

CITY OF BALTIMORE
ORDINANCE **24-403**
Council Bill 23-0357

Introduced by: Councilmembers Cohen, Torrence, Ramos, Burnett, Dorsey, Bullock, Glover
Introduced and read first time: February 27, 2023
Assigned to: Economic and Community Development Committee
Committee Report: Favorable, with amendments
Council action: Adopted
Read second time: August 26, 2024

AN ORDINANCE CONCERNING

Strengthening Renters' Safety Act

FOR the purpose of establishing a priority inspection; establishing criteria for priority dwellings and priority inspections; requiring the Commissioner of the Department of Housing and Community Development to post certain notices; amending certain rental dwelling license application requirements; amending certain prerequisites for new and renewed rental dwelling licenses; amending license fees; updating inspection requirements; requiring the posting of license numbers; updating causes for denial, suspension, or revocation of a license; bolstering public access to information; authorizing the initiation of enforcement of the subtitle by complaint; providing for certain data collection; ~~establishing the Baltimore City Rental Licensing and Inspection Task Force; providing for the composition, terms, and organization of the Task Force; establishing the duties of the Task Force;~~ adding a civil citation fine for violating of licensing requirements; requiring annual reporting; amending certain definitions; ~~providing a time period when the Task Force shall first convene;~~ and providing for a special effective date.

By repealing, and re-ordaining, with amendments

Article 1 - Mayor, City Council, and Municipal Agencies
Section 41-14
Baltimore City Code
(Edition 2000)

By renumbering current

Article 13 - Housing and Urban Renewal
Current Sections 5-1(g) through (i), respectively, to be New Sections 5-1(i) through (k),
respectively
Baltimore City Code
(Edition 2000)

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

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BY adding

Article 13 - Housing and Urban Renewal
New Sections ~~5-1(g), 5-1(h), 5-1(g)~~ and 5-1(l)
Baltimore City Code
(Edition 2000)

BY repealing, and re-ordaining, without amendments

Article 13 - Housing and Urban Renewal
Sections 5-2, 5-13, 5-16, 5-17, 5-19, 5-20, 5-24, and 5-26
Baltimore City Code
(Edition 2000)

BY repealing, and re-ordaining, with amendments

Article 13 - Housing and Urban Renewal
Sections 5-4, 5-5 through 5-9, 5-11, 5-12, 5-15, 5-20, 5-22, and 5-25
Baltimore City Code
(Edition 2000)

BY adding

Article 13 - Housing and Urban Renewal
Sections 5-10, 5-14, and 5-27 through 5-33 5-27, and 5-28
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 5. Licensing of Rental Dwellings

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§ 5-1. Definitions.

(G) *PRIORITY DWELLING.*

"PRIORITY DWELLING" MEANS A RENTAL DWELLING:

(1) WITH 20 OR MORE DWELLING UNITS OR ROOMING UNITS; AND

(2) TO WHICH 2 OR MORE OF THE FOLLOWING CRITERIA APPLIED IN THE PRECEDING CALENDAR YEAR:

(I) THE RENTAL DWELLING WAS ISSUED A NOTICE, ORDER, OR CITATION THAT REMAINED UNABATED FOR MORE THAN 60 DAYS UNDER THE CITY BUILDING, FIRE, AND RELATED CODES ARTICLE OR TITLE 12, SUBTITLE 8 {"ELEVATOR SAFETY"} OF THE MARYLAND PUBLIC SAFETY ARTICLE, PERTAINING TO:

(A) HEATING;

(B) VENTILATION;

(C) FIRE PROTECTION;

(D) PLUMBING;

(E) ROOF LEAKS;

(F) ELECTRICAL SYSTEMS;

(G) WATER SUPPLY;

(H) STRUCTURAL DEFICIENCIES;

(I) BED BUGS; OR

(J) RODENTS;

(II) THE RENTAL DWELLING WAS ISSUED NOTICES OR ORDERS THAT REMAINED UNABATED FOR MORE THAN 30 DAYS RELATING TO:

(A) PEELING, CHIPPING, OR FLAKING LEAD PAINT; OR

(B) ELEVATORS;

(III) THE NUMBER OF RECORDED 311 CALLS RELATED TO HEALTH AND HABITABILITY FOR THE RENTAL DWELLING DIVIDED BY THE TOTAL NUMBER OF DWELLING AND ROOMING UNITS IN THE RENTAL DWELLING EXCEEDED THE MINIMUM VALUE DISPLAYED IN THE TABLE BELOW;

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TOTAL NUMBER OF UNITS	MINIMUM VALUE
20-50	0.75
51-150	0.5
+51+	0.25

(IV) THE RENTAL DWELLING IS OPERATED UNDER A 1 YEAR RENEWAL TERM AS PROVIDED FOR AND DETAILED IN §§ 5-9(C)(3) AND 5-9(D)(3) OF THIS SUBTITLE; AND

(V) THE RENTAL DWELLING'S U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) REAL ESTATE ASSESSMENT CENTER (REAC) INSPECTION SCORE FOR EITHER OF THE 2 MOST RECENT REAC INSPECTIONS WAS LESS THAN OR EQUAL TO 79.

(1) IN GENERAL.

"PRIORITY DWELLING" MEANS A RENTAL DWELLING:

(I) WITH 20 OR MORE DWELLING UNITS OR ROOMING UNITS; AND

(II) TO WHICH 2 OR MORE OF THE FOLLOWING CRITERIA APPLIED IN THE PRECEDING CALENDAR YEAR:

A. THE RENTAL DWELLING WAS ISSUED A VIOLATION NOTICE UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS THAT REMAINED UNABATED FOR MORE THAN 90 DAYS;

B. THE RENTAL DWELLING WAS ISSUED FOUR OR MORE VIOLATION NOTICES UNDER THE BUILDING, FIRE, AND RELATED CODES ARTICLE RELATING TO INTERIOR CONDITIONS; AND

C. THE NUMBER OF RECORDED 311 CALLS RELATED TO HEALTH AND HABITABILITY FOR A RENTAL DWELLING, WHICH MAY NOT INCLUDE REQUESTS TO SUMMON LAW ENFORCEMENT OR EMERGENCY SERVICES AS PROHIBITED UNDER § 14-126 OF THE STATE REAL PROPERTY ARTICLE, DIVIDED BY THE TOTAL NUMBER OF DWELLING AND ROOMING UNITS IN THAT RENTAL DWELLING, EXCEEDS THE APPLICABLE MINIMUM VALUE IN THE TABLE BELOW; AND

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TOTAL NUMBER OF UNITS	MINIMUM VALUE
<u>20 - 35</u>	<u>0.8</u>
<u>36 - 50</u>	<u>0.7</u>
<u>51 - 75</u>	<u>0.6</u>
<u>76 - 100</u>	<u>0.5</u>
<u>101 - 125</u>	<u>0.4</u>
<u>126 - 150</u>	<u>0.3</u>
<u>151+</u>	<u>0.2</u>

D. THE RENTAL DWELLING'S U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) NATIONAL STANDARDS FOR THE PHYSICAL INSPECTION OF REAL ESTATE (NSPIRE) INSPECTION SCORE FOR EITHER OF THE 2 MOST RECENT NSPIRE INSPECTIONS WAS LESS THAN OR EQUAL TO 79.

(2) EXCEPTIONS.

THIS DEFINITION DOES NOT INCLUDE ANY RENTAL DWELLINGS OWNED AND OPERATED BY THE HOUSING AUTHORITY OF BALTIMORE CITY.

(H) PRIORITY INSPECTION.

"PRIORITY INSPECTION" MEANS:

- (1) ~~THE PHYSICAL INSPECTION OF A PRIORITY DWELLING CONDUCTED BY A MULTI-FAMILY DWELLING CERTIFIED SENIOR INSPECTOR AN INSPECTOR EMPLOYED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT; AND~~
- (2) ~~THE SENIOR INSPECTOR'S~~ INSPECTOR'S WRITTEN EVALUATION OF THE RENTAL DWELLING'S COMPLIANCE WITH THE CITY'S HEALTH AND SAFETY STANDARDS SPECIFIED IN THE RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER UNDER THIS SUBTITLE.

(I) [(g)] Rental dwelling.

"Rental dwelling" means:

- (1) any multiple-family dwelling;
- (2) any rooming house; and
- (3) any non-owner-occupied dwelling unit in a 1- or 2-family dwelling that is leased or rented or offered or available for lease or rental in exchange for any form of consideration.

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(J) [(h)] *Rooming house.*

“Rooming house” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

(K) [(I)] *Rooming unit.*

“Rooming unit” has the meaning stated in § 202.2 of the Property Maintenance Code of Baltimore City.

