

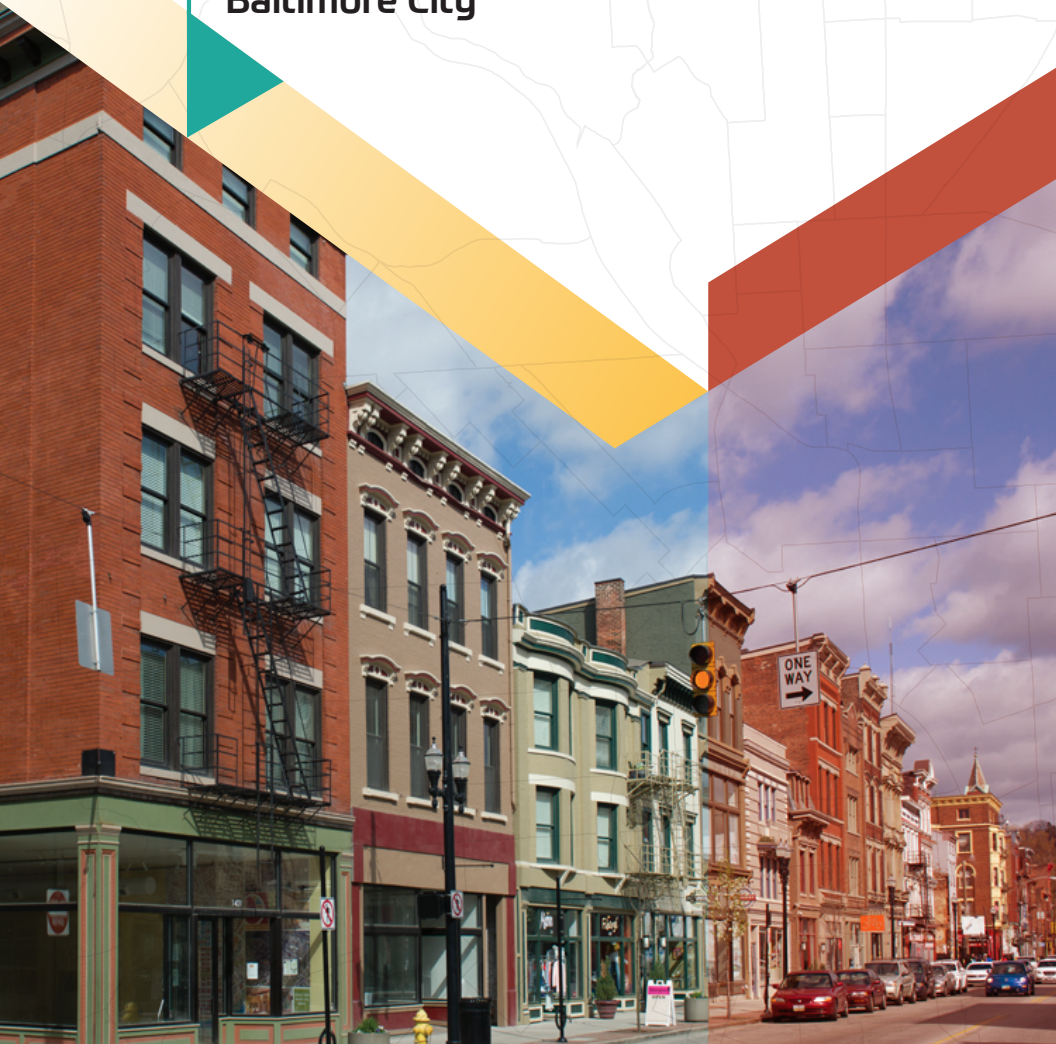


— BALTIMORE CITY —

DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

TENANT'S RIGHTS GUIDEBOOK

A Handbook for Rental Residents in
Baltimore City





Introduction

As a renter in Baltimore City, this handbook will help you understand your rights under the Tenant Opportunity to Purchase Act as well as inform you about certain available resources and protections.

This handbook will also help guide you if you are facing an eviction as well as share information on how to initiate a court escrow action if a landlord has specific code violations.

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Tenant's Opportunity to Purchase

Is your landlord selling your home?

Under the Renters' Rights and Stabilization Act, tenants of certain residential rental properties have the right to make an offer to purchase the property from the owner before the owner may sell the property to a third party.

