

PROVIDED IN SUBSECTION ~~[[(B)]]~~ (C). THAT PART OF ANY RENTAL FEE INCREASE WHICH EXCEEDS FIVE PERCENT (5%) OF THE RENTAL FEE WHICH WAS IN EFFECT ON JULY 1, 1974, SHALL BE NULL AND VOID.

(C) THE LANDLORD MAY ADD TO THE RENTAL FEE INCREASE PERMITTED IN SUBSECTION ~~[[(A)]]~~ (B) THE PROPORTIONATE SHARE OF THE AMOUNT OF ANY INCREASES IN COSTS TO THE LANDLORD FOR THE PREMISES SINCE JULY 1, 1974, RESULTING FROM INCREASES IN REAL ESTATE TAXES AS OF JANUARY 11, 1973, WATER AND SEWER CHARGES, UTILITY RATES, HEATING FUEL CHARGES AS OF JANUARY 11, 1973, AND ANY ACTUAL COST OF CAPITAL IMPROVEMENTS CONSTRUCTED SINCE THAT DATE. THE CALCULATION OF THE PROPORTIONATE INCREASE IN RENTAL FEE SHALL BE IN ACCORDANCE WITH THE RULES ESTABLISHED UNDER 6 CODE OF FEDERAL REGULATIONS 301.101(A) (3) AND (B) INSOFAR AS APPLICABLE. WRITTEN DOCUMENTATION OF THE BASIS UPON WHICH THE PROPORTIONATE INCREASE IN THE RENTAL FEE IS CALCULATED SHALL BE PROVIDED TO THE TENANT AT THE TIME THE TENANT IS NOTIFIED OF THE RENTAL FEE INCREASE.

(D) THE RENTAL FEE FOR A UNIT VACANT ON THE EFFECTIVE DATE OF THIS SECTION OR BECOMING VACANT THEREAFTER MAY BE INCREASED BY THE LANDLORD TO AN AMOUNT EQUAL TO THE HIGHEST RENT PERMITTED UNDER THE TERMS OF THIS SECTION FOR A COMPARABLE UNIT IN THE SAME RENTAL FACILITY. HOWEVER, A LANDLORD MAY NOT EVICT A TENANT, OR REFUSE TO RENEW A LEASE FOR THE SOLE PURPOSE OF RAISING THE RENTAL FEE TO THE AMOUNT CHARGED FOR THE COMPARABLE UNIT.

(E) THE PROVISIONS OF THIS SECTION SHALL BE SUPERSEDED BY REINSTITUTION OF FEDERAL RENT STABILIZATION.

(F) THE GOVERNING BODY OF ANY COUNTY AND BALTIMORE CITY MAY ENACT LAWS, ORDINANCES OR REGULATIONS CONCERNING RENTAL FEES COVERED BY THIS SECTION. THESE LAWS, ORDINANCES AND REGULATIONS SHALL SUPERSEDE THE PROVISIONS OF THIS SECTION.

(G) THIS SECTION SHALL NOT APPLY TO FEDERALLY FINANCED PROJECTS WHERE THE RENT IS DETERMINED AS A PERCENTAGE OF THE TENANT'S INCOME; AND THIS SECTION SHALL NOT APPLY TO RENTAL FEES FOR UNITS OF EDUCATIONAL INSTITUTIONAL HOUSING NOT OPERATED FOR PROFIT.

(H) IF A LANDLORD INCREASES A RENTAL FEE BEYOND THE LIMITATION IMPOSED BY THIS SECTION, THE ATTORNEY GENERAL ~~[[SHALL]]~~ MAY SEEK AND OBTAIN IN AN ACTION IN THE ~~[[DISTRICT]]~~ APPROPRIATE COURT AN INJUNCTION PROHIBITING THE LANDLORD FROM INCREASING THE RENTAL FEE BEYOND THE PERMISSIBLE LIMIT. PRIOR TO SEEKING THE