~~(L) TASK FORCE.~~

~~“TASK FORCE” MEANS THE BALTIMORE CITY RENTAL LICENSING AND INSPECTION TASK FORCE.~~

§ 5-2. Rules and regulations.

Subject to Title 4 {“Administrative Procedure Act – Regulations”} of the City General Provisions Article, the Commissioner ~~must~~ MAY adopt rules and regulations to carry out this subtitle.

§ 5-3. {Reserved}

§ 5-4. License required.

(a) *In general.*

Except as provided in subsection (b) of this section, no person may:

(1) rent or offer to rent to another all or any part of any rental dwelling without a currently effective license to do so from the Housing Commissioner; or

(2) charge, accept, retain, or seek to collect any rental payment or other compensation for providing to another the occupancy of all or any part of any rental dwelling unless the person was licensed under this subtitle at both the time of offering to provide and the time of providing this occupancy.

(b) *Exception.*

A license is not required under this subtitle for any rental dwelling that is owned and operated by the Housing Authority of Baltimore City.

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(C) NOTICE TO ALL OCCUPANTS.

(1) WHEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NOTICE OR ACTUAL KNOWLEDGE THAT A RENTAL DWELLING IS RENTED WITHOUT A ~~CURRENTLY EFFECTIVE~~ LICENSE AS REQUIRED IN THIS SECTION, THE COMMISSIONER SHALL PROMPTLY ~~POST A NOTICE IN THE RENTAL DWELLING IN AN AREA ACCESSIBLE TO ALL OCCUPANTS. NOTIFY THE RECORD OWNER OR THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER. TO POST A NOTICE IN THE RENTAL DWELLING IN AN AREA ACCESSIBLE TO ALL OCCUPANTS.~~

(2) THE NOTICE REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) A DESCRIPTION OF THE DUTIES AND OBLIGATIONS OF THE RECORD OWNER AND MANAGING OPERATOR OF THE RENTAL DWELLING REGARDING COMPLIANCE WITH THIS SUBTITLE;

(II) THE CIVIL CITATIONS AND CRIMINAL PENALTIES THAT MAY ARISE UNDER §§ 5-25 AND 5-26 OF THIS SUBTITLE;

(III) A STATEMENT THAT EACH DAY THE VIOLATION CONTINUES IS A SEPARATE OFFENSE; AND

(IV) ANY ADDITIONAL INFORMATION THE COMMISSIONER DEEMS NECESSARY TO INCLUDE.

(3) THE NOTICE MUST REMAIN POSTED FOR AT LEAST 90 DAYS OR UNTIL THE BUILDING IS LICENSED, WHICHEVER IS LONGER.

(D) NOTICE TO HABC.

WHEN THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS NOTICE OR ACTUAL KNOWLEDGE THAT A RENTAL DWELLING IS RENTED WITHOUT A LICENSE AS REQUIRED IN THIS SECTION, THE COMMISSIONER SHALL PROMPTLY NOTIFY THE HOUSING AUTHORITY OF BALTIMORE CITY, INCLUDING ANY INFORMATION THE COMMISSIONER DEEMS NECESSARY.

§ 5-5. Application for new or renewal license.

(a) *In general.*

The application for a new or renewal rental dwelling license must be made in the form and contain the information and documentation that the Housing Commissioner requires.

(b) *By whom to be made.*

The application must be made and signed by:

(1) the RECORD owner of the premises; and

(2) the managing operator of the premises, if other than the RECORD owner.

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(c) *Application period for renewal.*

To renew a license issued under this subtitle, an application for renewal must be submitted to the Commissioner no more than 120 days before the license expires.

(D) *LICENSE APPLICATION – FORM AND CONTENTS.*

EACH APPLICATION FOR A NEW OR RENEWED LICENSE, MUST CONTAIN THE FOLLOWING INFORMATION:

- (1) A DESCRIPTION OF THE PREMISES BY STREET NUMBER AND BY BLOCK-AND-LOT NUMBERS;
- (2) THE NAME, STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE RENTAL DWELLING'S RECORD OWNER; ~~AND~~
- (3) THE NAME, STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS OF THE RENTAL DWELLING'S MANAGING OPERATOR, IF OTHER THAN THE RECORD ~~OWNER,~~ OWNER; AND
- (4) ANY OTHER INFORMATION REQUESTED BY THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE.

§ 5-6. Prerequisites for new or renewal license – In general.

A rental dwelling license may be issued or renewed under this subtitle only if:

- (1) all dwelling units and rooming units are currently registered as required by Subtitle 4 {"Registration of Non-Owner-Occupied Dwellings, Rooming Houses, and Vacant Structures"} of this article;
- (2) all registration fees for these units and all related interest and late fees required by Subtitle 4 have been paid;
- (3) the premises have passed an inspection, as required by § 5-7 {"Prerequisites ... – Inspection"} OR § 5-10 {"PRIORITY INSPECTIONS"} of this subtitle;
- (4) the premises are in compliance with all Federal, State, and City laws and regulations governing lead paint;
- (5) for premises that include a hotel or motel subject to City Code Article 15 {"Licensing and Regulation"}, Subtitle 10 {"Hotels"}, the hotel or motel is in compliance with the training, certification, and posting requirements of that subtitle; and

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(6) the premises are not subject to any violation notice or order that:

(i) has been issued under the Baltimore City Building, Fire, and Related Codes Article; and

(ii) notwithstanding the passage of more than 90 days since its issuance, has not been abated before the license issuance or renewal.

§ 5-7. Prerequisites for new or renewal license – Inspection.

(a) *In general.*

The inspection required by § 5-6 {"Prerequisites ... – In general"} of this subtitle must comply with either:

(1) subsection (b) {"Third-party home inspections"} of this section; [or]

(2) subsection (c) {"Governmental agency inspections"} of this section[.]; OR

(3) § 5-10 {"PRIORITY INSPECTIONS"} OF THIS SUBTITLE.

(b) *Third-party home inspections.*

(1) *Definitions.*

(i) *In general.*

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

(ii) *Home inspection.*

"Home inspection" means a home inspector's written evaluation of a rental dwelling's compliance with the City's health and safety standards specified in the Housing Commissioner's rules and regulations adopted under this subtitle.

(iii) *Home inspector.*

"Home inspector" means an individual:

(A) who is licensed as a home inspector under Title 16, Subtitle 3A of the State Business Occupation and Professions Article; and

(B) who, as required by the rules and regulations adopted under this subtitle:

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1. has registered with the Housing Commissioner as generally available to inspect and certify rental dwellings under this subsection;
2. has, as specified by the rules and regulations adopted under this subtitle, submitted to the Commissioner a conflict-of-interest statement; and
3. for each home inspection to be performed under this subsection, certifies that neither the home inspector nor any owner, partner, director, officer, employee, or agent of the home inspector or of the home inspector's business has any financial interest in:
 - a. the rental dwelling to be inspected;
 - b. the RECORD owner or operator of that rental dwelling; or
 - c. any owner, partner, director, officer, employee, or agent of the rental dwelling's RECORD owner or operator.

(2) *Applicant to contract for timely inspection.*

- (i) Before applying for a rental dwelling license or renewal license, the applicant must, at the applicant's expense, contract with a home inspector to perform a home inspection under this section.

(ii) ~~The inspection must be performed as follows:~~

~~(A) for a multiple-family dwelling, not more than 90 days before a completed application for a license or renewal license is submitted to the Housing Commissioner; and~~

~~(B) for a 1- or 2-family dwelling, not more than 30 days before a completed application for a license or renewal license is submitted to the Housing Commissioner.~~

(II) INSPECTIONS MAY NOT BE PERFORMED MORE THAN 90 DAYS BEFORE A PERSON SUBMITS AN APPLICATION FOR A RENTAL DWELLING LICENSE OR AN APPLICATION FOR RENEWAL OF A RENTAL DWELLING LICENSE TO THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE.

(3) *Number of units to be inspected.*

- (i) For any rental dwelling that comprises 9 or fewer dwelling or rooming units, all dwelling and rooming units must be inspected under this subsection.
- (ii) For any multiple-family dwelling or rooming house that comprises 10 or more dwelling or rooming units, the number of units that must be inspected are as determined in the rules and regulations adopted under this subtitle.

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1 (4) *Inspector's reports and certification.*

2 (i) After the home inspection, the home inspector must issue to the applicant:

3 (A) a written report of every inspection conducted under this section; and

4 (B) if the rental dwelling meets the City's health and safety standards
5 specified in the rules and regulations adopted under this subtitle,
6 a certificate of satisfactory compliance with those standards.

