



**BALTIMORE CITY COUNCIL  
ECONOMIC AND COMMUNITY DEVELOPMENT  
COMMITTEE**

*Mission Statement*

*On behalf of the Citizens of Baltimore City*, the Committee on Economic and Community Development (ECD) is responsible for supporting strong thriving communities. ECD will review proposed zoning and land use changes, tackle issues related to economic development, oversee housing policy, and promote equitable economic opportunity for all Baltimore residents.

**The Honorable Sharon Green Middleton**

**PUBLIC HEARING**

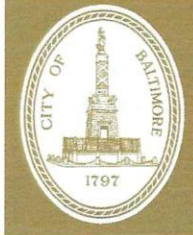
**August 20, 2024**

**2:00 PM**

**CLARENCE "DU" BURNS COUNCIL CHAMBERS**

**23-0357**

**Strengthening Renter's Safety Act**



## BILL SYNOPSIS

**Committee: Economic and Community Development**

**Bill: 23-0357**

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### Strengthening Renters' Safety Act

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**Sponsor:** Councilmember Cohen

**Introduced:** February 27, 2023

**Purpose:**

For the purpose of establishing a priority inspection; establishing criteria for priority dwellings and priority inspections; requiring the Commissioner of the Department of Housing and Community Development to post certain notices; amending certain rental dwelling license application requirements; amending certain prerequisites for new and renewed rental dwelling licenses; amending license fees; updating inspection requirements; requiring the posting of license numbers; updating causes for denial, suspension, or revocation of a license; bolstering public access to information; authorizing the initiation of enforcement of the subtitle by complaint; providing for certain data collection; adding a civil citation fine for violating of licensing requirements; requiring annual reporting; amending certain definitions; and providing for a special effective date.

By repealing, and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies

Section 41-14

Baltimore City Code

(Edition 2000)

By renumbering current

Article 13 - Housing and Urban Renewal

Current Sections 5-1(g) through (i), respectively, to be New Sections 5-1(i) through (k), respectively

Baltimore City Code

(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal  
New Sections 5-1(l)  
Baltimore City Code  
(Edition 2000)

BY repealing, and re-ordaining, without amendments

Article 13 - Housing and Urban Renewal  
Sections 5-2, 5-13, 5-16, 5-17, 5-19, 5-20, 5-24, and 5-26  
Baltimore City Code  
(Edition 2000)

BY repealing, and re-ordaining, with amendments

Article 13 - Housing and Urban Renewal  
Sections 5-4, 5-5 through 5-9, 5-11, 5-12, 5-15, 5-20, 5-22, and 5-25  
Baltimore City Code  
(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal  
Sections 5-10, 5-14, and 5-27 and 5-28  
Baltimore City Code  
(Edition 2000)

**Effective:** January 1, 2026

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### Agency Reports

Department of Finance	Defer to DHCD
Housing and Community Development	Unfavorable
Housing Authority of Baltimore City	Favorable w/ amendments
City Solicitor	Approved for form and legal sufficiency
Office of Homeless Services	Favorable

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### Analysis

#### Current Law

- Article I section 41 of the Baltimore City Code deals with civil citations section 41-14 lists offenses and the fines associated with them. For instance, under subtitle 18-8 riding a bicycle on the sidewalk is a 50-dollar citation.
- Article 13 section 5 of the Baltimore City Code (g-i) defines:

- rental dwelling – (1) any multiple-family dwelling,
- rooming house – (2) any rooming house
- rooming unit – (3) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased or rented or offered or available for lease or rental in exchange for any form of consideration.
- Article 13 of the Baltimore City Code:
  - Section 2 – requires the Commissioner to adopt rules and regulations to carry out the subtitle.
  - Section 4 – requires that except for HABC properties – operators of rental dwellings must have a license.
  - Section 5- requires an application process and who may make an application for a license.
  - Section 6 – defines prerequisites for an application or renewal of a license.
  - Section 7–defines prerequisites for an inspection for a new or renewal of a license.
  - Section 8 – says that there is no fee for a rental license.
  - Section 9 – lays out a tired system of when licenses expire if they are not renewed. For example, an initial license expires 2 years after being issued. Which can be renewed for 3 years if during the 24 months immediately preceding submission of a completed renewal application, all violation notices or orders issued during those months under the City Building, Fire, and Related Codes Article have been abated within 60 days of their issuance
  - Section 13 – Requires multi-family dwellings or rooming house operations to have a license or a permit from the Commissioner.
  - Section 11 – defines how licenses should be posted.
  - Section 12– defines the process for transferring a license and the associated fee.
  - Section 15 – defines the process for denying, suspending, or revoking a license.
  - Section 16 - details the notice and hearing process for denying, suspending, or revoking a license.
  - Section 17 – authorizes the commissioner to have a rental dwelling vacate in 24 hours in certain circumstances (operating without a license or if necessary for the health, safety, or welfare of the public).
  - Section 19 – defines:
    - reasonable accommodation - affirmative steps that do not impose an undue financial hardship or a substantial burden.
    - prohibited conduct - No bylaw, rule, or regulation governing a rental dwelling, nor any action or inaction of the governing body or management of a rental dwelling, may:

- (1) unreasonably impair any rights guaranteed by the Free-Exercise Clause of the First Amendment to the United States Constitution or by Article 36 of the Maryland Declaration of Rights
- (2) prohibit or deny any reasonable accommodation for religious practices
- Section 20 – defines a sanitation guide and sets guidelines for its distribution and display.
- Section 22 – requires that the Housing Commissioner makes certain information available and accessible to the public via the department’s website.
- Section 24 – defines judicial and appellate reviews for those aggrieved by the Commissioner.
- Section 25 – empowers the enforcement of the article by citation.
- Section 26 – defines penalties for violations of the subtitle.

**Bill Summary**

Definitions

This bill if enacted would create the following definitions.

Priority Dwelling

A priority dwelling would be defined as a rental dwelling consisting of 20 or more rental units or rooming units which meet certain criteria in the last calendar year including:

- The number of 311 calls related to health and habitability divided by the total number of dwelling and rooming units in the rental dwelling 20 exceeded the minimum value displayed in the table below.

○

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

- A violation under the Building, Fire, or Related Codes for 90 or more days
- Four (4) or more violations under the Building, Fire, or Related Codes relating to interior conditions

- The rental dwelling's HUD<sup>1</sup> REAC<sup>2</sup> inspection score for either of the 2 most recent inspections was less than or equal to 79.

### Priority Inspections

A priority inspection would be defined as a physical inspection by an inspector from the DHCD<sup>3</sup>. And would also include the inspector's written evaluation.

This ordinance would also include the following either as new to the article or by amendment:

- 5-4 (C) – the notice to all occupants when a rental dwelling operates without a license.
- 5-5 (D) – the information required in a new or renewed license application.
- 5-7 (F) – the distribution of inspection reports. Which would include to each resident of the rental dwelling by the record owner or managing operator.
- 5-9 - the term of a license & a license renewal under this subtitle would expire after two (2) years from the date of issuance.
- 5-10 – Creates the priority inspection process defining:
  - The general requirement to inspect 25 priority dwellings per year.
  - The inspection year period.
  - How to identify priority dwellings.
  - How to notify priority dwellings.
  - How often to inspect priority dwellings.
  - The number of units to be inspected.
  - Notice of priority inspection.
- 5-11(B) Lease Agreements – requiring that licenses must be provided to prospective tenants and all existing tenants.
  - Advertising for rental dwellings must include the license number.
  - Advertising for rental dwellings can not include expired license numbers.
- 5-22 (1) – requires that the license number be included in public information in addition to the license status.
- 5-22 (2) – requires that the priority dwelling of the last five (5) years as well as any violations of the Building, Fire, or Related Codes be available.
- 5-22 (3) Public information on these items will include;
  - ADDRESS OF THE RENTAL DWELLING
  - The name of the record owner
  - Name of the managing operator

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<sup>1</sup> HUD is the acronym for the US Department of Housing and Urban Development

<sup>2</sup> REAC is the acronym for Real Estate Assessment Center

<sup>3</sup> DHCD is the acronym for the Department of Housing and Community Development.

- Phone numbers for both the record owner and managing operator
- Email address for both the record owner and managing operator.
- 5-25 Enforcement by Citation-
  - (A) Violations under this article will now be subject to civil citations.
  - (C) Issuance of an environmental citation is not an exclusive process and does not preclude other actions for enforcement civil or criminal.
  - (B) DHCD inspector will issue an environmental citation if a violation of the property maintenance code is identified.
  - (D) – Each day a violation occurs is a separate offense.
- 5-27 – Data Collection:
  - (A) Requires the Commissioner, The City’s Chief Data Officer, and other employees to track priority dwellings and inspections.
  - (B) Authorizes the Department of Housing and Community Development to use existing resources to track and collect data at the Commissioner’s discretion.
- 5-28 - Annual Report
  - (A) – Requires an annual report to the Mayor and City Council from DHCD incorporating
    - The number of priority dwellings
    - The number of priority dwellings DHCD has conducted 2 priority inspections of.
    - The number of priority dwellings where at least 1 violation notice was issued which was not abated in the allowable time.
    - The number of priority dwellings where at least 1 citation was issued during priority inspections.
    - The number of attempted priority inspections.
    - The number of rental licenses revoked under 5-15(B)(6) of this subtitle
    - The number of rental licenses revoked under 5-15(B)(7) of this subtitle
    - Total number of licenses revoked
    - Number of completed priority inspections
    - The number of priority inspections that did not yield any violations or citations
    - Any additional information requested by the Mayor or by a resolution of the Council.
  - (B) Inclusions – requires the following information for all licensed rental dwellings to be included in the report including an aggregate for:
    - 311 complaints
    - Total number of notices issued by DHCD
    - total number of notices abated within 90 days
    - total number of notices DHCD has pursued legal action on

- total number of citations issues
- These should be broken down into defined categories including
  - Heating
  - Ventilation
  - Plumbing
  - Roof leaks
  - Rodents
  - Lead paint
  - Fire protection
  - Electrical systems
  - Water supply
  - Structural deficiencies
  - Insects
  - Elevators
  - Weatherproofing
  - Appearance of mold
- (C) Inclusions for Priority dwellings
  - This section of the annual report would include the information described in section B but separated out for priority dwellings.

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### **Additional Information**

**Fiscal Note:** For this bill there was initially a fee structure associated with rental dwelling licensure. The Finance department estimated the cost of the bill to be approximately 975,000 per year with the fees generating between 2-4 million. With the amendments proposed for this bill those fees have been removed - the Finance Department is still estimating the cost of the bill to be 1 million annually. The sponsor has proposed fines from the enforcement of the citations which will generate some revenue but the Finance department has said that they are not sure this will cover the cost of the bill without more information. They continue to defer to DHCD on this bill.

**Information Source(s):** Baltimore City Code, Reporting Agencies, Bill 23-0357

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Analysis by: Tony Leva                      Direct Inquiries to: 410-396-1091

Analysis Date: August 20, 2024



**AMENDMENTS TO COUNCIL BILL 23-0357  
(1<sup>st</sup> Reader Copy)**

By: The Administration  
{To be offered to the Economic and Community Development Committee}

**Amendment No. 1**

On page 1, strike beginning with “establishing” in line 10 down through the second instance of “Force,” in line 12; and, on that same page, in line 14, strike “providing a time period when the Task Force shall first convene;”; and, on page 2, in line 3, strike “5-1(g), 5-1(h)” and substitute “5-1(g)”; and, on that same page, in line 18, strike “and 5-27 through 5-33” and substitute “5-27, and 5-28”.

**Amendment No. 2**

Strike beginning with line 28 on page 2 down through and including line 31 on page 3 and substitute:

“(1) IN GENERAL.

“PRIORITY DWELLING” MEANS A RENTAL DWELLING:

(I) WITH 20 OR MORE DWELLING UNITS OR ROOMING UNITS; AND

(II) TO WHICH 2 OR MORE OF THE FOLLOWING CRITERIA APPLIED IN THE PRECEDING CALENDAR YEAR:

A. THE RENTAL DWELLING WAS ISSUED A VIOLATION NOTICE UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS THAT REMAINED UNABATED FOR MORE THAN 90 DAYS;

B. THE RENTAL DWELLING WAS ISSUED FOUR OR MORE VIOLATION NOTICES UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS; AND

C. THE NUMBER OF RECORDED 311 CALLS RELATED TO HEALTH AND HABITABILITY FOR A RENTAL DWELLING, WHICH MAY NOT INCLUDE REQUESTS TO SUMMON LAW ENFORCEMENT OR EMERGENCY SERVICES AS PROHIBITED UNDER § 14-126 OF THE STATE REAL PROPERTY ARTICLE, DIVIDED BY THE TOTAL NUMBER OF DWELLING AND ROOMING UNITS IN THAT RENTAL DWELLING, EXCEEDS THE APPLICABLE MINIMUM VALUE IN THE TABLE BELOW; AND

<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM VALUE</u>
<u>20 - 35</u>	<u>0.8</u>
<u>36 - 50</u>	<u>0.7</u>
<u>51 - 75</u>	<u>0.6</u>
<u>76 - 100</u>	<u>0.5</u>
<u>101 - 125</u>	<u>0.4</u>
<u>126 - 150</u>	<u>0.3</u>
<u>151+</u>	<u>0.2</u>

D. THE RENTAL DWELLING'S U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE) INSPECTION SCORE FOR EITHER OF THE 2 MOST RECENT NSPIRE INSPECTIONS WAS LESS THAN OR EQUAL TO 79.

(2) EXCEPTIONS.

THIS DEFINITION DOES NOT INCLUDE ANY RENTAL DWELLINGS OWNED AND OPERATED BY THE HOUSING AUTHORITY OF BALTIMORE CITY.”.

**Amendment No. 3**

On page 4, strike beginning with the second instance of “A” in line 3 down through and including “INSPECTOR” in line 4 and substitute “AN INSPECTOR”; and, on that same page, in line 6, strike “SENIOR INSPECTOR’S” and substitute “INSPECTOR’S”.

**Amendment No. 4**

On page 4, strike in their entirety lines 22 through 24, inclusive.

### **Amendment No. 5**

On page 4, in line 27, strike “must” and substitute “MAY”.

### **Amendment No. 6**

On page 5, in line 16, strike “CURRENTLY EFFECTIVE”; and, on that same page, strike beginning with “POST” in line 17 down through and including “OCCUPANTS.” in line 18 and substitute “NOTIFY THE RECORD OWNER OR THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER, TO POST A NOTICE IN THE RENTAL DWELLING IN AN AREA ACCESSIBLE TO ALL OCCUPANTS.”.

### **Amendment No. 7**

On page 5, after line 30, insert:

“(D) NOTICE TO HABC.

WHEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NOTICE OR ACTUAL KNOWLEDGE THAT A RENTAL DWELLING IS RENTED WITHOUT A LICENSE AS REQUIRED IN THIS SECTION, THE COMMISSIONER SHALL PROMPTLY NOTIFY THE HOUSING AUTHORITY OF BALTIMORE CITY, INCLUDING ANY INFORMATION THE COMMISSIONER DEEMS NECESSARY.”.

### **Amendment No. 8**

On page 6, in line 18, strike “AND”; and, on that same page, in line 21, strike “OWNER.” and substitute “OWNER; AND”; and, on that same page, after line 21, insert:

“(4) ANY OTHER INFORMATION REQUESTED BY THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.”.

### **Amendment No. 9**

On page 8, strike in their entirety lines 19 through 25, inclusive; and, on that same page, after line 25, insert:

“(II) INSPECTIONS MAY NOT BE PERFORMED MORE THAN 90 DAYS BEFORE A PERSON SUBMITS AN APPLICATION FOR A RENTAL DWELLING LICENSE OR AN APPLICATION FOR RENEWAL OF A RENTAL DWELLING LICENSE TO THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.”.

### **Amendment No. 10**

On page 9, strike in their entirety lines 20 and 21, inclusive, and substitute:

“THE COMMISSIONER SHALL CONDUCT AN ANNUAL AUDIT OF INSPECTIONS CONDUCTED UNDER THIS SECTION.”.

### **Amendment No. 11**

On page 9, in line 28, after “DISTRIBUTED” insert “BY THE RECORD OWNER OR, THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER,”.

### **Amendment No. 12**

On page 10, in line 1, strike “**License fees.**” and substitute “{Reserved}”; and, on that same page, strike in their entirety lines 2 through 10, inclusive.

