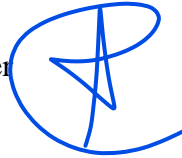




# MEMORANDUM

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

From: Alice Kennedy, Housing Commissioner



Date: January 24, 2023

## Re: City Council Resolution 22-0135R – Informational Hearing — Code Enforcement — Non-Residential Property

The Department of Housing & Community Development (DHCD) has reviewed City Council Resolution 22-0135R for the purpose of inviting representatives from the Department of Housing and Community Development Code Enforcement Division and the Department of Planning Division of Community Planning and Revitalization to provide: (i) data detailing code violations at non-residential properties, including unoccupied, vacant, and abandoned structures, (ii) a review of licensing and registration requirements for unoccupied, vacant, and abandoned non-residential properties, (iii) data demonstrating whether unoccupied, vacant, and abandoned non-residential properties are complying with City Code registration requirements; and (iv) provide guidance about how to address long-term vacancies at non-residential properties.

DHCD is committed to the cleanliness, maintenance and enforcement of the appropriate licensing and registration requirements of all property in the City of Baltimore to promote the health and safety of our communities. DHCD is committed to using every tool available to hold all property owners accountable and move vacant properties - whether non-residential or residential - back to productive use.

- (i) Data detailing code violations at non-residential properties, including unoccupied, vacant, and abandoned structures.

Fiscal Year	New Violation Notice	Sanitation Citations	Total
2019	1705	1554	3259
2020	1393	1446	2839
2021	1644	1555	3199
2022	1743	1548	3291

- (ii) A review of licensing and registration requirements for unoccupied, vacant, and abandoned non-residential properties

The [Baltimore City Code, Article 13, Subtitle 4-2](#), requires every owner of a residential non-owner-occupied dwelling unit, "whether occupied or vacant, whether it is producing revenue or not producing revenue, whether habitable or not habitable," to file a registration statement with the Housing Commissioner. An annual registration must be completed for all non-owner-occupied property including; vacant lots, vacant buildings, multifamily dwellings (MFD) and 1- and 2-family dwellings. Commercial properties only need to register if they have a VBN.

This registration provides valuable contact information to the City of Baltimore. Including a description of the premises by street number, the name, street address, telephone number, and email address of the premises' owner of record and the premises' managing operator, if other than the owner, and if the owner is a corporation, partnership, limited partnership, limited liability company or similar entity; the name, street address, telephone number, and email address of a natural person who serves as the owner's Chief Executive Officer, Managing Partner, or Managing Member, or in a similar authoritative position. Property owners are required to register their non-owner-occupied units every year and this information is vital to the agency to ensure the owners of non-owner-occupied units can be reached and held accountable.

The City regularly inspects, cleans, secures and liens privately owned non-residential unoccupied, vacant, and abandoned structures. Owners of registered vacant structures that provide a valid email address will receive email notification at the time the City creates a work order to clean and/or secure. This provides a last opportunity for the owner to correct and contact the inspector so that they can complete the work themselves, confirm and cancel the work order. If the City gets to the property before the owner or responsible party does and cleans/boards it, they will receive a bill that may become a lien if unpaid.

- (iii) Data demonstrating whether unoccupied, vacant, and abandoned non-residential properties are complying with City Code registration requirements.

**Registration data for vacant buildings and vacant lots.**

There are 539 private, non-residential VBNs and 8,465 vacant lots.

Calendar Year	Vacant Building Registrations	Vacant Lot Registrations
2019	46	691
2020	56	383
2021	166	361

Presently, 47% of non-residential private VBNs and 24% for non-residential private vacant lots are registered. These numbers reflect the fact that many vacant properties don't have a responsible party to register the property, changes to City Law and staffing limitations around compliance and enforcement.

DHCD works tirelessly to ensure that Service Requests (SRs) for which the Department is responsible are completed in a timely manner for non-residential property. Since CY 2021, DHCD achieved a 96% on-time success rate for SR Vacant Buildings inspections and 58% on-time rate for investigations of Illegal Dumping SRs. It should be noted that many of the Work Orders that DHCD generates for sister agencies stem from Inspector-initiated, proactive routine inspections of vacant properties, not the 311 systems or complaints.

- (iv) Provide guidance about how to address long-term vacancies at non-residential properties.

DHCD is committed to implementing the recommendations made in Mayor Scott's 30-day Vacants Memo. These recommendations are critical to accelerating the reduction in vacant properties across the City – whether residential or non-residential. To date, significant progress has been made. The workgroup led by the Mayor's Office, is comprised of senior officials from the Department of Housing and Community Development, the City Solicitor's Office, the Department of Public Works, and the Department of Finance.

DHCD recognizes the blighting influence that vacant properties have on our communities and the hardships they can impose on adjacent properties. DHCD is committed to addressing vacant properties – both residential and commercial – by fully utilizing the innovative tools it has developed. Where City acquisition is determined to be needed, the new Judicial In Rem foreclosure tool, by which abandoned lots and buildings can be acquired in less time than the old tax sale foreclosure method, can be deployed to add targeted properties to the City's inventory for rehabilitation and redevelopment. DHCD can also hold owners of both residential and non-residential properties accountable by methods that include: routine property inspections, code enforcement, issuance of citations and notices for conditions such as failure to meet licensing and registration requirements, high grass and weeds, trash and debris, vacant properties and abandoned vehicles on private property. The completion of work orders generated through these inspections is conducted by other City Agencies. In addition to these activities, the highest level of code enforcement would be to file a receivership case, and work through litigation to hold the owner of the property accountable. In concert with community stakeholders, DHCD continues to identify abandoned and neglected properties that require City intervention, and to determine which of its tools – or which combination of tools – will be employed to reduce vacancy and spur redevelopment of residential and non-residential properties alike.

DHCD appreciates the opportunity to discuss agency activities around code enforcement of non-residential property with the City Council, and partner Agencies in order to more effectively maintain properties and improve collaboration and communication with the citizens of Baltimore.

We respectfully request a **favorable** report on Council Resolution 22-0135R.



*AK/sm*

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

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