



MEMORANDUM

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

From: Alice Kennedy, Housing Commissioner

Date: June 13, 2023

Re: City Council Bill 22-0287 Real Estate Practices - Disclosures - Historic Districts

The Department of Housing and Community Development (DHCD) has reviewed City Council Bill 22-0287 for the purpose of requiring certain disclosures in order to sell a property that is located in a historic district; and providing for certain penalties.

If enacted, City Council Bill 22-0287 would require that on or before entering into a contract for the sale of any real property the seller must make certain disclosures to whether the property is located in a Historic and Architectural Preservation District and that the disclosure must be initialed by the seller. The legislation also imposes a fine of not more than \$500 per offense for any person who violates the provision for work done without receiving an authorization to proceed from the Commission for Historic and Architectural Preservation (CHAP).

At its regular meeting of November 17, 2022, the Planning Commission recommended that City Council Bill 22-0287 be approved by the City Council. The Law department noted in their report that the bill needs an amendment to clarify that the Bill does not apply retroactively by requiring sellers to give the notice if an offer for sale of the property has already been accepted. The Commission for Historical and Architectural Preservation also recommended an amendment in their report to include Baltimore City Landmarks in the disclosure process.

DHCD supports the intent of this legislation and believes it may help inform buyers when purchasing properties that are subject to additional review for exterior work permits by DHCD and CHAP. This may reduce the number of situations where exterior work on historic properties is done without proper authorization. The retention and upkeep of buildings that are designated as being part of a neighborhood that is of particular historical significance and architectural character benefits the health and stability of our neighborhoods. This Bill may prevent instances whereby the new purchaser is not aware of the existence of the Historical District and may undertake exterior renovations without the proper reviews by the building official and CHAP.

DHCD appreciates the opportunity to review the proposed legislation which will help inform purchasers of properties located in Historic Districts.

DHCD **defers to CHAP** on the passage of City Council Bill 22-0287.



AK/sm

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