

Amendment 1 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 1

(This amendment specifies that the Office of Consumer Protection has the duty to adopt regulations to implement the Landlord-Tenant Relations subtitle.)

1 On page 1, after line 18, insert:

2 “(15) TO ADOPT WRITTEN REGULATIONS NECESSARY TO IMPLEMENT SUBTITLE 9

3 “LANDLORD TENANT RELATIONS” OF TITLE 17 “PUBLIC PROTECTION SERVICES” OF THE HOWARD

4 COUNTY CODE.”.

ADOPTED 5/7/18
FAILED _____
SIGNATURE Jessica Feldman

Amendment 2 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 2

(This amendment provides that provisions in a lease addendum are considered to be part of the lease and provides a specified time frame for owners to act when outside permission may be required.)

1 On page 4, in line 5, insert:

2 “(C) LEASE ADDENDUM.

3 THE REQUIREMENTS FOR PROVISIONS IN A LEASE UNDER THIS SUBTITLE ARE
4 DEEMED MET IF THE PROVISIONS ARE INCLUDED IN A LEASE ADDENDUM THAT HAS BEEN INITIALED
5 BY THE TENANT.”

6
7 On page 20, in line 29, after “**Section 3.**” insert:

8 “**And Be It Further Enacted by the County Council of Howard County, Maryland, that property**
9 **owners will have 4 months after the effective date of this Act to fulfill the lease requirements of**
10 **this Act.**

11 **Section 4.**”

ADOPTED

5/7/18

FAILED

SIGNATURE

Jessica Feldmark

Amendment 3 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 3

(This amendment clarifies the kinds of information that a landlord must provide to a tenant and when the information must be provided.)

1 On page 6, in line 22, before "WHEN" insert "(1)" and delete the colon at the end of the
2 line and in line 23 delete "(1)".

3 Also on page 6, in line 24, after "(2)" insert "ON APPROVAL OF THE TENANT'S
4 APPLICATION, THE LANDLORD SHALL: (I)".

5 Also on page 6, in line 27, strike "(3)" and substitute "(II)".

6 Also on page 6, beginning in line 27 down through line 28, strike "BE PRESENT DURING
7 AN INSPECTION OF" and substitute "VIEW".

8 Also on page 6, in line 30, strike "(4)" and substitute "(III)".

9 On page 7, in line 2, after "OCCUPIED" insert a semicolon.

10 Also on page 7, in line 3, strike "AND" and substitute "(IV)".

11 Also on page 7, in line 5, strike "(5)" and substitute "(V)".

12 Also on page 7, in line 17, strike "(5)" and substitute "(2)(III)".

13 Also on page 7, in line 19, after "CHINESE," insert "FRENCH".

14 Also on page 7, in line 20, before "LANGUAGES" insert "ADDITIONAL" and strike "OTHER
15 THAN ENGLISH, SPANISH, KOREAN".

~~ADOPTED~~ 5/7/18
~~FAILED~~
~~SIGNATURE~~ Jessica Feldman

Amendment 4 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: May 7, 2018

Amendment No. 4

(This amendment makes various changes to the required lease provisions.)

1 On page 7, in line 30, strike “RENEW THE OWNER’S” and substitute “APPLY FOR RENEWAL
2 OF THE”.

3 On page 8, in line 5, after “notice” insert “, UNDER SECTION 8-211 OF THE REAL PROPERTY
4 ARTICLE OF THE MARYLAND CODE”.

5 On page 8, strike line 7 in its entirety and substitute “(II) REQUEST THAT A RENT ESCROW
6 ACCOUNT BE ESTABLISHED FOR THE PAYMENT OF RENT UNDER SECTION 8-211 OF THE REAL
7 PROPERTY ARTICLE OF THE MARYLAND CODE UNTIL THE VIOLATION IS ABATED.”.

8 Also on page 8, in line 22, strike “*SERVICES AND UTILITIES*” and substitute “UTILITIES AND
9 SIMILAR SERVICES”.

10 On page 9, in line 1, strike “ACTUAL COST OF THE SERVICE” and substitute “AMOUNT ON
11 AN INVOICE ITEMIZED BY THE LANDLORD OR A SERVICE PROVIDER”.

