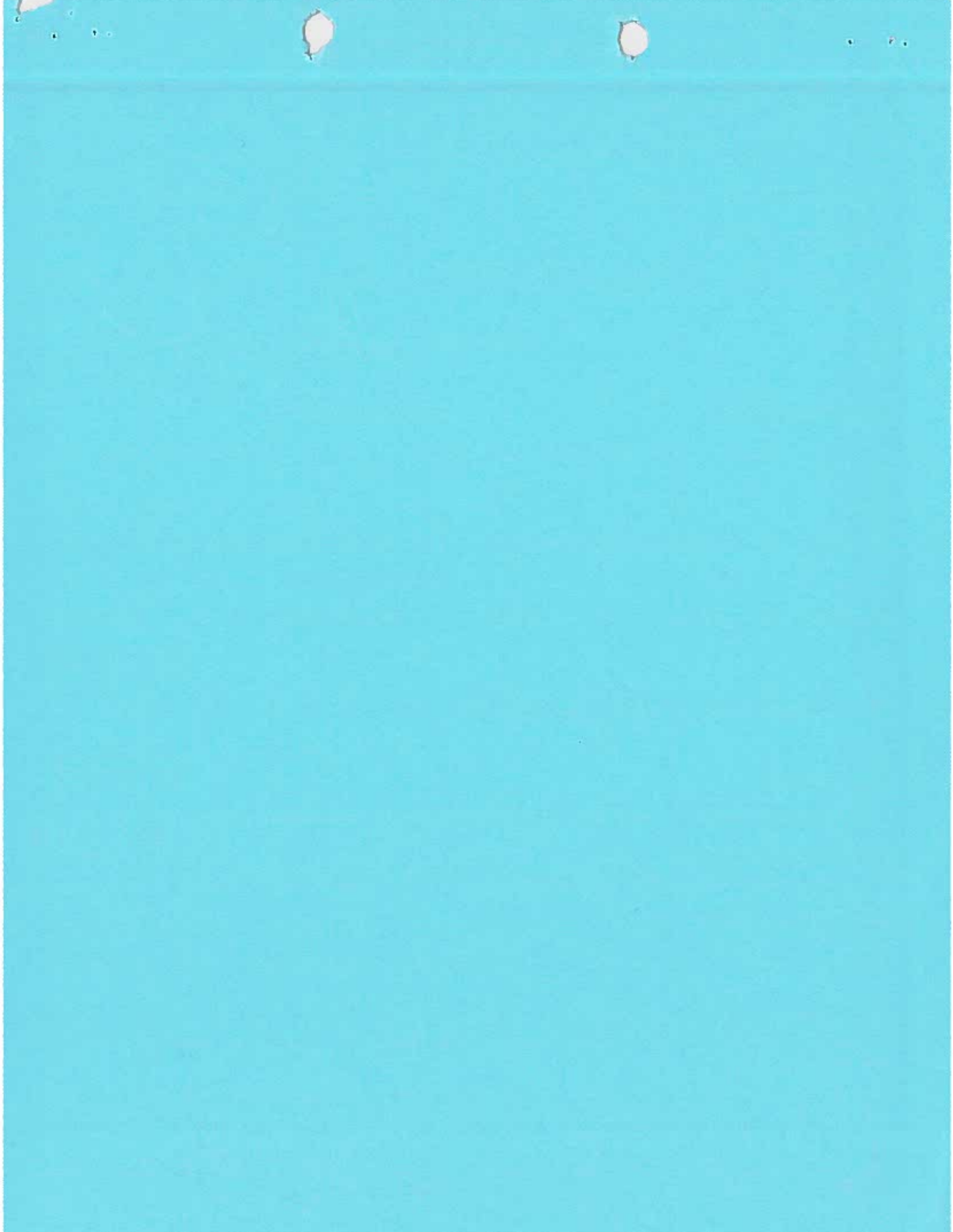
- (1) at the rate of [1½%] 1.5% of the TRANSFER'S taxable basis [thereof], as [hereinafter] defined IN § 17-5 {"TAXABLE BASIS"} OF THIS SUBTITLE; PLUS
- (2) AN ADDITIONAL AMOUNT ("SURTAX") AT THE RATE OF 0.6% OF THAT TAXABLE BASIS.

§ 17-15. DEDICATION OF SURTAX PROCEEDS.

ALL PROCEEDS FROM THE SURTAX IMPOSED BY § 17-2(A)(1)(II) AND § 17-3(A)(2) OF THIS SUBTITLE SHALL BE DEPOSITED IN THE CONTINUING, NONLAPSING FUND CREATED BY CITY CHARTER ARTICLE I, § 14 {"AFFORDABLE HOUSING TRUST FUND"}, TO BE USED EXCLUSIVELY FOR THE PURPOSES SPECIFIED IN THAT SECTION.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.



ACTION BY THE CITY COUNCIL

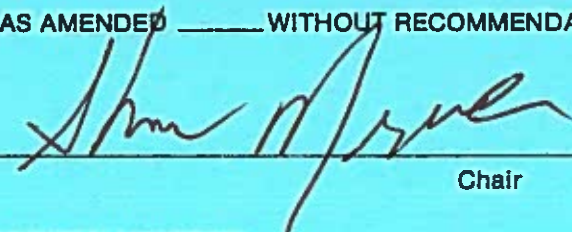
APR 16 2018
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON _____ September 27 20 18

COMMITTEE REPORT AS OF _____ October 15 20 18

_____ FAVORABLE _____ UNFAVORABLE FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION


Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

OCT 15 2018
20

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ OCT 29 2018
20

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

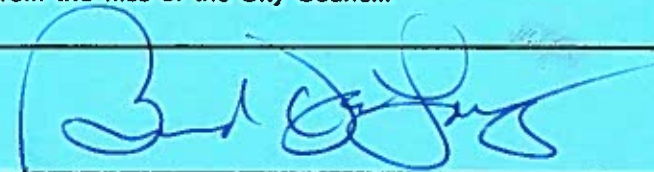
THIRD READING (ENROLLED) _____ NOV 19 2018
20

Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

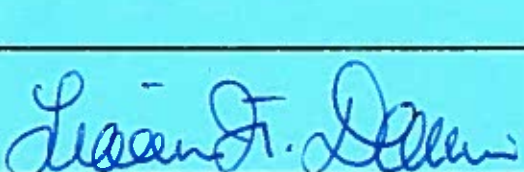
THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.



President



Chief Clerk