

Prince George's County
Housing Opportunities for All Workgroup
Annual Report to the County Executive and County Council

March 2021

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Introduction

Housing Opportunity for All, Prince George's County's comprehensive housing strategy, represents the County's 10-year plan to serve the housing needs of all county residents, both current and future, while expanding access to opportunity through housing investments. Implementing *Housing Opportunity for All* will help establish the county as a community of choice in the Washington, DC metropolitan region—a place where families and individuals can live, grow and thrive!

Housing Opportunity for All is designed to achieve three primary goals:

1. **Support existing residents**, including long-time residents, seniors, residents with disabilities, and residents at-risk of displacement.
2. **Attract new residents**, including millennials, families, employers, and developers.
3. **Build on strategic investments & submarket conditions**, including transit-oriented development (TOD) areas like the Purple Line Corridor, areas around strategic assets and major public investments, and areas designated as federal Opportunity Zones.

Housing Opportunities for All Workgroup

In March 2019, Prince George's County Council established the Housing Opportunities for All Workgroup through CR-16-2019 to assist with implementation of *Housing Opportunity for All* (see Appendix 1). The workgroup helps set priorities; provides advice on proposed legislation related to housing; and recommends possible changes to policies, programs, procedures, or resources related to housing.

The workgroup is comprised of the following 19 members:

- The Chair of the Prince George's County Council or the Chair's designee
- The Director of the Department of Housing and Community Development or their designee who will serve as Co-Chair of the Comprehensive Housing Workgroup
- The President and CEO of the Prince George's County Chamber of Commerce or their designee
- The President and CEO of the Prince George's Economic Development Corporation, or their designee
- The Director of the Prince George's Department of Social Services, or their designee
- The Director of Prince George's County Department of Planning or their designee
- The Chairman of the Board of the Prince George's County Housing Authority or their designee
- One (1) representative from each of the following organizations:
 - Prince George's County Association of Realtors
 - CASA de Maryland;
 - Prince George's County Municipal Association
 - Maryland Building Industry Association – Prince George's Chapter
 - Apartment and Office Building Association
 - City of Bowie (the County's fair housing partner)
- One (1) representative from each category of the following areas, jointly selected by the County Executive and County Council Chair:
 - Senior community
 - Non-profit/faith community
 - Housing Advocacy organization
 - Disability community
 - Non-profit housing developer
 - For-profit developer

Report overview

The Housing Opportunities for All Workgroup must provide a report to County Council annually summarizing its activities, implementation status of *Housing Opportunity for All*, and policy and budget recommendations for the upcoming year (per CR-16-2019). The workgroup is pleased to share its second report with the County Executive and County Council.

This report has three sections:

1. **Implementation update on *Housing Opportunity for All*** – This section provides an overview of actions in *Housing Opportunity for All* that are currently being implemented (as of January 2021).
2. **Housing Opportunities for All Workgroup activities** – This section summarizes the workgroup's primary activities and accomplishments, from when the workgroup started meeting for its second cycle in September through December 2020.
3. **Recommendations for Prince George's County Executive and County Council in 2021** – This section recommends policy and budget actions that would respond to urgent and unmet needs among tenants affected by COVID-19 and its impacts in early 2021 and longer-term actions to create a more resilient housing system in alignment with *Housing Opportunity for All*.

Implementation update on *Housing Opportunity for All*

Housing Opportunity for All categorizes its 48 cross-cutting and targeted actions into short-, medium-, and long-term timeframes for implementation over 10 years. Short-term actions should be accomplished within the first three years of implementing *Housing Opportunity for All* (or in Years 1–3).¹

Implementation of 23 total actions from *Housing Opportunity for All* are in progress across both the legislative and executive branches and among county partners, as of January 2021. This marks an increase in implementation activities from 2019, when 16 total actions from the County's comprehensive housing strategy were in progress.

These actions focus on achieving the following outcomes:

- Strengthening internal capacity and coordination
- Increasing and diversifying financing for housing development
- Leveraging available land for housing development
- Expanding supports for vulnerable residents
- Creating new supports for existing residents
- Revitalizing neighborhoods
- Ensuring transparency and accountability throughout the implementation of *Housing Opportunity for All*

A majority of Years 1–3 actions (18 of 22) are in progress and one action (Cross-cutting action 1.5. Establish stronger, market-informed inclusionary housing requirements) is complete.

One notable milestone from 2020 was the completion of a feasibility study of inclusionary zoning, led by the Department of Housing and Community Development. The study found that market conditions and the County's current incentives would not support inclusionary zoning at this time and outlines the metrics to monitor to reassess this tool for use in Prince George's County in the future. Beyond monitoring these metrics, the implementation of this action is complete (until conditions change to reassess this tool).

Implementation highlights from 2020 related to *Housing Opportunity for All* include:

- Launch of the Department of Housing and Community Development's Right-of-First Refusal Program
- Alignment of activities in *Housing Opportunity for All* with federal resources in Prince George's County's 2021-2025 Consolidated Plan, including the groundwork for two new tools: Section 108 and Neighborhood Revitalization Strategy Area.
- Completion of an inclusionary zoning feasibility study
- Creation of the County's Emergency Rental Assistance Program that resulted in nearly \$10 million of rental assistance to landlords and utility companies on behalf of tenants
- Technical assistance to further explore the creation of a land bank for Prince George's County (via Center for Community Progress), including creation of an internal landbanking taskforce
- Adoption of pandemic-related emergency tenant protections by Prince George's County Council

¹ For a more detailed discussion of actions in *Housing Opportunity for All*, see the full strategy: www.princegeorgescountymd.gov/DocumentCenter/View/26486/CHS---Housing-Opportunity-for-All-with-appendices---FINAL-updated-8-5-19.

- Creation of publicly owned and underused land inventory for the Purple Line Corridor Coalition

The table below shows the status of all Years 1–3 actions, as well as additional actions from Years 4–7 and Years 8–10 currently being implemented, and the outcomes they are designed to achieve as part of implementation.²

² Implementation status covers all actions from *Housing Opportunity for All*, including those being implemented by County departments, County Council, County Executive or partners that may or may not overlap with the policy focus of the workgroup in 2019 and 2020. An action is considered “in progress” if at least one implementation step in *Housing Opportunity for All* was underway as of January 2021.

