

Inclusionary Housing Board Meeting

February 4, 2026
2:00-3:00pm EST
Held Virtually



— BALTIMORE CITY —
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Agenda

Call to Order & Confirmation of Quorum	Chris Mfume, Chair	2:00-2:05
Approval of Minutes	Chris Mfume, Chair	2:05-2:10
Updates -Board Nominations -Inclusionary Housing Plans	DHCD Staff	2:10-2:15
3rd Draft of Rules and Regulations	DHCD Staff	2:15-2:45
Ethics Reports	DHCD Staff	2:45-2:50
Adjournment	Chris Mfume, Chair	2:50-2:55

Open Meeting Act

- Inclusionary Housing board meetings are subject to State Open Meeting requirements
- Notice of meeting and agenda were posted on Tuesday, February 3rd, 2026
- At any open session, the general public is invited to attend and observe
- Public participation is at the Board's discretion
- The Feb 4th meeting will not include public participation

Rules and Regulations Review



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Rules and Regulations – COBRA Reminders

- Jan 15 COMAR Publication
- Feb 15 Deadline for all Comments
- Planning Commission Consultation Nov 20, 2025
- Board input
 - Comments, drafts, and final review
- Law Department and Administration Review
- An Agency **MAY NOT** solicit or formally collect public comments on regulations outside of the 30-day comment period.

Rules and Regulations

- Cannot address anything outside of the law
- Establishes Inclusionary Housing requirements
- Establishes standards for the number of Inclusionary Housing units required;
- Establishes design and pricing standards for Inclusionary Housing units;
- Establishes standards for Inclusionary Housing Plan development, submission, modification, and approval;
- Establishes standards for determining and reporting Inclusionary Housing tenant eligibility;
- Establishes standards for tenant selection and lease requirements; and
- Establishes annual reporting requirements for developers and the Department of Housing and Community Development

Sections

- Definitions
- Applicable Projects
- Required Inclusionary Units
- Additionally Inclusionary Units
- Occupancy Permits
- Building Requirements
- Inclusionary Unit Requirements
- Inclusionary Housing Plan – Submission, Review and Notification
- Building Permit Approval and Release
- Inclusionary Housing Plan - Modifications
- Tenant Eligibility
- Tenant Selection
- Leasing Requirements
- Subletting
- Tenant Approval – Review and Waitlist
- Management
- Eviction – Leasing of Vacated Unit
- Annual Residential Project Report
- Annual Commissioner Report
- Annual Reports – Assessment of Efficacy of High-Performance Inclusionary Tax Credit

First Comment Period

- First draft of the regulations were posted for 30-day public comment period in August 15, 2024 - September 15, 2024
- General Feedback
 - Create clear guidelines for developers to follow
 - Clarify and explain different definitions and reasonings

Second Draft

- Public Comment Period
 - June 15-July 15, 2025
- Clarified definitions related to developer, inclusionary housing unit, tenant, subleasing, and amenities;
- Added definitions for “affirmatively furthering fair housing,” “housing funds,” “income,” “least likely to apply,” “over income,” “student,” “tenant,” “very low-income,” and “wholly renovated;”
- Clarified developer requirements for the required quantity of inclusionary units;
- Clarified requirements for affirmative marketing plans;
- Clarified and updated the submission process for inclusionary housing plans;
- Clarified tenant eligibility requirements, including provisions regarding a tenant who is also a student; and
- Clarified language regarding subletting

Second Draft Sections

- Definitions
- Applicable Projects
- Required Inclusionary Units
- Additionally Inclusionary Units
- Occupancy Permits
- Building Requirements
- Inclusionary Unit Requirements
- Inclusionary Housing Plan – Submission, Review and Notification
- Building Permit Approval and Release
- Inclusionary Housing Plan - Modifications
- Tenant Eligibility
- **Tenant Screening**
- **Tenant Review**
- **Waitlist**
- **Affirmative Marketing Plan**
- Leasing Requirements
- Subletting
- Management
- Eviction – Leasing of Vacated Unit
- Annual Residential Project Report
- Annual Commissioner Report
- Annual Reports – Assessment of Efficacy of High-Performance Inclusionary Tax Credit

Third Draft

- **Public Comment Period**
 - January 15-February 15, 2026
- **Definitions**
 - Added definition for wholly renovated
 - Comprehensive renovation that includes a portion or combination of a building's exterior and interior components
- **Section 13, Tenant Screening**
 - Added a prohibition to screening records for eviction by developer or third-party when:
 - Tenant prevailed
 - Settlement was reached
 - Matter was dropped
- **Section 16, Affirmative Marketing**
 - Modifying the age of acceptable eviction records
 - Affirmative marketing plan can not use eviction record older than 3 years
- **Section 21 Annual Residential Project Report**
 - Clarified demographic information provided by developers & created new categories
 - Race, ethnicity, religion, sex, disability, marital, familial, sexual orientation, gender identity, national origin, military status
 - Data must be aggregated
 - Created additional categories of demographic information

Next Steps

- Board provides written comments to Chair and Staff
- Staff compiles comments, reviews with Chair
- Draft Board comments
- Chair submits comments by February 15th

Adjournment



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