If an owner of non-exempt property intends to offer the property for sale to a third party, the owner is required to notify tenants and give them an opportunity to make a good-faith offer to purchase the property before it may be listed or otherwise offered for sale to a third party. The owner may not offer or sell the property to a third party until the tenants' "exclusive negotiation period" is terminated, either through the tenant or tenants declining to make an offer to purchase, or the tenant(s) and landlord being unable to agree on terms of sale, within 30 days of the owner notifying the tenant(s) of the impending sale.

The law became effective on October 1, 2024, and preempts The Councilmember Mary Pat Clarke Tenant Opportunity to Purchase Act law, which was signed by Mayor Scott in October 2023.

To learn more about the State law, visit:
dhcd.maryland.gov/landlord-tenant-rights.





Home Buying Resources

When you are ready to buy a Home in Baltimore City, there are resources available for qualified applicants to assist with down payment and closing costs!

All incentives require homeownership counseling from a City-approved homeownership counseling agency within one year before writing an offer on a home, and a minimum \$1,000 investment from the homebuyer's own funds towards the purchase of the property.

Baltimore City Employee Homeownership Program \$5,000 for employees of City and quasi-City agencies

Buying Into Baltimore

\$5,000 awarded by lottery to people who attend a Live Baltimore Trolley Tour and meet other conditions.

Live Near Your Work

This partnership with participating employers encourages homeownership near places of employment. The City matches employers' contributions between \$1,000 and \$2,500, for total incentives of \$2,000-\$5,000+, depending on the employer.

First-Time Homebuyers Incentive Program

The base incentive amount is \$10,000 for first-time homebuyers with a household income at or below 80% of the area median income.

An additional \$5,000 bonus is available to homebuyers who (a) purchase the house they have rented and occupied for at least six months, or (b) have a disability (as defined by Federal law) or have a household member with a disability.

To find out more visit:

<https://dhcd.baltimorecity.gov/hho/homeownership-incentives>



Homeownership Counseling Agencies

Belair-Edison Neighborhoods, Inc.

3545 Belair Road, 21213

(410) 485-8422

belair-edison.org

Comprehensive Housing Assistance, Inc. (CHAI)

5809 Park Heights Avenue, 21215

(410) 500-5310

www.chaibaltimore.org

Druid Heights Community Development Corporation

2140 McCulloh Street, 21217

(410) 523-1350

www.druidheights.com

Southeast Community Development Corporation

3323 Eastern Avenue,

Suite 200, 21224

(410) 342-3234

www.southeastcdc.org

HARBEL Housing Partnership

5807 Harford Road, 21214

(410) 444-9152

www.harbel.org

Garwyn Oaks Northwest Housing Resource Center (GO Northwest)

2300 Garrison Boulevard,

Ste. 270, 21216

(410) 947-0084

www.go-northwesthrc.org

Latino Economic Development Center

Karen Torrico

ktorrico@ledcmetro.org

(202) 540-7400

3500 Boston Street,

Suite #227, 21224

www.ledcmetro.org



Neighborhood Housing Service of Baltimore (NHS)

25 E. 20th Street, Suite 170, 21218

(410) 327-1200

www.nhsbaltimore.org

Operation HOPE Inside Powered

by Fulton Bank Kimberly Thornes

820 N. Wolfe Street, 21205

(443) 885-0845

kimberly.thornes@operationhope.org

www.operationhope.org

Reservoir Hill Improvement Council, Inc.

10 East North Avenue, Suite 5, 21202

(410) 225-7547

ReservoirHill.net

St. Ambrose Housing Aid Center

321 E. 25th Street, 21218

(410) 235-5770

www.stambros.org

H.O.P.E.

Housing Options & Planning Enterprises, Inc.

Bilingual Housing Counselor

(301) 567-3330 [207] (Office)

(301) 710-0607 (Fax)

5121 Eastern Avenue, 21224

www.hopefinancial.org

HomeFree-USA

Dave Smith

Homeownership and Financial Development

1052 W. Fayette Street, 21223

(301) 891-8414

edaves@homefreeusa.org

www.homefreeusa.org

Renter's Tax Credit

You can apply for this every year.

If you are a renter, the Maryland Renter's Tax Credit can provide you a credit for a portion of your rent that goes towards your landlord's property taxes.

The credit can be as high as \$1,000.

You must apply every year between early February and October 1.