7 (ii) The reports and the certification must be:

8 (A) in the form required by the Commissioner; and

9 (B) signed by the home inspector, under oath and under the home inspector's
10 seal.

11 (c) *Governmental agency inspections.*

12 (1) *Scope of subsection.*

13 This subsection applies to any rental dwelling unit that is required to undergo periodic
14 inspections conducted by a governmental agency in accordance with Federal or State
15 inspection standards.

16 (2) *Required evidence of compliance with most recent inspection.*

17 For a rental dwelling unit described in paragraph (1) of this subsection, the applicant
18 for a license or renewal license may, in lieu of the requirements of subsection (b)
19 {"Third-party home inspections"} of this section, submit evidence satisfactory to the
20 Housing Commissioner that the unit has passed [the most recent periodic] AN
21 inspection by the applicable governmental agency WITHIN THE PAST 6 MONTHS.

22 (d) *Commissioner to audit inspections.*

23 ~~As prescribed by the rules and regulations adopted under this subtitle, the Housing~~
24 ~~Commissioner must conduct an annual audit of inspections conducted under this section.~~

25 THE COMMISSIONER SHALL CONDUCT AN ANNUAL AUDIT OF INSPECTIONS CONDUCTED
26 UNDER THIS SECTION.

27 (e) *Commissioner's inspection authority not affected.*

28 This section does not in any way prevent or limit the authority of the Housing
29 Commissioner to conduct routine, spot, quality-control, or other inspections of rental
30 dwellings under the City Building, Fire, and Related Codes Article.

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(F) *INSPECTION REPORTS – DISTRIBUTION.*

INSPECTION REPORTS USED TO SATISFY § 5-6 {"PREREQUISITES . . . – IN GENERAL"} OF THIS SUBTITLE MUST BE DISTRIBUTED BY THE RECORD OWNER OR, THE MANAGING OPERATOR, IF OTHER THAN THE RECORD OWNER, TO EACH RESIDENT OF THE RENTAL DWELLING FOR WHICH A PERSON IS APPLYING FOR A NEW OR RENEWED RENTAL LICENSE AT THE TIME THE APPLICATION FOR A NEW OR RENEWED LICENSE IS SUBMITTED.

§ 5-8. *License fees: {Reserved}*

(A) *IN GENERAL:*

[No] EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, NO fee is imposed for a rental dwelling license issued under this subtitle.

(B) *EXCEPTIONS:*

FOR ALL PRIORITY DWELLINGS A LICENSE FEE MUST BE PAID AT THE RATE OF \$100 PER DWELLING UNIT AND \$75 PER ROOMING UNIT.

(C) *WHEN PAYABLE:*

THE FEES ESTABLISHED BY SUBSECTION (B) MUST BE PAID EACH YEAR, AT THE TIME A RENTAL DWELLING IS DESIGNATED AS A PRIORITY DWELLING.

§ 5-9. *Tiered license terms:*

(a) *In general:*

Unless timely renewed, each rental dwelling license issued under this subtitle expires on the {1st, 2nd, or 3rd} anniversary of its issuance, as provided in this section.

(b) *Initial license:*

A dwelling unit license initially issued under this subtitle to any rental dwelling expires 2 years from the date of its issuance, unless timely renewed.

(c) *1st renewal of initial license:*

Subject to compliance with § 5-6 {"Prerequisites for ... renewal license – In general"} of this subtitle, the 1st renewal of an initial 2-year license will be for a 3-, 2-, or 1-year renewal term:

- (1) *3-Year RENEWAL Term:* The renewal license will be for a 3-year RENEWAL term if, during the 24 months immediately preceding submission of a completed renewal application, all violation notices or orders issued during those months under the City Building, Fire, and Related Codes Article have been abated within 60 days of their issuance.

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1 ~~(2) 2-Year RENEWAL Term: The renewal license will be for a 2-year RENEWAL term if,~~
2 ~~during the 24 months immediately preceding submission of a completed renewal~~
3 ~~application, all violation notices or orders issued during those months under the~~
4 ~~City Building, Fire, and Related Codes Article have been abated within 90 days of~~
5 ~~their issuance.~~

6 ~~(3) 1-Year RENEWAL Term: The renewal license will be for a 1-year RENEWAL term if~~
7 ~~the rental dwelling does not qualify under this subsection for a 2- or 3-year~~
8 ~~renewal TERM.~~

9 ~~(d) Subsequent renewals:~~

10 ~~Subject to compliance with § 5-6 ("Prerequisites for ... renewal license = In general") of~~
11 ~~this subtitle, all subsequent renewal terms will be based on the following risk factors:~~

12 ~~(1) 3-Year RENEWAL Term: The renewal license will be for a 3-year RENEWAL term if,~~
13 ~~during the 36 months immediately preceding submission of a completed renewal~~
14 ~~application, all violation notices or orders issued during those months under the~~
15 ~~City Building, Fire, and Related Codes Article have been abated within 60 days of~~
16 ~~their issuance.~~

17 ~~(2) 2-Year RENEWAL Term: The renewal license will be for a 2-year RENEWAL term if,~~
18 ~~during the 24 months immediately preceding submission of a completed renewal~~
19 ~~application, all violation notices or orders issued during those months under the~~
20 ~~City Building, Fire, and Related Codes Article have been abated within 90 days of~~
21 ~~their issuance.~~

22 ~~(3) 1-Year RENEWAL Term: The renewal license will be for a 1-year RENEWAL term if~~
23 ~~the rental dwelling does not qualify under this subsection for a 2- or 3-year~~
24 ~~renewal TERM.~~

25 ~~(E) 1-YEAR RENEWAL TERM; ABATEMENT; FAILURE TO ABATE:~~

26 ~~(1) ABATEMENT REQUIRED:~~

27 ~~ANY ACTIVE VIOLATION OR NOTICE ISSUED DURING A 1-YEAR RENEWAL TERM MUST~~
28 ~~BE ABATED BY THE DATE THE 1-YEAR RENEWAL LICENSE EXPIRES.~~

29 ~~(2) REPORT ABATEMENT:~~

30 ~~EACH VIOLATION NOTICE OR ORDER ABATED MUST BE REPORTED TO THE~~
31 ~~DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITH ACCOMPANYING~~
32 ~~WRITTEN AND PHOTOGRAPHIC EVIDENCE THAT SATISFIES REQUIREMENTS AS MAY BE~~
33 ~~ESTABLISHED BY THE DEPARTMENT.~~

34 ~~(3) FAILURE TO ABATE: LICENSE REVOCATION:~~

35 ~~IF ANY VIOLATION OR NOTICE REMAINS UNABATED AT THE TIME THE 1-YEAR RENEWAL~~
36 ~~LICENSE EXPIRES THE RENTAL DWELLING IS NOT ELIGIBLE FOR ANY RENEWAL LICENSES~~
37 ~~UNDER THIS SUBTITLE.~~

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1 **§ 5-9. LICENSE TERMS.**

2 EACH RENTAL DWELLING LICENSE AND RENTAL DWELLING RENEWAL LICENSE ISSUED UNDER
3 THIS SUBTITLE EXPIRES 2 YEARS FROM THE DATE OF ISSUANCE.

4 **§ 5-10. PRIORITY INSPECTIONS.**

5 (A) *IN GENERAL.*

6 A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MULTI-FAMILY DWELLING
7 ~~CERTIFIED SENIOR INSPECTOR MUST~~ INSPECTOR SHALL CONDUCT PRIORITY INSPECTIONS
8 OF AT LEAST ~~30~~ 25 PRIORITY DWELLINGS EACH INSPECTION YEAR.

9 (B) *DEFINITION - INSPECTION YEAR.*

10 IN THIS SUBSECTION, THE TERM "INSPECTION YEAR" MEANS THE CALENDAR YEAR.

11 (C) *IDENTIFICATION OF PRIORITY DWELLINGS.*

12 BASED ON DATA FROM THE PREVIOUS INSPECTION YEAR, THE DEPARTMENT OF HOUSING
13 AND COMMUNITY DEVELOPMENT SHALL IDENTIFY ALL PRIORITY DWELLINGS IN THE CITY
14 BY JANUARY 31ST OF EACH INSPECTION YEAR.