### **Amendment No. 13**

On page 10, their entirety the lines beginning with line 11 on page 10 through line 29 on page 11, inclusive, and substitute:

**“§ 5-9. LICENSE TERMS.**

EACH RENTAL DWELLING LICENSE AND RENTAL DWELLING RENEWAL LICENSE ISSUED UNDER THIS SUBTITLE EXPIRES 2 YEARS FROM THE DATE OF ISSUANCE.”.

**Amendment No. 14**

On page 11, strike beginning with “MULTI-FAMILY” in line 32 through “MUST” in line 33 and substitute “INSPECTOR SHALL”; and, on that same page, in line 33, strike “30” and substitute “25”.

**Amendment No. 15**

On page 12, strike beginning with “JUSTIFY” in line 11 down through and including “DWELLING;” in line 12 and substitute “ARE USED TO IDENTIFY RENTAL DWELLINGS AS PRIORITY DWELLINGS; AND;”; and, on that same page, strike in their entirety lines 13 through 24, inclusive, and substitute:

“(II) THAT, BECAUSE THE DWELLING IS IDENTIFIED AS A PRIORITY DWELLING, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY’S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) {“PROVISIONS AND PENALTIES ENUMERATED”} IS IDENTIFIED.”

**Amendment No. 16**

On pages 12 and 13, strike beginning with line 31 on page 12 down through line 7 on page 12 and substitute:

“(1) IN GENERAL.

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ATTEMPT TO INSPECT AT LEAST A CERTAIN PERCENTAGE OF THE TOTAL DWELLING AND ROOMING UNITS IN THE PRIORITY DWELLING, AS PROVIDED FOR IN THE TABLE BELOW.

<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM PERCENTAGE OF TOTAL UNITS</u>
<u>20 - 35</u>	<u>40%</u>
<u>36 - 50</u>	<u>35%</u>
<u>51 - 75</u>	<u>30%</u>
<u>76 - 100</u>	<u>25%</u>
<u>101 - 125</u>	<u>20%</u>
<u>126 - 150</u>	<u>15%</u>
<u>151, OR MORE</u>	<u>10%</u>

(2) DOCUMENTATION OF INSPECTIONS.

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL RECORD FOR EACH UNIT IF THE INSPECTION WAS EITHER ‘ATTEMPTED’ OR ‘COMPLETED’.”.

**Amendment No. 17**

On page 13, strike in their entirety lines 8 through 20, inclusive, and substitute:

“(G) NOTICE AND MEETING REQUIREMENTS — RECORD OWNER AND MANAGING OPERATOR.

THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE SHALL NOTIFY THE RECORD OWNER AND THE MANAGING OPERATOR OF A PRIORITY DWELLING THAT:

(1) THE THE RECORD OWNER AND THE MANAGING OPERATOR SHALL ATTEND A MEETING AT A TIME AND PLACE DETERMINED BY THE COMMISSIONER OR THE COMMISSIONER’S DESIGNEE TO:

(I) DISCUSS UNRESOLVED VIOLATION NOTICES, COMPLAINTS, AND PROPERTY MAINTENANCE;

(II) ESTABLISH A SCHEDULE FOR THE RECORD OWNER AND THE MANAGING OPERATOR TO ABATE ALL UNRESOLVED VIOLATION NOTICES;

(III) ESTABLISH A SCHEDULE FOR REGULAR PROPERTY MAINTENANCE TO PREVENT FUTURE VIOLATIONS; AND

(IV) ANY OTHER MATTERS DEEMED APPROPRIATE BY THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE; AND

(2) FAILURE TO ATTEND THE MEETING DESCRIBED IN PARAGRAPH (1) SHALL RESULT IN:

(I) THE DENIAL OF AN APPLICATION FOR A RENTAL DWELLING LICENSE;

(II) THE DENIAL OF AN APPLICATION FOR A RENEWAL RENTAL DWELLING LICENSE; OR

(III) THE REVOCATION OF A RENTAL DWELLING LICENSE.

(E) NOTICE OF PRIORITY INSPECTION.

(1) IN GENERAL.

THE RECORD OWNER OR MANAGING OPERATOR OF A PRIORITY DWELLING SHALL NOTIFY ALL TENANTS OF THE DATE AND TIME OF A PRIORITY INSPECTION NO FEWER THAN 20 DAYS PRIOR TO THE DATE OF THE PRIORITY INSPECTION.

(2) ANONYMOUS REQUESTS FOR PRIORITY INSPECTION.

(I) IN GENERAL.

THE RECORD OWNER AND THE MANAGING OPERATOR SHALL DELIVER TO ALL TENANTS DIRECTIONS TO SUBMIT AN ANONYMOUS REQUEST THAT THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR INSPECT THE TENANT'S DWELLING UNIT OR ROOMING UNIT AS PART OF THE PRIORITY INSPECTION.

(II) FORM OF INSTRUCTIONS.

THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE SHALL ESTABLISH THE FORM AND CONTENT OF THE INSTRUCTIONS DELIVERED TO TENANTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.”.

### **Amendment No. 18**

On page 14, after line 17, insert:

“(3) EXCEPTIONS.

NOTWITHSTANDING ANYTHING CONTAINED IN THIS SECTION TO THE CONTRARY, THE RECORD OWNER AND MANAGING OPERATOR, IF ANY, OF A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT OR ROOMING UNIT THAT DOES NOT YET HAVE A RENTAL DWELLING LICENSE NUMBER SHALL INCLUDE THE FOLLOWING TEXT IN ANY LEASE AGREEMENT, ADVERTISING MATERIAL, OR OTHER PUBLICLY FACING DOCUMENT:

“THIS IS A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT AND DOES NOT CURRENTLY HAVE A RENTAL LICENSE. AS SOON AS AVAILABLE, A RENTAL LICENSE WILL BE PROVIDED TO ALL INDIVIDUALS AS REQUIRED BY ARTICLE 13, SUBTITLE 5 {“LICENSING OF RENTAL DWELLINGS”} OF THE BALTIMORE CITY CODE.”.”.

### **Amendment No. 19**

On page 14, in line 18, after “**license**” insert “**PROHIBITED**”; and, on that same page, strike in their entirety lines 20 through 25, inclusive, and substitute “THE TRANSFER OF A RENTAL LICENSE IS PROHIBITED UNDER THIS SUBTITLE.”; and, on that same page, in line 26, strike “*Fee.*” and substitute “APPLICATION FOR NEW LICENSE.”; and, on that same page, strike line 27 in its entirety and substitute:

“A PERSON SHALL APPLY FOR A NEW RENTAL LICENSE ACCORDING TO THE PROCEDURES ESTABLISHED UNDER § 5-5 {“APPLICATION FOR NEW OR RENEWAL LICENSE”} OF THIS SUBTITLE WITHIN 60 DAYS OF ASSUMING:

(1) RECORD OWNERSHIP OF A RENTAL DWELLING; OR

(2) OPERATION OF A RENTAL DWELLING.”.

### **Amendment No. 20**

On page 16, in line 1, strike “NOTICE, ORDER, OR CITATION” and substitute “NOTICE”.



**Amendment No. 21**

On page 19, strike in their entirety lines 7 through 18, inclusive and substitute:

“(B) PRIORITY DWELLING – CITATION.

FOR PRIORITY DWELLINGS, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY’S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) {“PROVISIONS AND PENALTIES ENUMERATED”} IS IDENTIFIED.”.

**Amendment No. 22**

On pages 20 through 23, strike in their entirety the lines beginning with line 12 on page 20 through line 11 on page 23, inclusive; and, on page 23, in line 12, strike “§ 5-33.” and substitute “§ 5-28.”; and, on that same page, in line 16, strike “MAYOR, THE CITY COUNCIL, AND THE TASK FORCE” and substitute “MAYOR AND THE CITY COUNCIL”; and, on that same page, in line 26 strike “THE NUMBER OF 1-YEAR RENTAL LICENSES ISSUED;” and substitute “THE NUMBER OF ATTEMPTED PRIORITY INSPECTIONS;”; and, on that same page, strike beginning with “THE” in line 32 down through “SUBTITLE;” in line 33 and substitute “THE NUMBER OF COMPLETED PRIORITY INSPECTIONS;”; and, on that same page, strike beginning with “THE” in line 34 down through “AND” in line 35. and substitute “OF THE TOTAL NUMBER OF PRIORITY INSPECTIONS COMPLETED, THE PERCENTAGE OF PRIORITY INSPECTIONS THAT DID NOT YIELD ANY VIOLATION NOTICES OR CITATIONS; AND”.

**Amendment No. 23**

On page 24, strike beginning with the second instance of “THE” in line 11 down through “PERIOD;” in line 12 and substitute “WITHIN 90 DAYS;”; and, on page 25, strike beginning with the second instance of “THE” in line 10 down through “AND” in line 11 and substitute “WITHIN 90 DAYS;”.

**Amendment No. 24**

On page 25, in line 1, strike “BED BUGS; AND” and substitute “INSECTS;”; and, on that same page, in line 2, strike “ELEVATORS.” and substitute “ELEVATORS;”; and, on that same page, after line 2, insert:

“(XIII) WEATHERPROOFING; AND

(XIV) APPEARANCE OF MOLD.”;

and, on page 26, in line 1, strike “BED BUGS; AND” and substitute “INSECTS;”; and, on that same page, in line 2, strike strike “ELEVATORS.” and substitute “ELEVATORS;”; and, on that same page, after line 2, insert:

“(XIII) WEATHERPROOFING; AND

(XIV) APPEARANCE OF MOLD.”.

### **Amendment No. 25**

On page 26, after line 4, insert:

#### **“Subtitle 40. Environmental Control Board**

#### **§ 40-14. Violations to which subtitle applies.**

*(e) Provisions and penalties enumerated.*

*(1) [(5)] Article 2. Consumer Protections*

*...*

*(2) [(5a)] Article 5. Finance, Property, and Procurement*

*...*

*(3) [(5b)] Article 7. Natural Resources*

*...*

*(4) [(1)] Article 13. Housing and Urban Renewal*

*...*

Subtitle 5. Licensing of Rental Dwellings.

§ 5-4. License \$1,000

§ 5-11. POSTING LICENSE; LICENSE NUMBER \$250

§ 5-15. {Offenses there listed as cause for}  
Denial, suspension, or revocation of license \$750

All other provisions \$500

- ...
- (5) [(2)] Article 15. Licensing and Regulation
- ...
- (6) [(3)] Article 19. Police Ordinances
- ...
- (7) [(4)] Article 23. Sanitation
- ...
- (8) [(4a)] Article 24. Water
- ...
- (9) [(4b)] Article 26. Surveys, Streets, and Highways
- ...
- (10) [(5a)] Article 31. Transit and Traffic
- ...
- (11) [(5b)] Article 32. Zoning
- ...
- (12) [(5c)] Building, Fire, and Related Codes Article –  
Building Code
- ...
- (13) [(6)] Building, Fire, and Related Codes Article –  
Fire Code
- ...
- (14) [(6a)] Building, Fire, and Related Codes Article –  
Property Maintenance Code

Chapter 3. General Requirements

§ <u>304.4. STRUCTURAL MEMBERS</u>	<u>\$500</u>
§ <u>304.5. FOUNDATION WALLS</u>	<u>\$500</u>
§ <u>304.7. ROOFS AND DRAINAGE</u>	<u>\$500</u>
§ <u>304.10. STAIRWAYS, FLOORS, DECKS</u>	<u>\$300</u>

<u>§ 304.12. HANDRAILS AND GUARDS</u>	<u>\$50</u>
<u>§ 304.13. WINDOW, SKYLIGHT, AND DOOR FRAMES</u>	<u>\$100</u>
<u>§ 304.15. DOORS</u>	<u>\$100</u>
<u>§ 304.15.2. INTERIOR (DOORS)</u>	<u>\$50</u>
<u>§ 304.20. INTERIOR SURFACES</u>	<u>\$500</u>
<u>§ 304.23. EXHAUST VENTS</u>	<u>\$250</u>
<u>§ 304.28. RAT PROOFING</u>	<u>\$100</u>
<u>§ 304.29. EQUIPMENT</u>	<u>\$500</u>
<u>§ 304.30. FIRE PROTECTION</u>	<u>\$500</u>
<u>§ 305.5.1. Motor vehicles and trailers: Registered owner responsible</u>	<u>\$150</u>
<u>§ 307.1. GENERAL</u>	<u>\$50</u>
<u>§ 307.3. WALLS, CEILINGS, AND OPENINGS</u>	<u>\$150</u>
<u>§ 307.7. PEST CONTROL</u>	<u>\$150</u>
<u>All other provisions</u>	
<u>Residential properties</u>	<u>\$50</u>
<u>Commercial properties</u>	<u>\$100</u>

(15) [(6b)] *Building, Fire, and Related Codes Article – International Residential Code*

...

(16) [(7)] *Health Code*

...”

**Amendment No. 26**

On page 27, strike in their entirety lines 6 through 8, inclusive; and; on that same page, in line 10, strike “2024.” and substitute “2026.”.

COUNCIL BILL 23-0357

UNOFFICIAL REPRINT TO SHOW CONTEXT  
OF AMENDMENTS PROPOSED BY MOGR (v4)

A BILL ENTITLED

AN ORDINANCE concerning

**Strengthening Renters' Safety Act**

FOR the purpose of establishing a priority inspection; establishing criteria for priority dwellings and priority inspections; requiring the Commissioner of the Department of Housing and Community Development to post certain notices; amending certain rental dwelling license application requirements; amending certain prerequisites for new and renewed rental dwelling licenses; amending license fees; updating inspection requirements; requiring the posting of license numbers; updating causes for denial, suspension, or revocation of a license; bolstering public access to information; authorizing the initiation of enforcement of the subtitle by complaint; providing for certain data collection; ~~establishing the Baltimore City Rental Licensing and Inspection Task Force; providing for the composition, terms, and organization of the Task Force, establishing the duties of the Task Force,~~ adding a civil citation fine for violating of licensing requirements; requiring annual reporting; amending certain definitions; ~~providing a time period when the Task Force shall first convene;~~ and providing for a special effective date.

By repealing, and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies  
Section 41-14  
Baltimore City Code  
(Edition 2000)

By renumbering current

Article 13 - Housing and Urban Renewal  
Current Sections 5-1(g) through (i), respectively, to be New Sections 5-1(i) through (k),  
respectively  
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.

BY adding

Article 13 - Housing and Urban Renewal  
New Sections ~~5-1(g), 5-1(h),~~ 5-1(g) and 5-1(l)  
Baltimore City Code  
(Edition 2000)

BY repealing, and re-ordaining, without amendments

Article 13 - Housing and Urban Renewal  
Sections 5-2, 5-13, 5-16, 5-17, 5-19, 5-20, 5-24, and 5-26  
Baltimore City Code  
(Edition 2000)

BY repealing, and re-ordaining, with amendments

Article 13 - Housing and Urban Renewal  
Sections 5-4, 5-5 through 5-9, 5-11, 5-12, 5-15, 5-20, 5-22, and 5-25  
Baltimore City Code  
(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal  
Sections 5-10, 5-14, ~~and 5-27 through 5-33~~ 5-27, and 5-28  
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 13. Housing and Urban Renewal**

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

##### **§ 5-1. Definitions.**

(G) *PRIORITY DWELLING.*

~~“PRIORITY DWELLING” MEANS A RENTAL DWELLING:~~

~~(1) WITH 20 OR MORE DWELLING UNITS OR ROOMING UNITS; AND~~

~~(2) TO WHICH 2 OR MORE OF THE FOLLOWING CRITERIA APPLIED IN THE PRECEDING CALENDAR YEAR:~~

~~(1) THE RENTAL DWELLING WAS ISSUED A NOTICE, ORDER, OR CITATION THAT REMAINED UNABATED FOR MORE THAN 60 DAYS UNDER THE CITY BUILDING, FIRE, AND RELATED CODES ARTICLE OR TITLE 12, SUBTITLE 8 {“ELEVATOR SAFETY”} OF THE MARYLAND PUBLIC SAFETY ARTICLE, PERTAINING TO:~~

~~(A) HEATING;~~

- ~~(B) VENTILATION;~~
- ~~(C) FIRE PROTECTION;~~
- ~~(D) PLUMBING;~~
- ~~(E) ROOF LEAKS;~~
- ~~(F) ELECTRICAL SYSTEMS;~~
- ~~(G) WATER SUPPLY;~~
- ~~(H) STRUCTURAL DEFICIENCIES;~~
- ~~(I) BED BUGS; OR~~
- ~~(J) RODENTS;~~

~~(II) THE RENTAL DWELLING WAS ISSUED NOTICES OR ORDERS THAT REMAINED UNABATED FOR MORE THAN 30 DAYS RELATING TO:-~~

- ~~(A) PEELING, CHIPPING, OR FLAKING LEAD PAINT; OR~~
- ~~(B) ELEVATORS;~~

~~(III) THE NUMBER OF RECORDED 311 CALLS RELATED TO HEALTH AND HABITABILITY FOR THE RENTAL DWELLING DIVIDED BY THE TOTAL NUMBER OF DWELLING AND ROOMING UNITS IN THE RENTAL DWELLING EXCEEDED THE MINIMUM VALUE DISPLAYED IN THE TABLE BELOW;~~

TOTAL NUMBER OF UNITS	MINIMUM VALUE
<del>20-50</del>	<del>0.75</del>
<del>51-150</del>	<del>0.5</del>
<del>151+</del>	<del>0.25</del>

~~(IV) THE RENTAL DWELLING IS OPERATED UNDER A 1 YEAR RENEWAL TERM AS PROVIDED FOR AND DETAILED IN §§ 5-9(C)(3) AND 5-9(D)(3) OF THIS SUBTITLE; AND~~

~~(V) THE RENTAL DWELLING’S U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) REAL ESTATE ASSESSMENT CENTER (REAC) INSPECTION SCORE FOR EITHER OF THE 2 MOST RECENT REAC INSPECTIONS WAS LESS THAN OR EQUAL TO 79.~~

(1) IN GENERAL.