Implementation status: Actions from <i>Housing Opportunity for All</i>				
* = Action discussed by the Housing Opportunities for All Workgroup in 2019. ** = Action discussed by the Housing Opportunities for All Workgroup in 2020. ✓ = "In progress" = If at least one implementation step in Housing Opportunity for All is underway as of January 2021 and confirmed by Housing Opportunities for All co-chairs.				
YEARS 1-3 ACTIONS				
Action	Intended outcome	Implementation status		
		Not started	In progress	Complete
Cross-cutting action 1.1 Modify public land disposition process to advance CHS goals.	Leveraged land for housing		✓	
Cross-cutting action 1.5 Establish stronger, market-informed inclusionary housing requirements.*	Expanded supports for vulnerable residents			✓
Cross-cutting action 1.6 Streamline the development review and permitting process for developments with a certain share of units set-aside for low-income households.	Increased internal capacity & coordination	✓		
Cross-cutting action 2.1 Improve cross-departmental coordination and communication on development projects.	Increased internal capacity & coordination		✓	
Cross-cutting action 2.2 Conduct a broad education and outreach plan to promote existing and new housing programs and dialogue with various community stakeholders on a regular basis.	Increased transparency & accountability		✓	
Cross-cutting action 2.3 Create a centralized inventory of publicly-owned land, subsidized housing, naturally occurring affordable housing, and underutilized properties.	Leveraged land for housing		✓	
Cross-cutting action 2.7 Create more consistency within the County's development process.	Increased internal capacity & coordination		✓	
Cross-cutting action 2.8 Increase internal capacity to support implementation of CHS goals and strategies.	Increased internal capacity & coordination		✓	
Cross-cutting action 2.9 Build a fully culturally competent staff to serve the county's changing demographics.**	Increased internal capacity & coordination	✓		

Implementation status: Actions from <i>Housing Opportunity for All</i> (cont.)				
* = Action discussed by the Housing Opportunities for All Workgroup in 2019. ** = Action discussed by the Housing Opportunities for All Workgroup in 2020. ✓ = "In progress" = If at least one implementation step in Housing Opportunity for All is underway as of January 2021 and confirmed by Housing Opportunities for All co-chairs.				
Action	Intended outcome	Implementation status		
		Not started	In progress	Complete
Cross-cutting action 2.11 Reduce barriers for residents trying to find or stay in income-restricted housing.	Expanded supports for vulnerable residents		✓	
Cross-cutting action 2.12 Monitor, evaluate, and report progress on implementation of the CHS.	Increased transparency & accountability		✓	
Cross-cutting action 3.1 Increase the County's Housing Investment Trust Fund (HITF).*	Increased & diversified financing for housing		✓	
Cross-cutting action 3.2 Apply for federal Section 108 Loan Guarantee Funds to support mixed-income and mixed-use development.	Increased & diversified financing for housing		✓	
Cross-cutting action 3.4 Establish consistent funding terms and align uses of key County resources.	Increased transparency & accountability		✓	
Cross-cutting action 3.5 Align the County's housing initiatives with federal and state resources to maximize impact of all existing and new resources.	Increased & diversified financing for housing		✓	
Targeted action 1.2 Align the County's HITF and other development solicitations for public funding to support CHS goals and actions.	Increased internal capacity & coordination		✓	
Targeted action 1.3 Build more mixed-use and mixed-income developments.	Increased & diversified financing for housing		✓	
Targeted action 1.4 Identify opportunities for new housing development on publicly-owned land.	Leveraged land for housing		✓	
Targeted action 1.6 Create additional resources to make it easier for persons with disabilities to find and stay in a home.	Expanded supports for vulnerable residents	✓		

Implementation status: Actions from <i>Housing Opportunity for All</i> (cont.)				
* = Action discussed by the Housing Opportunities for All Workgroup in 2019. ** = Action discussed by the Housing Opportunities for All Workgroup in 2020. ✓ = "In progress" = If at least one implementation step in Housing Opportunity for All is underway as of January 2021 and confirmed by Housing Opportunities for All co-chairs.				
Action	Intended outcome	Implementation status		
		Not started	In progress	Complete
Targeted action 2.4 Create a range of resources for households experiencing a housing crisis (unanticipated change in housing costs, eviction, etc.).**	Expanded supports for vulnerable residents		✓	
Targeted action 3.2 Create a land bank to support redevelopment of abandoned residential properties (or expand powers granted to RDA to provide the same function).*	Leveraged land for housing		✓	
Targeted action 3.7 Leverage project-based vouchers to promote mixed-income projects and allocate funding sources for a local rental assistance program.	Expanded supports for vulnerable residents		✓	
YEARS 4-7 ACTIONS				
Cross-cutting action 1.4 Strengthen rights and responsibilities of tenants and landlords.**	Continued support for vulnerable residents		✓	
Cross-cutting action 2.5 Work with non-profit and faith-based institutions to evaluate opportunities for partnerships on new development, education and outreach, or programming.	Expanded partnerships for implementation		✓	
Targeted action 2.6 Strengthen the County's and partners' ability to purchase affordable rental properties at risk of converting to market-rate housing (i.e., right-of-first refusal provisions).*	Expanded partnerships for implementation		✓	
Targeted action 3.6 Coordinate targeted public investments with housing activities or other revitalization activities.	Revitalized neighborhoods		✓	
YEARS 8-10 ACTIONS				
Cross-cutting action 1.7 Adopt a universal design policy.**	New supports for existing residents		✓	

Housing Opportunities for All Workgroup activities

This year, the Housing Opportunities for All Workgroup activities took place against the backdrop of extraordinary circumstances: a global pandemic; national movement for racial justice; and the 2020 U.S. presidential election.

These events affected the Housing Opportunities for All Workgroup activities in 2020. First, supporting Prince George County residents affected by the global pandemic (through job loss, health-related needs, and housing instability, among other circumstances) became a centerpiece of the workgroup's focus in Fall 2020. It also brought attention to disparities and barriers affecting people of color, and workgroup members emphasized the need for inclusive, low-barrier approaches as part of response measures.

The global pandemic affected the meeting format, frequency, and duration of the workgroup. Per CB-10-2020, the Housing Opportunities for All Workgroup did not meet from March to August 2020. The workgroup re-started meeting remotely via GoToMeeting in September 2020. Despite meeting remotely, the workgroup continued to garner participation from local and regional stakeholders as audience members with as many as 50–60 people, including workgroup members, in attendance at each meeting.

The Housing Opportunities for All Workgroup met six times between September 2020 and February 2021 to identify the policy and budget matters to focus on for the remainder of 2020. Workgroup members, in collaboration with audience members, identified a focus on supporting tenants (and by extension landlords) at their September 2020 meeting and refined that focus as part of their remaining meetings.³

Workgroup members used their remaining meetings in 2020 to understand emerging and long-standing needs among tenants and property owners affected by the economic and health impacts of COVID-19 in Prince George's County and discuss the tradeoffs associated with various policies and programs designed to support them. Building this understanding included mining the workgroup and audience members' expertise and hosting a panel discussion of local, regional, and state organizations working closely with tenants.

They also received periodic updates on implementation of *Housing Opportunity for All* or other housing-related work, including an overview of the key findings from the County's inclusionary zoning feasibility study and updates on the County's Emergency Rental Assistance Program.

