

COUNTY LOCAL LAWS

1971, the increase permitted under this section shall be computed upon the amount of rent last legally charged, received, and paid for that dwelling unit prior to August, 1971. Notices to tenants prior to the effective date of this Act informing them of proposed rent increases equal to or greater than the increase permitted by this section shall suffice as the required notice hereunder. This provision shall not affect lease agreements existing on the effective date of this Act.

(b) The rent for a dwelling unit vacant on the effective date of this Act or becoming vacant thereafter may be increased by the landlord to an amount not to exceed the highest rent charged for a comparable dwelling unit in the same rental facility; provided, however, the increase shall not be permitted if the vacancy occurred as the result of unilateral action of the landlord other than action based upon non-payment of rent, illegal activity by the tenant, destruction of property by the tenant, or breach of a material term of a lease.

(c) The system of rent control or rent guidelines developed by the Commission on Landlord-Tenant Affairs shall be adopted by the County Council after due notice and public hearing thereon, and adopted pursuant to Section 93A-49 of this Article. Such system, including necessary rules and regulations for its implementation, shall be approved by the County Council following appropriate comment and recommendations, if any, from the County Executive. In formulating the system, the Commission shall consider, as to rental increases, whether (i) the landlord has not been compensated by rent adjustments for increases in the cost of operating and maintaining the dwelling unit, (ii) the landlord has made a major improvement which is more than ordinary repair and maintenance, (iii) the landlord has increased the services, furniture, furnishing or equipment provided for the dwelling unit, (iv) special or unusual circumstances beyond the control of the landlord have arisen which make it impossible to maintain and operate safely the dwelling unit without additional rent, and (v) increased cost of operating expenses, including tax changes, costs of operation and maintenance of the dwelling unit, the kind, quality and quantity of the services furnished or withheld by the landlord, any increase in the present rental over the rent pertaining to the dwelling unit during the period, if any, when Federal control was applicable thereto, and other relevant and material facts. As to rental decreases, the Commission shall consider whether (i) the landlord is withholding services, furniture, furnishing or equipment rightfully due the tenant, and (ii) whether the conditions which resulted in the establishment of the amount of the rent no longer continue to exist.