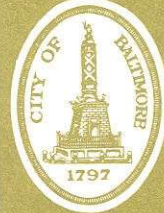


<b>FROM</b>	NAME & TITLE	Alfred H. Foxx, Director	CITY of <b>BALTIMORE</b> <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	<b>CITY COUNCIL BILL 12-0065</b>		

DATE: May 23, 2012

**TO**

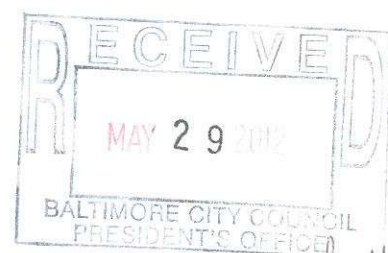
The Honorable President and Members  
of the Baltimore City Council  
c/o Karen Randle  
Room 400 – City Hall

I am herein reporting on City Council Bill 12-0065 introduced by Council Members Clarke, Henry, Stokes, Branch, Curran, Mosby, Spector, Middleton, Reisinger, Welch, President Young, and Council Member Holton.

The purpose of the Bill is to require that, before the Chief Clerk issues a tax lien certificate including water or sewer charges, the Chief Clerk must obtain a certification that the charges are based on certain verified information; correcting, clarifying and conforming related provisions; and generally relating to tax lien certificates.

Article II § 19 of the Baltimore City Charter establishes a Bureau of Liens and makes provision for the issuance of lien certificates which state what State and municipal taxes, charges and assessments exist as liens against a property. These liens have no statute of limitations and exist against a property until paid. The Bureau of Liens may require a reasonable charge for providing a lien certificate. Article 28 Subtitle 2 of the Revised Baltimore City Code authorizes the Director of Finance to establish the Bureau of Liens to keep and record the kind and amount of all municipal charges and assessments affecting real estate and to provide a formal lien certificate that clearly sets forth what municipal charges or assessments exist against any particular property in the City. A fee of \$15 is to be charged for each separate property certificate requested. Lien certificates and proof of payment in full are required for recordation of a transfer of ownership among the Land Records of Baltimore City. The transferor and transferee are jointly liable for the payment of the liens.

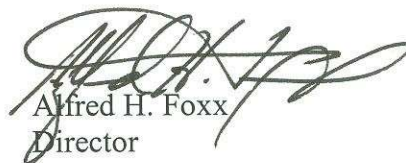
City Council Bill 12-0065, if approved, would add a requirement that before a lien certificate is issued, a certification must be obtained from the Director of Public Works stating that any unpaid water or sewer charges are based on actual rather than estimated reads, that the meter has been verified to be working properly, and the meter readings were correctly transcribed. It is not known how many lien certificates are requested annually and what proportion of those requests would require certification by this Department. It is, therefore, difficult to estimate the impact of producing the certifications.



The Honorable President and Members  
Of the Baltimore City Council  
May 23, 2012  
Page 2

The legislation appears to require checking each account as well as field verifications, making it difficult to estimate the amount of time to produce the certifications. Further complicating this issue are the approximately 2.5% of meters that cannot be currently read (ARB, or interior meters) or meters that cannot be located and read (known as "Can Not Locate"). It is anticipated that it will take a year to complete our replacement of the interior ARB water meters. These meters, along with the "Can Not Locate" meters, cannot be read and must be estimated reads. The inability to access these meters would also mean the Department could not confirm the appropriate functioning of these meters for the purposes of the proposed certification. Certifications requested for properties with ARB meters or meters that are not locatable could not be issued, thus delaying or completely halting the desired property transfers.

The Department of Public Works cannot support City Council Bill 12-0065 at this time because of the unknown fiscal and personnel impact of the required certifications and the inability to comply with the requirement for properties currently with ARB water meters.



Alfred H. Foxx  
Director

AHF/MMC