



Legislation Details (With Text)

File #: 20-0555 **Version:** 0 **Name:** High-Performance Market-Rate Rental Housing Tax Credit - Revision
Type: Ordinance **Status:** Failed - End of Term
File created: 7/6/2020 **In control:** Taxation, Finance and Economic Development Committee
On agenda: **Final action:** 12/7/2020
Enactment date: **Enactment #:**
Title: High-Performance Market-Rate Rental Housing Tax Credit - Revision
For the purpose of making certain revisions to a provision regarding the use of the high-performance market-rate rental housing tax credit in conjunction with other tax subsidies; and providing for a special effective date.
Sponsors: City Council President (Administration)
Indexes: High-Performance Buildings, Market-Rate
Code sections:
Attachments: 1. 20-0555~1st Reader, 2. Law 20-0555

Date	Ver.	Action By	Action	Result
12/7/2020	0	City Council	Failed - End of Term	
7/9/2020	0	The City Council	Refer to Baltimore Development Corporation	
7/9/2020	0	The City Council	Refer to Dept. of Planning	
7/9/2020	0	The City Council	Refer to Dept. of Finance	
7/9/2020	0	The City Council	Refer to City Solicitor	
7/9/2020	0	The City Council	Refer to Dept. of Housing and Community Development	
7/6/2020	0	City Council	Introduced	
7/6/2020	0	City Council	Assigned	

Explanation: Capitals indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **Warning:** This is an unofficial, introductory copy of the bill.
The official copy considered by the City Council is the first reader copy.

Introductory*

**City of Baltimore
Council Bill**

Introduced by: The Council President
At the request of: The Administration (Dept. of Finance/Baltimore Development Corporation)

A Bill Entitled

An Ordinance concerning
High-Performance Market-Rate Rental Housing Tax Credit - Revision
For the purpose of making certain revisions to a provision regarding the use of the high-performance market-

rate rental housing tax credit in conjunction with other tax subsidies; and providing for a special effective date.

By repealing and re-ordaining, with amendments

Article 28 - Taxes
Section(s) 10-18(h)
Baltimore City Code
(Edition 2000)

By repealing and re-ordaining, without amendments

Article 28 - Taxes
Section(s) 10-18(a), (b), and (c)
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 28. Taxes

Subtitle 10. Credits

§ 10-18. High-performance market-rate rental housing - Citywide.

(a) *Definitions.*

(1) *In general.*

In this section, the following terms have the meanings indicated.

(2) *High-performance.*

“High-performance” means a high performance building as defined in State Tax-Property Article § 9-242.

(3) *Market-rate rental housing project.*

“Market-rate rental housing project” means a multi-family dwelling:

(i) that contains 10 or more rental units; and

(ii) in which dwelling, except to the extent specifically required by City Code Article 13, Subtitle 2B {“Inclusionary Housing Requirements”}, none of the rental units are subject to governmental restrictions on the amount of rent charged or on the tenant’s income level.

(4) *Newly constructed or converted.*

“Newly constructed or converted” means a high-performance market-rate rental housing project:

(i) that is either:

(A) newly constructed on a vacant lot, cleared site, or parking lot;

(B) converted from a non-residential use; or

(C) a wholly renovated structure; and

(ii) for which:

(A) the cost of the construction or conversion exceeds \$60,000 per rental unit; and

(B) a first occupancy permit following substantial completion of the construction or conversion is issued after January 1, 2014, and on or before June 30, 2024.

(b) *Program goal.*

The goal of this program is to help grow Baltimore's residential population in an environmentally sensitive manner, by encouraging the construction or conversion of new high-performance market-rate rental housing projects.

(c) *Credit granted.*

In accordance with State Tax-Property Article § 9-242, a High-Performance Market-Rate Rental Housing Tax Credit is granted against the City property tax imposed on eligible newly constructed or converted high-performance market-rate rental housing projects.

....

(h) *No tax subsidy duplication allowed.*

Except for the Maryland State Enterprise Zone Tax Credit Program, the tax credit authorized by this section does not apply to any property for which any other tax subsidy from the City, whether in the form of a tax credit, payment in lieu of taxes, [tax incremental financing,] or otherwise, is being received or has been applied for.

Section 2. And be it further ordained, That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

Section 3. And be it further ordained, That this Ordinance takes effect on the date it is enacted.