



Legislation Details (With Text)

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Type: City Council Resolution **Status:** Adopted
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Title: Informational Hearing - Criminals - Revocation of Federally Subsidized Housing Assistance

FOR the purpose of requesting the Field Office Director, Baltimore Office of the U.S. Department of Housing and Urban Development, the Commissioner of Housing and Community Development, the Baltimore City Police Commissioner, and the Baltimore City State’s Attorney to address the City Council on the status of intergovernmental and interagency collaborative efforts to keep federally subsidized housing free of persons who commit crimes, engage in criminal activity, or associate with criminals or persons with criminal intent.

Sponsors: Stephanie President Rawlings-Blake, Bill Henry, President Young, William H. Cole, IV, James B. Kraft, Warren Branch, Sharon Green Middleton, Helen L. Holton, Agnes Welch, Belinda Conaway, Mary Pat Clarke, Edward Reisinger

Indexes: Criminals, Housing, Resolution

Code sections:

Attachments: 1. 08-0047R - 1st Reader.pdf, 2. HCD - 08-0047R.pdf, 3. State's Attorney's Office - 08-0047R.pdf, 4. Police - 08-0047R.pdf, 5. 08-0047R - Adopted.pdf

Date	Ver.	Action By	Action	Result
10/27/2008	0	Judiciary and Legislative Investigations	Recommended Favorably	
10/27/2008	0	City Council	Adopted	
9/8/2008	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
6/5/2008	0	The City Council	Referred for a Report	
6/5/2008	0	The City Council	Referred for a Report	
6/5/2008	0	The City Council	Referred for a Report	
6/2/2008	0	City Council	Assigned	
6/2/2008	0	City Council	Introduced	

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL R
(Resolution)

Introduced by: President Rawlings-Blake

A RESOLUTION ENTITLED

A COUNCIL RESOLUTION concerning

Informational Hearing - Criminals - Revocation of Federally Subsidized Housing Assistance

FOR the purpose of requesting the Field Office Director, Baltimore Office of the U.S. Department of Housing and Urban Development, the Commissioner of Housing and Community Development, the Baltimore City Police Commissioner, and the Baltimore City State's Attorney to address the City Council on the status of intergovernmental and interagency collaborative efforts to keep federally subsidized housing free of persons who commit crimes, engage in criminal activity, or associate with criminals or persons with criminal intent.

Recitals

Project-Based Rental Assistance (PBRA) is the federal government's primary program to assist families in meeting their housing needs through publicly subsidized multifamily units. According to U.S. Department of Housing and Urban Development (HUD) records, the program assists more than 1.3 million low- and very low-income households nationwide in obtaining decent, safe, and sanitary housing in private accommodations. There are 9,144 project-based Section 8 units throughout the City.

The PBRA units are owned by private landlords and, for the most part, are not managed by the Housing Authority of Baltimore City (HABC) that provides federally funded public housing programs and related services for more than 40,000 low-income residents in more than 14,000 housing units comprising 18 family developments and 21 mixed population buildings and scattered sites throughout the City.

The termination language contained in HUD's Model Lease provides that the landlord may terminate the agreement for the following reasons:

1. the Tenant's noncompliance with the terms of this Agreement;
2. the Tenant's material failure to carry out obligations under any State Landlord and Tenant Act;
3. drug related criminal activity engaged in on or near the premises, by any tenant, household member, or guest, and any such activity engaged in on the premises by any person under the tenant's control;
4. determination made by the Landlord that household member is illegally using a drug;
5. determination made by the Landlord that a pattern of illegal use of drugs interferes with the health, safety, or right to peaceful enjoyment of the premises by other residents;
6. criminal activity by the tenant, any member of the tenant's household, a guest or another person under the tenant's control:
 - (a) that threatens the health, safety, or right to peaceful enjoyment of the premises by other residents (including property management staff residing on the premises); or
 - (b) that threatens the health, safety, or right to peaceful enjoyment of their residences by persons residing in the immediate vicinity of the premises;
7. if the tenant is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime, or attempt to commit a crime, that is a felony under the laws of the place from which the individual flees, or that in the State of New Jersey, is a high misdemeanor;

8. if the tenant is violating a condition of probation or parole under Federal or State law;
9. determination made by the Landlord that a household member's abuse or pattern of abuse of alcohol threatens the health, safety, or right to peaceful enjoyment of the premises by other residents;
10. if the Landlord determines that the tenant, any member of the tenant's household, a guest or another person under the tenant's control has engaged in the criminal activity, regardless of whether the tenant, any member of the tenant's household, a guest or another person under the tenant's control has been arrested or convicted for such activity.

Abatement of nuisance activity in federally subsidized property in Baltimore City is carried out by the Property Based Crime Solutions (PBCS) Program, a "one-stop shop" located within Housing's Code Enforcement Legal Section. The program is a cooperative effort of the Baltimore City Police Department, the Baltimore City State's Attorney's Office, the Mayor's Office, and Baltimore Housing that achieves outcomes beyond the reach of any single agency when addressing nuisance properties.

In a working relationship with communities and community leaders, problem properties are identified by the partnering agencies, and complaints detailing the properties are submitted to the PBCS Program through a web-based complaint system. The PBCS officials then review the complaints, and the appropriate nuisance abatement tool(s) are selected. Competent data management and regular reporting ensure the accountability and success of the inter-agency cooperative effort.

Regulations promulgated by the federal government and conditions for the rental of federally subsidized property seek to ensure the safety of persons already challenged by the social impediments associated with poverty and a lower socio-economic existence. To achieve this end, it is imperative that landlords who provide housing through the Project-Based Rental Assistance program are held to the same standards that exist for all federally assisted housing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BALTIMORE, That the Field Office Director of the Baltimore Office of the U.S. Department of Housing and Urban Development, the Commissioner of Housing and Community Development, the Baltimore City Police Commissioner, and the Baltimore City State's Attorney are requested to address the City Council on the status of intergovernmental and interagency collaborative efforts to keep federally subsidized housing free of persons who commit crimes, engage in criminal activity, or associate with criminals or persons with criminal intent.

AND BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to the Mayor, the Field Office Director of the Baltimore Office of the U.S. Department of Housing and Urban Development, the Commissioner of Housing and Community Development, the Baltimore City Police Commissioner, the Baltimore City State's Attorney, the Baltimore City Congressional Delegation, the Executive Director of the Mayor's Office of State Relations, and the Mayor's Legislative Liaison to the City Council.

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