“PRIORITY DWELLING” MEANS A RENTAL DWELLING:

- (i) WITH 20 OR MORE DWELLING UNITS OR ROOMING UNITS; AND



(II) TO WHICH 2 OR MORE OF THE FOLLOWING CRITERIA APPLIED IN THE PRECEDING CALENDAR YEAR:

- A. THE RENTAL DWELLING WAS ISSUED A VIOLATION NOTICE UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS THAT REMAINED UNABATED FOR MORE THAN 90 DAYS;
- B. THE RENTAL DWELLING WAS ISSUED FOUR OR MORE VIOLATION NOTICES UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS; AND
- C. THE NUMBER OF RECORDED 311 CALLS RELATED TO HEALTH AND HABITABILITY FOR A RENTAL DWELLING , WHICH MAY NOT INCLUDE REQUESTS TO SUMMON LAW ENFORCEMENT OR EMERGENCY SERVICES AS PROHIBITED UNDER § 14-126 OF THE STATE REAL PROPERTY ARTICLE, DIVIDED BY THE TOTAL NUMBER OF DWELLING AND ROOMING UNITS IN THAT RENTAL DWELLING, EXCEEDS THE APPLICABLE MINIMUM VALUE IN THE TABLE BELOW; AND

<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM VALUE</u>
<u>20 - 35</u>	<u>0.8</u>
<u>36 - 50</u>	<u>0.7</u>
<u>51 - 75</u>	<u>0.6</u>
<u>76 - 100</u>	<u>0.5</u>
<u>101 - 125</u>	<u>0.4</u>
<u>126 - 150</u>	<u>0.3</u>
<u>151+</u>	<u>0.2</u>

- D. THE RENTAL DWELLING'S U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE) INSPECTION SCORE FOR EITHER OF THE 2 MOST RECENT NSPIRE INSPECTIONS WAS LESS THAN OR EQUAL TO 79.

(2) EXCEPTIONS.

THIS DEFINITION DOES NOT INCLUDE ANY RENTAL DWELLINGS OWNED AND OPERATED BY THE HOUSING AUTHORITY OF BALTIMORE CITY.

(H) PRIORITY INSPECTION.

“PRIORITY INSPECTION” MEANS:

- (1) THE PHYSICAL INSPECTION OF A PRIORITY DWELLING CONDUCTED BY A ~~MULTI-FAMILY DWELLING CERTIFIED SENIOR INSPECTOR~~ AN INSPECTOR EMPLOYED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND

(2) ~~THE SENIOR INSPECTOR'S~~ INSPECTOR'S WRITTEN EVALUATION OF THE RENTAL DWELLING'S COMPLIANCE WITH THE CITY'S HEALTH AND SAFETY STANDARDS SPECIFIED IN THE RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER UNDER THIS SUBTITLE.

(I) [(g)] *Rental dwelling.*

“Rental dwelling” means:

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

(J) [(h)] *Rooming house.*

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

(K) [(I)] *Rooming unit.*

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

~~(L) *TASK FORCE.*~~

~~“TASK FORCE” MEANS THE BALTIMORE CITY RENTAL LICENSING AND INSPECTION TASK FORCE.~~

## **§ 5-2. Rules and regulations.**

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

## **§ 5-3. {Reserved}**

## **§ 5-4. License required.**

(a) *In general.*

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

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

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

(b) *Exception.*

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

(c) NOTICE TO ALL OCCUPANTS.

- (1) WHEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NOTICE OR ACTUAL KNOWLEDGE THAT A RENTAL DWELLING IS RENTED WITHOUT A ~~CURRENTLY EFFECTIVE~~ LICENSE AS REQUIRED IN THIS SECTION, THE COMMISSIONER SHALL PROMPTLY ~~POST A NOTICE IN THE RENTAL DWELLING IN AN AREA ACCESSIBLE TO ALL OCCUPANTS.~~ NOTIFY THE RECORD OWNER OR THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER, TO POST A NOTICE IN THE RENTAL DWELLING IN AN AREA ACCESSIBLE TO ALL OCCUPANTS.

- (2) THE NOTICE REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

- (I) A DESCRIPTION OF THE DUTIES AND OBLIGATIONS OF THE RECORD OWNER AND MANAGING OPERATOR OF THE RENTAL DWELLING REGARDING COMPLIANCE WITH THIS SUBTITLE;
- (II) THE CIVIL CITATIONS AND CRIMINAL PENALTIES THAT MAY ARISE UNDER §§ 5-25 AND 5-26 OF THIS SUBTITLE;
- (III) A STATEMENT THAT EACH DAY THE VIOLATION CONTINUES IS A SEPARATE OFFENSE; AND
- (IV) ANY ADDITIONAL INFORMATION THE COMMISSIONER DEEMS NECESSARY TO INCLUDE.

- (3) THE NOTICE MUST REMAIN POSTED FOR AT LEAST 90 DAYS OR UNTIL THE BUILDING IS LICENSED, WHICHEVER IS LONGER.

(d) NOTICE TO HABC.

WHEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NOTICE OR ACTUAL KNOWLEDGE THAT A RENTAL DWELLING IS RENTED WITHOUT A LICENSE AS REQUIRED IN THIS SECTION, THE COMMISSIONER SHALL PROMPTLY NOTIFY THE HOUSING AUTHORITY OF BALTIMORE CITY, INCLUDING ANY INFORMATION THE COMMISSIONER DEEMS NECESSARY.

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

(a) *In general.*

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

(b) *By whom to be made.*

The application must be made and signed by:

- (1) the RECORD owner of the premises; and
- (2) the managing operator of the premises, if other than the RECORD owner.

(c) *Application period for renewal.*

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

(D) *LICENSE APPLICATION – FORM AND CONTENTS.*

EACH APPLICATION FOR A NEW OR RENEWED LICENSE, MUST CONTAIN THE FOLLOWING INFORMATION:

- (1) A DESCRIPTION OF THE PREMISES BY STREET NUMBER AND BY BLOCK-AND-LOT NUMBERS;
- (2) THE NAME, STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE RENTAL DWELLING’S RECORD OWNER; ~~AND~~
- (3) THE NAME, STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE RENTAL DWELLING’S MANAGING OPERATOR, IF OTHER THAN THE RECORD ~~OWNER.~~ OWNER; AND
- (4) ANY OTHER INFORMATION REQUESTED BY THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER’S DESIGNEE.

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

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

- (1) all dwelling units and rooming units are currently registered as required by Subtitle 4 {“Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures”} of this article;
- (2) all registration fees for these units and all related interest and late fees required by Subtitle 4 have been paid;
- (3) the premises have passed an inspection, as required by § 5-7 {“Prerequisites ... – Inspection”} OR § 5-10 {“PRIORITY INSPECTIONS”} of this subtitle;

- (4) the premises are in compliance with all Federal, State, and City laws and regulations governing lead paint;
- (5) for premises that include a hotel or motel subject to City Code Article 15 {"Licensing and Regulation"}, Subtitle 10 {"Hotels"}, the hotel or motel is in compliance with the training, certification, and posting requirements of that subtitle; and
- (6) the premises are not subject to any violation notice or order that:
  - (i) has been issued under the Baltimore City Building, Fire, and Related Codes Article; and
  - (ii) notwithstanding the passage of more than 90 days since its issuance, has not been abated before the license issuance or renewal.

**§ 5-7. Prerequisites for new or renewal license – Inspection.**

(a) *In general.*

The inspection required by § 5-6 {"Prerequisites ... – In general"} of this subtitle must comply with either:

- (1) subsection (b) {"Third-party home inspections"} of this section; [or]
- (2) subsection (c) {"Governmental agency inspections"} of this section[.]; OR
- (3) § 5-10 {"PRIORITY INSPECTIONS"} OF THIS SUBTITLE.

(b) *Third-party home inspections.*

(1) *Definitions.*

(i) *In general.*

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

(ii) *Home inspection.*

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

(iii) *Home inspector.*

“Home inspector” means an individual:

- (A) who is licensed as a home inspector under Title 16, Subtitle 3A of the State Business Occupation and Professions Article; and
- (B) who, as required by the rules and regulations adopted under this subtitle:

1. has registered with the Housing Commissioner as generally available to inspect and certify rental dwellings under this subsection;
2. has, as specified by the rules and regulations adopted under this subtitle, submitted to the Commissioner a conflict-of-interest statement; and
3. for each home inspection to be performed under this subsection, certifies that neither the home inspector nor any owner, partner, director, officer, employee, or agent of the home inspector or of the home inspector's business has any financial interest in:
  - a. the rental dwelling to be inspected;
  - b. the RECORD owner or operator of that rental dwelling; or
  - c. any owner, partner, director, officer, employee, or agent of the rental dwelling's RECORD owner or operator.

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

- (i) Before applying for a rental dwelling license or renewal license, the applicant must, at the applicant's expense, contract with a home inspector to perform a home inspection under this section.

(ii) ~~The inspection must be performed as follows:~~

- ~~(A) for a multiple-family dwelling, not more than 90 days before a completed application for a license or renewal license is submitted to the Housing Commissioner; and~~
- ~~(B) for a 1- or 2-family dwelling, not more than 30 days before a completed application for a license or renewal license is submitted to the Housing Commissioner.~~

(II) INSPECTIONS MAY NOT BE PERFORMED MORE THAN 90 DAYS BEFORE A PERSON SUBMITS AN APPLICATION FOR A RENTAL DWELLING LICENSE OR AN APPLICATION FOR RENEWAL OF A RENTAL DWELLING LICENSE TO THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE.

(3) *Number of units to be inspected.*

- (i) For any rental dwelling that comprises 9 or fewer dwelling or rooming units, all dwelling and rooming units must be inspected under this subsection.
- (ii) For any multiple-family dwelling or rooming house that comprises 10 or more dwelling or rooming units, the number of units that must be inspected are as determined in the rules and regulations adopted under this subtitle.

(4) *Inspector's reports and certification.*

(i) After the home inspection, the home inspector must issue to the applicant:

- (A) a written report of every inspection conducted under this section; and
- (B) if the rental dwelling meets the City's health and safety standards specified in the rules and regulations adopted under this subtitle, a certificate of satisfactory compliance with those standards.

(ii) The reports and the certification must be:

- (A) in the form required by the Commissioner; and
- (B) signed by the home inspector, under oath and under the home inspector's seal.

(c) *Governmental agency inspections.*

(1) *Scope of subsection.*

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

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

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

(d) *Commissioner to audit inspections.*

~~As prescribed by the rules and regulations adopted under this subtitle, the Housing Commissioner must conduct an annual audit of inspections conducted under this section.~~

THE COMMISSIONER SHALL CONDUCT AN ANNUAL AUDIT OF INSPECTIONS CONDUCTED UNDER THIS SECTION.

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

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

(F) *INSPECTION REPORTS – DISTRIBUTION.*

INSPECTION REPORTS USED TO SATISFY § 5-6 {“PREREQUISITES . . . – IN GENERAL”} OF THIS SUBTITLE MUST BE DISTRIBUTED BY THE RECORD OWNER OR THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER, TO EACH RESIDENT OF THE RENTAL DWELLING FOR WHICH A PERSON IS APPLYING FOR A NEW OR RENEWED RENTAL LICENSE AT THE TIME THE APPLICATION FOR A NEW OR RENEWED LICENSE IS SUBMITTED.

**§ 5-8. License fees. *{Reserved}***

(A) *IN GENERAL.*

~~[No] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, NO fee is imposed for a rental dwelling license issued under this subtitle.~~

(B) *EXCEPTIONS.*

~~FOR ALL PRIORITY DWELLINGS A LICENSE FEE MUST BE PAID AT THE RATE OF \$100 PER DWELLING UNIT AND \$75 PER ROOMING UNIT.~~

(C) *WHEN PAYABLE.*

~~THE FEES ESTABLISHED BY SUBSECTION (B) MUST BE PAID EACH YEAR, AT THE TIME A RENTAL DWELLING IS DESIGNATED AS A PRIORITY DWELLING.~~

**§ 5-9. Tiered license terms.**

(a) *In general.*

~~Unless timely renewed, each rental dwelling license issued under this subtitle expires on the [1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup>] anniversary of its issuance, as provided in this section.~~

(b) *Initial license.*

~~A dwelling unit license initially issued under this subtitle to any rental dwelling expires 2 years from the date of its issuance, unless timely renewed.~~

(c) *1<sup>st</sup> renewal of initial license.*

~~Subject to compliance with § 5-6 {“Prerequisites for ... renewal license – In general”} of this subtitle, the 1st renewal of an initial 2-year license will be for a 3-, 2-, or 1-year renewal term:~~

~~(1) *3-Year RENEWAL Term:* The renewal license will be for a 3-year RENEWAL term if, during the 24 months immediately preceding submission of a completed renewal application, all violation notices or orders issued during those months under the City Building, Fire, and Related Codes Article have been abated within 60 days of their issuance.~~

~~(2) *2-Year RENEWAL Term:* The renewal license will be for a 2-year RENEWAL term if, during the 24 months immediately preceding submission of a completed renewal application, all violation notices or orders issued during those months under the~~



~~City Building, Fire, and Related Codes Article have been abated within 90 days of their issuance.~~

~~(3) 1-Year RENEWAL Term: The renewal license will be for a 1-year RENEWAL term if the rental dwelling does not qualify under this subsection for a 2- or 3-year renewal TERM.~~

~~(d) Subsequent renewals.~~

~~Subject to compliance with § 5-6 {"Prerequisites for ... renewal license = In general"} of this subtitle, all subsequent renewal terms will be based on the following risk factors:~~

~~(1) 3-Year RENEWAL Term: The renewal license will be for a 3-year RENEWAL term if, during the 36 months immediately preceding submission of a completed renewal application, all violation notices or orders issued during those months under the City Building, Fire, and Related Codes Article have been abated within 60 days of their issuance.~~

~~(2) 2-Year RENEWAL Term: The renewal license will be for a 2-year RENEWAL term if, during the 24 months immediately preceding submission of a completed renewal application, all violation notices or orders issued during those months under the City Building, Fire, and Related Codes Article have been abated within 90 days of their issuance.~~

~~(3) 1-Year RENEWAL Term: The renewal license will be for a 1-year RENEWAL term if the rental dwelling does not qualify under this subsection for a 2- or 3-year renewal TERM.~~

~~(E) 1-YEAR RENEWAL TERM: ABATEMENT; FAILURE TO ABATE.~~

~~(1) ABATEMENT REQUIRED~~

~~ANY ACTIVE VIOLATION OR NOTICE ISSUED DURING A 1-YEAR RENEWAL TERM MUST BE ABATED BY THE DATE THE 1-YEAR RENEWAL LICENSE EXPIRES.~~

~~(2) REPORT ABATEMENT.~~

~~EACH VIOLATION NOTICE OR ORDER ABATED MUST BE REPORTED TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITH ACCOMPANYING WRITTEN AND PHOTOGRAPHIC EVIDENCE THAT SATISFIES REQUIREMENTS AS MAY BE ESTABLISHED BY THE DEPARTMENT.~~

~~(3) FAILURE TO ABATE — LICENSE REVOCATION.~~

~~IF ANY VIOLATION OR NOTICE REMAINS UNABATED AT THE TIME THE 1-YEAR RENEWAL LICENSE EXPIRES THE RENTAL DWELLING IS NOT ELIGIBLE FOR ANY RENEWAL LICENSES UNDER THIS SUBTITLE.~~

## **§ 5-9. LICENSE TERMS.**

EACH RENTAL DWELLING LICENSE AND RENTAL DWELLING RENEWAL LICENSE ISSUED UNDER THIS SUBTITLE EXPIRES 2 YEARS FROM THE DATE OF ISSUANCE.