Your rental property can be an individual home or building, co-op, condominium, mobile home or trailer. You must live there at least 6 months each year. If you are under 60, there must be at least one dependent under the age of 18 living with you.

Rent paid to a public housing authority or tax-exempt organization is not eligible.

For complete details and an application, please visit:

<https://dat.maryland.gov/realproperty/Pages/Renters'-Tax-Credits.aspx>

Or call: 410-767-1184



Need Legal Assistance?

Are you facing eviction? • Is your landlord unlicensed? • Is your landlord threatening you with fees or refusing to fix major problems? • Are you in subsidized housing (any form of housing choice voucher, public housing, or other government-subsidized housing) and need a rent reduction due to loss of income? • Is your landlord discriminating against you because of your disability?

The following organizations provide free legal advice and, in some cases, representation to renters facing eviction and other landlord-tenant issues. They all take different types of cases and have capacity limitations, so please review the types of services they provide below before calling.

- **Maryland Legal Aid** (advice and representation—subsidized housing cases; same-day representation for failure to pay rent possible) 410-951-7777 or www.mdlab.org
- **Public Justice Center** (advice and representation—non-subsidized housing cases) 410-625-9409 or www.publicjustice.org
- **Homeless Persons Representation Project** (advice and representation—subsidized housing cases) 443-402-5395 or chatfield@hprplaw.org or www.hprplaw.org
- **Pro Bono Resource Center of Maryland /Tenant Volunteer Lawyer of the Day Program** (advice and same-day representation in rent court—will meet tenant at court) 443-703-3053 or www.probonomd.org
- **Disability Rights Maryland** (housing cases involving a tenant or family member with a disability) 410-727-6352 or <https://disabilityrightsmd.org/>
- **Maryland Courts Self-Help Center** (advice and referrals on housing and other civil cases) 410-260-1392 or mdcourts.gov/selfhelp



Housing Code Requirements

Minimum Standards for Dwelling Units

A dwelling unit is defined as a single unit that provides or that is designed to provide complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Space and Occupancy Standards

Only by meeting all the minimum space and occupancy requirements, does a unit become defined as a “habitable space.” These requirements govern: light, ventilation, minimum room size and minimum ceiling heights.

Every dwelling unit must contain:

- A kitchen with space and connections for a stove and refrigerator. There must be a sink and space for storage and preparation of food.
- A private bathroom with a toilet, lavatory basin, a tub or shower and ventilation (Ventilation must be a window or a mechanical vent that is vented to outside air).
- Access to a habitable room: The only access to a habitable room cannot be through a bathroom.
- Hot water facilities capable of heating water to 120 degrees Fahrenheit.
- Adequate light and ventilation in all habitable spaces and bathrooms.
- Adequate trash cans and a place to store the cans. (Section §305.6 of the BFRF states: “trash cans should be metal or some durable material approved by the Code Official, water tight with a tightly fitting cover.”)
- A smoke detector located near the sleeping area and on every story of the building, including the basement and cellar.



Requirements for Heating of Rental Units (During the months of October 1st to April 30th)

- 70 degrees Fahrenheit in all habitable rooms, bath-rooms and toilet rooms with no room to be less than 65 degrees Fahrenheit during the hours of 5 a.m. to midnight and
- 65 degrees Fahrenheit in all habitable rooms, bath-rooms and toilet rooms with no room to be less than 60 degrees Fahrenheit during the hours of midnight to 5 a.m.

Owner and Occupant Responsibilities

Structural Maintenance

Owners are responsible for maintaining the structure in a structurally sound and sanitary condition and must make any repairs accordingly. **Owners** are responsible for ensuring the following (this list is representative but not all-inclusive):

- Windows and doors fit and function properly and are not broken
- Stairways are structurally sound
- Chimneys and towers are structurally sound
- Decks are structurally sound
- Roof drains and gutters are attached to the structure and free of debris
- Downspouts discharge water away from the foundation and do not create a public nuisance
- Interior walls and woodwork are in good repair
- Plumbing is in good repair



The Occupant must give the owner or operator access to the premises at all reasonable times in order to make necessary repairs or alterations. In addition, the occupant must keep his or her unit, as well as any other areas he or she occupies or controls, in a clean and sanitary condition.

Maintaining Exterior Premises

Owners are responsible for ensuring that all lots and exterior premises including abutting sidewalks, gutters, and alleys, are maintained in a clean, safe and sanitary condition - unless the areas are exclusively controlled by a tenant, such as in a single-family dwelling.