The Housing Opportunities for All Workgroup also expressed interest in exploring policies proposed in *Housing Opportunity for All* that fell outside of the focus on supporting tenants. Driven by the introduction of local legislation on universal design in 2020, workgroup members expressed interest in exploring this policy (Cross-cutting Action 1.7 from *Housing Opportunity for All*) as part of their 2020

³ Participants offered responses highlighting the importance of assisting landlords and tenants and preventing evictions among tenants, including after the Center for Disease Control's eviction moratorium expires. In discussion, workgroup and audience members shared that many residents in the county were already "living on the bubble" before COVID-19. These residents have been hit hard by loss of income or health issues, among other challenges, but cannot always access COVID-19 relief resources because they cannot demonstrate these challenges are directly related to the pandemic's impact. See Appendix 2 for summary notes from the workgroup meetings from September to November 2020.

activities. In December 2020 and February 2021, a subset of Housing Opportunities for All Workgroup members participated in a working session on universal design and visitability to discuss key policy development questions. The results of this group's discussion will be shared with the entire workgroup for further consideration and refinement in 2021.

Recommendations for Prince George's County Executive and County Council

The recommendations in this section largely fall into three main categories: 1) information and outreach; 2) tenant protection policy; and 3) financial assistance. They aim to accomplish two main objectives:

1. **Respond to immediate needs:** Expand Prince George's County's urgent response to the anticipated and ongoing effects of the global pandemic, including preparing for the end of the Center for Disease Control's and State of Maryland's eviction moratoria on tenants and landlords.
2. **Build a more resilient housing system:** Make temporary resources or policies into longer-term ones to build a more comprehensive housing infrastructure to aid in recovery and build resilience to future shocks.

The recommendations in this section are well-aligned with the following actions from *Housing Opportunity for All*:

- **Cross-cutting Action 1.4.** Strengthen rights and responsibilities of tenants and landlords.
- **Cross-cutting Action 2.9.** Build a fully culturally competent staff to serve the county's changing demographics.
- **Targeted Action 2.4.** Create a range of resources for households experiencing a housing crisis.

When these recommendations are implemented, they would advance two additional actions designed to be implemented in Years 1-3 (Cross-cutting action 2.9 and Targeted action 2.4) and accelerate implementation of an action originally designed to be implemented in Years 4-7 (Cross-cutting action 1.4).

The recommendations detailed below represent the workgroup's efforts from September 2020 to February 2021 and primary areas of agreement among workgroup members. While developing these policy proposals, workgroup members, along with audience members, raised important questions or considerations. Some of these comments or questions were resolved in developing these recommendations.

Due to the dual approach to implement urgent responses to COVID-19 and create more permanent programs and policies to create a more resilient housing system over time, the recommendations are organized into two implementation timeframes:

- 1) **30-60 days** – Recommendations that fall into the 30-60-day timeframe are those intended to set-up supports in response to expiring tenant protections, and these recommendations should be considered priorities for implementation. Some of these recommendations have ongoing implementation steps (keeping information current; training on any changes to programs; etc.) to take after the initial 60-day window, which is why some of them are categorized in both the 30-60-day and 60+ day timeframes.
- 2) **60+ days** – Recommendations that fall into the 60-day timeframe only are those intended to create longer-term resources or more permanent changes to support tenants and landlords.

Recommendations are also categorized below by type:

- **Programmatic** – Actions that affect programs in Prince George's County (either existing ones or creation of new ones)

- **Policy** – Actions that are implemented through legislative changes
- **Budget** – Actions that require funding or have some other type of budget impact (such as administrative costs or forgone tax revenue).

Each set of recommendations have a summary table of their implementation timeline and type of action (policy, budget, programmatic) at the start of each subsection.

Beyond the specific recommendations, Housing Opportunities for All Workgroup members stressed the importance of incorporating the following principles into response, recovery, and resilience measures from COVID-19 and its impacts:

- **Flexibility**, by lowering barriers to access and use, with attention to providing resources to people regardless of immigration status or existing arrears
- **Strong outreach**, with special attention to language access and literacy; accessibility; and messaging through appropriate mediums (e.g., culturally specific media outlets; culturally and linguistically responsive formats; and multimodal formats).
- **More housing affordability**, including creating deep housing subsidies; increasing availability of vouchers and other forms of local and state rental assistance; and pursuing innovative models of housing such as community land trusts

Feedback from the workgroup members about these recommendations as part of finalizing them in January and February 2021 highlighted some key considerations as the County Executive and County Council pursue these recommendations:

- Creating balance between renters' and rental property owners' and homeowners' needs
- Resourcing these recommendations both in terms of funding and staffing, including identification of the appropriate county department or agency to lead implementation
- Avoiding competition or duplication of existing efforts

Concurrent with finalizing these recommendations in January and February 2021, a series of bills in the Maryland General Assembly (collectively called the Housing Justice Package) were introduced, and some of the bill's provisions overlap with the Housing Opportunities for All Workgroup's 2020 recommendations.⁴

In general, as of mid-February 2021, there was not consensus among workgroup members about how best to intersect with the state-level Housing Justice Package. Some workgroup members shared the importance of having the resources and protections in place through either state or local action; others felt the need for the workgroup to amplify the importance of these actions, even if they are enacted by the Maryland General Assembly; and others felt that the state-level changes would suffice in addressing some of the needs identified by the workgroup in these recommendations.

⁴ Key areas of overlap include a tenants' right to counsel in eviction proceedings; creation of a two-part eviction process that allows tenants and landlords avoid eviction before an eviction filing occurs and lengthens the eviction process; and more limits on lease terminations. One bill also prevents landlords from charging late fees and increasing rent during the state of emergency (which mirror Prince George's County's emergency tenant protections). Additionally, the state bills provide more financial relief to landlords (through a statewide program that would match local rental relief and eviction prevention funding) and provide homeowners with more protections, such as the option to defer missed mortgage payments once forbearance ends and preservation of their credit history, by preventing servicers to report negative information to credit bureaus for a year following the end of Maryland's state of emergency).

Information and outreach: Recommended actions

Summary of information and outreach actions by timeline & action type					
Recommended action	Timeline		Type of action		
	30-60 days	60+ days	Policy	Program	Budget
Support community resource navigators at local community-based organizations.	✓	-	✓	-	✓
Conduct cross-departmental staff training on tenants’ rights and how to make referrals for available rental and homeownership assistance programs.	✓	✓	✓	-	✓
Establish a one-stop shop for housing assistance information.	✓	-	✓	-	✓
Provide information and outreach through inclusive communication tactics.	✓	✓	✓	-	-
Address language barriers.	✓	✓	✓	-	✓
Establish a full-time tenant liaison in County government.	-	✓	✓	-	✓
Establish a centralized landlord/tenant assistance office in County government.	-	✓	✓	-	✓

Support community resource navigators at local community-based organizations.