**§ 5-10. PRIORITY INSPECTIONS.**

(A) *IN GENERAL.*

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT ~~MULTI-FAMILY DWELLING CERTIFIED SENIOR INSPECTOR MUST~~ INSPECTOR SHALL CONDUCT PRIORITY INSPECTIONS OF AT LEAST ~~30~~ 25 PRIORITY DWELLINGS EACH INSPECTION YEAR.

(B) *DEFINITION - INSPECTION YEAR.*

IN THIS SUBSECTION, THE TERM “INSPECTION YEAR” MEANS THE CALENDAR YEAR.

(C) *IDENTIFICATION OF PRIORITY DWELLINGS.*

BASED ON DATA FROM THE PREVIOUS INSPECTION YEAR, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL IDENTIFY ALL PRIORITY DWELLINGS IN THE CITY BY JANUARY 31<sup>ST</sup> OF EACH INSPECTION YEAR.

(D) *NOTIFICATION OF PRIORITY DWELLING STATUS.*

UPON IDENTIFYING A PRIORITY DWELLING, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MUST NOTIFY THE RECORD OWNER AND, IF ONE EXISTS, THE MANAGING OPERATOR, OF THE FOLLOWING:

(I) ~~THE FACTORS THAT JUSTIFY THE RENTAL DWELLING’S IDENTIFICATION AS A PRIORITY DWELLING; ARE USED TO IDENTIFY RENTAL DWELLINGS AS PRIORITY DWELLINGS; AND~~

~~(II) THE LICENSE FEE THAT MUST BE PAID BY A PRIORITY DWELLING IN ACCORDANCE WITH § 5-8 OF THIS SUBTITLE;~~

~~(III) WHETHER THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS SELECTED THE PRIORITY DWELLING FOR INSPECTION; AND~~

~~(IV) IF THE PRIORITY DWELLING HAS BEEN SELECTED FOR INSPECTION:~~

~~(A) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT’S OBLIGATION TO INSPECT THE PRIORITY DWELLING AT LEAST 2 TIMES DURING THE CALENDAR YEAR;~~

~~(B) THE NUMBER OF DWELLING UNITS AND ROOMING UNITS THAT WILL BE INSPECTED DURING EACH INSPECTION; AND~~

~~(C) THE CAUSES THAT MAY LEAD TO THE DENIAL, SUSPENSION, OR REVOCATION OF A RENTAL DWELLING LICENSE.~~

(II) THAT, BECAUSE THE DWELLING IS IDENTIFIED AS A PRIORITY DWELLING, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY’S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) {“PROVISIONS AND PENALTIES ENUMERATED”} IS IDENTIFIED.

(E) *NUMBER AND FREQUENCY OF INSPECTIONS.*

DURING EACH INSPECTION YEAR, AT LEAST 2 PRIORITY INSPECTIONS MUST BE CONDUCTED:

- (1) AT LEAST 4 MONTHS APART; AND
- (2) BETWEEN THE MONTHS OF FEBRUARY AND NOVEMBER.

(F) *NUMBER OF UNITS TO BE INSPECTED.*

~~THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MULTI-FAMILY DWELLING CERTIFIED SENIOR INSPECTOR MUST INSPECT A CERTAIN PERCENTAGE OF THE TOTAL DWELLING AND ROOMING UNITS IN THE PRIORITY DWELLING, AS PROVIDED FOR IN THE TABLE BELOW.~~

<del>TOTAL NUMBER OF UNITS</del>	<del>PERCENTAGE OF TOTAL UNITS THAT MUST BE INSPECTED</del>
<del>20 - 50</del>	<del>50%</del>
<del>51 - 150</del>	<del>30%</del>
<del>151+</del>	<del>20%</del>

(1) *IN GENERAL.*

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ATTEMPT TO INSPECT AT LEAST A CERTAIN PERCENTAGE OF THE TOTAL DWELLING AND ROOMING UNITS IN THE PRIORITY DWELLING, AS PROVIDED FOR IN THE TABLE BELOW.

<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM PERCENTAGE OF TOTAL UNITS</u>
<u>20 - 35</u>	<u>40%</u>
<u>36 - 50</u>	<u>35%</u>
<u>51 - 75</u>	<u>30%</u>
<u>76 - 100</u>	<u>25%</u>
<u>101 - 125</u>	<u>20%</u>
<u>126 - 150</u>	<u>15%</u>
<u>151, OR MORE</u>	<u>10%</u>

(2) *DOCUMENTATION OF INSPECTIONS.*

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL RECORD FOR EACH UNIT IF THE INSPECTION WAS EITHER 'ATTEMPTED' OR 'COMPLETED'.

~~(G) NOTICE OF PRIORITY INSPECTION.~~

~~(1) IN GENERAL.~~

~~THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MUST NOTIFY THE RECORD OWNER, THE MANAGING OPERATOR, IF ONE EXISTS, AND ALL TENANTS OF A PRIORITY DWELLING OF A SCHEDULED PRIORITY INSPECTION NO FEWER THAN 30 DAYS PRIOR TO THE DATE OF THE INSPECTION.~~

~~(2) MANDATORY INFORMATION.~~

~~THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST INCLUDE:~~

- ~~(I) THE DATE AND TIME OF THE SCHEDULED INSPECTION;~~
- ~~(II) THE INSPECTION OFFICE'S EMAIL ADDRESS AND TELEPHONE NUMBER; AND~~
- ~~(III) INSTRUCTIONS ON HOW A RESIDENT MAY ANONYMOUSLY REQUEST THAT THE DEPARTMENT INSPECT THE RESIDENT'S DWELLING UNIT AS PART OF THE PRIORITY INSPECTION.~~

(G) NOTICE AND MEETING REQUIREMENTS — RECORD OWNER AND MANAGING OPERATOR.

THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE SHALL NOTIFY THE RECORD OWNER AND THE MANAGING OPERATOR OF A PRIORITY DWELLING THAT:

(1) THE RECORD OWNER AND MANAGING OPERATOR SHALL ATTEND A MEETING AT A TIME AND PLACE DETERMINED BY THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE TO:

- (I) DISCUSS UNRESOLVED VIOLATION NOTICES, COMPLAINTS, AND PROPERTY MAINTENANCE;
- (II) ESTABLISH A SCHEDULE FOR THE RECORD OWNER AND THE MANAGING OPERATOR TO ABATE ALL UNRESOLVED VIOLATION NOTICES;
- (III) ESTABLISH A SCHEDULE FOR REGULAR PROPERTY MAINTENANCE TO PREVENT FUTURE VIOLATIONS; AND
- (IV) ANY OTHER MATTERS DEEMED APPROPRIATE BY THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE; AND

(2) FAILURE TO ATTEND THE MEETING DESCRIBED IN PARAGRAPH (1) SHALL RESULT IN:

- (I) THE DENIAL OF AN APPLICATION FOR A RENTAL DWELLING LICENSE;
- (II) THE DENIAL OF AN APPLICATION FOR A RENEWAL RENTAL DWELLING LICENSE; OR
- (III) THE REVOCATION OF A RENTAL DWELLING LICENSE.

(H) NOTICE OF PRIORITY INSPECTION.

(1) IN GENERAL.

THE RECORD OWNER OR MANAGING OPERATOR OF A PRIORITY DWELLING SHALL NOTIFY ALL TENANTS OF THE DATE AND TIME OF A PRIORITY INSPECTION NO FEWER THAN 20 DAYS PRIOR TO THE DATE OF THE PRIORITY INSPECTION.

(2) ANONYMOUS REQUESTS FOR PRIORITY INSPECTION.

(i) IN GENERAL.

THE RECORD OWNER AND THE MANAGING OPERATOR SHALL DELIVER TO ALL TENANTS DIRECTIONS TO SUBMIT AN ANONYMOUS REQUEST THAT THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR INSPECT THE TENANT'S DWELLING UNIT OR ROOMING UNIT AS PART OF THE PRIORITY INSPECTION.

(ii) FORM OF INSTRUCTIONS.

THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE SHALL ESTABLISH THE FORM AND CONTENT OF THE INSTRUCTIONS DELIVERED TO TENANTS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

**§ 5-11. Posting license; LICENSE NUMBER.**

(A) *DWELLINGS.*

The license issued under this subtitle must be prominently [displayed] POSTED:

- (1) for a multiple-family dwelling or rooming house, in the vestibule, lobby, or other public place on the premises; and
- (2) for a 1- or 2-family dwelling, in an area of each dwelling unit that is accessible to that unit's occupants and to housing inspectors.

(B) *LEASE AGREEMENTS.*

A LICENSE ISSUED UNDER THIS SUBTITLE MUST BE PROVIDED TO:

- (1) ANY PROSPECTIVE TENANT WHO REQUESTS AN APPLICATION; AND
- (2) ALL EXISTING OR FUTURE TENANTS AT THE TIME A RENTAL DWELLING LEASE AGREEMENT OR RENEWAL LEASE AGREEMENT IS:
  - (i) OFFERED;
  - (ii) EXECUTED; OR
  - (iii) RENEWED.

(C) *ADVERTISING MATERIALS.*

(1) *IN GENERAL.*

ANY MATERIAL ADVERTISING A RENTAL DWELLING FOR RENT COVERED BY THIS SUBTITLE MUST INCLUDE THE RENTAL LICENSE NUMBER FOR THE ADVERTISED RENTAL DWELLING.

(2) *PROHIBITIONS.*

ANY MATERIAL ADVERTISING A RENTAL DWELLING FOR RENT THAT IS COVERED BY THIS SUBTITLE MAY NOT INCLUDE A RENTAL LICENSE NUMBER THAT IS, PURSUANT TO THIS SUBTITLE:

- (I) EXPIRED;
- (II) SUSPENDED; OR
- (III) REVOKED.

(3) *EXCEPTIONS.*

NOTWITHSTANDING ANYTHING CONTAINED IN THIS SECTION TO THE CONTRARY, THE RECORD OWNER AND MANAGING OPERATOR, IF ANY, OF A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT OR ROOMING UNIT THAT DOES NOT YET HAVE A RENTAL DWELLING LICENSE NUMBER SHALL INCLUDE THE FOLLOWING TEXT IN ANY LEASE AGREEMENT, ADVERTISING MATERIAL, OR OTHER PUBLICLY FACING DOCUMENT:

“THIS IS A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT AND DOES NOT CURRENTLY HAVE A RENTAL LICENSE. AS SOON AS AVAILABLE, A RENTAL LICENSE WILL BE PROVIDED TO ALL INDIVIDUALS AS REQUIRED BY ARTICLE 13, SUBTITLE 5 {“LICENSING OF RENTAL DWELLINGS”} OF THE BALTIMORE CITY CODE.”.

**§ 5-12. Transfer of license PROHIBITED.**

(a) *In general.*

~~Any person who assumes [the] RECORD ownership or THE operation of a licensed rental dwelling must[,];~~

- ~~(1) COMPLY WITH § 5-6 {“PREREQUISITES FOR . . . IN GENERAL”} OF THIS SUBTITLE;~~  
~~AND~~
- ~~(2) within 15 days of assuming RECORD ownership or operation, apply to the Housing Commissioner for transfer of the license.~~

THE TRANSFER OF A RENTAL LICENSE IS PROHIBITED UNDER THIS SUBTITLE.

(b) ~~Fee.~~ APPLICATION FOR NEW LICENSE.

~~The fee for a transfer is \$25.~~

A PERSON SHALL APPLY FOR A NEW RENTAL LICENSE ACCORDING TO THE PROCEDURES ESTABLISHED UNDER § 5-5 {"APPLICATION FOR NEW OR RENEWAL LICENSE"} OF THIS SUBTITLE WITHIN 60 DAYS OF ASSUMING:

(1) RECORD OWNERSHIP OF A RENTAL DWELLING; OR

(2) OPERATION OF A RENTAL DWELLING.

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

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

**§ 5-14. {Reserved}**

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

(a) *"Nuisance property" defined.*

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

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

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

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

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

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

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

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

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

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

(4) falsifying any inspection report or certificate;

- (5) refusal by [an] A RECORD owner or operator of a rental dwelling to allow the Commissioner to conduct a routine, spot, quality-control, PROACTIVE, or other inspection of the rental dwelling as authorized by THIS SUBTITLE OR the City Building, Fire, and Related Codes Article;
- (6) failing to abate within 120 days of issuance any violation notice, order, or citation for violating any provision of the City Building, Fire, and Related Codes Article, the City Health Article, or the Zoning Code of Baltimore City;
- (7) ~~FAILING TO ABATE ANY VIOLATION NOTICE, ORDER, OR CITATION~~ NOTICE ISSUED DURING A PRIORITY INSPECTION WITHIN THE TIME REQUIRED;
- (8) [(7)] failing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle; or
- (9) [(8)] if the Housing Commissioner finds, or if the Fire Chief, Health Commissioner, or Police Commissioner certify to the Housing Commissioner, that:
  - (i) the RECORD owner, OPERATOR, or lessee of a rental dwelling has failed to comply with any lawful notice, order, or citation to correct a violation that affects the health, safety, morals, or general welfare of the occupants of the property or of the general public; or
  - (ii) the RECORD owner, OPERATOR, or lessee of a rental dwelling, or any agent of the RECORD owner, OPERATOR, or lessee:
    - (A) has allowed the premises to be used as a nuisance property; or
    - (B) knew or should have known that the premises were being used as a nuisance property and failed to prevent them from being so used.

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

(a) *In general.*

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

- (1) not less than 10 days notice in writing of the Commissioner’s intent to deny, suspend, or revoke the license; and
- (2) an opportunity to be heard as to why the license should not be denied, suspended, or revoked.

(b) *Exception.*

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



**§ 5-17. Vacating premises.**

The Commissioner may require a rental dwelling to be vacated within 24 hours if:

- (1) the property is being operated without a valid license; and
- (2) vacating the premises is necessary for the public health, safety, and welfare.

**§ 5-18. {Reserved}**

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

(a) *“Reasonable accommodation” defined.*

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

(b) *Prohibited conduct.*

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

- (1) unreasonably impair any rights guaranteed by the Free-Exercise Clause of the First Amendment to the United States Constitution or by Article 36 of the Maryland Declaration of Rights; or
- (2) prohibit or deny any reasonable accommodation for religious practices.

**§ 5-20. Sanitation Guide.**

(a) *Preparation of Guide.*

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

(b) *Dissemination.*

A copy of the Sanitation Guide must be:

- (1) provided to each dwelling unit on the premises; and
- (2) prominently posted within each common collection room, if any, on the premises.

**§ 5-21. {Reserved}**

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

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

- (1) the LICENSE NUMBER AND license status of any rental dwelling subject to this subtitle; [and]
- (2) the following records relating to that rental dwelling:
  - (i) violation notices, orders, or citations issued by the Department OF HOUSING AND COMMUNITY DEVELOPMENT under this article or the City Building, Fire, and Related Codes Article;
  - (II) THE RENTAL DWELLING’S STATUS AS A PRIORITY DWELLING FOR AT LEAST THE PAST 5 YEARS; AND
  - (III) [(ii)] notices of any denial, suspension, or revocation of the rental dwelling’s license[.]; AND
- (3) THE FOLLOWING INFORMATION:
  - (I) THE ADDRESS OF THE RENTAL DWELLING;
  - (II) THE NAME OF THE RECORD OWNER OF THE RENTAL DWELLING;
  - (III) THE NAME OF THE MANAGING OPERATOR OF THE RENTAL DWELLING;
  - (IV) PHONE NUMBERS FOR BOTH THE RECORD OWNER AND THE MANAGING OPERATOR OF THE RENTAL DWELLING; AND
  - (V) EMAIL ADDRESSES FOR BOTH THE RECORD OWNER AND THE MANAGING OPERATOR OF THE RENTAL DWELLING.

**§ 5-23. {Reserved}**

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

(a) *Judicial review.*

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

(b) *Stays.*

- (1) The filing of a petition for judicial review does not stay the decision of the Commissioner.
- (2) However, on motion and after hearing, the Court may grant a stay as provided in the Maryland Rules of Procedure.

