



Legislation Text

File #: 14-0317, **Version:** 0

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Clarke

A BILL ENTITLED

AN ORDINANCE concerning
Housing - Source of Income Discrimination

FOR the purpose of requiring that housing projects subject to affordable housing requirements make their dwellings available to individuals without distinction based on source of income; prohibiting certain predatory representations based on the source of income of housing occupants; defining certain terms; and generally relating to source of income discrimination.

BY adding
Article 13 - Housing and Urban Renewal
Section(s) 2B-1(l-1) and 2B-25
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 13. Housing and Urban Renewal

Subtitle 2B. Inclusionary Housing Requirements

§ 2B-1. Definitions - General

(L-1) SOURCE OF INCOME.

(1) IN GENERAL.

“SOURCE OF INCOME” MEANS ANY LAWFUL SOURCE OF MONEY PAID DIRECTLY OR INDIRECTLY TO, OR ON BEHALF OF, A RENTER OR BUYER OF HOUSING.

(2) INCLUSIONS.

“SOURCE OF INCOME” INCLUDES INCOME FROM:

(I) A LAWFUL PROFESSION, OCCUPATION, OR JOB;

(II) ANY GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, LOAN, OR RENTAL ASSISTANCE PROGRAM, INCLUDING LOW-INCOME HOUSING ASSISTANCE CERTIFICATES AND VOUCHERS ISSUED UNDER THE UNITED STATES HOUSING ACT OF 1937; OR

(III) A GIFT, AN INHERITANCE, A PENSION, AN ANNUITY, ALIMONY, CHILD SUPPORT, OR OTHER CONSIDERATION OR BENEFIT.

§ 2B25. SOURCE OF INCOME DISCRIMINATION.

(A) PROJECTS SUBJECT TO AFFORDABLE HOUSING REQUIREMENTS.

FOR ANY UNIT IN ANY RESIDENTIAL PROJECT THAT MEETS THE REQUIREMENTS OF 2B21(A), 2B22(A), OR 2B23(A) OF THIS SUBTITLE, A PERSON MAY NOT:

(1) REFUSE TO SELL OR RENT, REFUSE TO NEGOTIATE FOR THE SALE OR RENTAL OF, OR OTHERWISE MAKE UNAVAILABLE OR DENY, A DWELLING TO ANY PERSON BECAUSE OF THAT PERSON’S SOURCE OF INCOME;

(2) DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS, OR PRIVILEGES OF THE SALE OR RENTAL OF A DWELLING, OR RENTAL OF A DWELLING, OR IN THE PROVISION OF SERVICES OR FACILITIES IN CONNECTION WITH THE SALE OR RENTAL OF A DWELLING, BECAUSE OF THAT PERSON’S SOURCE OF INCOME;

(3) MAKE, PRINT, OR PUBLISH, OR CAUSE TO BE MADE, PRINTED, OR PUBLISHED, ANY NOTICE, STATEMENT, OR ADVERTISEMENT WITH RESPECT TO THE RENTAL OF A DWELLING THAT INDICATES ANY PREFERENCE, LIMITATION, OR DISCRIMINATION BASED ON THE SOURCE OF INCOME THAT MAY BE USED TO PAY RENT;

(4) REPRESENT TO ANY PERSON, BECAUSE OF THAT PERSON’S SOURCE OF INCOME, THAT ANY DWELLING IS NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE DWELLING IS AVAILABLE; OR

(5) FOR PROFIT, INDUCE OR ATTEMPT TO INDUCE ANY PERSON TO SELL OR RENT ANY DWELLING BY REPRESENTATIONS REGARDING THE ENTRY OR PROSPECTIVE ENTRY INTO THE NEIGHBORHOOD OF A PERSON USING A PARTICULAR SOURCE OF INCOME.

(B) PROJECTS RECEIVING COST OFFSETS FOR AFFORDABLE HOUSING.

FOR ANY UNIT IN ANY RESIDENTIAL PROJECT THAT RECEIVES A COST OFFSET FROM THE HOUSING COMMISSIONER UNDER § 2B-24 OF THIS SUBTITLE, A PERSON MAY NOT:

- (1) REFUSE TO SELL OR RENT, REFUSE TO NEGOTIATE FOR THE SALE OR RENTAL OF, OR OTHERWISE MAKE UNAVAILABLE OR DENY, A DWELLING TO ANY PERSON BECAUSE OF THAT PERSON'S SOURCE OF INCOME;
 - (2) DISCRIMINATE AGAINST ANY PERSON IN THE TERMS, CONDITIONS, OR PRIVILEGES OF THE SALE OR RENTAL OF A DWELLING, OR RENTAL OF A DWELLING, OR IN THE PROVISION OF SERVICES OR FACILITIES IN CONNECTION WITH THE SALE OR RENTAL OF A DWELLING, BECAUSE OF THAT PERSON'S SOURCE OF INCOME;
 - (3) MAKE, PRINT, OR PUBLISH, OR CAUSE TO BE MADE, PRINTED, OR PUBLISHED, ANY NOTICE, STATEMENT, OR ADVERTISEMENT WITH RESPECT TO THE RENTAL OF A DWELLING THAT INDICATES ANY PREFERENCE, LIMITATION, OR DISCRIMINATION BASED ON THE SOURCE OF INCOME THAT MAY BE USED TO PAY RENT;
 - (4) REPRESENT TO ANY PERSON, BECAUSE OF THAT PERSON'S SOURCE OF INCOME, THAT ANY DWELLING IS NOT AVAILABLE FOR INSPECTION OR RENTAL WHEN THE DWELLING IS AVAILABLE; OR
 - (5) FOR PROFIT, INDUCE OR ATTEMPT TO INDUCE ANY PERSON TO SELL OR RENT ANY DWELLING BY REPRESENTATIONS REGARDING THE ENTRY OR PROSPECTIVE ENTRY INTO THE NEIGHBORHOOD OF A PERSON USING A PARTICULAR SOURCE OF INCOME.
- (C) REQUIREMENTS MAY NOT BE WAIVED.

THE REQUIREMENTS OF THIS SECTION MAY NOT BE WAIVED OR MODIFIED UNDER ANY OTHER PROVISION OF THIS SUBTITLE, AND NO RESIDENTIAL PROJECT MAY BE EXEMPTED FROM THE REQUIREMENTS OF THIS SECTION UNDER ANY OTHER PROVISION OF THIS SUBTITLE.

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 30th day after the date it is enacted.

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