Occupants are responsible for keeping their unit and any other part of the premises that they occupy or control in a clean and sanitary condition. If one occupant has exclusive control of the rear yard, that **occupant** is responsible for maintaining the yard. However, in most situations with more than one dwelling unit, the owner is responsible for the exterior sanitary maintenance, as no one tenant has exclusive control of the exterior premises.

Examples of common exterior maintenance:

■ Grass and Weeds

Keep grass, weeds, or plant growth below eight inches and remove all noxious weeds.

■ Trees and Shrubbery

Prune or remove all trees and shrubbery if they are dangerous to life and property, create a fire or traffic hazard, or encroach on an adjacent property.



■ **Motor Vehicles**

No motor vehicle may be parked, kept, or stored on any premises if: 1) It is inoperative, unregistered, or fails to display current registration tags; or 2) It is in a state of disassembly or disrepair. Motor vehicles must be parked on a dustless surface. The vehicle may not be parked on grass, dirt, or crushed stone.

■ **Trash, Garbage, and Debris**

All premises including abutting sidewalks, gutters, and alleys as well as the interior of every structure must be kept free of any accumulation of trash, garbage, and debris, including animal waste, construction material, equipment, furniture, appliances, and similar objects and materials.

■ **Storage Receptacles**

Trash, garbage, and debris may not be placed out for collection unless contained in proper storage receptacles, and not earlier than the day of collection. Storage receptacles must be promptly returned to premises after collection. Trashcan should be metal or some durable material approved by the Code Official, water tight with a tightly fitting cover.

■ **Bulk Trash**

If too large for the storage receptacle, bulk trash must be conveyed to an appropriate landfill or other approved site or put out the day before a bulk trash pick-up (appointment needed). To schedule a pickup appointment, call 311 or (443) 263-2220.

■ **Boats, Trailers and Recreational Vehicles**

A permit and Zoning Board Approval is required to store a boat and/or trailer on a property.



Interior Maintenance

The owner must maintain shared, common, or public areas within each multi-unit building in a clean and sanitary condition. The owner must repair or replace defective and damaged items in all units. Note that the owner may hold an occupant accountable for damaging interior property due to negligence, per the terms of a signed lease. Occupants must keep their unit and any other areas that they occupy or control in a clean and sanitary condition.

Common examples of interior maintenance:

- Floors, furniture, counter tops, and surfaces must be clean and free of trash, garbage, and debris; including human and animal waste and any other unsanitary matter.
- Walls, ceilings, windows, and doorways must be clean and free of dirt, grease, soot, and any other unsanitary matter.
- Plumbing fixtures must be clean and free from any foreign objects or materials that could obstruct a fixture or a line connected to a fixture.
- Rat-proofing and pest extermination follow specific rules, as follows:

The owner is responsible for rat-proofing the building and maintaining rat-proof condition. Rat-proofing methods include:

- Preventing entrance by blocking passages with rat-resistant material; and
- Paving basements and any other areas that are in contact with the soil.

An **occupant** of a multiple-family dwelling is responsible for extermination if the occupant's unit is the only unit infested. The **occupant** of a single-unit building is responsible for extermination of insects, rodents, and all other pests, other than wood destroying insects.

Licensing and Registration Responsibilities for Property Owners

All non-owner-occupied properties in Baltimore City are required to be registered by the owner each year. The registration period is January through December and property registration fees must be paid every year for the property to be considered registered. Registration is required whether or not the property is a rental, whether or not it is occupied, unoccupied, vacant, and whether or not it is generating income.

All non-owner-occupied properties in Baltimore City that are rental properties must be licensed to operate as a rental, in addition to being registered.

To determine if a property in Baltimore City is currently registered and licensed as a rental property, search by address here:

https://cels.baltimorehousing.org/reg/Reg_MFD_Search.aspx





Rent Escrow

Filing a Rent Escrow Case

Rent escrow allows tenants to withhold rent when a landlord fails to make essential repairs to a rental property.

To use the rent escrow process, a dangerous condition must exist on the leased premises or in the common areas and must create, or if not promptly corrected will create, a fire hazard or a serious threat to the life, health or safety of the tenants.

