

CITY OF BALTIMORE
ORDINANCE 24 -336
Council Bill 24-0485

Introduced by: Councilmember Ramos
Introduced and read first time: January 22, 2024
Assigned to: Economic and Community Development Committee
Committee Report: Favorable, with amendment
Council action: Adopted
Read second time: March 4, 2024

AN ORDINANCE CONCERNING

Tenant Opportunity to Purchase – Corrective Bill

FOR the purpose of clarifying a definition under Article 13, Subtitle 6 “Opportunity to Purchase”;
and providing for a special effective date.

BY repealing and re-ordaining with amendments
Article 13 - Housing and Urban Renewal
Sections 6-2, 6-4(b), 6-7, 6-8, 6-16(d), and 6-17(a)
Baltimore City Code
(Edition 2000)

By adding
Article 13- Housing and Urban Renewal
Section 16-10
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 6. Opportunity to Purchase

Part 1. Definitions; General Provisions.

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.

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1 § 6-2. Definitions.

2 (a) *In general.*

3 In this subtitle, the following terms have the meanings stated.

4 (b) *Commissioner.*

5 “Commissioner” means the Commissioner of the Department of Housing and Community
6 Development, or the Commissioner’s designee.

7 [(c) *Dwelling unit.*]

8 [“Dwelling unit” has the meaning stated in § 202.2.22.24 of the Baltimore City Building
9 Code.]

10 (c) [(d)] *Landlord.*

11 (1) *In general.*

12 “Landlord” means any person who is the owner of a rental SINGLE-FAMILY dwelling
13 unit.

14 (2) *Inclusion.*

15 “Landlord” includes any person authorized to exercise any aspect of the management
16 of the rental SINGLE-FAMILY dwelling unit, except those persons engaged solely in
17 custodial and maintenance functions.

18 (D) [(e)] *Owner.*

19 “Owner” means any person recorded in the official records of the State or City as holding
20 title to a rental SINGLE-FAMILY dwelling unit.

21 (E) [(f)] *Rent.*

22 (1) *In general.*

23 “Rent” means the consideration, including any bonus, benefit, or gratuity, demanded
24 or received per day, week, month, year, or other period of time, as the case may be,
25 for the use or occupancy of housing accommodations or the transfer of a lease for
26 those accommodations.

27 (2) *Inclusion.*

28 “Rent” includes any charge to a tenant under a rent-to-own agreement if the tenant’s
29 acceptance of the agreement is mandatory or if the tenant is not entitled to a refund of
30 the charge if the tenant does not purchase the unit.

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1 (F) *SINGLE-FAMILY DWELLING UNIT.*

2 "SINGLE-FAMILY DWELLING UNIT" HAS THE MEANING STATED IN § 202.2.22.4 OF THE
3 BALTIMORE CITY BUILDING CODE.

4 (g) *Statement of interest.*

5 "Statement of interest" means a written and clear expression of interest to a landlord that
6 the person writing the statement is interested in purchasing the landlord's rental SINGLE-
7 FAMILY dwelling unit.

8 (h) *Tenant.*

9 "Tenant" means any person who:

10 (i) occupies a rental SINGLE-FAMILY dwelling unit as a residence with the consent of
11 the landlord; and

12 (ii) has an obligation to pay rent or provide other consideration to the landlord for
13 those accommodations.

14 **§ 6-4. Rules of interpretation.**

15 (b) *Time limits.*

16 The time periods specified in this subtitle are minimum periods. A landlord may provide
17 a tenant with reasonable extensions of time to purchase the rental SINGLE-FAMILY
18 dwelling unit.

19 *Part 2. Opportunity to Purchase – Procedures and Requirements*

20 **§ 6-7. Opportunity to purchase – generally.**

21 Before a landlord may settle on the sale of a rental SINGLE-FAMILY dwelling unit, the landlord
22 shall give the tenant an opportunity to purchase the rental SINGLE-FAMILY dwelling unit at a
23 price and under terms that constitute an offer of sale in accordance with the requirements of
24 this subtitle.

