

Office of the County Auditor
Auditor's Analysis

Council Bill 14-2021

Introduced: February 3, 2021

Auditor: Michelle R. Harrod

Fiscal Impact:

According to information provided by various County Departments, there will be nominal fiscal impact as a result of this legislation passing.

The Howard County Housing Commission (the Commission) has indicated they expect a nominal fiscal impact, but nothing that would disrupt the Commission's ability to serve low- and moderate-income renters. The Commission is unable to provide details regarding this impact.

The Department of Community Resources and Services and the Department of Inspections, Licenses and Permits (DILP) have indicated that changes to this section of County Code (Title 17 – Public Protection Services) can be handled with existing resources within their Departments.

Purpose:

The legislation proposes changes to the County Code as noted below in **Table A** (Title 17 – Public Protection Services, Subtitle 10 Landlord – Tenant Relations).

Other Comments:

None.

Table A
Title 17 – Public Protection Services,
Subtitle 10 – Landlord – Tenant Relations

Code Reference	Added / Removed	Details
Sec 17.1008(a)(2)	Added	<ul style="list-style-type: none"> • Before entering into a lease, the landlord can show the tenant a substantially similar dwelling; • The landlord must provide the tenant with access to view the specific unit prior to occupancy to document damages of systems included in the lease, and if damage is found the tenant may select a different unit; • Not later than seven days prior to occupancy, the tenant must be presented with a copy of the rental housing license or evidence of application for a license; and • The Landlord Tenant Assistance Publication must be provided in English and other languages.
Sec 17.1008(a)(3)	Added	<ul style="list-style-type: none"> • If the tenant is not shown a unit substantially similar, the landlord must show the tenant the features similar to their unit and provide a floor plan.
Sec 17.1008(c)	Added	<ul style="list-style-type: none"> • The tenant may terminate the lease based upon inspection of the unit if there are damages.
Sec 17.1009(b) (h)(1)(i)	Added	<ul style="list-style-type: none"> • The lease shall state: <ul style="list-style-type: none"> ○ If the owner fails to maintain a license for 15 consecutive days or more, the tenant may terminate the lease; ○ If DILP imposes a civil penalty, the owner does not abate, and the violation creates imminent danger, the tenant may terminate the lease or request a rent escrow account; and ○ If the tenant has an involuntary change of employment location of 50 miles or more, the tenant may terminate the lease after 60 days written notice.
Sec 17.1010(4)	Added	<ul style="list-style-type: none"> • The landlord can include in a lease costs incurred by the tenant if they did not pay rent or costs related to damages to property in excess of normal wear and tear.
Sec 17.1010(9) (12) (13)	Added	<ul style="list-style-type: none"> • Payments are delinquent and subject to penalty if they are four (instead of five) days late unless the tenant is in arrears from the previous month.
Sec 17.1010(12)	Added	<ul style="list-style-type: none"> • A lease may not require the tenant to pay any money other than other charges permitted in this subtitle or permitted by Maryland law including transfer fees.
Sec 17.1010(14)	Removed	<ul style="list-style-type: none"> • It is no longer required to state that the lease is a “contract under seal.”