15 (D) *NOTIFICATION OF PRIORITY DWELLING STATUS.*

16 UPON IDENTIFYING A PRIORITY DWELLING, THE DEPARTMENT OF HOUSING AND
17 COMMUNITY DEVELOPMENT MUST NOTIFY THE RECORD OWNER AND, IF ONE EXISTS, THE
18 MANAGING OPERATOR, OF THE FOLLOWING:

19 (I) ~~THE FACTORS THAT JUSTIFY THE RENTAL DWELLING'S IDENTIFICATION AS A~~
20 ~~PRIORITY DWELLING; ARE USED TO IDENTIFY RENTAL DWELLINGS AS PRIORITY~~
21 ~~DWELLINGS; AND;~~

22 ~~(II) THE LICENSE FEE THAT MUST BE PAID BY A PRIORITY DWELLING IN ACCORDANCE~~
23 ~~WITH § 5-8 OF THIS SUBTITLE;~~

24 ~~(III) WHETHER THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HAS~~
25 ~~SELECTED THE PRIORITY DWELLING FOR INSPECTION; AND~~

26 ~~(IV) IF THE PRIORITY DWELLING HAS BEEN SELECTED FOR INSPECTION:~~

27 (A) ~~THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S~~
28 ~~OBLIGATION TO INSPECT THE PRIORITY DWELLING AT LEAST 2 TIMES~~
29 ~~DURING THE CALENDAR YEAR;~~

30 (B) ~~THE NUMBER OF DWELLING UNITS AND ROOMING UNITS THAT WILL BE~~
31 ~~INSPECTED DURING EACH INSPECTION; AND~~

32 (C) ~~THE CAUSES THAT MAY LEAD TO THE DENIAL, SUSPENSION, OR~~
33 ~~REVOCATION OF A RENTAL DWELLING LICENSE.~~

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(II) THAT, BECAUSE THE DWELLING IS IDENTIFIED AS A PRIORITY DWELLING, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF THE CITY'S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E) ("PROVISIONS AND PENALTIES ENUMERATED") IS IDENTIFIED.

(E) *NUMBER AND FREQUENCY OF INSPECTIONS.*

DURING EACH INSPECTION YEAR, AT LEAST 2 PRIORITY INSPECTIONS MUST BE CONDUCTED:

(1) AT LEAST 4 MONTHS APART; AND

(2) BETWEEN THE MONTHS OF FEBRUARY AND NOVEMBER.

(F) *NUMBER OF UNITS TO BE INSPECTED.*

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MULTI-FAMILY DWELLING CERTIFIED SENIOR INSPECTOR MUST INSPECT A CERTAIN PERCENTAGE OF THE TOTAL DWELLING AND ROOMING UNITS IN THE PRIORITY DWELLING, AS PROVIDED FOR IN THE TABLE BELOW:

TOTAL NUMBER OF UNITS	PERCENTAGE OF TOTAL UNITS THAT MUST BE INSPECTED
20-50	50%
51-150	30%
151+	20%

(1) *IN GENERAL.*

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL ATTEMPT TO INSPECT AT LEAST A CERTAIN PERCENTAGE OF THE TOTAL DWELLING AND ROOMING UNITS IN THE PRIORITY DWELLING, AS PROVIDED FOR IN THE TABLE BELOW.

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<u>TOTAL NUMBER OF UNITS</u>	<u>MINIMUM PERCENTAGE OF TOTAL UNITS</u>
<u>20 - 35</u>	<u>40%</u>
<u>36 - 50</u>	<u>35%</u>
<u>51 - 75</u>	<u>30%</u>
<u>76 - 100</u>	<u>25%</u>
<u>101 - 125</u>	<u>20%</u>
<u>126 - 150</u>	<u>15%</u>
<u>151, OR MORE</u>	<u>10%</u>

(2) DOCUMENTATION OF INSPECTIONS.

A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR SHALL
RECORD FOR EACH UNIT IF THE INSPECTION WAS EITHER 'ATTEMPTED' OR
'COMPLETED'.

(G) NOTICE OF PRIORITY INSPECTION.

(1) IN GENERAL.

THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MUST NOTIFY THE
RECORD OWNER, THE MANAGING OPERATOR, IF ONE EXISTS, AND ALL TENANTS OF A
PRIORITY DWELLING OF A SCHEDULED PRIORITY INSPECTION NO FEWER THAN 30 DAYS
PRIOR TO THE DATE OF THE INSPECTION.

(2) MANDATORY INFORMATION.

THE NOTICE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION MUST INCLUDE:

- (I) THE DATE AND TIME OF THE SCHEDULED INSPECTION;
- (II) THE INSPECTION OFFICE'S EMAIL ADDRESS AND TELEPHONE NUMBER; AND
- (III) INSTRUCTIONS ON HOW A RESIDENT MAY ANONYMOUSLY REQUEST THAT
THE DEPARTMENT INSPECT THE RESIDENT'S DWELLING UNIT AS PART OF
THE PRIORITY INSPECTION.

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1 (G) NOTICE AND MEETING REQUIREMENTS — RECORD OWNER AND MANAGING OPERATOR.

2 THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
3 OR THE COMMISSIONER'S DESIGNEE SHALL NOTIFY THE RECORD OWNER AND THE
4 MANAGING OPERATOR OF A PRIORITY DWELLING THAT:

5 (1) THE RECORD OWNER AND THE MANAGING OPERATOR SHALL ATTEND A
6 MEETING AT A TIME AND PLACE DETERMINED BY THE COMMISSIONER OR THE
7 COMMISSIONER'S DESIGNEE TO:

8 (I) DISCUSS UNRESOLVED VIOLATION NOTICES, COMPLAINTS, AND
9 PROPERTY MAINTENANCE;

10 (II) ESTABLISH A SCHEDULE FOR THE RECORD OWNER AND THE MANAGING
11 OPERATOR TO ABATE ALL UNRESOLVED VIOLATION NOTICES;

12 (III) ESTABLISH A SCHEDULE FOR REGULAR PROPERTY MAINTENANCE TO
13 PREVENT FUTURE VIOLATIONS; AND

14 (IV) ANY OTHER MATTERS DEEMED APPROPRIATE BY THE COMMISSIONER
15 OR THE COMMISSIONER'S DESIGNEE; AND

16 (2) FAILURE TO ATTEND THE MEETING DESCRIBED IN PARAGRAPH (1) SHALL RESULT
17 IN:

18 (I) THE DENIAL OF AN APPLICATION FOR A RENTAL DWELLING LICENSE;

19 (II) THE DENIAL OF AN APPLICATION FOR A RENEWAL RENTAL DWELLING
20 LICENSE; OR

21 (III) THE REVOCATION OF A RENTAL DWELLING LICENSE.

22 (E) NOTICE OF PRIORITY INSPECTION.

23 (1) IN GENERAL.

24 THE RECORD OWNER OR MANAGING OPERATOR OF A PRIORITY DWELLING SHALL
25 NOTIFY ALL TENANTS OF THE DATE AND TIME OF A PRIORITY INSPECTION NO FEWER
26 THAN 20 DAYS PRIOR TO THE DATE OF THE PRIORITY INSPECTION.

27 (2) ANONYMOUS REQUESTS FOR PRIORITY INSPECTION.

28 (I) IN GENERAL.

29 THE RECORD OWNER AND THE MANAGING OPERATOR SHALL DELIVER TO ALL
30 TENANTS DIRECTIONS TO SUBMIT AN ANONYMOUS REQUEST THAT THE
31 DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT INSPECTOR INSPECT
32 THE TENANT'S DWELLING UNIT OR ROOMING UNIT AS PART OF THE PRIORITY
33 INSPECTION.

1 (II) FORM OF INSTRUCTIONS.

2 THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY
3 DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE SHALL ESTABLISH THE FORM
4 AND CONTENT OF THE INSTRUCTIONS DELIVERED TO TENANTS UNDER
5 SUBPARAGRAPH (I) OF THIS PARAGRAPH.

6 **§ 5-11. Posting license; LICENSE NUMBER.**

7 (A) *DWELLINGS.*

8 The license issued under this subtitle must be prominently [displayed] POSTED:

9 (1) for a multiple-family dwelling or rooming house, in the vestibule, lobby, or other
10 public place on the premises; and

11 (2) for a 1- or 2-family dwelling, in an area of each dwelling unit that is accessible to
12 that unit's occupants and to housing inspectors.

13 (B) *LEASE AGREEMENTS.*

14 A LICENSE ISSUED UNDER THIS SUBTITLE MUST BE PROVIDED TO:

15 (1) ANY PROSPECTIVE TENANT WHO REQUESTS AN APPLICATION; AND

16 (2) ALL EXISTING OR FUTURE TENANTS AT THE TIME A RENTAL DWELLING LEASE
17 AGREEMENT OR RENEWAL LEASE AGREEMENT IS:

18 (I) OFFERED;

19 (II) EXECUTED; OR

20 (III) RENEWED.