Action overview: Housing Opportunities for All Workgroup members highlighted an immediate need to connect tenants to available resources during the COVID-19 pandemic and its immediate aftermath. In the panel discussion hosted by the workgroup, workgroup members and other stakeholders working closely with tenants shared the difficulties they’ve observed with residents seeking assistance. These challenges ranged from gathering and sharing appropriate documentation (which stakeholders noted is significant); willingness to share personal information with public entities; understanding different eligibility requirements (including eligibility due to legal status and for federal CARES funding); and lack of cultural relevance and sensitivity in service delivery, with persons with disabilities; immigrants; refugees; and persons with limited familiarity with public assistance programs shared as examples of for whom more sensitivity is needed.

The need for more streamlined connections to available housing resources mirrors a need identified through the needs assessment and public engagement for *Housing Opportunity for All*: minimizing barriers and streamlining access to homes and assistance programs, especially for vulnerable residents and doing so in culturally relevant ways.

This action would provide funding from Prince George’s County directly or in partnership with philanthropic organizations to fund COVID-19 community resources navigator positions at local community-based organizations.⁵ In general, community resource navigators provide hands-on support to residents, connecting them with resources that address their unique needs. This action is intended to

⁵ This position, as proposed, would not be a County government staff position. Instead, it would be positions hired directly by local organizations for the purpose of assisting residents navigate various resources that best meet their needs. While this position is not proposed as a County government staff position, one way to fund these positions is through grants provided by Prince George’s County to local organizations. Some governments have community resource navigators on staff but given the need for close community ties and the roles that local nonprofits are already playing in this area, this recommendation focuses on staffing at community-based organizations.

address the need for strong outreach, cultural relevance, and centralized assistance to tenants as they seek different types of resources (housing or rental assistance; legal services; unemployment claims; small business programs; and food assistance, to name a few).⁶

Core competencies among community resource navigators may include strong relationships with affected tenants; cultural understanding of and access to affected tenants (language, norms, power dynamics); and knowledge of local resource landscape and tenant-landlord laws.

Implementation steps by the County Executive and County Council in 2021:

- Allocate public and philanthropic funding for grants for community resource navigators.
- Solicit for community resource navigators for local organizations through competitive request for proposals.
- Align information and outreach efforts with community resource navigators' outreach.
- Monitor and report outcomes from use of community resource navigators.

Budget impact: \$500,000 for 5-6 positions (estimated)

Potential funding sources: Prince George's County General Fund; Funding from local or regional philanthropic organizations

Conduct cross-departmental staff training on tenants' rights and how to make referrals for available rental and homeownership assistance programs.

Action overview: This year, the Workgroup recommended taking more actions related to the dissemination of information and outreach on tenants' rights and assistance and assistance available to homeowners (e.g., foreclosure prevention resources). As more policies and programs are developed to address tenants' rights and resources are created for tenants, landlords, and homeowners, it will be necessary for the County to invest in training staff on these issues. Stakeholders in the workgroup recognized that there is a need to build awareness of various resources within County staff – so that regardless of where tenants are seeking assistance, they will be met with informed and educated staff on what resources are available to tenants.⁷

Staff trainings should be focused on multiple elements in order to be successful. First, training should provide information on program availability and eligibility for existing local, state, and federal housing resources for tenants and homeowners. This includes COVID-19 emergency resources and strategies to lower or streamline barriers to using those resources. Second, training should provide information on community-based resources, including tenant-landlord assistance, emergency housing assistance, foreclosure prevention, counseling for homeowners, and non-housing related services such as cash payment programs, food assistance, and healthcare. Last, training should focus on issues and tactics that are culturally relevant to the changing demographics of the county.

⁶ It should be noted that while community resource navigators may assist tenants with access to funding for rent or utility or legal services, similar to a tenant liaison, community resource navigators typically cover a wider range of household needs and tailor their assistance to a household's overall needs (including non-housing needs) and eligibility for various resources, including those available through other nonprofits in addition to government agencies.

⁷ In finalizing these recommendations, one workgroup member recommended prioritizing training and information about referrals in the immediate term.

The County can draw on existing training materials, including those available through the U.S. Department of Housing and Urban Development, nonprofits, and internal training information from previous and current County programs to assist with creating the infrastructure to deliver this type of training.

Implementation steps by the County Executive and County Council in 2021:

- Budget for trainings in upcoming budget cycle.
- Conduct first training for Health & Human Services; Social Services; Housing & Community Development; and Community Relations and 211 and 311 staff.
- Supplement training with quarterly cross-departmental meetings to identify and address gaps in tenants' needs; ways to lower barriers and coordinate communications; and stay up-to-date on resource availability.

Budget impact: \$10,000-\$25,000 for training services (estimated)⁸

Potential funding sources: Prince George's County General Operating Budget (to support multiple housing agencies and programs)

[Establish a one-stop shop for housing assistance information.](#)

Action overview: According to Housing Opportunity for All workgroup members, an immediate need among tenants and homeowners was to streamline information and resources. *Housing Opportunity for All* documented members of the public's concerns over a general lack of information and misunderstanding about County programs and resources. Specifically, they described the County's process to access this assistance as unnecessarily complicated and not transparent, suggesting a need to improve this process.

At its October 2020 meeting, the Housing Opportunity for All Workgroup identified four broad approaches to support tenants. One approach was the need to centralize and streamline information, due to the challenge of identifying resources when they are not in one place. During the October 2020 meeting, community partners suggested the need to expand communication and marketing efforts to increase program use and awareness. In finalizing these recommendations, workgroup members highlighted the importance of ensuring information about homeownership resources (e.g., foreclosure prevention resources; information about foreclosure moratoria and forbearance options) are included in any compilation of housing information.

The one-stop shop for housing information would create a centralized information hub, such as a comprehensive website. This would require the identification of internal agencies and local organizations that provide resources and tools to tenants, landlords, and homeowners; information-gathering and organization of these resources and tools; and compilation and maintenance of this information over time. This action would equip tenants and property owners with accurate information and resources in a timely and accessible manner. A key implementation consideration is determining which County department should lead this effort.

⁸ Note that this training would be to assist with creating a "no wrong door" approach when Prince George's County residents seek housing assistance across different county departments. This type of training would be supplemental to the creation of additional staff, such as a tenant liaison, that may also benefit from this training or could assist with conducting it.

Implementation steps by the County Executive and County Council in 2021:

- Establish a centralized, comprehensive online information hub.
 - Identify, verify and compile a list of resources and services for tenants, landlords, and homeowners in Prince George's County.
 - Develop summary materials about available emergency tenant and homeownership assistance in multiple languages. The following are examples of two common summary documents produced for tenant awareness in neighboring jurisdictions:
 - Create an Eviction Prevention fact sheet on emergency resources; legal services; and the eviction process.⁹
 - Create a "Know Your Rights" brochure with tenant rights; FAQ; contact information for local and regional tenant organizations; and summary of available assistance (including rental assistance and legal services).¹⁰
- Create a schedule to guide updates on a regular basis.