(c) *Appellate review.*

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

**§ 5-25. Enforcement by citation.**

(a) *In general.*

In addition to any other civil or criminal remedy or enforcement procedure, this subtitle may be enforced by issuance of an environmental citation as authorized by City Code Article 1, Subtitle 40 {"Environmental Control Board"} OR A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}.

~~(B) *INITIATE BY COMPLAINT.*~~

~~(1) ANY PERSON ALLEGING A VIOLATION OF THIS SUBTITLE MAY MAKE, SIGN, AND FILE A COMPLAINT WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN WRITING AND UNDER OATH TO INITIATE AN ENFORCEMENT ACTION AS SET FORTH IN SUBSECTION (A) OF THIS SECTION.~~

~~(2) THE COMPLAINT SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL STATE THE PARTICULARS OF THE PERSON'S ALLEGATIONS AND CONTAIN SUCH OTHER INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.~~

~~(3) THE COMMISSIONER SHALL ENSURE THAT THE INVESTIGATION AND, IF APPROPRIATE, ANY ENFORCEMENT ACTION ARE BEGUN WITHIN 30 DAYS AFTER FILING A COMPLAINT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.~~

(B) *PRIORITY DWELLING – CITATION.*

FOR PRIORITY DWELLINGS, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY'S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) {"PROVISIONS AND PENALTIES ENUMERATED"} IS IDENTIFIED.

(C) [(b)] *Process not exclusive.*

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

(D) *SEPARATE OFFENSES.*

EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

**§ 5-26. Penalties.**

(a) *In general.*

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

(b) *Each day a separate offense.*

Each day that a violation continues is a separate offense.

**§ 5-27. DATA COLLECTION.**

(A) *IN GENERAL.*

THE COMMISSIONER, THE CITY'S CHIEF DATA OFFICER, AND ANY OTHER CITY EMPLOYEE WHO MAINTAINS DATA PERTAINING TO PRIORITY DWELLINGS OR PRIORITY INSPECTIONS MUST COLLABORATE TO DEVELOP A SYSTEM TO TRACK AND ANALYZE PRIORITY DWELLINGS AND PRIORITY INSPECTIONS.

(B) *DISCRETION OF COMMISSIONER.*

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MAY USE EXISTING RESOURCES TO TRACK AND ANALYZE PRIORITY DWELLINGS AT THE DISCRETION OF THE COMMISSIONER.

~~§ 5-28. RENTAL LICENSING AND INSPECTION TASK FORCE - ESTABLISHED.~~

~~THERE IS A BALTIMORE CITY RENTAL LICENSING AND INSPECTION TASK FORCE.~~

~~§ 5-29. RENTAL LICENSING AND INSPECTION TASK FORCE - COMPOSITION.~~

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

~~THE TASK FORCE COMPRISES 13 MEMBERS, 10 OF WHOM ARE APPOINTED BY THE MAYOR UNDER ARTICLE IV, § 6 OF THE CITY CHARTER, AND 3 OF WHOM ARE EX-OFFICIO MEMBERS.~~

~~(B) *APPOINTED MEMBERS.*~~

~~OF THE 10 MEMBERS APPOINTED BY THE MAYOR:~~

~~(1) 2 SHALL BE TENANTS LIVING WITHIN THE CITY WHO EITHER CURRENTLY OR IN THE PAST HAVE RESIDED IN A PRIORITY DWELLING;~~

~~(2) 1 SHALL BE A TENANT OF A RENTAL DWELLING WITHIN THE CITY OF AT LEAST 65 YEARS OF AGE AND WITH AN ANNUAL INCOME BELOW THE AREA MEDIAN INCOME FOR THE METROPOLITAN REGION THAT ENCOMPASSES BALTIMORE CITY, AS PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;~~

~~(3) 1 SHALL BE A TENANT WITH A DISABILITY LIVING WITHIN THE CITY;~~

~~(4) 1 SHALL BE A LANDLORD WHO:~~

~~(i) HAS NEITHER:~~

~~(A) VIOLATED ANY PROVISION OF THIS SUBTITLE; NOR~~

~~(B) HAD ANY RENTAL DWELLINGS DESIGNATED AS A PRIORITY DWELLING;~~

~~(II) OWNS A RENTAL DWELLING IN THE CITY WITH AT LEAST 20 DWELLING OR ROOMING UNITS; AND~~

~~(III) MAINTAINS THE LANDLORD'S PRIMARY RESIDENCE IN THE CITY.~~

~~(5) I SHALL BE A REPRESENTATIVE FROM A CITY-BASED ORGANIZATION FOCUSING ON EQUITY AND THE COLLECTION AND PRESENTATION OF DATA ON CITY NEIGHBORHOODS; AND~~

~~(6) I SHALL BE A GRADUATE STUDENT IN THE FIELD OF PUBLIC HEALTH, SOCIAL WORK, DATA ANALYSIS, OR A RELATED FIELD;~~

~~(7) I SHALL BE A REPRESENTATIVE OF A CITY-BASED ORGANIZATION WITH AN EXPLICIT FOCUS ON TENANT ADVOCACY IN ITS ORGANIZATIONAL MISSION STATEMENT;~~

~~(8) I SHALL BE A REPRESENTATIVE OF A CITY-BASED ORGANIZATION WITH AN EXPLICIT FOCUS ON CIVIL RIGHTS FOR PEOPLE WITH DISABILITIES IN ITS ORGANIZATIONAL MISSION STATEMENT; AND~~

~~(9) I SHALL BE A REPRESENTATIVE OF A MARYLAND-BASED ORGANIZATION WITH AN EXPLICIT FOCUS ON AFFORDABLE RENTAL HOUSING IN ITS ORGANIZATIONAL MISSION STATEMENT.~~

~~(C) EX-OFFICIO MEMBERS:~~

~~THE EX-OFFICIO MEMBERS OF THE TASK FORCE ARE:~~

~~(1) THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, OR THE COMMISSIONER'S DESIGNEE;~~

~~(2) THE COMMISSIONER OF THE BALTIMORE CITY HEALTH DEPARTMENT, OR THE COMMISSIONER'S DESIGNEE; AND~~

~~(3) THE DIRECTOR OF THE BALTIMORE CITY OFFICE OF AGING, OR THE DIRECTOR'S DESIGNEE.~~

### ~~§ 5-30. RENTAL LICENSING AND INSPECTION TASK FORCE -- TERMS, ORGANIZATION, ETC.~~

~~(A) TERMS:~~

~~APPOINTED MEMBERS SERVE FOR A TERM OF 4 YEARS CONCURRENT WITH THE MAYOR'S TERM OF OFFICE.~~

~~(B) COMPENSATION:~~

~~MEMBERS SERVE ON THE TASK FORCE WITHOUT COMPENSATION.~~

~~(C) VACANCIES:~~

- ~~(1) AT THE END OF A TERM, AN APPOINTED MEMBER SERVES UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~
- ~~(2) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES OUT THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(D) TASK FORCE CHAIR.~~

~~THE TASK FORCE SHALL ELECT A MEMBER TO SERVE AS THE TASK FORCE'S CHAIR.~~

~~(E) MEETINGS; QUORUM.~~

- ~~(1) THE TASK FORCE SHALL MEET ON THE CALL OF THE TASK FORCE CHAIR AS FREQUENTLY AS REQUIRED TO PERFORM ITS DUTIES, BUT NOT LESS THAN 4 TIMES A YEAR.~~
- ~~(2) A MAJORITY OF THE MEMBERS OF THE TASK FORCE CONSTITUTES A QUORUM FOR THE TRANSACTION OF BUSINESS.~~
- ~~(3) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS SUFFICIENT FOR ANY OFFICIAL ACTION.~~

~~§ 5-31. RENTAL LICENSING AND INSPECTION TASK FORCE – STAFF.~~

~~THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PROVIDE ADEQUATE STAFF FOR THE TASK FORCE TO CARRY OUT ITS DUTIES.~~

~~§ 5-32. RENTAL LICENSING AND INSPECTION TASK FORCE – DUTIES.~~

~~THE TASK FORCE SHALL:~~

- ~~(1) ENSURE THE TIMELY RELEASE OF THE ANNUAL PRIORITY DWELLING LIST BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;~~
- ~~(2) REVIEW THE ANNUAL PRIORITY DWELLING LIST AND ALL DATA USED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO IDENTIFY PRIORITY DWELLINGS FOR COMPLETENESS AND ACCURACY;~~
- ~~(3) REVIEW PUBLICLY AVAILABLE INFORMATION AND THE ANNUAL REPORT MADE AVAILABLE UNDER THIS SUBTITLE FOR COMPLETENESS AND ACCURACY;~~
- ~~(4) ESTABLISH METRICS, IN COLLABORATION WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, TO EVALUATE AND ASSESS THE IMPROVEMENT OF RENTAL PROPERTY CONDITIONS AND ANY REDUCTION IN UNLICENSED RENTAL DWELLINGS IN THE CITY;~~
- ~~(5) ENSURE THAT A MINIMUM OF 30 PRIORITY DWELLINGS ARE EACH INSPECTED AT LEAST 2 TIMES PER INSPECTION YEAR;~~
- ~~(6) ENSURE THAT INSPECTIONS OF RENTAL DWELLINGS PERFORMED BY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT EMPLOYEES ARE CONDUCTED AND THAT APPROPRIATE ENFORCEMENT ACTIONS ARE TAKEN IF ANY DEFICIENCIES ARE DISCOVERED DURING THE COURSE OF AN INSPECTION;~~

- ~~(7) CREATE AN ANNUAL REPORT ON THE PROGRESS OF THE PRIORITY DWELLING INSPECTION PROCESS FOR REVIEW DURING THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S ANNUAL FISCAL BUDGET HEARING WITH EITHER THE CITY COUNCIL OR ONE OF ITS COMMITTEES;~~
- ~~(8) ADVISE AND ASSIST THE MAYOR AND CITY COUNCIL IN PROVIDING OVERSIGHT AND ACCOUNTABILITY IN IMPLEMENTING THE REQUIREMENTS OF THIS SUBTITLE; AND~~
- ~~(9) PERFORM ANY OTHER DUTIES AS REQUIRED BY THE MAYOR.~~

**§ 5-28. ~~5-33.~~ ANNUAL REPORT.**

(A) *IN GENERAL.*

NOT LATER THAN MAY 1 OF EACH YEAR, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MUST SUBMIT AN ANNUAL REPORT FOR THE PREVIOUS CALENDAR YEAR TO THE ~~MAYOR, THE CITY COUNCIL, AND THE TASK FORCE~~ MAYOR AND THE CITY COUNCIL DETAILING:

- (1) THE NUMBER OF PRIORITY DWELLINGS;
- (2) THE NUMBER OF PRIORITY DWELLINGS FOR WHICH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CONDUCTED 2 PRIORITY INSPECTIONS;
- (3) THE NUMBER OF PRIORITY DWELLINGS WHERE AT LEAST 1 VIOLATION NOTICE WAS ISSUED DURING A PRIORITY INSPECTION THAT WAS NOT ABATED WITHIN THE ALLOWABLE TIME;
- (4) THE NUMBER OF PRIORITY DWELLINGS WHERE AT LEAST 1 CITATION WAS ISSUED DURING A PRIORITY INSPECTION;
- (5) ~~THE NUMBER OF 1-YEAR RENTAL LICENSES ISSUED;~~ THE NUMBER OF ATTEMPTED PRIORITY INSPECTIONS;
- (6) THE NUMBER OF RENTAL LICENSES REVOKED UNDER § 5-15(B)(6) OF THIS SUBTITLE;
- (7) THE NUMBER OF RENTAL LICENSES REVOKED UNDER § 5-15(B)(7) OF THIS SUBTITLE;
- (8) THE TOTAL NUMBER OF RENTAL LICENSES REVOKED;
- (9) ~~THE TOTAL NUMBER OF COMPLAINTS INITIATED UNDER § 5-25(B) OF THIS SUBTITLE;~~ THE NUMBER OF COMPLETED PRIORITY INSPECTIONS;
- (10) ~~THE TOTAL NUMBER OF COMPLAINTS INITIATED UNDER § 5-25(B) OF THIS SUBTITLE THAT RESULTED IN AN ENFORCEMENT ACTION; AND OF THE TOTAL NUMBER OF PRIORITY INSPECTIONS COMPLETED, THE PERCENTAGE OF PRIORITY INSPECTIONS THAT DID NOT YIELD ANY VIOLATION NOTICES OR CITATIONS; AND~~
- (11) ANY OTHER INFORMATION REQUESTED BY THE MAYOR OR BY A RESOLUTION OF THE CITY COUNCIL.

(B) *INCLUSIONS - ALL LICENSED RENTAL DWELLINGS.*

(1) *TOTALS.*

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST INCLUDE A MATRIX IDENTIFYING THE FOLLOWING IN AGGREGATE FOR ALL LICENSED RENTAL DWELLINGS:

- (I) THE TOTAL NUMBER OF 3-1-1 COMPLAINTS;
- (II) THE TOTAL NUMBER OF NOTICES ISSUED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
- (III) THE TOTAL NUMBER OF NOTICES ABATED WITHIN ~~THE ALLOWABLE TIME PERIOD;~~ 90 DAYS;
- (IV) THE NUMBER OF NOTICES FOR WHICH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PURSUED LEGAL ACTION; AND
- (V) THE TOTAL NUMBER OF CITATIONS ISSUED.

(2) *SPECIFIC CATEGORIES.*

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST INCLUDE A MATRIX IDENTIFYING THE DATA REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION FOR ALL LICENSED RENTAL DWELLINGS IN AGGREGATE, FOR EACH OF THE FOLLOWING CATEGORIES:

- (I) HEATING;
- (II) VENTILATION;
- (III) PLUMBING;
- (IV) ROOF LEAKS;
- (V) RODENTS;
- (VI) LEAD PAINT;
- (VII) FIRE PROTECTION;
- (VIII) ELECTRICAL SYSTEMS;
- (IX) WATER SUPPLY;
- (X) STRUCTURAL DEFICIENCIES;
- (XI) ~~BED BUGS; AND~~ INSECTS;
- (XII) ~~ELEVATORS.~~ ELEVATORS;
- (XIII) WEATHERPROOFING; AND



(XIV) APPEARANCE OF MOLD.

(C) *INCLUSIONS - PRIORITY DWELLINGS.*

(1) *TOTALS.*

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST INCLUDE A MATRIX IDENTIFYING THE FOLLOWING FOR ALL PRIORITY DWELLINGS:

- (I) THE TOTAL NUMBER OF 3-1-1 COMPLAINTS;
- (II) THE TOTAL NUMBER OF NOTICES ISSUED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;
- (III) THE TOTAL NUMBER OF NOTICES ABATED WITHIN ~~THE ALLOWABLE TIME PERIOD;~~ AND 90 DAYS;
- (IV) THE NUMBER OF NOTICES FOR WHICH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PURSUED LEGAL ACTION; AND
- (V) THE TOTAL NUMBER OF CITATIONS ISSUED.

(2) *SPECIFIC CATEGORIES.*

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST, FOR ALL PRIORITY DWELLINGS, INCLUDE A MATRIX IDENTIFYING THE DATA REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION FOR EACH OF THE FOLLOWING CATEGORIES:

- (I) HEATING;
- (II) VENTILATION;
- (III) PLUMBING;
- (IV) ROOF LEAKS;
- (V) RODENTS;
- (VI) LEAD PAINT;
- (VII) FIRE PROTECTION;
- (VIII) ELECTRICAL SYSTEMS;
- (IX) WATER SUPPLY;
- (X) STRUCTURAL DEFICIENCIES;
- (XI) ~~BED BUGS; AND~~ INSECTS;
- (XII) ~~ELEVATORS.~~ ELEVATORS;

(XIII) WEATHERPROOFING; AND

(XIV) APPEARANCE OF MOLD.

**Article 1. Mayor, City council, and Municipal Agencies**

**Subtitle 40. Environmental Control Board**

**§ 40-14. Violations to which subtitle applies.**

(e) Provisions and penalties enumerated.

(1) [(5)] Article 2. Consumer Protections

...

(2) [(5a)] Article 5. Finance, Property, and Procurement

...

(3) [(5b)] Article 7. Natural Resources

...

(4) [(1)] Article 13. Housing and Urban Renewal

...

Subtitle 5. Licensing of Rental Dwellings.

§ 5-4. License \$1,000

§ 5-11. POSTING LICENSE; LICENSE NUMBER \$250

§ 5-15. {Offenses there listed as cause for}  
Denial, suspension, or revocation of license \$750

All other provisions \$500

...