21 (C) *ADVERTISING MATERIALS.*

22 (1) *IN GENERAL.*

23 ANY MATERIAL ADVERTISING A RENTAL DWELLING FOR RENT COVERED BY THIS
24 SUBTITLE MUST INCLUDE THE RENTAL LICENSE NUMBER FOR THE ADVERTISED RENTAL
25 DWELLING.

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(2) *PROHIBITIONS.*

ANY MATERIAL ADVERTISING A RENTAL DWELLING FOR RENT THAT IS COVERED BY THIS SUBTITLE MAY NOT INCLUDE A RENTAL LICENSE NUMBER THAT IS, PURSUANT TO THIS SUBTITLE:

(I) EXPIRED;

(II) SUSPENDED; OR

(III) REVOKED.

(3) *EXCEPTIONS.*

NOTWITHSTANDING ANYTHING CONTAINED IN THIS SECTION TO THE CONTRARY, THE RECORD OWNER AND MANAGING OPERATOR, IF ANY, OF A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT OR ROOMING UNIT THAT DOES NOT YET HAVE A RENTAL DWELLING LICENSE NUMBER SHALL INCLUDE THE FOLLOWING TEXT IN ANY LEASE AGREEMENT, ADVERTISING MATERIAL, OR OTHER PUBLICLY FACING DOCUMENT:

"THIS IS A NEWLY CONSTRUCTED OR RENOVATED DWELLING UNIT AND DOES NOT CURRENTLY HAVE A RENTAL LICENSE. AS SOON AS AVAILABLE, A RENTAL LICENSE WILL BE PROVIDED TO ALL INDIVIDUALS AS REQUIRED BY ARTICLE 13, SUBTITLE 5 {"LICENSING OF RENTAL DWELLINGS"} OF THE BALTIMORE CITY CODE."

§ 5-12. Transfer of license PROHIBITED.

(a) *In general.*

~~Any person who assumes [the] RECORD ownership or THE operation of a licensed rental dwelling must[.]:-~~

~~(1) COMPLY WITH § 5-6 {"PREREQUISITES FOR ... IN GENERAL"} OF THIS SUBTITLE;~~
~~AND~~

~~(2) within 15 days of assuming RECORD ownership or operation, apply to the Housing Commissioner for transfer of the license.~~

THE TRANSFER OF A RENTAL LICENSE IS PROHIBITED UNDER THIS SUBTITLE.

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(b) ~~Fee:~~ APPLICATION FOR NEW LICENSE.

~~The fee for a transfer is \$25.~~

A PERSON SHALL APPLY FOR A NEW RENTAL LICENSE ACCORDING TO THE PROCEDURES ESTABLISHED UNDER § 5-5 {"APPLICATION FOR NEW OR RENEWAL LICENSE"} OF THIS SUBTITLE WITHIN 60 DAYS OF ASSUMING:

(1) RECORD OWNERSHIP OF A RENTAL DWELLING; OR

(2) OPERATION OF A RENTAL DWELLING.

§ 5-13. Discontinuance of multiple-family or rooming-house operations.

Notwithstanding any discontinuance, in whole or in part, of a multiple-family dwelling's or a rooming house's operations, a license issued under this subtitle is still required unless the Housing Commissioner has issued a permit reflecting a change of use for the property.

§ 5-14. {Reserved}

§ 5-15. Denial, suspension, or revocation of license – In general.

(a) *"Nuisance property" defined.*

In this section, "nuisance property" means any property that is maintained or operated so as to cause or allow a nuisance of the sort described in any 1 or another of the following definitions:

(1) State Code Real Property Article, § 14-120(a)(5) {defining "nuisance"};

(2) City Code Article 19, § 43-1(l) {defining "public nuisance"};

(3) City Code Article 19, § 43B-1(b) {defining "neighborhood nuisance"}; and

(4) City Code Article 19, § 43B-1(o) {defining "unruly social event"}.

(b) *Causes for denial, suspension, or revocation.*

Subject to the hearing provisions of § 5-16 of this subtitle, the Housing Commissioner may deny, suspend, or revoke a rental dwelling license or renewal license for any of the following causes:

(1) making any material false statement in an application for an initial or renewal license;

(2) fraudulently or deceptively obtaining a rental dwelling license for oneself or for another;

(3) fraudulently or deceptively using a rental dwelling license;

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(4) falsifying any inspection report or certificate;

(5) refusal by [an] A RECORD owner or operator of a rental dwelling to allow the Commissioner to conduct a routine, spot, quality-control, PROACTIVE, or other inspection of the rental dwelling as authorized by THIS SUBTITLE OR the City Building, Fire, and Related Codes Article;

(6) failing to abate within 120 days of issuance any violation notice, order, or citation for violating any provision of the City Building, Fire, and Related Codes Article, the City Health Article, or the Zoning Code of Baltimore City;

(7) ~~FAILING TO ABATE ANY VIOLATION NOTICE, ORDER, OR CITATION~~ NOTICE ISSUED DURING A PRIORITY INSPECTION WITHIN THE TIME REQUIRED;

(8) [(7)] failing to comply with any provision of this subtitle or of any rule or regulation adopted under this subtitle; or

(9) [(8)] if the Housing Commissioner finds, or if the Fire Chief, Health Commissioner, or Police Commissioner certify to the Housing Commissioner, that:

(i) the RECORD owner, OPERATOR, or lessee of a rental dwelling has failed to comply with any lawful notice, order, or citation to correct a violation that affects the health, safety, morals, or general welfare of the occupants of the property or of the general public; or

(ii) the RECORD owner, OPERATOR, or lessee of a rental dwelling, or any agent of the RECORD owner, OPERATOR, or lessee:

(A) has allowed the premises to be used as a nuisance property; or

(B) knew or should have known that the premises were being used as a nuisance property and failed to prevent them from being so used.

§ 5-16. Denial, suspension, or revocation of license – Notice and hearing.

(a) *In general.*

No license may be denied, suspended, or revoked unless the Housing Commissioner first gives the RECORD owner, the managing operator, and the lessees of any dwelling or rooming unit to which the license applies:

(1) not less than 10 days notice in writing of the Commissioner's intent to deny, suspend, or revoke the license; and

(2) an opportunity to be heard as to why the license should not be denied, suspended, or revoked.

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1 (b) *Exception.*

2 The Commissioner may deny, suspend, or revoke a license without prior notice and
3 opportunity to be heard if, in the opinion of the Commissioner or the Fire Chief, Health
4 Commissioner, or Police Commissioner, the health, safety, or welfare of the occupants or
5 of the general public are in imminent danger.

6 **§ 5-17. Vacating premises.**

7 The Commissioner may require a rental dwelling to be vacated within 24 hours if:

8 (1) the property is being operated without a valid license; and

9 (2) vacating the premises is necessary for the public health, safety, and welfare.

10 **§ 5-18. {Reserved}**

11 **§ 5-19. Impairing constitutional rights.**

12 (a) *"Reasonable accommodation" defined.*

13 In this section, "reasonable accommodation" means affirmative steps that do not impose
14 an undue financial hardship or a substantial burden.

15 (b) *Prohibited conduct.*

16 No bylaw, rule, or regulation governing a rental dwelling, nor any action or inaction of
17 the governing body or management of a rental dwelling, may:

18 (1) unreasonably impair any rights guaranteed by the Free-Exercise Clause of the
19 First Amendment to the United States Constitution or by Article 36 of the
20 Maryland Declaration of Rights; or

21 (2) prohibit or deny any reasonable accommodation for religious practices.

22 **§ 5-20. Sanitation Guide.**

23 (a) *Preparation of Guide.*

24 The RECORD owner or managing operator of every rental dwelling, other than a hotel or
25 motel, must prepare, in the form and containing the information required by the
26 Commissioner, a Sanitation Guide for the premises that provides notice to all occupants
27 of the requirements and procedures for the separation, disposition, collection, and proper
28 storage pending collection of mixed refuse, recyclable materials, yard waste, bulk trash,
29 and all other forms of garbage, rubbish, waste, and trash.

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(b) *Dissemination.*

A copy of the Sanitation Guide must be:

(1) provided to each dwelling unit on the premises; and

(2) prominently posted within each common collection room, if any, on the premises.