Budget impact: Personnel/administrative costs to gather information and produce and update informational/communications materials

Potential funding sources: Prince George's County General Operating Budget (to support multiple housing agencies and programs)

Provide information and outreach through inclusive communication tactics.

Action overview: Prince George's County values its reputation as a welcoming place for residents with diverse ethnic and cultural backgrounds, experiences, and abilities. Over the last several decades, the county has become more racially and ethnically diverse, with Hispanics making up a large share of this growth. However, as documented in *Housing Opportunity for All*, members of the public, particularly those among under-represented groups like immigrants, persons experiencing homelessness, and persons with disabilities, felt that Prince George's County could improve the way in which County staff interact with them and administer programs or services intended to serve them.

COVID-19 has underscored the need to be more inclusive. At its September 2020 meeting, the Housing Opportunity for All Workgroup and audience participants defined one aspect of supporting renters as the need to focus on multilingual outreach to renters about their rights' and available assistance programs. In finalizing these recommendations, workgroup members noted that homeowners would benefit from more information about available housing programs, including seniors who may better reached through inclusive communication tactics such as non-digital outreach.

During its October 2020 meeting, the panelists of community partners highlighted several issues that have become more apparent due to COVID-19 pandemic. In particular, the immigrant and refugee communities are especially hard hit as they are unable or afraid to use support programs.

This action would provide information and outreach to tenants through inclusive communication tactics guided by the following implementation considerations:

⁹ Eviction Prevention Pamphlet produced by Montgomery County, MD's Department of Housing and Community Affairs, "[Eviction Prevention](#)."

¹⁰ Coronavirus (COVID-19) [Tenants' Rights FAQ](#) by Washington, D.C.'s Office of the Attorney General.

- Engage and inform residents through inclusive communications: Ensuring residents have translated materials in appropriate languages, with culturally and linguistically context and through an appropriate medium.
- Develop non-digital outreach: Creating non-digital outreach formats include direct mail, radio, televised PSAs, lobby signs in multifamily buildings or community hubs, local events (as public health guidelines permit), and other formats as identified by on-the ground partners. Outreach materials produced can build off the materials produced in the previous action item (one-stop shop for housing assistance information).¹¹
- Strengthen relationships with landlords through landlord outreach: Potential formats include webinars; workshops; or other educational opportunities to landlords in partnership with local and regional organizations and direct mail to all landlords about rights & responsibilities; emergency protections and resources; and penalties for violating tenant protections in partnership with Office of Law and Prince George's County judicial system.¹²

Implementation steps by the County Executive and County Council in 2021:

- Identify appropriate mediums and additional barriers to reach affected populations by engaging trusted organizations/leaders to assist with development of communications protocols.
- Create internal protocols to guide inclusive communication for programs across County departments.
- Expand outreach efforts to landlords about their rights and responsibilities and available resources.
- Explore creation of a community communications network of community- and faith-based organizations to redistribute public communications to help reach vulnerable populations.

Budget impact: Personnel/administrative costs; costs to produce materials

Potential funding sources: Prince George's County General Operating Budget (to support multiple housing agencies and programs)

[Address language barriers.](#)

Action overview: As mentioned in the previous action overview, the county has become more racially and ethnically diverse, with Hispanic residents making up a large share of this growth. The Housing Opportunity for All Workgroup acknowledges that when centralizing and streamlining public information for tenants and homeowners, it should be provided with the proper cultural competence, relevance, and in multiple languages.

When addressing language barriers, this action would rely on successful collaboration with trusted organizations and leaders to share information and resources. This action has strong alignment with other recommended actions (one-stop shop for housing assistance information and provide information and outreach through inclusive tactics).

Implementation steps by the County Executive and County Council in 2021:

- Identify and provide rental assistance program documents in commonly spoken languages.

¹¹ Montgomery County, MD's "Renters Have Rights" Outreach Campaign Elements posted ads on interior ([English](#), [Spanish](#)) and exterior Ride On buses, bus shelters and County facilities.

¹² Arlington County, VA established the [Housing Matters Forum](#) to further education and relationships with tenants, landlords and County staff.

- Host virtual workshops in commonly spoken languages (rather than via translation) in partnership with trusted local partners.
- Support on-call or contract translators for translation assistance.
- Prioritize hiring of bilingual staff and staff with experience serving special populations.
- Offer pay premiums for existing county staff who become bilingual certified.

Budget impact: Funding for translation services; personnel costs (per Prince George's County salary guidelines)

Potential funding sources: Prince George's County General Operating Budget (to support multiple housing agencies and programs)

Establish a full-time tenant liaison in County government.

Action overview: As more temporary and long-term programs and policies are created to support tenants and landlords in Prince George's County, stakeholders expressed a need for information and support to be more centralized, including County staff dedicated to providing this support. One way to create more centralized support for tenants and landlords is by creating a full-time tenant liaison position in County government.¹³

A tenant liaison assists tenant and landlords and monitors, identifies, and develops ways to address ongoing needs or issues affecting tenants and landlords in a community. The role of a tenant liaison varies from place to place, but key duties of this position include:

- Coordinating and sharing information on rental programs, including tenant rights, landlord information and contacts, legal aid, tenant counseling, and other direct service provider organizations.
- Developing public information campaigns about tenant-landlord laws and available resources.
- Interacting with courts to share resource information; gather trend information from legal aid groups on trends; and identify opportunities to align programs and information.
- Interacting with tenants, landlords, legal aid, and other service providers to gather information (e.g., gaps, opportunities, areas for partnerships) about their needs.
- Highlighting existing community resources to increase their use and impact among renters.

In implementing this recommendation, it will be important to define what duties a tenant liaison would play in Prince George's County and in turn, use those duties to inform where the tenant liaison could sit in the government's organizational structure. In addition to the specific duties of the tenant liaison, the following considerations should guide the question of where this position should sit:

- Duties of tenant liaison position
- Accountability, autonomy, and authority in being able to respond to tenant needs or complaints
- Relevant housing expertise
- Ability to coordinate across various county agencies and departments that serve tenants (given the broad nature of their potential requests)

¹³ While different departments and commissions (Departments of Housing and Community Development and Social Services and Human Relations Commission) in Prince George's County carry out these roles, there is not a position that encompasses all these functions in one position.