Examples of such conditions are:

- Lack of heat, light, electricity, or adequate sewage disposal facilities
- Lack of hot or cold running water (except where tenant pays for water and the lack of water is a result of his failure to pay the water charge)
- Presence of lead paint on interior surfaces, where it would be a violation of the Baltimore City Code and the landlord has notice of the lead painted surfaces

Before Using Rent Escrow

Before bringing a rent escrow action or using the dangerous condition as a defense for nonpayment of rent, the landlord or landlord's agent must also have refused or failed to remedy the condition within a reasonable time after receiving notice of the defective condition in one of the following ways:

- A letter sent by certified mail return receipt (tenant should keep a copy of the letter and the return receipt);
- A violation or condemnation notice from the Department of Housing and Community Development or other appropriate agency; or
- Actual notice (the landlord has first-hand knowledge of the condition).



A reasonable time to remedy the dangerous condition is left to the discretion of the court but there is a rebuttable presumption that more than 30 days after receiving notice is unreasonable.

The tenant must pay into the court the amount of rent due under the lease, unless or until that amount is modified by court order. The tenant must also not have had more than 5 judgments for unpaid rent in the year immediately prior to initiating the suit or using the dangerous condition as a defense (or not more than 2 judgments if the tenant has lived on the premises 6 months or less).

Once you have contacted the District Court and initiated a Rent Escrow action, the Rent Escrow Clerk will give the Tenant either an Expedited or Non- Expedited Rent Escrow and Housing Inspections document.

- Both the Tenant and Landlord will be given a court date to appear in District Court.
 - A summons will be mailed to the landlord's address that is provided by the tenant.
- The Tenant is advised to contact DHCD Inspections within 3 business days after filing their complaint between the hours of 8:30 am - 4:30 pm to schedule a housing inspection for a Non-Expedited Rent Escrow housing inspection. Call 410-396-4161 or 410-396-4163
- For Expedited Rent Escrow Cases, the Tenant is advised to contact 311 within 24 hours of filing a complaint to schedule an emergency housing inspection. Also, the Tenant is advised to contact the Rent Escrow line to provide the address and 311 confirmation number.
- An Inspection is conducted and notice will be issued for violations observed during the inspection.
 - **FYI:** All violations do not pose a threat to Health & Safety but DHCD does address all the Tenant's concerns.

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- The Owner will have either 3, 5, 10 or 30 days to address the violations.
 - 3 or 5 Days for emergency violation (No Heat, No Hot Water, Sewage or Defective Fire device).
 - Once a notice is approved by the Supervisor, the Owner receives 1 certified copy and 1 mailed copy of the notice.
 - Rent Escrow Inspectors are required to print 4 copies of each notice and photos for the 1st inspection and 2 copies for re-inspection to take to Court.
 - Rent Escrow Inspectors circle all threats in red on the notice.
 - During the hearing, the Judge will hear from both sides to determine if escrow is needed.
 - A new inspection and court date will be scheduled if the escrow is needed. Re-inspection dates are given by the Inspector.
 - After all threats are completed during the next inspection, if the Court finds that a rent escrow is established, a rent escrow account is set up and the judge can take several actions.
 - The Court can order that money be returned to Tenant or Landlord, or both, from the account as compensation.
 - The Judge can order other actions.
 - A new inspection can be ordered if violations are outstanding or out of an abundance of caution.

Contacting Code Enforcement

How can I contact Housing Code Enforcement?

For all property maintenance complaints, please call 311.

To view citation photos and/or active violation notices, please visit us at <https://dhcd.baltimorecity.gov/>.

Under code enforcement:

- ☐ CLICK Housing/Building Code
- ☐ CLICK View CITATION PHOTOS
- ☐ ENTER Citation # CLICK Search or
- ☐ CLICK Housing/Building Code
- ☐ CLICK View ACTIVE VIOLATIONS
- ☐ ENTER Address CLICK Search

INSPECTION OFFICES

Headquarters/Central

417 E. Fayette St, 2nd floor, Room 202, 410-396-4170

Northeast

5225 York Rd, Lower-Level Rear, 410-545-7550

Southwest

417 E. Fayette St, 2nd floor, Room 202, 410-545-1851

Southeast

417 E. Fayette St, 2nd floor, Room 202, 410-545-6521

Northwest

3939 Reisterstown Rd, 410-396-7736



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417 E. Fayette Street, 14th floor
Baltimore, Maryland 21202

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Updated 5/2024