§ 5-21. *{Reserved}*

§ 5-22. **Public access to information.**

The Housing Commissioner shall make freely available for review on and download from the website of the Department of Housing and Community Development:

(1) the LICENSE NUMBER AND license status of any rental dwelling subject to this subtitle;
[and]

(2) the following records relating to that rental dwelling:

(i) violation notices, orders, or citations issued by the Department OF HOUSING AND COMMUNITY DEVELOPMENT under this article or the City Building, Fire, and Related Codes Article;

(II) THE RENTAL DWELLING'S STATUS AS A PRIORITY DWELLING FOR AT LEAST THE PAST 5 YEARS; AND

(III) [(ii)] notices of any denial, suspension, or revocation of the rental dwelling's license[.]; AND

(3) THE FOLLOWING INFORMATION:

(I) THE ADDRESS OF THE RENTAL DWELLING;

(II) THE NAME OF THE RECORD OWNER OF THE RENTAL DWELLING;

(III) THE NAME OF THE MANAGING OPERATOR OF THE RENTAL DWELLING;

(IV) PHONE NUMBERS FOR BOTH THE RECORD OWNER AND THE MANAGING OPERATOR OF THE RENTAL DWELLING; AND

(V) EMAIL ADDRESSES FOR BOTH THE RECORD OWNER AND THE MANAGING OPERATOR OF THE RENTAL DWELLING.

§ 5-23. *{Reserved}*

1 **§ 5-24. Judicial and appellate review.**

2 (a) *Judicial review.*

3 A person aggrieved by a decision of the Housing Commissioner under this subtitle may
4 seek judicial review of that decision by petition to the Circuit Court for Baltimore City in
5 accordance with the Maryland Rules of Procedure.

6 (b) *Stays.*

7 (1) The filing of a petition for judicial review does not stay the decision of the
8 Commissioner.

9 (2) However, on motion and after hearing, the Court may grant a stay as provided in the
10 Maryland Rules of Procedure.

11 (c) *Appellate review.*

12 A party to the judicial review may appeal the court's final judgment to the Court of
13 Special Appeals in accordance with the Maryland Rules of Procedure.

14 **§ 5-25. Enforcement by citation.**

15 (a) *In general.*

16 In addition to any other civil or criminal remedy or enforcement procedure, this subtitle
17 may be enforced by issuance of an environmental citation as authorized by City Code
18 Article 1, Subtitle 40 {"Environmental Control Board"} OR A CIVIL CITATION UNDER
19 CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL CITATIONS"}.

20 ~~(b) INITIATE BY COMPLAINT.~~

21 ~~(1) ANY PERSON ALLEGING A VIOLATION OF THIS SUBTITLE MAY MAKE, SIGN, AND FILE A~~
22 ~~COMPLAINT WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IN~~
23 ~~WRITING AND UNDER OATH TO INITIATE AN ENFORCEMENT ACTION AS SET FORTH IN~~
24 ~~SUBSECTION (A) OF THIS SECTION.~~

25 ~~(2) THE COMPLAINT SUBMITTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL~~
26 ~~STATE THE PARTICULARS OF THE PERSON'S ALLEGATIONS AND CONTAIN SUCH OTHER~~
27 ~~INFORMATION AS MAY BE REQUIRED BY THE DEPARTMENT OF HOUSING AND~~
28 ~~COMMUNITY DEVELOPMENT.~~

29 ~~(3) THE COMMISSIONER SHALL ENSURE THAT THE INVESTIGATION AND, IF APPROPRIATE,~~
30 ~~ANY ENFORCEMENT ACTION ARE BEGUN WITHIN 30 DAYS AFTER FILING A COMPLAINT~~
31 ~~DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.~~

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1 (B) PRIORITY DWELLING – CITATION.

2 FOR PRIORITY DWELLINGS, A DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
3 INSPECTOR SHALL ISSUE AN ENVIRONMENTAL CITATION IF A VIOLATION OF A SECTION OF
4 THE CITY'S PROPERTY MAINTENANCE CODE LISTED IN ARTICLE 1, § 40-14(E)
5 {“PROVISIONS AND PENALTIES ENUMERATED”} IS IDENTIFIED.

6 (C) [(b)] *Process not exclusive.*

7 The issuance of an environmental citation to enforce this subtitle does not preclude
8 pursuing any other civil or criminal remedy or enforcement action authorized by law.

9 (D) *SEPARATE OFFENSES.*

10 EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

11 **§ 5-26. Penalties.**

12 (a) *In general.*

13 Any person who violates any provision of this subtitle (including any offense listed in
14 § 5-15 of this subtitle as potential cause for a denial, suspension, or revocation of a
15 license) or any provision of a rule, regulation, or order adopted or issued under this
16 subtitle is guilty of a misdemeanor and, on conviction, is subject to a fine of not more
17 than \$1,000 for each offense.

18 (b) *Each day a separate offense.*

19 Each day that a violation continues is a separate offense.

20 **§ 5-27. DATA COLLECTION.**

21 (A) *IN GENERAL*

22 THE COMMISSIONER, THE CITY'S CHIEF DATA OFFICER, AND ANY OTHER CITY EMPLOYEE
23 WHO MAINTAINS DATA PERTAINING TO PRIORITY DWELLINGS OR PRIORITY INSPECTIONS
24 MUST COLLABORATE TO DEVELOP A SYSTEM TO TRACK AND ANALYZE PRIORITY
25 DWELLINGS AND PRIORITY INSPECTIONS.

26 (B) *DISCRETION OF COMMISSIONER*

27 THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MAY USE EXISTING
28 RESOURCES TO TRACK AND ANALYZE PRIORITY DWELLINGS AT THE DISCRETION OF THE
29 COMMISSIONER.

30 ~~**§ 5-28. RENTAL LICENSING AND INSPECTION TASK FORCE – ESTABLISHED.**~~

31 ~~THERE IS A BALTIMORE CITY RENTAL LICENSING AND INSPECTION TASK FORCE.~~

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1 ~~§ 5-29. RENTAL LICENSING AND INSPECTION TASK FORCE—COMPOSITION.~~

2 ~~(A) IN GENERAL.~~

3 ~~THE TASK FORCE COMPRISES 13 MEMBERS, 10 OF WHOM ARE APPOINTED BY THE MAYOR~~
4 ~~UNDER ARTICLE IV, § 6 OF THE CITY CHARTER, AND 3 OF WHOM ARE EX-OFFICIO~~
5 ~~MEMBERS.~~

6 ~~(B) APPOINTED MEMBERS.~~

7 ~~OF THE 10 MEMBERS APPOINTED BY THE MAYOR:~~

8 ~~(1) 2 SHALL BE TENANTS LIVING WITHIN THE CITY WHO EITHER CURRENTLY OR IN THE~~
9 ~~PAST HAVE RESIDED IN A PRIORITY DWELLING;~~

10 ~~(2) 1 SHALL BE A TENANT OF A RENTAL DWELLING WITHIN THE CITY OF AT LEAST 65~~
11 ~~YEARS OF AGE AND WITH AN ANNUAL INCOME BELOW THE AREA MEDIAN INCOME~~
12 ~~FOR THE METROPOLITAN REGION THAT ENCOMPASSES BALTIMORE CITY, AS~~
13 ~~PUBLISHED AND ANNUALLY UPDATED BY THE UNITED STATES DEPARTMENT OF~~
14 ~~HOUSING AND URBAN DEVELOPMENT;~~

15 ~~(3) 1 SHALL BE A TENANT WITH A DISABILITY LIVING WITHIN THE CITY;~~

16 ~~(4) 1 SHALL BE A LANDLORD WHO:~~

17 ~~(I) HAS NEITHER:~~

18 ~~(A) VIOLATED ANY PROVISION OF THIS SUBTITLE; NOR~~

19 ~~(B) HAD ANY RENTAL DWELLINGS DESIGNATED AS A PRIORITY~~
20 ~~DWELLING;~~

21 ~~(II) OWNS A RENTAL DWELLING IN THE CITY WITH AT LEAST 20 DWELLING OR~~
22 ~~ROOMING UNITS; AND~~

23 ~~(III) MAINTAINS THE LANDLORD'S PRIMARY RESIDENCE IN THE CITY;~~

24 ~~(5) 1 SHALL BE A REPRESENTATIVE FROM A CITY-BASED ORGANIZATION FOCUSING ON~~
25 ~~EQUITY AND THE COLLECTION AND PRESENTATION OF DATA ON CITY~~
26 ~~NEIGHBORHOODS; AND~~

27 ~~(6) 1 SHALL BE A GRADUATE STUDENT IN THE FIELD OF PUBLIC HEALTH, SOCIAL WORK,~~
28 ~~DATA ANALYSIS, OR A RELATED FIELD;~~

29 ~~(7) 1 SHALL BE A REPRESENTATIVE OF A CITY-BASED ORGANIZATION WITH AN~~
30 ~~EXPLICIT FOCUS ON TENANT ADVOCACY IN ITS ORGANIZATIONAL MISSION~~
31 ~~STATEMENT;~~

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1 ~~(8) I SHALL BE A REPRESENTATIVE OF A CITY-BASED ORGANIZATION WITH AN~~
2 ~~EXPLICIT FOCUS ON CIVIL RIGHTS FOR PEOPLE WITH DISABILITIES IN ITS~~
3 ~~ORGANIZATIONAL MISSION STATEMENT; AND~~