As part of finalizing this recommendation, one workgroup member highlighted the importance of hiring someone for this position that reflects the population of Prince George's County. Other workgroup members and meeting participants expressed an interest in a landlord-tenant commission that has Tenant-Landlord Code enforcement and adjudication duties and can serve both landlords and tenants, with a key step to study the level of authority of this type of body in Maryland; define its roles and responsibilities; and explore potential structures proposed as part of expanding emergency tenant protections (see below).

Implementation steps by the County Executive and County Council in 2021:

- Understand the potential authority under Maryland state law for different tenant positions being proposed (e.g., liaison; office of landlord-tenant assistance [see below], tenant-landlord commission).
- Identify key duties of a tenant liaison position and other attributes (such as representation).
- Identify where to house a tenant liaison in Prince George's County government, informed by the key duties.
- Create and advertise new staff position or identify opportunities to reallocate existing staff.
- If hiring new staff, budget for a tenant liaison position in upcoming budget cycle.

***Budget impact: Salary for full-time personnel (per Prince George's County salary guidelines)
Potential funding sources: Prince George's County General Operating Budget (to support multiple housing agencies and programs)***

[Establish a centralized landlord/tenant assistance office in County government.](#)

Action overview: Tenant challenges have been brought into greater focus by the pandemic. One of the more apparent challenges is the lack of awareness or fear to use available aid or resources. As Prince George's County puts forward temporary and long-term programs and policies to support tenant and landlords, a dedicated tenant assistance office could address tenant challenges in the long term.¹⁴

A centralized tenant assistance office would expand on the key duties of the tenant liaison position, and could be built around this position, depending on its core services.¹⁵ While a centralized tenant assistance office would play a similar role to a tenant liaison, it would enable Prince George's County to provide a wider range of services to tenants and landlords (technical assistance and advice; legal services; etc.) and serve more people than an individual staff person. The key functions of a centralized tenant assistance office include:

- Coordinating and sharing information on rental programs, including tenant rights, landlord information and contacts, legal aid, tenant counseling, and other direct service provider organizations.
- Developing public information campaigns about tenant-landlord laws and available resources.
- Interacting with courts to share resource information; gather trend information from legal aid groups on trends; and identify opportunities to align programs and information.
- Interacting with tenants, landlords, legal aid, and other service providers to gather information (e.g., gaps, opportunities, areas for partnerships) about their needs.

¹⁴ Washington DC's [Office of Tenant Advocate](#) is a regional example of an office that provides technical advice, education, information, advocacy, financial, and other legal services to tenants.

¹⁵ Prince George's County should start with the creation of the liaison position to understand the need for and additional functions of a tenant assistance office.

- Highlighting existing community resources to increase their use and impact among renters.
- Provide technical advice. At times landlords or tenants need assistance or additional capacity when applying for County programs or resources.
- Educate and inform the tenant and landlord community about tenant rights and other related rental topics.

The duties of this office should inform its overall structure and organization position in Prince George's County government. For instance, this office could be built around the tenant liaison position or be an independent office within a department in Prince George's County Government. The following considerations can guide where to house an office of tenant assistance:

- Core services to offer through an office of tenant assistance
- Local legal authority of county governments on landlord-tenant matters
- Ability for consistent enforcement of tenants' rights
- Focus on serving both tenants and landlords

Implementation steps by the County Executive and County Council in 2021:

- Clarify local legal authority on resolving tenants' right issues (i.e., ability to adjudicate, mediate, etc.).
- Determine where to house the Office of Tenant Assistance in Prince George's County government (supported by new or amended local legislation as applicable).
- Stand up office by hiring and training staff.
- Partner with 211, 311 and legal aid to develop a "Tenant Helpline." The "Tenant Helpline" would connect residents with tenant assistance resources and guide them through the application process

Budget impact: Salary for personnel (per Prince George's County salary guidelines)

Potential funding sources: Prince George's County General Operating Budget

Tenant protection policies: Recommended actions

Summary of tenant protection policy actions by timeline & action type					
Recommended action	Timeline		Type of action		
	30-60 days	60+ days	Policy	Program	Budget
Expand emergency tenant protections through local legislation.	✓	-	✓	-	-
Make select emergency tenant protections in CB 16-2020 into permanent tenant protections.	-	✓	✓	-	-

Expand emergency tenant protections through local legislation.

Action overview: In 2020, as part of its response to COVID-19, Prince George’s County updated its Tenant-Landlord Code with emergency tenant protections:¹⁶

- Prohibition of rent increases during the emergency for tenant with a substantial loss of income
- Limitations on rent increases during the emergency for any tenant
- Prohibition of lease terminations and evictions for non-payment of rent (with this provision in effect through August 31, 2020 per Prince George’s County code).
- Prohibition of assessing late fees or other penalties (except for returned checks) during the emergency
- Option for tenants to repay back rent through a payment plan.

These protections are in effect 90 days following the end of the emergency period (defined as by Maryland Governor’s Executive Orders) with an option for County Council to extend the protections an additional 90 days by resolution. Additionally, tenants in Prince George’s County also had some protections under the Center for Disease Control’s Temporary Halt in Evictions, which enables tenants to avoid eviction due to non-payment through January 31, 2021 (as of early January 2021).

As these protections have gone into effect, more information has emerged about how they work in practice. This recommended action seeks to expand the existing tenant protections to increase their efficacy and stabilize tenants during and immediately following the COVID-19 pandemic.¹⁷

Stakeholders working closely with tenants in the county identified the need for stronger notice provisions; access and resources to support legal representation in eviction proceedings; and sealing eviction records as priorities when expanding emergency tenant protections to respond to the effects of COVID-19 on tenants in Prince George’s County. Legal representation spans the need for more legal assistance to tenants to provide appropriate documentation to create an “affirmative defense” in accordance with Governor Larry Hogan’s Executive Order and CDC’s Agency Order to temporarily halt evictions; seek assistance if a landlord threatens tenants with an eviction (which stakeholders have reported to be the case at times); and legal services in eviction court once eviction proceedings resume.

Implementation steps by the County Executive and County Council in 2021:

¹⁶ See Appendix 3 for CB-16-2020 and CB 78-2020.

¹⁷ In finalizing these recommendations, one workgroup member noted the importance of avoiding eviction through prevention programs, such as emergency rental assistance, in the first place, given the high costs for both the tenant and landlord during formal eviction proceedings.