25 **§ 6-8. Offer of sale.**

26 (a) *In general.*

27 Prior to offer the rental SINGLE-FAMILY dwelling unit for sale to another party, a landlord
28 shall provide a written offer of sale to:

29 (1) the tenant within the rental dwelling unit; and

30 (2) the Commissioner, on behalf of the Mayor and City Council.

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1 (b) *Contents of offer of sale.*

2 (1) *In general.*

3 The offer of sale required by this section shall include:

- 4 (i) the asking price and the material terms of sale; and
- 5 (ii) a statement that the landlord shall provide the tenant, within 7 calendar days of
6 a request, the following:
- 7 1. a complete copy of any third-party contact to purchase the rental
8 SINGLE-FAMILY dwelling unit, with the purchaser name redacted; and
 - 9 2. copies of available licensing inspection reports of the rental SINGLE-
10 FAMILY dwelling unit for the previous 2 years.

11 (2) *Delay.*

12 For each calendar day of delay by the landlord to provide the information required by
13 subsection (b)(1)(ii) of this section, the time period for the tenant to express interest in
14 purchasing the rental SINGLE-FAMILY dwelling unit or to negotiate a contract with the
15 landlord for the purchase of the rental SINGLE-FAMILY dwelling unit, as the case may
16 be, shall be extended by 1 day.

17 (c) *Additional information.*

18 The landlord shall share the fact sheet regarding tenant rights under this section, which
19 can be obtained from the Department of Housing and Community Development's office
20 or website.

21 (d) *Changes after notice of sale.*

22 (1) *"Material change" defined.*

23 In this subsection, "material change" means:

- 24 (i) a change in the purchaser under a third-party contact; or
- 25 (ii) a reduction in the sales price of 10% or more.

26 (2) *In general.*

- 27 (i) If there is a subsequent third-party contract after the initial offer of sale was
28 transmitted that results in a material change or if the terms of a third-party
29 contract to purchase the rental dwelling unit materially change between the time
30 an offer of sale is made and the settlement, the landlord shall provide the tenant
31 with a new offer of sale reflecting the new terms.

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1 (ii) If the initial time period to indicate interest has expired, the tenant shall have all
2 rights preserved under this subtitle except that the period to indicate interest in
3 purchasing the rental SINGLE-FAMILY dwelling unit under the revised terms of sale
4 may not exceed 7 calendar days from the date of receipt of the new offer of sale.

5 (3) *Sale price increase.*

6 A landlord is not required to provide a new offer of sale if there is an increase in the
7 sale price.

8 **§ 6-10. ASSIGNMENT OF RIGHTS.**

9 THE RIGHTS OF A TENANT UNDER THIS SUBTITLE MAY NOT BE ASSIGNED AND ANY
10 ATTEMPTED ASSIGNMENT IS VOID.

11 *Part 3. Miscellaneous provisions*

12 **§ 6-16. Affidavit on transfers to third parties.**

13 (d) *Corporate owner.*

14 Where a rental SINGLE-FAMILY dwelling unit subject to this section is owned by a
15 corporation, LLC, or other business organization, the affidavit required by subsection (a)
16 of this section shall be made by a duly authorized officer of the organization or duly
17 authorized representative of the ownership entity.

18 **§ 6-17. Reporting.**

19 (a) *Landlord's duty to report.*


20 (1) A landlord shall report each rental SINGLE-FAMILY dwelling unit transfer subject to
21 this subtitle to the Commissioner within 30 days of the transfer in the manner required
22 by the Commissioner.

23 (2) The duty to report under this subsection shall include transfers to a party other than
24 the tenant.

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the same
26 date that Ordinance 23-275 takes effect.

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Certified as duly passed this 18 day of March, 2024



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,
this 18 day of March, 2024




Chief Clerk

Approved this 24 day of April, 2024



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
This 19th Day of March, 2034.



Chief Solicitor

A TRUE COPY
Michael Moiseyev
Director of Finance