(5) [(2)] Article 15. Licensing and Regulation

...

(6) [(3)] Article 19. Police Ordinances

...

(7) [(4)] Article 23. Sanitation

...

(8) [(4a)] Article 24. Water

...

(9) [(4b)] Article 26. Surveys, Streets, and Highways

...

(10) [(5a)] Article 31. Transit and Traffic

...

(11) [(5b)] Article 32. Zoning

...

(12) [(5c)] Building, Fire, and Related Codes Article –  
Building Code

...

(13) [(6)] Building, Fire, and Related Codes Article –  
Fire Code

...

(14) [(6a)] Building, Fire, and Related Codes Article –  
Property Maintenance Code

Chapter 3. General Requirements

<u>§ 304.4. STRUCTURAL MEMBERS</u>	<u>\$500</u>
<u>§ 304.5. FOUNDATION WALLS</u>	<u>\$500</u>
<u>§ 304.7. ROOFS AND DRAINAGE</u>	<u>\$500</u>
<u>§ 304.10. STAIRWAYS, FLOORS, DECKS</u>	<u>\$300</u>
<u>§ 304.12. HANDRAILS AND GUARDS</u>	<u>\$50</u>
<u>§ 304.13. WINDOW, SKYLIGHT, AND DOOR FRAMES</u>	<u>\$100</u>
<u>§ 304.15. DOORS</u>	<u>\$100</u>
<u>§ 304.15.2. INTERIOR (DOORS)</u>	<u>\$50</u>
<u>§ 304.20. INTERIOR SURFACES</u>	<u>\$500</u>
<u>§ 304.23. EXHAUST VENTS</u>	<u>\$250</u>
<u>§ 304.28. RAT PROOFING</u>	<u>\$100</u>
<u>§ 304.29. EQUIPMENT</u>	<u>\$500</u>
<u>§ 304.30. FIRE PROTECTION</u>	<u>\$500</u>
<u>§ 305.5.1. Motor vehicles and trailers: Registered owner responsible</u>	<u>\$150</u>
<u>§ 307.1. GENERAL</u>	<u>\$50</u>
<u>§ 307.3. WALLS, CEILINGS, AND OPENINGS</u>	<u>\$150</u>
<u>§ 307.7. PEST CONTROL</u>	<u>\$150</u>

<u>All other provisions</u>	
<u>Residential properties</u>	<u>\$50</u>
<u>Commercial properties</u>	<u>\$100</u>

(15) [(6b)] **Building, Fire, and Related Codes Article – International Residential Code**

...

(16) [(7)] **Health Code**

...

**Subtitle 41. Civil Citations**

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

(1) [(25)] **Article 1. Mayor, City Council, and Municipal Agencies**

...

(2) [(5)] **Article 2. Consumer Protections**

...

(3) [(5a)] **Article 5. Finance, Property, and Procurement**

...

(4) [(5b)] **Article 7. Natural Resources**

...

(5) **ARTICLE 13. HOUSING AND URBAN RENEWAL**

§ 5-4. LICENSE REQUIRED

\$1,000

(6) [(1)] **Article 15. Licensing and Regulation**

...

(7) [(2)] **Article 19. Police Ordinances**

...

(8) [(3)] **Article 24. Water**

...

(9) [(3a)] **Article 26. Surveys, Streets, and Highways**

...

(10) [(4)] **Article 31. Transit and Traffic**

...

(11) [(4a)] **Article 32. Zoning**

...

(12) [(5)] *Building, Fire, and Related Codes Article –  
Fire Code*

...

(13) [(5a)] *Building, Fire, and Related Codes Article –  
Property Maintenance Code*

...

(14) [(6)] *Health Code*

...

~~SECTION 3. AND BE IT FURTHER ORDAINED, That the Baltimore City Rental Licensing and Inspection Task Force shall first convene on or after January 1, 2025, but no later than June 30, 2025.~~

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on January 1, ~~2024.~~ 2026.

# **Economic and Community Development Committee**

**23-0357**

**Strengthening Renter's Safety Act**

**Agency Reports**

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CITY OF BALTIMORE

BRANDON M. SCOTT,  
Mayor



DEPARTMENT OF LAW  
EBONY M. THOMPSON,  
ACTING CITY SOLICITOR  
100 N. HOLLIDAY STREET  
SUITE 101, CITY HALL  
BALTIMORE, MD 21202

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March 2, 2023

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 23-0357 – Strengthening Renter’s Safety Act

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 23-0357 for form and legal sufficiency. The bill would amend several sections of the City Code in Article 1 and 13 concerning residential rental properties. The bill defines “Priority Dwellings” as those with more than 20 dwelling units that have unabated code violations, excessive 311 calls and other characteristics. The bill requires Priority Dwellings to be inspected by a senior inspector of the Department of Housing and Community Development (“HCD”) at certain intervals in a certain manner. It also allows the public to alert HCD to a building that may be in violation of applicable requirements and provides a timeframe for HCD’s investigation of that complaint.

The bill tasks HCD with posting information about rental licensing in unlicensed buildings, requires building owners to provide certain information when seeking a license, and requires that tenants receive a copy of the building license when applying to rent, and a building inspection report when the building applies for a rental license or renews one. License renewals would be more frequent and cost more for problem buildings requiring enhanced inspection. The bill requires that advertising of rental properties contain a current rental license number.

The bill also requires the collection of certain statistics about residential rentals and tasks HCD with publishing that information and generating an annual report. Finally, the bill also creates a Rental Licensing and Inspection Task Force that provides advice on HCD’s inspection and licensing tasks, reviews data and makes recommendations.

The General Assembly has given the Mayor and City Council broad powers by the to legislate concerning the use and operation of buildings, to authorize a government official to enter property in furtherance of government duties, to license and regulate businesses, and to exercise the police and general welfare powers. City Charter, Art. II, §§ (1), (5) (17), (27). This bill is consistent with these powers. The Law Department approves the bill for form and legal sufficiency.

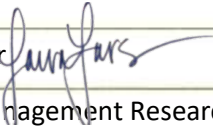

Very truly yours,



Hilary Ruley  
Chief Solicitor

cc: Ebony Thompson, Acting City Solicitor  
Nina Themelis, Mayor's Office of Government Relations  
Elena DiPietro, Chief Solicitor, General Counsel Division  
Jeff Hochstetler, Chief Solicitor  
Ashlea Brown, Chief Solicitor  
D'ereka Bolden, Assistant Solicitor  
Michelle Toth, Assistant Solicitor  
Teresa Cummings, Assistant Solicitor



FROM	NAME & TITLE	Laura Larsen, Budget Director 	CITY of BALTIMORE <b>MEMO</b>	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 469, City Hall		
	SUBJECT	City Council Bill 23-0357 – Strengthening Renters’ Safety Act		

DATE:

TO

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

November 27, 2023

**Position: Defer to DHCD**

The Department of Finance is herein reporting on City Council Bill 23-0357 – Strengthening Renters’ Safety Act, the purpose of which is to establish criteria for priority dwellings and priority inspections of multi-family rental dwellings based on the number of units and the number of 311 complaints registered against a particular property.

**Background**

Council Bill 23-0357, the Strengthening Renters’ Safety Act, would define priority dwellings and develop a new inspection process for these dwellings. The legislation also seeks to update licensing fees and create the Baltimore City Rental Licensing and Inspection Task Force.

On August 1<sup>st</sup>, 2018, City Council Bill 18-0185, Non-Owner-Occupied Dwelling Units, Rooming Houses, and Vacant Structures – Rental Dwellings – Registration and Licensing, went into effect. In addition to inspections for multi-family dwellings, this legislation added licensing requirements for non-owner-occupied 1- and 2-family dwellings.

As part of the 2023 Maryland General Assembly session this year, the legislature passed HB0036, Real Property- Actions to Repossess- Proof of Licensure, that would require landlords to submit evidence of compliance with local rental property licensure requirements when filing a written complaint to repossess the property from the tenants. This bill, approved by Governor Moore in May, will go into effect on October 1, 2023, and will be another step to ensuring that landlords comply with local licensing laws.

Another bill introduced in the 2023 General Assembly, HB0691, Landlord and Tenant - Failure to Repair Serious and Dangerous Defects - Tenant Remedies (Tenant Safety Act), would have further established requirements that a dwelling for rent is deemed fit for human habitation, adding the existence of mold as a serious and substantial threat to the health of the occupants. It would also have established court-held escrow accounts for any tenants who file a request against a landlord for mold-related issues in a leased dwelling. The bill did not make it out of committee during this year’s session.

**Fiscal Impact**

The Department of Finance anticipates the cost of implementing the proposed legislation is approximately \$975,000 annually. The Department of Housing and Community Development (HCD) anticipates needing 11 new positions to provide adequate staffing to support this legislation. This includes a team of 5 Housing Inspectors (a Senior Housing Inspector and 4 Housing Inspectors) to oversee and implement the inspection

process. Three office support positions would be needed to assist with the administrative tasks including coordination and scheduling, along with a Data Analyst to comply with the requirements of this proposal. Additionally, two Ombudsman positions would support with investigations and community outreach efforts to support impacted tenants. The total annual cost of these positions is \$924,401 (based on Fiscal 2024 salary and benefit costs). Supply and material costs for these positions will be approximately \$50,000 annually. HCD also anticipates costs may increase based on software enhancements needed for the City’s permitting system to accommodate the legislation change.

<b>Classification</b>	<b>Staffing Costs</b>
(1) Housing Inspector Senior	\$ 82,953
(4) Housing Inspectors	\$ 310,882
(1) Office Support Specialist III	\$ 62,845
(2) Secretary II	\$ 125,690
(2) Ombudsman	\$ 203,162
(1) Data Analyst	\$ 138,869
<b>Total Staffing Costs</b>	<b>\$ 924,401</b>
<b>Total Material and Supply Costs</b>	<b>\$ 50,000</b>
<b>Total Estimated Cost</b>	<b>\$ 974,401</b>

The Department of Finance estimates the new licensing fees from the program could generate between \$2.0 million to \$4.1 million annually. Based on these revenue estimates, the potential net impact of the legislation ranges from approximately \$1.0 million to \$3.1 million in new revenue.

**Other Considerations**

This legislation proposes utilizing 311 calls as a criterion for defining a priority dwelling. As proposed, a formula would be derived taking the number of recorded 311 calls related to the health and the habitability for the rental unit dwelling and dividing that by the total number of dwelling and rooming units in the rental dwelling. If that number exceeds the minimum value in the table below, the rental dwelling could be considered a priority dwelling.

<b>Total Number of Units</b>	<b>Minimum Value</b>	<b>Number of Calls Required</b>
20 - 50	0.75	15-37.5 calls
51 - 150	0.5	25.5 - 75 calls
151+	0.25	37.75 calls+

Based on the proposed formula, a rental dwelling with 50 units would require at least 37.5 calls to 311, while a rental dwelling with one additional unit (51) would only require 25.5 calls to 311 to be considered a priority dwelling. Likewise, a rental dwelling with 150 units would require 75 calls to 311, while a rental

dwelling with one additional unit (151) would only require 37.75 calls to 311. Because the minimum value shifts depending on the number of units, this could lead to an unintended and inequitable outcome for Baltimore City residents depending on the number of units within a rental dwelling.

### **Conclusion**

The Department of Finance ultimately understands the intent of the legislation. While the costs related to this legislation could be recovered through additional licensing fees, it is likely those fees could be passed on to tenants. DHCD has identified numerous concerns with the legislation which would be problematic or cause duplicative work.

**For the reasons stated above, the Department of Finance defers to DHCD on City Council Bill 23-0357.**

cc: Michael Moiseyev  
Nina Themelis



## MEMORANDUM

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

From: Alice Kennedy, Housing Commissioner

Date: March 26, 2024

### **Re: City Council Bill 23-0357 - Strengthening Renters' Safety Act**

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 23-0357 for the purpose of establishing a priority inspection; establishing criteria for priority dwellings and priority inspections; requiring the Commissioner of the Department of Housing and Community Development to post certain notices; amending certain rental dwelling license application requirements; amending certain prerequisites for new and renewed rental dwelling licenses; amending license fees; updating inspection requirements; requiring the posting of license numbers; updating causes for denial, suspension, or revocation of a license; bolstering public access to information; authorizing the initiation of enforcement of the subtitle by complaint; providing for certain data collection; establishing the Baltimore City Rental Licensing and Inspection Task Force; providing for the composition, terms, and organization of the Task Force, establishing the duties of the Task Force, adding a civil citation fine for violating of licensing requirements; requiring annual reporting; amending certain definitions; providing a time period when the Task Force shall first convene; and providing for a special effective date.

### **Background**

DHCD is committed to enforcing the appropriate inspection, licensing and registration requirements for all applicable rental properties in order to promote the health and safety of every tenant throughout the City of Baltimore. DHCD does not presently give priority treatment to a specific subset of multi-family dwellings. Responses related to unsatisfactory living conditions are driven by the frequency and nature of complaints received through the 311 system. Code Enforcement conducts over 200,000 Property Maintenance Code Enforcement inspections annually and responds to over 60,000 Code Enforcement Service Requests. In FY23 92% of those SRs were completed on time and the majority of complaints were responded to in under 4 days. Inspectors' issue notices and citations, as appropriate, to property owners to address any health and safety issues and conduct re-inspections of open notices to determine if the issues were abated.

These requests can be made anonymously at any time through the 311 system. Additionally, resources are available for renters from a number of organizations that provide free legal advice, and, in some cases, representation to renters facing eviction and other landlord-tenant issues including but not limited to unlicensed landlords and landlords refusing to fix major problems with the unit.

All residential rental units in Baltimore City are already required to be registered, inspected, and licensed at specific intervals to ensure that they meet basic safety and maintenance requirements. Home inspections to meet licensing requirements are not conducted by City Inspectors, they are selected by the property owner, and they set their own market-rate fees for these inspections. Because of the high number of rental properties in the City of Baltimore the use of third-party inspectors is an essential part of DHCD's licensing and registration program. Presently all initial licenses are issued for a two-year period. When it is time for renewal, registrants may be able to obtain a three-year license or be limited to a two- or one-year license based on the maintenance record and violation history.

### **DHCD Analysis**

City Council Bill 23-0357 is intended to target large scale multi-family dwelling properties perceived to be the “worst offenders” by targeting “Priority Dwellings” for additional City-led inspection and enforcement actions. The intent of the legislation is to hold property owners accountable for timely repairs by increasing the number of inspections and possibly denying, suspending, or revoking a license for failure to abate open notices or citations at the time of relicensure.

This bill would require DHCD “Multi Family Dwelling Certified Senior Inspectors” to conduct priority inspections of at least 30 priority dwellings 2 times each inspection year. The number of inspections would depend on the number of units in each priority dwelling and would require at least 11 additional staff. Based on initial analysis, there are roughly 453 properties that could qualify as priority dwellings, if DHCD were required to conduct priority inspections of at least 30 priority dwellings, as required by this Bill, the agency would need at least 1 dedicated fulltime Senior Housing Inspector and 4 fulltime Housing Inspectors to do 810 inspections, 1 Office Support Specialist III, 2 Secretary Support Staff II to coordinate inspections and 1 Data Analyst to determine which properties to inspect and to track the program. DHCD would also require 2 additional Emergency Operations Ombudsman in our Code Enforcement Division to serve in a coordinating and mediating role between landlords and tenants and assist with relocation should a building become uninhabitable.

The Department of Finance anticipates total annual cost of these positions to be \$924,401 (based on Fiscal 2024 salary and benefit costs) with supplies and materials adding \$50,000 annually, for a total figure of approximately \$975,000. We also anticipate that costs may increase based on software enhancements needed for the City's permitting system to accommodate the legislation change. This Bill would be difficult to operationalize and DHCD does not presently have the staff capacity to perform these inspections in addition to their current Housing & Code enforcement duties.

### **This Bill is problematic for a number of reasons**

1. The Bill requires the Commissioner of DHCD to post a notice in an accessible area to all occupants when the rental dwelling is rented without a currently effective license.

*This information is already publicly available through DHCD's website. The additional printing, posting and enforcement costs would add additional operational and fiscal burden on DHCD Inspector's. It would be difficult to ensure that the notice was posted for 90 consecutive days or until the building was licensed, as required by the bill and would require additional random follow up inspections.*

2. The Bill would codify the license application form and contents.

*This is unnecessary and redundant, DHCD already has the appropriate forms and requires the information suggested by the Bill and more. That information is publicly available.*

3. The Bill requires the distribution of inspection reports by building owners to each resident of the residential dwelling for which a person is applying for a new or renewed rental license at the time the application is submitted.