4 ~~(9) I SHALL BE A REPRESENTATIVE OF A MARYLAND-BASED ORGANIZATION WITH AN~~
5 ~~EXPLICIT FOCUS ON AFFORDABLE RENTAL HOUSING IN ITS ORGANIZATIONAL~~
6 ~~MISSION STATEMENT.~~

7 ~~(C) EX-OFFICIO MEMBERS.~~

8 THE EX-OFFICIO MEMBERS OF THE TASK FORCE ARE:

9 ~~(1) THE COMMISSIONER OF THE DEPARTMENT OF HOUSING AND COMMUNITY~~
10 ~~DEVELOPMENT, OR THE COMMISSIONER'S DESIGNEE;~~

11 ~~(2) THE COMMISSIONER OF THE BALTIMORE CITY HEALTH DEPARTMENT, OR THE~~
12 ~~COMMISSIONER'S DESIGNEE; AND~~

13 ~~(3) THE DIRECTOR OF THE BALTIMORE CITY OFFICE OF AGING, OR THE DIRECTOR'S~~
14 ~~DESIGNEE.~~

15 ~~§ 5-30. RENTAL LICENSING AND INSPECTION TASK FORCE—TERMS, ORGANIZATION, ETC.~~

16 ~~(A) TERMS.~~

17 ~~APPOINTED MEMBERS SERVE FOR A TERM OF 4 YEARS CONCURRENT WITH THE MAYOR'S~~
18 ~~TERM OF OFFICE.~~

19 ~~(B) COMPENSATION.~~

20 ~~MEMBERS SERVE ON THE TASK FORCE WITHOUT COMPENSATION.~~

21 ~~(C) VACANCIES.~~

22 ~~(1) AT THE END OF A TERM, AN APPOINTED MEMBER SERVES UNTIL A SUCCESSOR IS~~
23 ~~APPOINTED AND QUALIFIES.~~

24 ~~(2) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES OUT THE REST OF~~
25 ~~THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

26 ~~(D) TASK FORCE CHAIR.~~

27 ~~THE TASK FORCE SHALL ELECT A MEMBER TO SERVE AS THE TASK FORCE'S CHAIR.~~

28 ~~(E) MEETINGS; QUORUM.~~

29 ~~(1) THE TASK FORCE SHALL MEET ON THE CALL OF THE TASK FORCE CHAIR AS~~
30 ~~FREQUENTLY AS REQUIRED TO PERFORM ITS DUTIES, BUT NOT LESS THAN 4 TIMES A~~
31 ~~YEAR.~~

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1 ~~(2) A MAJORITY OF THE MEMBERS OF THE TASK FORCE CONSTITUTES A QUORUM FOR THE~~
2 ~~TRANSACTION OF BUSINESS.~~

3 ~~(3) AN AFFIRMATIVE VOTE BY THE MAJORITY OF A QUORUM IS SUFFICIENT FOR ANY~~
4 ~~OFFICIAL ACTION.~~

5 ~~§ 5-31. RENTAL LICENSING AND INSPECTION TASK FORCE - STAFF.~~

6 ~~THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PROVIDE ADEQUATE~~
7 ~~STAFF FOR THE TASK FORCE TO CARRY OUT ITS DUTIES.~~

8 ~~§ 5-32. RENTAL LICENSING AND INSPECTION TASK FORCE - DUTIES.~~

9 ~~THE TASK FORCE SHALL:~~

10 ~~(1) ENSURE THE TIMELY RELEASE OF THE ANNUAL PRIORITY DWELLING LIST BY THE~~
11 ~~DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;~~

12 ~~(2) REVIEW THE ANNUAL PRIORITY DWELLING LIST AND ALL DATA USED BY THE~~
13 ~~DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO IDENTIFY PRIORITY~~
14 ~~DWELLINGS FOR COMPLETENESS AND ACCURACY;~~

15 ~~(3) REVIEW PUBLICLY AVAILABLE INFORMATION AND THE ANNUAL REPORT MADE~~
16 ~~AVAILABLE UNDER THIS SUBTITLE FOR COMPLETENESS AND ACCURACY;~~

17 ~~(4) ESTABLISH METRICS, IN COLLABORATION WITH THE DEPARTMENT OF HOUSING AND~~
18 ~~COMMUNITY DEVELOPMENT, TO EVALUATE AND ASSESS THE IMPROVEMENT OF~~
19 ~~RENTAL PROPERTY CONDITIONS AND ANY REDUCTION IN UNLICENSED RENTAL~~
20 ~~DWELLINGS IN THE CITY;~~

21 ~~(5) ENSURE THAT A MINIMUM OF 30 PRIORITY DWELLINGS ARE EACH INSPECTED AT LEAST~~
22 ~~2 TIMES PER INSPECTION YEAR;~~

23 ~~(6) ENSURE THAT INSPECTIONS OF RENTAL DWELLINGS PERFORMED BY DEPARTMENT OF~~
24 ~~HOUSING AND COMMUNITY DEVELOPMENT EMPLOYEES ARE CONDUCTED AND THAT~~
25 ~~APPROPRIATE ENFORCEMENT ACTIONS ARE TAKEN IF ANY DEFICIENCIES ARE~~
26 ~~DISCOVERED DURING THE COURSE OF AN INSPECTION;~~

27 ~~(7) CREATE AN ANNUAL REPORT ON THE PROGRESS OF THE PRIORITY DWELLING~~
28 ~~INSPECTION PROCESS FOR REVIEW DURING THE DEPARTMENT OF HOUSING AND~~
29 ~~COMMUNITY DEVELOPMENT'S ANNUAL FISCAL BUDGET HEARING WITH EITHER THE~~
30 ~~CITY COUNCIL OR ONE OF ITS COMMITTEES;~~

31 ~~(8) ADVISE AND ASSIST THE MAYOR AND CITY COUNCIL IN PROVIDING OVERSIGHT AND~~
32 ~~ACCOUNTABILITY IN IMPLEMENTING THE REQUIREMENTS OF THIS SUBTITLE; AND~~

33 ~~(9) PERFORM ANY OTHER DUTIES AS REQUIRED BY THE MAYOR.~~

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~~§ 5-33.~~ § 5-28. ANNUAL REPORT.

(A) *IN GENERAL.*

NOT LATER THAN MAY 1 OF EACH YEAR, THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT MUST SUBMIT AN ANNUAL REPORT FOR THE PREVIOUS CALENDAR YEAR TO THE ~~MAYOR, THE CITY COUNCIL, AND THE TASK FORCE~~ MAYOR AND THE CITY COUNCIL DETAILING:

(1) THE NUMBER OF PRIORITY DWELLINGS;

(2) THE NUMBER OF PRIORITY DWELLINGS FOR WHICH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT CONDUCTED 2 PRIORITY INSPECTIONS;

(3) THE NUMBER OF PRIORITY DWELLINGS WHERE AT LEAST 1 VIOLATION NOTICE WAS ISSUED DURING A PRIORITY INSPECTION THAT WAS NOT ABATED WITHIN THE ALLOWABLE TIME;

(4) THE NUMBER OF PRIORITY DWELLINGS WHERE AT LEAST 1 CITATION WAS ISSUED DURING A PRIORITY INSPECTION;

(5) ~~THE NUMBER OF 1-YEAR RENTAL LICENSES ISSUED;~~ THE NUMBER OF ATTEMPTED PRIORITY INSPECTIONS;

(6) THE NUMBER OF RENTAL LICENSES REVOKED UNDER § 5-15(B)(6) OF THIS SUBTITLE;

(7) THE NUMBER OF RENTAL LICENSES REVOKED UNDER § 5-15(B)(7) OF THIS SUBTITLE;

(8) THE TOTAL NUMBER OF RENTAL LICENSES REVOKED;

(9) ~~THE TOTAL NUMBER OF COMPLAINTS INITIATED UNDER § 5-25(B) OF THIS SUBTITLE;~~ THE NUMBER OF COMPLETED PRIORITY INSPECTIONS;

(10) ~~THE TOTAL NUMBER OF COMPLAINTS INITIATED UNDER § 5-25(B) OF THIS SUBTITLE THAT RESULTED IN AN ENFORCEMENT ACTION; AND OF THE TOTAL NUMBER OF PRIORITY INSPECTIONS COMPLETED, THE PERCENTAGE OF PRIORITY INSPECTIONS THAT DID NOT YIELD ANY VIOLATION NOTICES OR CITATIONS; AND~~

(11) ANY OTHER INFORMATION REQUESTED BY THE MAYOR OR BY A RESOLUTION OF THE CITY COUNCIL.