12 On page 10, in line 5, after “PREVENT” insert “: (I)” and in line 7 after “LEASE” insert “;
13 OR (II) THE LANDLORD AND TENANT FROM MUTUALLY AGREEING IN WRITING TO A NOTICE THAT IS
14 LESS THAN THE TIME REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION”.

15 Also on page 10, in line 11, strike “30” and substitute “60”.

16 Also on page 10, in line 13, strike the second “OF” and substitute “TO A LOCATION THAT
17 IS” and strike “25” and substitute “100”.

18 Also on page 10, in line 14, strike “EMPLOYMENT” and substitute “RESIDENCE, WHICH IS
19 CONFIRMED IN WRITING BY THE TENANT’S CURRENT EMPLOYER AND THE RELOCATION IS NOT PAID
20 FOR BY THEIR EMPLOYER”.

21 Also on page 10, in line 15, strike “DEATH OR” and substitute “INVOLUNTARY”.

1 Also on page 10, in line 16, after "LEASE" insert ", WHICH IS CONFIRMED BY
2 CERTIFICATION OF THE FORMER EMPLOYER OR DOCUMENTATION FROM A GOVERNMENT AGENCY
3 PROVIDING UNEMPLOYMENT BENEFITS".

4 Also on page 10, in line 16, strike "OR".

5 Also on page 10, strike line 17 in its entirety and substitute "(III) THE DEATH OF A WAGE
6 EARNER WHOSE INCOME WAS USED TO QUALIFY FOR THE LEASE, WHICH IS CONFIRMED BY A
7 CERTIFICATE OF DEATH; OR

8 (IV) A MEDICAL CERTIFICATION IN ACCORDANCE WITH SECTION 8.212.2 OF THE REAL
9 PROPERTY ARTICLE OF THE MARYLAND CODE.".

10 Also on page 10, in line 18, after "UNDER" insert "PARAGRAPH (1) OF".

11 Also on page 10, in line 19, strike "ONE" and substitute "TWO".

12 Also on page 10, after line 20 insert:

13 "(3) A LEASE SHALL STATE THAT UPON RECEIPT OF CERTAIN ORDERS RECEIVED BY
14 MILITARY PERSONNEL IN ACCORDANCE WITH SECTION 8.212.1 OF THE REAL PROPERTY
15 ARTICLE OF THE MARYLAND CODE THE TENANT MAY ON 30 DAYS WRITTEN NOTICE,
16 TERMINATE THE LEASE AND BE SUBJECT TO A TERMINATION CHARGE NOT TO EXCEED ONE
17 MONTH'S RENT.

18 (4) NOTHING IN THIS SUBSECTION PROHIBITS THE LANDLORD FROM RETAINING PART
19 OR ALL OF THE TENANT'S SECURITY DEPOSIT FOR DAMAGE TO THE DWELLING UNIT.".

20 ON PAGE 10, AFTER LINE 20, INSERT "(5) THE REQUIREMENT OF PARAGRAPH (1) OF THIS
21 SUBSECTION MAY BE MUTUALLY WAIVED BY BOTH PARTIES IF THE TENANT IS IN ONE OF NOT MORE
22 THAN THREE UNITS ON A SINGLE LOT OWNED BY THE SAME LANDLORD."

ADOPTED as amended 6/4/18
FAILED _____
SIGNATURE Jessica Feldman

Amendment 1 to Amendment 4 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 1

(This amendment clarifies the application of a provision of the Real Property Article of the Maryland Code.)

1 After line 2, insert:

2 “On page 8, in line 5, after “notice” insert “, UNDER SECTION 8-211 OF THE REAL PROPERTY
3 ARTICLE OF THE MARYLAND CODE”.”

4
5 Beginning in line 3, down, through line 5, strike: “UNDER SECTION 8-211 OF THE REAL PROPERTY
6 ARTICLE OF THE MARYLAND CODE”.

ADOPTED 5/7/18
FAILED _____
SIGNATURE Jessica Feldman

Amendment 2 to Amendment 4 to Council Bill No. 20 - 2018

BY: Jon Weinstein

Legislative Day No. 8

Date: 6/4/18

Amendment No. 2

(This amendment adds a condition about relocation not being paid by the employer.)