- Draft, introduce, and pass legislative language to update the County's Tenant-Landlord Code in the following ways:
 - Expanded notice requirements prior to filing an eviction: Require landlords provide written notice to tenants and Prince George's County's Departments of Housing and Community Development and Permitting, Inspection, and Enforcement about their intent to initiate an eviction at least 30 days prior to filing it. Establish requirements for landlords to document multiple attempts to reach a tenant before filing for eviction.¹⁸
 - Expanded notice requirements and protections after filing an eviction:¹⁹ Based on the provisions of CB 79-2020, establish notice requirements for pending dispossession; procedures for providing notice after a Warrant of Restitution is issued; and requirements for the District Court and Sheriff to grant stays for at least 15 days if proper notice is not provided. In addition to the provisions outlined in CB 79-2020, receipt of notice provisions could also include photographic documentation.
 - Right-to-legal representation in eviction proceedings: Provide no-cost legal representation to households through contracted services at a partner agency. This language will need to address which tenants (if not all tenants) are eligible for no-cost legal assistance (e.g., households below the federal poverty line; extremely low-income households as defined by HUD income limits); legal services covered; and implementation structure and roles.²⁰
 - Information and outreach requirements: Require landlords to post approved communications materials from Prince George's County's Department of Housing and Community Development about tenants' rights under CB 16-2020 and CB 78-2020; other emergency tenant protection measures; and available resources to support tenants.²¹
- Authorize funding to support direct legal services for tenants. This authorization should cover contracted legal services to support tenants' right to counsel. Additional funding would support community-based organizations to conduct education and outreach.
- Initiate study of the role and structure of Tenant-Landlord Commission.²²
- Align information and outreach efforts with community outreach efforts (see other recommendations related to tenant information and outreach above).

¹⁸ The District of Columbia recently passed the Fairness in Renting Emergency Amendment Act of 2020 in Fall 2020 to create similar notice requirements that currently expire in February 2021; for more information see DCist, 6 October 2020, "[D.C. Lawmakers Strengthens Requirements for Notice of Eviction Cases](#)" (click link). [For the legislative text, click here.](#)

¹⁹ These provisions are similar to CB-079-2020, which was previously introduced in 2020 (see Appendix 3).

²⁰ In terms of implementation structure, two nascent right-to-counsel models – one in Baltimore, MD and one in Cleveland, OH – contracts with a lead partner agency (e.g., United Way of Greater Cleveland in Cleveland) that subcontracts with community organizations to provide legal representation directly to tenants. The cities provide both the legislative basis and financial support for their policies, as well as set reporting requirements for the lead partner agency and in the case of Baltimore, funding for community-based organizations to conduct education to tenants on their rights and available services. For more information on Baltimore's right-to-counsel policy, see Appendix 4; for Cleveland's see [its ordinance](#) (click link). Additionally, one workgroup member highlighted additional services or protections for tenants: landlord-tenant mediation in addition to legal services; limits on reporting to credit bureaus in addition to sealing records; and just cause eviction provisions.

²¹ See [Section 29-30 \(8\) for legislative text from Montgomery County](#) (click link) that requires landlords to post information about filing a complaint under the County's Tenant-Landlord Code and prohibited retaliatory practices.

²² See Appendix 5 for examples of tenant-landlord commissions.

Budget impact: \$500,000–\$6 million annually for legal services (estimated)²³

Potential funding sources: Prince George's County General Fund; Community Development Block Grant (for services)

Make select emergency tenant protections created to respond to the global pandemic into longer-term protections that increase resilience.

Action overview: The need for stronger tenant-landlord policies in Prince George's County predates the global pandemic. *Housing Opportunity for All* documented this need: Public sentiment, especially among non-native English speakers, suggested that existing tenants' rights are not enough to help County residents withstand shocks in the county's housing market or systematically address code compliance issues. Members of the public consistently shared that increases in their rent, which increased by 29 percent between 2000 and 2015 countywide; changes to their leases without advanced notice; and poor maintenance and management puts them in difficult positions. In response, the County's comprehensive housing strategy puts forward implementation steps designed to strengthen rights and responsibilities of tenants and landlords through a comprehensive tenant rights policy and infrastructure to support effective implementation, namely creation of a landlord-tenant office and tenant liaison position in County government (see Cross-cutting Action 1.4 in *Housing Opportunity for All*).

Housing Opportunity for All Workgroup members highlighted opportunities created by the global pandemic to create more long-term measures to support tenants. This recommendation aims to directly advance longer-term, more comprehensive tenant protections that can aid with recovery from COVID-19 and create more resilience. These policy changes should draw on lessons learned from implementing emergency tenant protections and occur in concert with strengthening the broader infrastructure to educate tenants; provide adequate resources to tenants and landlords; and enforce these standards. Other recommended actions in the workgroup's annual report are intended to increase this infrastructure.

Given the status of overlapping state-level bills in the Housing Justice Package at the time of finalizing this report, implementation of this action will require review of the status of enacted state legislation and identification of any gaps in the legislation that local language should explore while weighing their overall alignment with broader community goals and regional competitiveness.

Implementation steps by the County Executive and County Council in 2021:

- Review overlapping state legislation after Maryland General Assembly's 2021 legislative ends to understand what state-level policies were enacted and what gaps may still exist. Specific areas to review are as follows: exceptions for lease terminations; notice provisions for eviction proceedings; right-to-legal counsel in eviction proceedings; sealing of eviction records; and information and outreach requirements.
- Based on that review, explore the following long-term changes to legislative language in the County's Tenant-Landlord Code (as applicable):
 - **Exceptions for lease terminations by tenants:** Prohibit penalties for early lease terminations due to medical condition; seniors and their caregivers; domestic violence survivors; and people who have experienced a significant (non-pandemic related)

²³ Costs based on range of what other communities have allocated or estimated legal services costs to be.

involuntary loss of income (e.g., job loss, reduced employment, loss of public assistance).

- **Permanent notice provisions for eviction proceedings:** Extend notice requirements prior to and after filing an eviction after the emergency tenant protections expire (based on updates to the County's Landlord-Tenant Code to expand emergency tenant protections in accordance with the recommendation above).
 - **Permanent right-to-legal representation in eviction proceedings:** Extend no-cost legal services for tenants experiencing or at-risk of eviction after the emergency tenant protections expire (based on updates to the County's Landlord-Tenant Code to expand emergency tenant protections in accordance with the recommendation above).
 - **Eviction records:** Require District Court of Maryland to seal eviction case histories from pandemic time period.
 - **Information and outreach requirements:** Require landlords to post approved communications materials from Prince George's County's Department of Housing and Community Development about tenants' rights.²⁴ Require Prince George's County Department of Housing and Community (or its designee) to develop a Tenant Bill of Rights and require landlords to provide to tenants prior to executing a lease agreement.
 - **Enforcement structure:** Clarify enforcement structure for landlord-tenant protections in accordance with findings from study period of a Landlord-Tenant Commission and related recommendations to create increased capacity to assist landlords and tenants in this report (see Appendix 4).
- Authorize funding to support creation of key pieces of implementation infrastructure.
 - Engage landlords or organizations representing landlords; tenants or organizations representing tenants; legal aid service providers; representatives from the District Court of Maryland; and others in drafting these policy provisions.

