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FROM	NAME & TITLE	Robert Cename, Budget Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall		
	SUBJECT	City Council Bill 21-0031 – Landlord-Tenant–Lease Renewals		

DATE:

TO

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

April 23, 2021

Position: Defer to Law

The Department of Finance is herein reporting on City Council Bill 21-0031, Landlord-Tenant–Lease Renewals, the purpose of which is to require landlords offer tenants the opportunity to renew their lease at least 75 days, but not more than 100 days, prior to the end of the lease, except for certain cases. The legislation establishes a violation of the law as an environmental citation with a \$1,000 fine.

Background

Per the Law Department, Maryland law gives landlords in Baltimore City “the right to terminate a year-long tenancy with 90 days’ notice and a shorter time period for other types of tenancies.” This legislation is intended to aid residents in maintaining housing during the COVID-19 pandemic. However, based on the analysis provided by Law, the legislation as drafted cannot be legally enacted or enforced by the City.

Fiscal Impact

The Department of Finance did not complete a fiscal impact analysis for this legislation due to the fact that it cannot be legally enacted or enforced by the City.

Other Considerations

Beyond the concerns raised by Law about the legality of this legislation, the Department of Finance would note additional concerns around implementation of a law like this.

First, this legislation would go into effect the day it is enacted and does not have an end date. However, due to the nature of this bill, there would certainly need to be additional timing for this in order to notify landlords and tenants about their rights and responsibilities under this law. In addition, any City enforcement efforts, though it is not currently legally enforceable, would likely require additional training and hiring. The legislation states the intent is to assist residents during the COVID-19 pandemic to maintain stable housing, but there is not end date for the legislation as drafted.

Second, the legislation is written to allow enforcement of the law by environmental citation. However, none of the City’s agencies that currently conduct enforcement would be staffed or structured for enforcement of a bill of this type. As such, if any amendments were introduced and able to make this legislation enforceable, it is unclear what agency would manage enforcement and what the specific resource needs would be to meet the requirements of the legislation. While a citation may generate some revenue, Finance would not be able to provide a projection due to a lack of data to base the analysis on.

Conclusion

This legislation aims to aid residents in staying in stable housing during the COVID-19 pandemic, but is not able to be legally enacted or enforced due to Maryland law, as determined by the Law Department.

For the reasons stated above, the Department of Finance defers to the Law Department on City Council Bill 21-0031.

cc: Henry Raymond
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