- 1 On page 1, in line 17, after "EMPLOYER" insert "AND THE RELOCATION IS NOT PAID FOR
2 BY THEIR EMPLOYER".

ADOPTED

6/4/18

FAILED

SIGNATURE

Jessica Edmark

Amendment 3 to Amendment 4 to Council Bill No. 20 - 2018

BY: Jon Weinstein

Legislative Day No. 8
Date: 6/4/18

Amendment No. 3

(This amendment clarifies that the unemployment has to be "involuntary".)

1 On page 1, in line 18, strike the period and substitute "and substitute "INVOLUNTARY"".

~~ADOPTED~~ 6/4/18
~~FAILED~~
~~SIGNATURE~~ Jessica Feldman

Amendment 4 to Amendment 4 to Council Bill No. 20 - 2018

BY: Jon Weinstein

Legislative Day No. 8

Date: 6/4/18

Amendment No. 4

(This amendment specifies that there must also be governmental documentation of unemployment benefits.)

- 1 On page 1, in line 20, after "EMPLOYER", insert "OR DOCUMENTATION FROM A
- 2 GOVERNMENT AGENCY PROVIDING UNEMPLOYMENT BENEFITS".

ADOPTED 6/4/18
FAILED _____
SIGNATURE Jessica Feldmark

Amendment 5 to Amendment 4 to Council Bill No. 20-2018

BY: Greg Fox

Legislative Day No. 8

Date: 6/4/18

Amendment No. 5

(This amendment allows for different termination notice period if both parties agree.)

1 On page 2, in line 16, insert:

2

3 “ON PAGE 10, AFTER LINE 20, INSERT “(5) THE REQUIREMENT OF PARAGRAPH (1) OF THIS
4 SUBSECTION MAY BE MUTUALLY WAIVED BY BOTH PARTIES IF THE TENANT IS IN ONE OF NOT MORE
5 THAN THREE UNITS ON A SINGLE LOT OWNED BY THE SAME LANDLORD.””

ADOPTED 6/4/18

FAILED _____

SIGNATURE Jessica Feldman

Amendment 4 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 4

(This amendment makes various changes to the required lease provisions.)

1 On page 7, in line 30, strike "RENEW THE OWNER'S" and substitute "APPLY FOR RENEWAL
2 OF THE".

3 On page 8, strike line 7 in its entirety and substitute "(II) REQUEST THAT A RENT ESCROW
4 ACCOUNT BE ESTABLISHED FOR THE PAYMENT OF RENT UNDER SECTION 8-211 OF THE REAL
5 PROPERTY ARTICLE OF THE MARYLAND CODE UNTIL THE VIOLATION IS ABATED.".

6 Also on page 8, in line 22, strike "SERVICES AND UTILITIES" and substitute "UTILITIES AND
7 SIMILAR SERVICES".

8 On page 9, in line 1, strike "ACTUAL COST OF THE SERVICE" and substitute "AMOUNT ON
9 AN INVOICE ITEMIZED BY THE LANDLORD OR A SERVICE PROVIDER".

10 On page 10, in line 5, after "PREVENT" insert ":(I)" and in line 7 after "LEASE" insert ";
11 OR (II) THE LANDLORD AND TENANT FROM MUTUALLY AGREEING IN WRITING TO A NOTICE THAT IS
12 LESS THAN THE TIME REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION".

13 Also on page 10, in line 11, strike "30" and substitute "60".

14 Also on page 10, in line 13, strike the second "OF" and substitute "TO A LOCATION THAT
15 IS" and strike "25" and substitute "100".

16 Also on page 10, in line 14, strike "EMPLOYMENT" and substitute "RESIDENCE, WHICH IS
17 CONFIRMED IN WRITING BY THE TENANT'S CURRENT EMPLOYER".