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(B) INCLUSIONS - ALL LICENSED RENTAL DWELLINGS.

(1) TOTALS.

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST INCLUDE A MATRIX IDENTIFYING THE FOLLOWING IN AGGREGATE FOR ALL LICENSED RENTAL DWELLINGS:

(I) THE TOTAL NUMBER OF 3-1-1 COMPLAINTS;

(II) THE TOTAL NUMBER OF NOTICES ISSUED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;

(III) THE TOTAL NUMBER OF NOTICES ABATED WITHIN ~~THE ALLOWABLE TIME~~ PERIOD; 90 DAYS;

(IV) THE NUMBER OF NOTICES FOR WHICH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PURSUED LEGAL ACTION; AND

(V) THE TOTAL NUMBER OF CITATIONS ISSUED.

(2) SPECIFIC CATEGORIES.

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST INCLUDE A MATRIX IDENTIFYING THE DATA REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION FOR ALL LICENSED RENTAL DWELLINGS IN AGGREGATE, FOR EACH OF THE FOLLOWING CATEGORIES:

(I) HEATING;

(II) VENTILATION;

(III) PLUMBING;

(IV) ROOF LEAKS;

(V) RODENTS;

(VI) LEAD PAINT;

(VII) FIRE PROTECTION;

(VIII) ELECTRICAL SYSTEMS;

(IX) WATER SUPPLY;

(X) STRUCTURAL DEFICIENCIES;

(XI) ~~BED BUGS; AND~~ INSECTS;

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(XII) ~~ELEVATORS~~; ELEVATORS;

(XIII) WEATHERPROOFING; AND

(XIV) APPEARANCE OF MOLD.

(C) *INCLUSIONS - PRIORITY DWELLINGS.*

(1) *TOTALS.*

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST INCLUDE A MATRIX IDENTIFYING THE FOLLOWING FOR ALL PRIORITY DWELLINGS:

(I) THE TOTAL NUMBER OF 3-1-1 COMPLAINTS;

(II) THE TOTAL NUMBER OF NOTICES ISSUED BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT;

(III) THE TOTAL NUMBER OF NOTICES ABATED WITHIN ~~THE ALLOWABLE TIME PERIOD~~; AND 90 DAYS;

(IV) THE NUMBER OF NOTICES FOR WHICH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PURSUED LEGAL ACTION; AND

(V) THE TOTAL NUMBER OF CITATIONS ISSUED.

(2) *SPECIFIC CATEGORIES.*

THE ANNUAL REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION MUST, FOR ALL PRIORITY DWELLINGS, INCLUDE A MATRIX IDENTIFYING THE DATA REQUIRED UNDER SUBSECTION (B)(1) OF THIS SECTION FOR EACH OF THE FOLLOWING CATEGORIES:

(I) HEATING;

(II) VENTILATION;

(III) PLUMBING;

(IV) ROOF LEAKS;

(V) RODENTS;

(VI) LEAD PAINT;

(VII) FIRE PROTECTION;

(VIII) ELECTRICAL SYSTEMS;

(IX) WATER SUPPLY;

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(X) STRUCTURAL DEFICIENCIES;

(XI) BED BUGS; AND

(XII) ELEVATORS.

Article 1. Mayor, City Council, and Municipal Agencies

Subtitle 40. Environmental Control Board

§ 40-14. Violations to which subtitle applies.

(e) Provisions and penalties enumerated.

(1) [(5)] Article 2. Consumer Protections

...

(2) [(5a)] Article 5. Finance, Property, and Procurement

...

(3) [(5b)] Article 7. Natural Resources

...

(4) [(1)] Article 13. Housing and Urban Renewal

...

Subtitle 5. Licensing of Rental Dwellings.

§ 5-4. License **\$1,000**

§ 5-11. POSTING LICENSE; LICENSE NUMBER **\$250**

§ 5-15. {Offenses there listed as cause for}
Denial, suspension, or revocation of license **\$750**

All other provisions **\$500**

...

(5) [(2)] Article 15. Licensing and Regulation

...

(6) [(3)] Article 19. Police Ordinances

...

(7) [(4)] Article 23. Sanitation

...

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(8) [(4a)] Article 24. Water

(9) [(4b)] Article 26. Surveys, Streets, and Highways

(10) [(5a)] Article 31. Transit and Traffic

(11) [(5b)] Article 32. Zoning

(12) [(5c)] Building, Fire, and Related Codes Article –
Building Code

(13) [(6)] Building, Fire, and Related Codes Article –
Fire Code

(14) [(6a)] Building, Fire, and Related Codes Article –
Property Maintenance Code

Chapter 3. General Requirements

<u>§ 304.4. STRUCTURAL MEMBERS</u>	<u>\$500</u>
<u>§ 304.5. FOUNDATION WALLS</u>	<u>\$500</u>
<u>§ 304.7. ROOFS AND DRAINAGE</u>	<u>\$500</u>
<u>§ 304.10. STAIRWAYS, FLOORS, DECKS</u>	<u>\$300</u>
<u>§ 304.12. HANDRAILS AND GUARDS</u>	<u>\$50</u>
<u>§ 304.13. WINDOW, SKYLIGHT, AND DOOR FRAMES</u>	<u>\$100</u>
<u>§ 304.15. DOORS</u>	<u>\$100</u>
<u>§ 304.15.2. INTERIOR (DOORS)</u>	<u>\$50</u>
<u>§ 304.20. INTERIOR SURFACES</u>	<u>\$500</u>
<u>§ 304.23. EXHAUST VENTS</u>	<u>\$250</u>
<u>§ 304.28. RAT PROOFING</u>	<u>\$100</u>
<u>§ 304.29. EQUIPMENT</u>	<u>\$500</u>
<u>§ 304.30. FIRE PROTECTION</u>	<u>\$500</u>

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1	<u>§ 305.5.1. Motor vehicles and trailers: Registered owner</u>	
2	<u>responsible</u>	<u>\$150</u>
3	<u>§ 307.1. GENERAL</u>	<u>\$50</u>
4	<u>§ 307.3. WALLS, CEILINGS, AND OPENINGS</u>	<u>\$150</u>
5	<u>§ 307.7. PEST CONTROL</u>	<u>\$150</u>
6	<u>All other provisions</u>	
7	<u>Residential properties</u>	<u>\$50</u>
8	<u>Commercial properties</u>	<u>\$100</u>
9	<u>(15) [(6b)] <i>Building, Fire, and Related Codes Article –</i></u>	
10	<u><i>International Residential Code</i></u>	
11	<u>...</u>	
12	<u>(16) [(7)] <i>Health Code</i></u>	
13	<u>...</u>	
14	Subtitle 41. Civil Citations	
15	§ 41-14. Offenses to which subtitle applies - Listing.	
16	(1) [(25)] <i>Article 1. Mayor, City Council, and Municipal Agencies</i>	
17	...	
18	(2) [(5)] <i>Article 2. Consumer Protections</i>	
19	...	
20	(3) [(5a)] <i>Article 5. Finance, Property, and Procurement</i>	
21	...	
22	(4) [(5b)] <i>Article 7. Natural Resources</i>	
23	...	
24	(5) <i>ARTICLE 13. HOUSING AND URBAN RENEWAL</i>	
25	§ 5-4. LICENSE REQUIRED	\$1,000
26	(6) [(1)] <i>Article 15. Licensing and Regulation</i>	
27	...	
28	(7) [(2)] <i>Article 19. Police Ordinances</i>	
29	...	
30	(8) [(3)] <i>Article 24. Water</i>	
31	...	

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(9) [(3a)] *Article 26. Surveys, Streets, and Highways*

...

(10) [(4)] *Article 31. Transit and Traffic*

...

(11) [(4a)] *Article 32. Zoning*

...

(12) [(5)] *Building, Fire, and Related Codes Article –
Fire Code*

...

(13) [(5a)] *Building, Fire, and Related Codes Article –
Property Maintenance Code*

...

(14) [(6)] *Health Code*

...

~~SECTION 3. AND BE IT FURTHER ORDAINED, That the Baltimore City Rental Licensing and
Inspection Task Force shall first convene on or after January 1, 2025, but no later than June 30,
2025.~~

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on
January 1, ~~2024~~, 2026.

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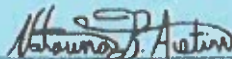
Certified as duly passed this 16 day of September, 2024



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 16 day of September, 2024



Chief Clerk

Approved this 21 day of October, 2024



Mayor, Baltimore City

Approved for Form and Legal Sufficiency
this First day of October, 2024



Chief Solicitor