*This provision is unenforceable by DHCD. The Bill requires landlords to provide notices to current and perspective tenants, weather that notice occurs would be up to the landlord or tenant to prove or disprove, we would have no way of knowing if this took place.*

4. The Bill adds a requirement for a licensing fee for priority dwellings at the rate of \$100 per "dwelling" units and \$75 per "rooming" unit.

*These costs may have a substantial impact on those operating qualifying priority dwellings, this cost may be passed on to tenants. We do not presently have the IT infrastructure required to put such a system in place. The additional fees will require the software currently in place to be upgraded, it is not currently programmed for different fees. We would either need to get the company to change their program, which may not be possible, or put such a system in place.*

5. The Bill retains the tiered licensing system currently in place for some multi-family units and creates a 1-year renewal term for those priority properties that fail to abate an open notice.

*DHCD already requires open notices and citations to be abated at the time of initial or re-licensure.*

6. *Section 5-10* of the Bill “Priority Inspections” establishes a complicated and convoluted system in which DHCD must annually identify all priority dwellings, notify the owners of record of why they have been identified for priority dwelling status, notify the owners of the license fee that must be paid, and DHCD’s obligation to inspect at least two times per year and the number and frequency of inspections.

*This will create a tremendous administrative burden on the agency to operationalize.*

7. The Bill requires DHCD to provide notice to all tenants of a priority dwelling of a scheduled priority inspection no fewer than 30 days prior to the date of inspection.

*It would be extremely complicated to coordinate with not only the owners of the properties but the tenants that reside within to gain interior access to units that were both anonymously identified and randomly selected for inspection. This requirement may inconvenience tenants who may need to take off of work or make other arrangements to have their unit inspected.*

8. The Bill provides for public access to information that is already publicly available through DHCD’s website.

*You can look up registration, license number and status here.*  
[https://cels.baltimorehousing.org/reg/Reg\\_MFD\\_Search.aspx](https://cels.baltimorehousing.org/reg/Reg_MFD_Search.aspx)

9. The Bill also creates a Rental Licensing and Inspection Task Force that provides advice on HCD’s inspection and licensing tasks, reviews data and makes recommendations.

*This is unnecessary, time consuming and redundant. DHCD completes most inspections in under 4 days. A Task Force would create more bureaucracy for a system that is already working in most cases. Presently, properties identified by community members, elected officials or the administration can receive increased inspections at any time provided the request is communicated to DHCD through the 311 system or direct outreach to DHCD staff.*

10. The Bill provides a mechanism for anonymously reporting issues.

*This system is already in place through the 311 system. However, if you are requesting an interior inspection you will need to provide your contact information so the time/place and access can be arranged for the inspector.*

11. The Bill provides for license revocation for priority dwellings that fail to abate open violation notices.

*This is contradictory to the goals of the registration and licensing program which seeks to enforce the requirements equally to promote the health and safety of all our communities throughout the City of Baltimore. Revocation of a building's license could lead to housing insecurity for building tenants.*

## **Conclusion**

This Bill is problematic for several reasons, it is overly complicated and redundant to the work that DHCD already does, it would add a tremendous fiscal and operational burden on the agency and does not address the problem it is seeking to address which is keeping renters safe.

DHCD has found that it is not typically the larger multi-family buildings that fail to address safety and sanitary issues in a timely manner. These buildings often have on-site or on-call maintenance staff and more resources to fix larger problems when they arise. It is generally the “mom and pop” landlords of smaller multi-family units that are the worst offenders. Sometimes due to being new to property management, sometimes due to not having the resources to make the necessary repairs, sometimes due to ignorance of the situation at hand or sometimes due to willful neglect.

Our goal is to work with all property owners of multi-family dwellings to make sure that their properties are in compliance and meet health and human safety needs while providing equal protections for tenants across the City of Baltimore. Our inspectors are always looking for life, health, and safety items to insure a property is up to code and safe for the occupants and neighboring residents. We look forward to continuing the conversation with the sponsor as to how to best address the intent of the bill.

We respectfully request an **unfavorable** report on Council Bill 23-0357.

*AK/sm*

*cc: Ms. Nina Themelis, Mayor's Office of Government Relations*

*Ms. Natawna Austin, Executive Secretary of the City Council*



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

Re: City Council Bill 23-0357 – Strengthening Renters’ Safety Act

**SUMMARY**

City Council Bill 23-0357 – Strengthening Renters’ Safety Act seeks to improve the living conditions and the safety of Baltimore renters through the implementation of a criteria for priority dwellings and inspections, updates to regulations pertaining to new rental dwelling license applications and renewals, and the establishment of the Rental Licensing and Inspection Task Force.

The Mayor’s Office of Homeless Services (MOHS) has reviewed Council Bill 23-0357 and determined that persons at risk of or experiencing homelessness can benefit from the proposed legislation. The Bill prohibits individuals from renting or offering to rent any part of a rental dwelling without a valid license provided by the Department of Housing and Community Development (DHCD) Housing Commissioner. The Bill also prohibits any individuals from charging or collecting rent for a rental dwelling without being licensed at the time of the offer and when occupancy was provided. Once notified of individuals in violation of these requirements, DHCD will intervene and notify occupants by detailing the responsibilities of the owners and penalties associated with noncompliance.

Upon review, MOHS has determined we support the proposed regulations, however, we acknowledge that it presents both benefits and challenges for people at risk of or experiencing homelessness.

Those in crisis can be susceptible to housing and financial scams that can exacerbate strained situations specifically in preventing homelessness, but the licensing requirements outlined in this Bill would decrease the threat of a scam and protect those individuals. The challenge that these regulations present pertain to the City’s limited housing inventory, and potentially placing residents currently occupying unlicensed rental dwellings in jeopardy of losing their housing once property owners become licensed. Fees and other costs associated with obtaining and maintaining a license can act as deterrents for unlicensed individual and private property owners, and the Housing Commissioner may also deny, suspend, or revoke a property owner’s rental dwelling license which would then prohibit them from operating the rental dwelling altogether.

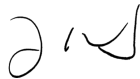
Robin Carter  
Chairperson, Board of Commissioners

Janet Abrahams  
President | Chief Executive Officer



## Memorandum

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

From: Janet Abrahams, Chief Executive Officer 

Date: July 11, 2023

Subject: City Council Bill 23-0357 – Strengthening Renters Safety Act

The Housing Authority of Baltimore City (HABC) has received the referral for comment on City Council Bill 23-0357, a bill that establishes a priority inspection; criteria for priority dwellings and priority inspections; requiring the Commissioner of the Department of Housing and Community Development to post certain notices; amending certain rental dwelling license application requirements; amending certain prerequisites for new and renewed rental dwelling licenses; amending license fees; updating inspection requirements; requiring the posting of license numbers; updating causes for denial, suspension, or revocation of a license; bolstering public access to information; authorizing the initiation of enforcement of the subtitle by complaint; providing for certain data collection; establishing the Baltimore City Rental Licensing and Inspection Task Force; providing for the composition, terms, and organization of the Task Force, establishing the duties of the Task Force, adding a civil citation fine for violating of licensing requirements; requiring annual reporting; amending certain definitions; providing a time period when the Task Force shall first convene; and providing for a special effective date.

HABC is Baltimore’s largest provider of affordable housing opportunities and rental assistance, serving over 19,000 low-income households through our Public Housing and Housing Choice Voucher programs. HABC recognizes the importance of providing affordable homes that are safe sanitary, and in good repair.

In general HABC agrees with the intent of the proposed relief of the bill. However, we request amendments for the following:

There is concern about multi-family units in which Housing Choice Voucher Program (HCVP) participants reside and the impact this would have on them if the building had its license revoked. As a remedy, HABC recommends adding a provision that requires DHCD to inform HABC when it has “actual knowledge” of lack of license so that we can work with the landlord to make the necessary repairs or relocate any households residing in the property that receive assistance through HCVP.

Amend Section 5-1 of the bill to exempt HABC-owned properties from the definition of priority dwelling in reference to dwellings have a U.S. Department of Housing and Urban Development (HUD) Real Estate Assessment Center (REAC) inspection score equal to or less than 79. Amend Section 5-10 of the bill to exempt HABC-owned properties from being subject to priority inspections, as these properties already undergo regular inspections and is required to repair any defects that threaten life, safety or health as regulated by HUD. These amendments are consistent with the license requirements of Section 5-4 of the bill which states that a license is not required for any rental dwelling owned and operated by HABC.

Housing Authority of Baltimore City | 417 East Fayette Street, Baltimore, MD 21202

 410.396.3232  [www.HABC.org](http://www.HABC.org)    @BmoreHabc 

# **Economic and Community Development Committee**

**23-0357**

**Strengthening Renter's Safety Act**

**Additional Materials**

# Strengthening Renters' Safety Act

Data Analysis

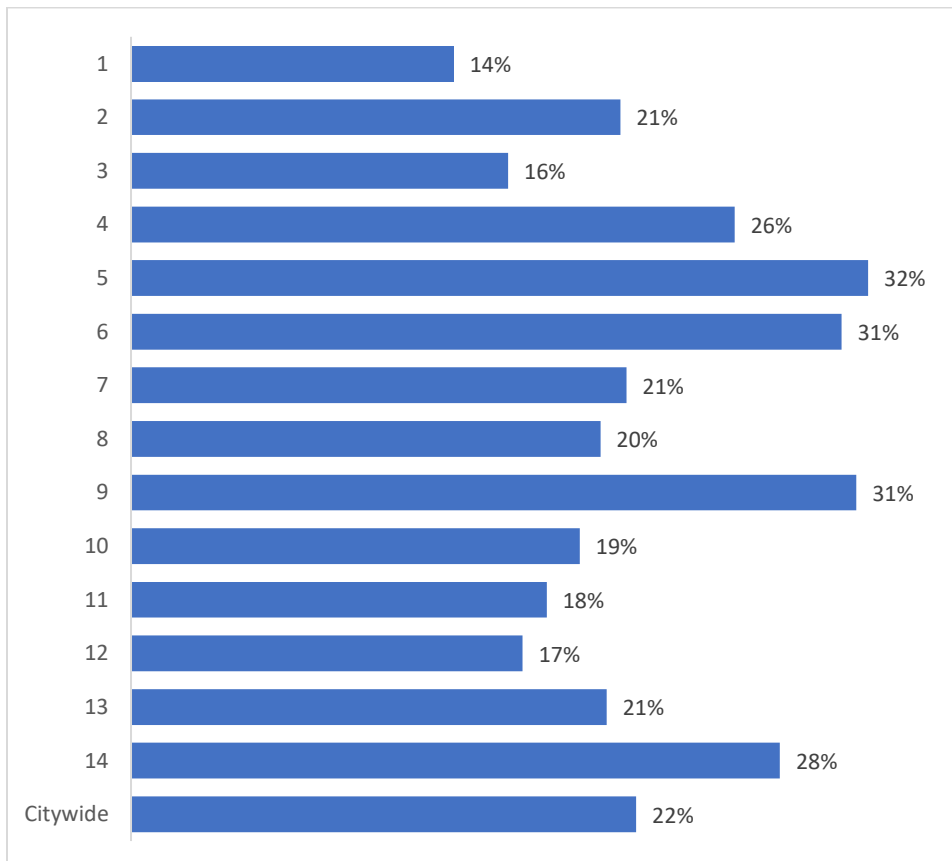
## Key Stats

- **0** citations given for interior issues in 20+ unit buildings without a violation notice first 2019-2023
- **46.6%** of rental units licensed citywide
- For **5%** of 311s, DHCD noted that there was already an open violation notice related to the problem. Yet in a randomized selection of that 5% that we examined, **only 10% had a failure to abate citation issued**
- **8,534 overdue open interior violation notices** citywide, as of February 28 2023
  - **2,149** since 2019
    - Out of these 2,149, **147** are in 20+ unit buildings
    - In a randomized selection (weighted by zip code) of these 147 open interior violation notices that we examined, **95%** were related to habitability problems

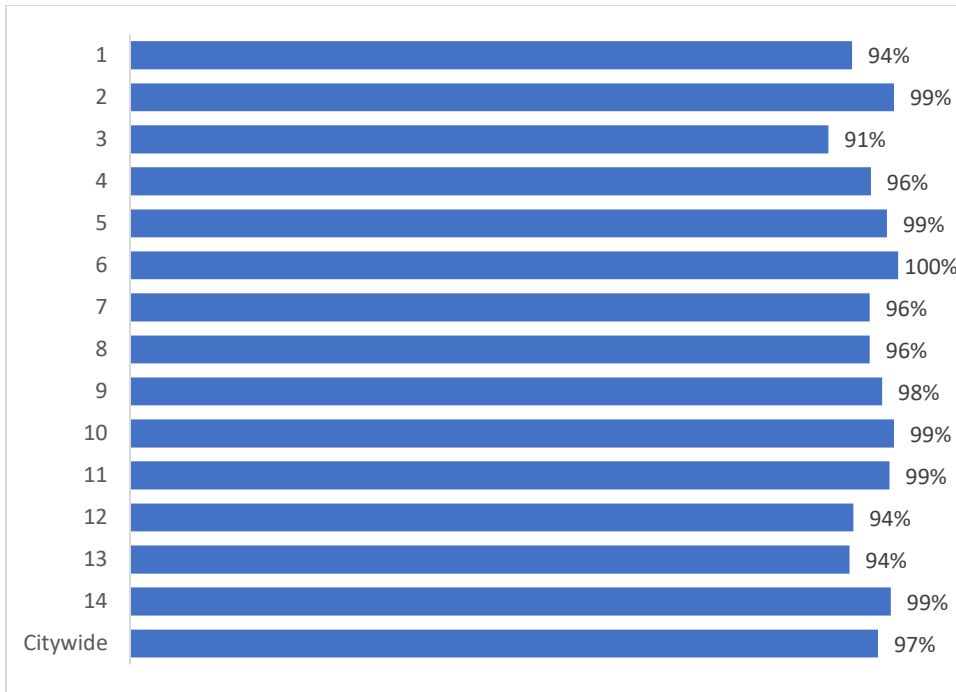
## Analysis of 311 Data

This data is based on 311 requests related to interior violations in 20+ unit buildings from 2019-2023.