18 Also on page 10, in line 15, strike "DEATH OR".

19 Also on page 10, in line 16, after "LEASE" insert ", WHICH IS CONFIRMED BY
20 CERTIFICATION OF THE FORMER EMPLOYER".

21 Also on page 10, in line 16, strike "OR".

1 Also on page 10, strike line 17 in its entirety and substitute "(III) THE DEATH OF A WAGE
2 EARNER WHOSE INCOME WAS USED TO QUALIFY FOR THE LEASE, WHICH IS CONFIRMED BY A
3 CERTIFICATE OF DEATH; OR

4 (IV) A MEDICAL CERTIFICATION IN ACCORDANCE WITH SECTION 8.212.2 OF THE REAL
5 PROPERTY ARTICLE OF THE MARYLAND CODE."

6 Also on page 10, in line 18, after "UNDER" insert "PARAGRAPH (I) OF".

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14 (4) NOTHING IN THIS SUBSECTION PROHIBITS THE LANDLORD FROM RETAINING PART
15 OR ALL OF THE TENANT'S SECURITY DEPOSIT FOR DAMAGE TO THE DWELLING UNIT."

16

Amendment 5 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 5

(This amendment clarifies that the tenant must pay for services and utilities that are the tenant's obligations under the lease.)

- 1 On page 11, in line 28, strike "OR".
- 2 Also on page 11, in line 29, after "(iv)", insert:
- 3 "CHARGES FOR SERVICES AND UTILITIES IDENTIFIED IN THE LEASE AS REQUIRED BY SECTION
- 4 17.909(D) OF THIS SUBTITLE; OR
- 5 (v)".
- 6
- 7 Renumber the rest of item (12) accordingly.
- 8

ADOPTED 6/4/18
FAILED _____
SIGNATURE Jessica Feldman

Amendment 6 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 7

Date: May 7, 2018

Amendment No. 6

(This amendment clarifies landlord responsibilities under a RUBS regime.)

1 On page 13, in line 25, after "AGENT" insert "HOWEVER THE LANDLORD MAY INVOLVE
2 THE PROVIDER IN THE RESOLUTION OF THE DISPUTES".

3 On page 14, in line 7, 10, 18, and 20, in each instance, after "LANDLORD" insert "OR A
4 THIRD-PARTY PROVIDER".

5 Also on page 14, in line 22 and 23, in both instances, after "TENANTS" insert "IN THE
6 TENANT'S BUILDING".

7 Also on page 15, in lines 4, 8, 9, 14, and 18, in each instance, after "LANDLORD" insert
8 "OR A THIRD-PARTY PROVIDER".

9 On page 15, in line 29, after "exceed" strike "THE LESSER OF \$1 PER MONTH OR".

ADOPTED

FAILED

SIGNATURE

as amended 6/4/18
Jessica Feldman

Amendment 1 to Amendment 6 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 1

(This amendment caps the administrative fee at the actual administrative fee.)

- 1 After line 8 insert:
- 2 "On page 15, in line 29, after "exceed" strike "THE LESSER OF \$1 PER MONTH OR"."
- 3

ADOPTED 6/4/18
FAILED _____
SIGNATURE Jessica Teddmark

Amendment 6 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 6

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6 TENANT'S BUILDING".

7 Also on page 15, in lines 4, 8, 9, 14, and 18, in each instance, after "LANDLORD" insert
8 "OR A THIRD-PARTY PROVIDER".
9

Amendment 7 to Council Bill No. 20-2018

BY: Mary Kay Sigaty

Legislative Day No. 5

Date: 5/7/18

Amendment No. 7

(This amendment describes the characteristics of a tenant organization modeled after HUD notice H 2011-29 issued on October 13, 2011.)

1 On page 18, in line 29 after "(A)", insert:

2

3 "TENANT ORGANIZATION.

4 FOR PURPOSES OF THIS SECTION, A TENANT ORGANIZATION IS ONE THAT IS FORMED
5 BY TENANTS OF THE DEVELOPMENT, MEETS REGULARLY, OPERATES DEMOCRATICALLY, IS
6 REPRESENTATIVE OF ALL RESIDENTS IN THE DEVELOPMENT, AND IS COMPLETELY INDEPENDENT OF
7 OWNERS, MANAGEMENT, AND THEIR REPRESENTATIVES.

8 (B)."

9

10 Renumber the rest of the subsections accordingly.

~~REVISED~~ 6/4/18
~~FAILED~~
~~SIGNATURE~~ Jessica Edman