

Amendment 1 to Council Bill No. 10-2025

BY: Liz Walsh

**Legislative Day 3
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Amendment No. 1

(This amendment allows for an assignment of rights process for the County and the Howard County Housing Commission; establishes a solicitation process for qualified assignees; prohibits an increase in the percentage of affordable units to more than 50% for properties purchased; and requires a recorded covenant relating to affordable housing units.)

1 On the Title page, strike both Short Title and the Title, in their entirety and substitute the
2 following:

3
4 “**SHORT TITLE:** To require Mobile Home Parks and Motels to offer a right of first refusal to
5 Howard County, the Howard County Housing Commission or their assignees.

6
7 **AN ACT** amending the Howard County Code to establish a notice and a requirement to provide
8 an offer to the County or the Housing Commission or their assignees to purchase Mobile Home
9 Parks or Motels offered for sale in the County, and the affordability requirements for any rental
10 property, Mobile Home Park or Motel purchased by the County or the Housing Commission or
11 their assignees.”.

12 On page 1, below line 14, insert “(A) ASSIGNEE MEANS AN ENTITY TO WHOM THE COUNTY OR
13 COMMISSION ASSIGNS ITS RIGHTS UNDER SECTION 13.1403 OF THIS SUBTITLE, INCLUDING,
14 WITHOUT LIMITATION, ANY JOINT VENTURE BETWEEN (1) THE COMMISSION, ITS AFFILIATE, OR
15 SUBSIDIARY, AND (2) ANOTHER ENTITY.”. Renumber the remainder of the section accordingly.

16
17 On page 5, in line 9, strike “f” and substitute “H”
18

On page 5, immediately following line 9, insert the following:

“(B) ASSIGNMENT OF RIGHTS. BY WRITTEN AGREEMENT, THE COUNTY OR COMMISSION MAY ASSIGN ITS RIGHT TO PURCHASE TO AN ASSIGNEE. THIS ASSIGNMENT SHALL BE IN WRITING, MAY BE RECORDED, AND SHALL REQUIRE THAT THE ASSIGNEE ACCEPT ALL RESPONSIBILITIES OF THE COUNTY OR COMMISSION AS IF THE COUNTY OR COMMISSION WERE PURCHASING THE RENTAL HOUSING, MOBILE HOME PARK, OR MOTEL.

“(C) SOLICITATION PROCESS. ON AN ANNUAL BASIS, THE COUNTY MAY UNDERGO A SOLICITATION PROCESS OR EXPRESSION OF INTEREST TO CREATE AND RETAIN A QUALIFIED LIST OF ASSIGNEES THAT SHALL BE IN ACCORDANCE WITH TITLE 4, SUBTITLE 1 OF THIS CODE . THE COUNTY MAY ONLY ASSIGN ITS RIGHTS UNDER THIS SUBTITLE IF IT HAS UNDERTAKEN SUCH A SOLICITATION PROCESS. THE COMMISSION SHALL FOLLOW ITS OWN PROCUREMENT PROCEDURES IN DETERMINING THE ASSIGNMENT OF ITS RIGHTS UNDER THIS SUBTITLE.”.

On page 5, in line 10, strike “b” and substitute “d”

On page 5, line 16, strike “, for the County and Commission” and insert the following “AS FOLLOWS:

(I) TO THE COMMISSION OR THE COMMISSION’S ASSIGNEE FOR 45 DAYS; HOWEVER, IF THE COUNTY ELECTS TO EXERCISE OR ASSIGN ITS RIGHT TO PURCHASE BY SUBMITTING A CONTRACT, AS SET FORTH IN SUBSECTION (II) OF THIS SECTION, AT ANY TIME AFTER THE FIRST 25 DAYS THAT THE OFFER HAS BEEN IN EFFECT, THE COMMISSION’S RIGHT TO EXERCISE OR ASSIGN ITS RIGHT TO PURCHASE SHALL BE NULL AND VOID; AND

(II) TO THE COUNTY OR THE COUNTY’S ASSIGNEE FROM THE 26TH DAY AFTER THE OFFER WAS RECEIVED.”.

One page 5, in line 17 Strike “c” and substitute “e”. In the same line, immediately following “County” insert “OR THE COUNTY’S ASSIGNEE” and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”.

On page 5, in line 23 immediately after “County” insert “OR THE COUNTY’S ASSIGNEE” and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”.

On page 6, in line 3 strike “d” and substitute “F”.

On Page 6 line 4, immediately following “County” insert “OR THE COUNTY’S ASSIGNEE”, and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”.

On page 6, in line 5, strike “(b)” and substitute “(D)”

On page 6, in line 11, immediately after “County” insert “OR THE COUNTY’S ASSIGNEE” and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”.

On page 6, in line 14, immediately after “County” insert “OR THE COUNTY’S ASSIGNEE” and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”.

On page 6, strike lines 17-19 in their entirety.

On page 6, in line 20, strike “e” and substitute “G”. In the same line, immediately after “County” insert “OR THE COUNTY’S ASSIGNEE” and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”.

On page 6, in line 21, strike “(b)” and substitute “(D)”.

On page 6, in line 23, immediately after “County” insert “OR THE COUNTY’S ASSIGNEE” and immediately following “Commission” insert “OR THE COMMISSION’S ASSIGNEE”. Renumber the remainder of the section accordingly.

On page 7, in line 24, immediately after the first “purchase” insert “OR ASSIGN ITS RIGHT TO PURCHASE”

On page 9, strike lines 2-5 in their entirety and substitute the following:

“(A) AFFORDABILITY REQUIREMENT. AT LEAST 20 PERCENT OF THE UNITS OF ANY RENTAL HOUSING, MOBILE HOME PARK, OR MOTEL PURCHASED BY THE COUNTY, THE COMMISSION, AN ASSIGNEE OF THE COUNTY, OR AN ASSIGNEE OF THE COMMISSION AS ALLOWED UNDER SECTION 13.403(B) OF THIS SUBTITLE, SHALL BE MAINTAINED AS AFFORDABLE, FOR AT LEAST 40 YEARS, TO HOUSEHOLDS WITH INCOME AT LEVELS AT OR BELOW THE MODERATE-INCOME LEVEL AS DEFINED IN SECTION 13.1303(I) OF THIS CODE. FOR THE FIRST 15 YEARS AFTER CLOSING, NEITHER THE COUNTY NOR ITS ASSIGNEE, NOR THE COMMISSION NOR ITS ASSIGNEE SHALL INCREASE THE PERCENTAGE OF AFFORDABLE UNITS IN ANY PROPERTY PURCHASED UNDER THIS SUBTITLE TO MORE THAN 50%, OR IF IT IS MORE THAN 50% AT CLOSING, TO ANY HIGHER PERCENTAGE.

(B) RECORDED COVENANT. THE COUNTY, THE COUNTY’S ASSIGNEE, THE COMMISSION, OR THE COMMISSION’S ASSIGNEE OR THE OWNER IF IT OPTS TO DESIGNATE THE REQUIRED AFFORDABLE UNITS UNDER 13.1403(I) OF THIS SUBTITLE, SHALL EXECUTE AND RECORD CONVENTS ON THE PROPERTY, IN A FORM ACCEPTABLE TO THE COUNTY, THAT REQUIRE THE PURCHASER AND ALL SUBSEQUENT OWNERS OF THE PROPERTY TO ADHERE TO THE REQUIREMENTS OF THIS SECTION FOR A PERIOD OF NOT FEWER THAN 40 YEARS FROM THE DATE OF THE CLOSING ON THE PROPERTY.”