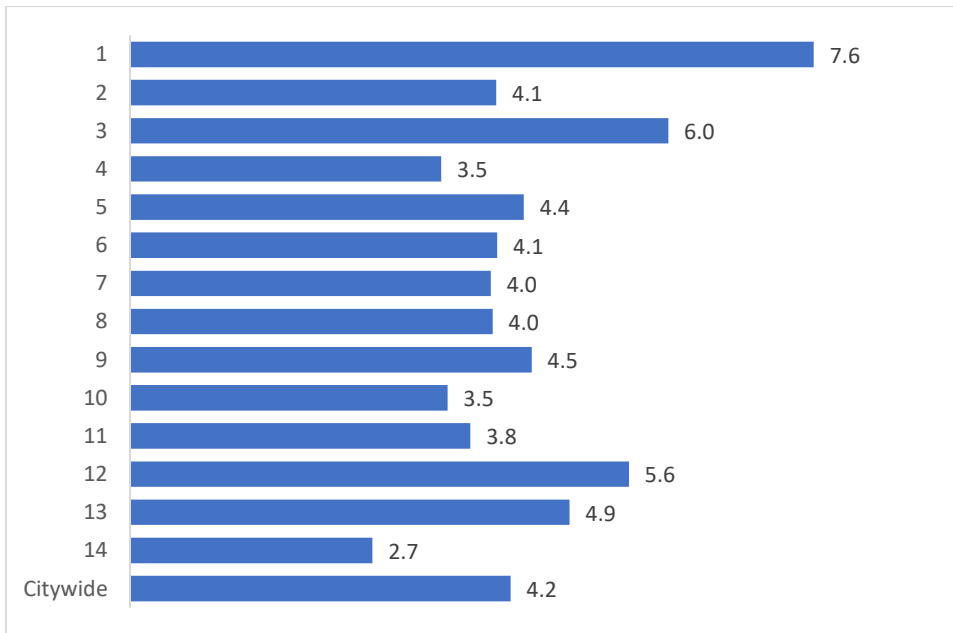
### Percent of 311 Requests in Which Inspector Could Not Gain Entry to the Building



### Percent of 311 Requests for Which Inspection Was Completed Within Promised Timeline

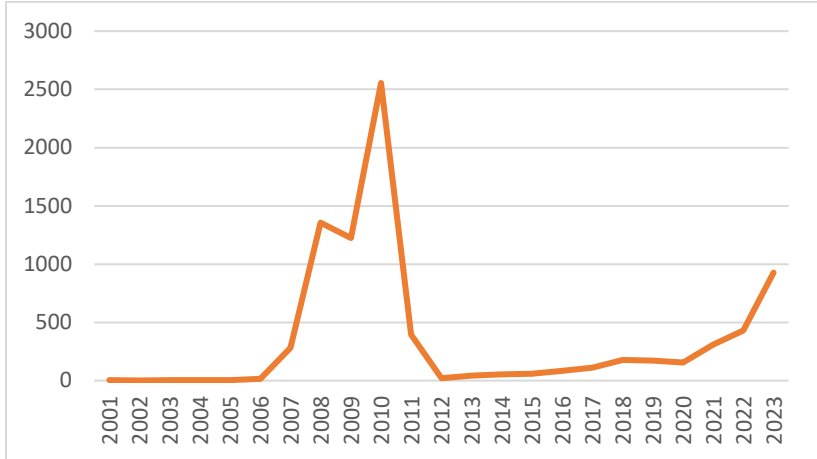


### Average Amount of Time That 311 Requests Remain Open (in days)

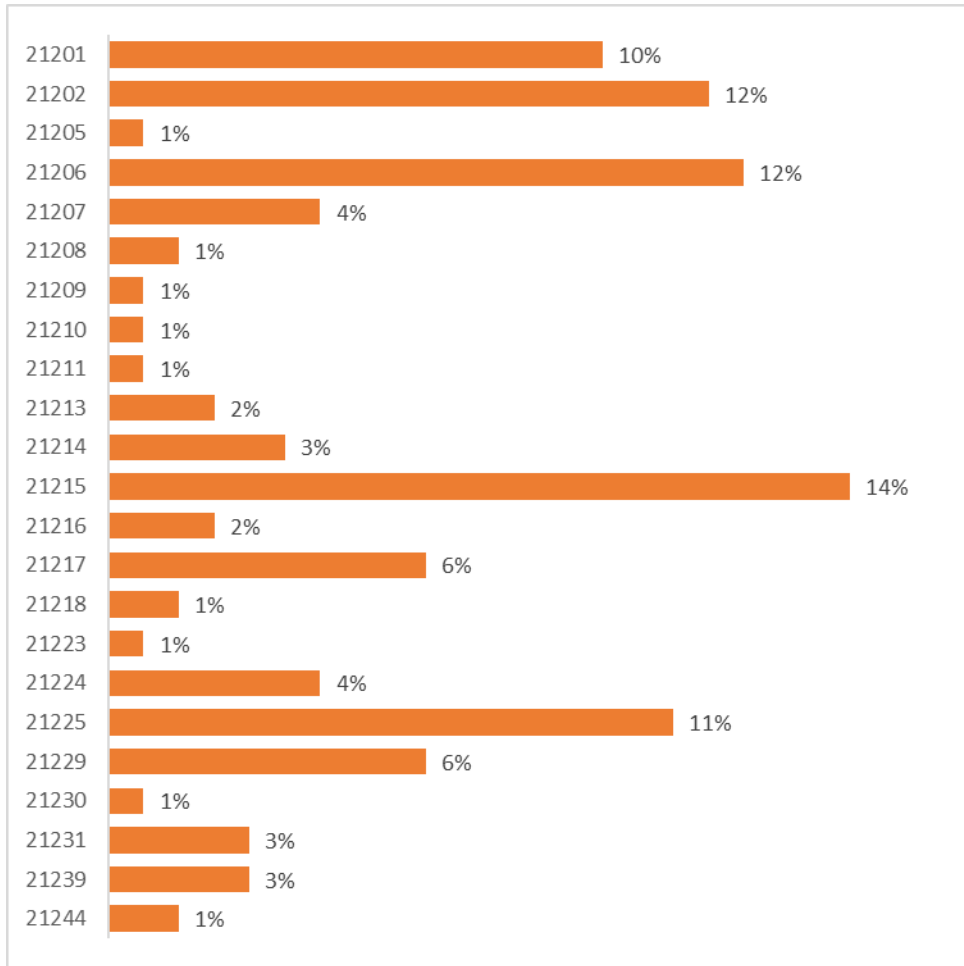


# Analysis of Open Interior Violation Notices

## Overdue Open Interior Violation Notices by Year Issued



## Geographic Distribution of Overdue Open Interior Violation Notices For 20+ Unit Buildings 2019-2023



# **Economic and Community Development Committee**

**23-0357**

**Strengthening Renter's Safety Act**

**Public Testimony**



March 25, 2024

Eric Lewitus

Ednor Gardens, Baltimore City

**TESTIMONY ON 23-0357- Position: Favorable**  
**Baltimore City - Strengthening Renters' Safety Act**

**TO:** Chair Sharon Green Middleton, Vice Chair John Bullock, and the Economic and Community Development Committee

**FROM:** Eric Lewitus

My name is Eric Lewitus and I am a resident of District 14. I am submitting this testimony in support of 23-0357 - Baltimore City - Strengthening Renters' Safety Act on behalf of Jews United for Justice, which organizes more than 1,600 people in Baltimore City to support social, racial, and economic justice campaigns

I am a Senior Scientist in infectious disease research at a government institute, and so I understand well how the effects of our environment affect public and personal health outcomes. I am testifying in support of this bill, which will define the powers of the Department of Housing and Community Development (DHCD) towards codifying landlords' responsibilities and ensuring rented properties are safe for renters. The rights accorded renters in this bill – including knowledge of landlord licensure – are embarrassingly and dangerously lacking for current Baltimore renters.

Living in safe housing is a necessary condition for the health of Baltimore residents. Housing instability is associated with respiratory problems, hypertension, arthritis, depression, and adverse mental health outcomes. Effects on children are particularly grievous. Housing insecurity negatively affects physical development and exacerbates behavioral problems, both of which are often reversed with government oversight of rented properties. Rental property oversight is a public health and safety issue with evidence to endorse its implementation.

As a tenant for nearly two decades, I directly experienced the failure of a city to assure my safety as a renter. I have been forced to pay for the decaying infrastructure a landlord declined to fix, forced to share a bathroom with slugs a landlord declined to treat, and forced to live without heat for two years that a landlord declined to provide. I say forced because the options available to renters are limited; and without government oversight of rental properties, the only recourse renters are left with is to live in an unsafe, inhospitable environment.

The most heartening benefit of renters' safety undoubtedly comes in the form of children and adults having the opportunity to live with dignity. But taken together, rental property oversight is a budget savings coup: physical and mental health directly and indirectly take a toll on public services and the local economy. Investment in renters' safety unburdens hospitals, schools, and policing, while giving more people access to stable employment. According to available DHCD data, service requests have increased 10% every year since 2019; and 25% (up to 40% in district 9) of violation notices or work orders are routinely left outstanding. By protecting renters' safety, the DHCD could avoid the costs of multiplying service requests necessitated through unsafe housing and delinquent oversight.

We do want to ensure that tenants are protected from warrantless search and seizure and urge the committee to examine §5-10 PRIORITY INSPECTIONS to ensure inspections must only be concerned with the condition of the dwelling and not how the renter is occupying the rented space.

On behalf of JUFJ, I implore the Economic and Community Development Committee to pass the Strengthening Renters' Safety Act and engage in further conversation with advocates to ensure tenants are protected from unreasonable search and seizure.



Samantha Gowing  
*Attorney*  
Public Justice Center  
201 North Charles Street, Suite 1200  
Baltimore, Maryland 21201  
410-625-9409, ext. 273  
gowings@publicjustice.org

**Presented to the Baltimore City Council, March 26, 2024  
Hearing — Strengthening Renters' Safety Act**

The Public Justice Center is non-profit organization that provides legal representation to tenants to assert their rights to safe, habitable, affordable, and non-discriminatory housing. I urge the City Council to vote in favor of the Strengthening Renters' Safety Act.

Through my work, I meet new tenants every week who are living amid horrible conditions of disrepair. Rainwater flooding into their home up to their ankles. Ceilings caving in. Rats scurrying through the kitchen. Mold growth exacerbating a child's asthma. These are just a few of the numerous issues the tenants I represent are constantly dealing with in their homes.

The purpose of the Baltimore City licensing law, Baltimore City Code Article 13 § 5, is to hold landlords to a basic regulatory standard, to ensure that all tenants in Baltimore City have safe housing that does not threaten their life, health, and safety. However, various obstacles are preventing this goal from being achieved, which the Strengthening Renters' Safety Act helps to address.

First, DHCD is issuing licenses despite clear non-compliance with the licensing law. In my work as a tenant attorney, I have encountered licenses issued for properties where there are active vacant building notices at the time the inspection occurred and the license was issued. I have seen a license issued when a blank piece of paper was submitted as an inspection report, and where a lead certificate was not uploaded at all. DHCD has backdated licenses to months or even years prior to the date of the inspection, which is expressly prohibited by the licensing law. The Public Justice Center has documented eighteen instances of clearly improper licenses being issued, largely due to oversight errors and errors with DHCD's computer system. For every instance we have identified, there could be dozens more that go unaddressed, leaving tenants to live in terrible conditions without the protections they need.

Second, even when the license application is not clearly deficient, the third party inspector system as it currently stands has proven unreliable. This is because there is an inherent conflict of interest when landlords can choose their own inspectors. Inspectors want to maintain a business relationship with the landlord who hired them, so they pass properties that should not be passed. I have seen properties that passed a third party inspection where the tenants were dealing with serious conditions issues at the time it passed. I have also seen properties that passed the third party inspection, but a city inspector issued code violations less than a month later, with no change in the conditions during that time. DHCD under-utilizes its power to audit third party inspections, and it has no formal complaint process when the tenant believes the third party inspector fraudulently passed the property.

The SRSA would help address these issues by establishing an oversight taskforce and a formal complaint process for tenants living in properties where improper licenses were issued, which would be a critical step in ensuring the effective, continued implementation of the licensing law. It would also increase city inspections in the worst properties and create more transparency for tenants to better understand their rights.

For these reasons, I urge the City Council to vote in favor of the Strengthening Renters' Safety Act.

## FW: Strengthening Renters' Safety Act Testimony - NEXT TUESDAY March 26th @ 2pm

Hasiuk, Ethan (City Council) <Ethan.Hasiuk@baltimorecity.gov>

Mon 3/25/2024 10:37 AM

To: Leva, Anthony F (City Council) <anthony.leva@baltimorecity.gov>

Anthony, please add to bill report, thanks!

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**From:** Richard Reis <rich.reis1@gmail.com>

**Sent:** Friday, March 22, 2024 6:14 PM

**To:** Hasiuk, Ethan (City Council) <Ethan.Hasiuk@baltimorecity.gov>

**Subject:** Re: Strengthening Renters' Safety Act Testimony - NEXT TUESDAY March 26th @ 2pm

**CAUTION:** This email originated from outside of Baltimore City IT Network Systems.

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Hi Ethan,

This is my testimony:

As a Baltimore City resident and as a landlord with a total of 7 apartments, I support the city legislation. It protects vulnerable tenants and insists that buildings and apartments be properly maintained.

In some cases, tenants or others can damage properties making these properties difficult to maintain in a good state of repair. In my many years of being a landlord, this has been very unusual. I trust the city authorities will work with all landlords to address these problems whatever the cause.

March 26, 2024  
Briana Ciccarino  
Baltimore, MD 21202

**TESTIMONY ON 23-0357**  
**Strengthening Renter Safety Act**

**TO:** Vice President Middleton and members of the Economic and Community Development Committee

**FROM:** Briana Ciccarino

My name is Briana Ciccarino and I am a resident of District 12. I am submitting this testimony on 23-0357: The Strengthening Renter Safety Act.

I proudly work, live, volunteer, attend church, and advocate in Baltimore City. I am a licensed social worker having obtained both my undergraduate and graduate degrees from institutions in Baltimore City. I currently work with city residents to prevent evictions and utility shut offs. My social work and Catholic values move me to also advocate for social justice issues I care about including renters' safety.

In interactions with clients, neighbors, and referrals in the community, I hear many stories of families living in terrible living conditions. One family I met has a higher than normal monthly BGE bill because their landlord will not fix multiple issues. They live with little insulation in their walls, uneven door frames that let air in and out, and worst of all, they have had to kill rats in the home due to the landlord's non responsiveness to the issue. Their living conditions are unsafe, unhealthy and are unacceptable. The Strengthening Renter Safety Act will help people like this family by creating a formal complaint process for Baltimore City renters when the landlord has a faulty or fraudulent rental license, a process that does not exist yet. The SRSA will also ensure current and prospective tenants understand their rights by notifying them if a building is unlicensed and requiring that landlords actually distribute the results of inspection reports to the tenants.

Our neighbors who rent in Baltimore City deserve better than a system under which landlords can take advantage of an overworked Baltimore City Department of Housing and Community which needs more resources to manage 311 reports and the licensing program. The Strengthening Renter Safety Act is a much needed and long awaited step toward remedying some of the inequities renters in our City experience every day and I ask for your favorable report.

Briana Ciccarino  
Mt. Vernon, Baltimore City Resident



# METROPOLITAN BALTIMORE COUNCIL AFL-CIO Unions

**COUNCIL BILL 23-0357 –Strengthening Renters’ Safety Act**  
Economic and Community Development Committee, March 26, 2024

**Position: Support with amendment.**

The Metropolitan Baltimore Council AFL-CIO Unions requests that the Economic and Community Development Committee move favorably with amendment on CB 23-0357 - Strengthening Renters' Safety Act.

The Metropolitan Baltimore Council AFL-CIO Unions is a coalition of labor unions made up of over 100 affiliated unions representing nearly 80,000 working people in the greater Baltimore Metropolitan area.

The Strengthening Renters’ Safety Act ensures that the working families of Baltimore have the right to safe living conditions inside of their homes. Safe housing is a public health issue.. It is traumatic and sometimes even deadly to live in dangerous and unhealthy conditions. This is a matter of equity and justice. An analysis of 311 data revealed that between 2019-2023, zero (0) citations had been given for interior issues in 20+ unit buildings without a violation notice first. It is unconscionable that low-income, working class homeowners are being fined for not being able to maintain their homes, while landlords in large buildings receive warnings and are rarely fined for putting residents in danger.

This bill empowers tenants by educating them on their rights — providing notifications about unlicensed buildings to end the exploitation of our most vulnerable communities. The act also enables accountability through the creation of the Rental Licensing & Inspection Task Force that provides oversight for rental inspections and the licensing process– allowing tenants to lead on issues that directly impact them.

The Strengthening Renters’ Safety Act also ensures that accountability and oversight is centered in the enforcement of safe and healthy housing. We know private inspections cannot be trusted to ensure safe, healthy, and habitable conditions – we need oversight from DHCD inspectors focused on starting with a substantial number of units in each building that are the worst in the City. The Metropolitan Baltimore Council AFL-CIO Unions also encourages the adoption of an amendment to § 5-29. RENTAL LICENSING AND INSPECTION TASK FORCE - COMPOSITION that appoints a member on the taskforce to represent the bargaining unit employees in DCHD who are responsible for housing inspections.

Faced with severe staffing shortages, this bill delivers a win for Baltimore City by providing DCHD with the resources needed to carry out its duties, all while ensuring the working families of Baltimore are not unduly burdened by the risks of unsafe and unhealthy housing. These resources would be gathered from buildings designated as priority dwellings

# METROPOLITAN BALTIMORE COUNCIL AFL-CIO Unions



paying a fee of \$100 per dwelling unit and \$75 per rooming unit for each year that the building is designated as a priority dwelling to cover the cost of DHCD inspections.

The Metropolitan Baltimore Council AFL-CIO Unions prioritizes access to safe, affordable, and adequate housing for the backbone of Baltimore City, its working families. Working families should not be exploited by landlords who are allowed to circumvent their responsibility to provide safe housing to tenants. When workers return home after their shift, they should enter a safe and healthy environment after an honest day's work.

Baltimore City has shown its dedication to housing by passing the Inclusionary Housing Act, now is the time to continue the work to not only ensure housing is affordable, but that it is also healthy and safe.

**Please issue a FAVORABLE with amendment COMMITTEE REPORT on COUNCIL BILL 23-0357 –Strengthening Renters' Safety Act.** If you have any questions, please contact Courtney Jenkins at [cjenkins@mbalfcio.org](mailto:cjenkins@mbalfcio.org) or 410-242-1300.

Respectfully submitted,

Courtney L. Jenkins, President