

CITY OF BALTIMORE  
ORDINANCE **21.040**  
Council Bill 21-0097

---

Introduced by: Councilmembers Middleton, Schleifer, Conway, Torrence, Ramos, Glover,  
Cohen, Dorsey, Porter, Bullock, Stokes  
Introduced and read first time: June 8, 2021  
Assigned to: Economic and Community Development Committee  
Committee Report: Favorable, with amendments  
Council action: Adopted  
Read second time: September 20, 2021

---

AN ORDINANCE CONCERNING

Emergency Security Deposit Relief Act

1

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

18

BY adding

19

Article 13 - Housing and Urban Renewal

20

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

21

"Security Deposit ~~Vouchers~~ Grants"

22

Baltimore City Code

23

(Edition 2000)

24

**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**

25

Laws of Baltimore City read as follows:

26

**Baltimore City Code**

27

**Article 4. Housing and Urban Renewal**

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike-out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.



Council Bill 21-0097

1 ~~(F)~~<sup>(H)</sup> SECURITY DEPOSIT.

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

5 (1) NON-PAYMENT OF RENT;

6 (2) BREACH OF THE LEASE; OR

7 (3) DAMAGE TO PROPERTY.

8 ~~(G)~~<sup>(H)</sup> SECURITY DEPOSIT ~~VOUCHER GRANT~~; VOUCHER GRANT.

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

13 § 6B-2. PROGRAM ESTABLISHED.

14 (A) *IN GENERAL.*

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

17 (B) *PURPOSE.*

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

21 (C) *ADMINISTRATION.*

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

23 ~~§ 6B-3. PROGRAM FUNDING.~~

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

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

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

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

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

Council Bill 21-0097

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

2 (A) *IN GENERAL.*

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

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

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

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

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

- 17 (1) ADOPTING ANY RULES AND REGULATIONS REQUIRED BY THIS SECTION; OR  
18 (2) AMENDING OR REPEALING ANY RULES AND REGULATIONS ADOPTED UNDER THIS  
19 SUBTITLE.

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

21 (A) *APPLICATION REQUIRED.*

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

25 (B) *ELIGIBILITY.*

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

- 27 (1) RESIDES IN BALTIMORE CITY AT THE TIME OF APPLICATION; AND  
28 (2) ~~IS A LOW INCOME HOUSEHOLD~~ MEETS THE INCOME REQUIREMENTS FOR A GRANT.

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

30 (A) *IN GENERAL.*

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

Council Bill 21-0097

1 (B) *FUNDING AVAILABILITY.*

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

4 ~~§ 6B-6. 6B-7. {RESERVED}~~

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

6 (A) *MANNER OF PAYMENT.*

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

9 (B) *AUDITS.*

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

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

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

16 ~~§ 6B-9. ROOMING UNITS.~~

17 ~~(A) "ROOMING UNIT" DEFINED.~~

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

20 ~~(B) ASSISTANCE ALLOWED.~~

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

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

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

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

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

Council Bill 21-0097

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

2 ~~(A) IN GENERAL.~~

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

5 ~~(B) EXTENSION.~~

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

9 ~~(C) DEPARTMENTAL DISCRETION.~~

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

12 ~~§ 6B-12. MISUSE OF VOUCHER.~~

13 ~~(A) IN GENERAL.~~

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

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

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

24 ~~(C) APPEAL.~~

25 ~~(1) IN GENERAL.~~

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

Council Bill 21-0097

1           ~~(2) FORMAT OF APPEAL.~~

2           IN APPEALING THE DEPARTMENTAL FINDING, THE FAMILY MUST:

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

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

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

7           ~~(3) DECISION.~~

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

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

11        (A) *IN GENERAL.*

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

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

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

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

20        (B) *WRITTEN NOTICE OF DENIAL.*

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

24        (C) *APPEAL.*

25        (1) *IN GENERAL.*

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

**Council Bill 21-0097**

1           (2) *FORMAT OF APPEAL.*

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

3                   (I) PUT THE APPEAL IN WRITING;

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

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

9           (3) *DECISION.*

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

12    **§ 6B-10. COMPLIANCE.**

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

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

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



Council Bill 21-0097

Certified as duly passed this 20 day of September, 2021



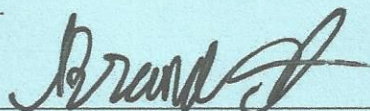
\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 20 day of September, 2021

  
\_\_\_\_\_  
Chief Clerk

Approved this 23 day of September, 2021



\_\_\_\_\_  
Mayor, Baltimore City

Approved for Form and Legal Sufficiency  
This 21st Day of September, 2021.

*Elena R DiPietro*

\_\_\_\_\_  
Chief Solicitor