Budget impact: \$500,000-\$6 million annually for legal services (estimated);²⁵ salary for personnel (full-time tenant liaison) (per Prince George's County salary guidelines); administrative costs associated with outreach and coordination

Potential funding sources: Prince George's County General Fund; Community Development Block Grant (for services)

²⁴ See [Section 29-30 \(8\) for legislative text from Montgomery County](#) (click link) that requires landlords to post information about filing a complaint under the County's Tenant-Landlord Code and prohibited retaliatory practices.

²⁵ Costs based on range of what other communities have allocated or estimated legal services costs to be. Note that the estimated costs for legal services represent an annual estimated cost (i.e., the amount that the County could allocate to support legal services on an annual basis). These costs are shown under each recommendation related to tenant policies to highlight that one cost could be temporary – as part of emergency policy protections for a set period of time – and one cost would be a long-term cost if legal counsel was provided as a permanent service to tenants (as proposed by the second recommendation in this subsection).

Financial assistance: Recommended actions

Summary of financial assistance actions by timeline & action type					
Recommended action	Timeline		Type of action		
	30-60 days	60+ days	Policy	Program	Budget
Allocate funding for a low-barrier housing assistance fund.	-	✓	-	✓	-
Create a philanthropic pool of emergency assistance dollars for one-time household needs.	-	✓	-	✓	-
Work to create a permanent housing assistance fund.	-	✓	-	✓	-
Create local tax relief (e.g., property tax credit or waiver) for late property tax payments.	-	✓	✓	✓	-

Allocate funding for a low-barrier housing assistance fund.

Action overview: In 2020, the workgroup focused on several actions to establish long-term and flexible funding sources that can support more residents experiencing a housing crisis. Particularly in light of COVID-19, resources such as a low-barrier housing assistance fund would create opportunities for households to stay in their homes through pandemics, economic downturns, and other challenges, increasing household resiliency and stability. The County has been primarily using federal funds to support tenants, which have requirements that prevent vulnerable populations from accessing them, such as immigration status and documentation needs. By creating a low-barrier housing assistance fund to assist households, regardless of characteristics like immigration status and arrears, the County can serve residents that are most in need of assistance.

Currently, the County does not have such a fund. The workgroup supported recommendations that could build on lessons learned and best practices in using COVID-19 relief funding. In the dissemination of these funds, the workgroup was able to see the positive impact on tenants and landlords and expressed a desire to continue these resources with more flexibility than federal programs can often allow (in terms of eligibility, documentation, or eligible uses). While this type of assistance could be provided as part of creating a broader housing assistance fund (see recommendation below) to ease administration, there would need to be clear delineation between requirements to ensure populations not served by federal programs can access this resource. Additionally, the County’s current COVID relief housing funds have supported rental and utility payments, this fund could expand its activities to also offer mortgage or utility assistance to homeowners to assist with foreclosure prevention.

The County could create a fund by allocating resources in the next budget cycle. In tandem, requirements for accessing the fund and mechanisms for monitoring the fund will be essential to its success.

Implementation steps by the County Executive and County Council in 2021:

- Allocate at least \$4 million in local funding for an emergency response and recovery fund in next budget cycle.
- Engage local legal aid, counseling, other direct service and housing provider partners to understand and mitigate barriers to resource use (e.g., documentation, eligibility requirements, etc.).

- Increase use of eligible state and local funds for an ongoing tenant-based rental assistance program.
- Incorporate program requirements that address barriers and mitigate evictions in future Emergency Rental Assistance Program (e.g., eligibility for funds could be subject to additional tenant protection requirements).²⁶

Budget impact: \$4 million in local funds (estimated) with additional administrative costs

Potential funding sources: Funding from local or regional philanthropic organizations, matched or leveraged with seed funding from Prince George's County's General Operating Budget

Create a philanthropic pool of emergency assistance dollars for one-time needs.

Action overview: In 2020, COVID-19 shed light on how fragile the housing environment is, particularly in Prince George's County. When businesses ground to a halt as a result of the pandemic, many residents stopped receiving an income, which caused a domino effect to subsequent monthly bills, including rental, mortgage and utility payments. A funding source to assist with these lapses in income for one-time needs such as utility bills can help bridge the gap as residents look for new sources of income and can return to work. Creating a resource of emergency assistance dollars for one-time needs is essential for tenants and homeowners to remain stable and resilient in their housing environments.

Currently, the County does not have such a program. However, the County could assist with establishing one with the support of local philanthropic partners. In identifying this type of funding source, workgroup members highlighted that the County should work closely with its nonprofit and philanthropic partners to understand this opportunity in greater detail, given that some local nonprofits are creating similar funding sources, and the need for alignment with philanthropic organizations' goals and flexibility in their funding. The program could be managed by a local nonprofit organization in partnership with the County government or by County government directly. In addition, assistance limits should be determined as part of establishing the program fund. Limits can be based on total amounts requested by household, for example a request limit of \$1,000 per household per year.

Implementation steps by the County Executive and County Council in 2021:

- Conduct outreach to local nonprofits and philanthropic partners about creation of a philanthropic pool of emergency assistance dollars to help avoid duplication or explore opportunities to consolidate resources and administrative functions.
- Work with tenant organizations; foreclosure prevention and housing counseling organizations; and other organizations administering emergency assistance to organize philanthropic appeal for contributions to create a pool to fund emergency food assistance, utility bills, security deposits, and one-time rent or mortgage payments.
- Establish funding pool, including administrator and parameters on assistance (eligible activities, maximum assistance amount, etc.).
- Consider programming federal CDBG funds to seed or supplement emergency assistance fund.
- Advertise resource as part of community outreach efforts (i.e., promote across County agencies, service providers, legal aid organizations, and tenant organizations).

²⁶ Examples of requirements could include: establish landlord documentation requirements that they have reached out to tenant at least twice within 7-10 day period; landlord permits legal aid or other service providers to reach out directly to tenant for period of 7 days; require landlord to inform tenants of their rights and available assistance programs.

Budget impact: \$100,000 (initial allocation) with additional administrative costs
Potential funding sources: Philanthropic funds; Community Development Block Grant funds; HOME Investment Partnership Program funds

Work to create a housing assistance fund.

Action overview: One of the core recommendations of *Housing Opportunity for All*, was to create a range of resources for households experiencing a housing crisis. Central to implementing this action is the creation of a housing assistance fund to fund programs that would support households during emergency housing crisis situations. This could serve as an umbrella fund for multiple programs, such as tenant-based rental assistance; foreclosure prevention; eviction prevention; or other types assistance as needed or be structured to support a specific use, such as tenant-based rental assistance. Currently, the County does not have such a resource and there is no dedicated source of funding to create an ongoing housing assistance fund, even though it has been amplified as a need in the past.

There are several considerations for implementing such a fund. For example, a fund could mirror a housing voucher program, where eligibility is based on income or cost burden, which can be certified annually. In this case, the fund would pay money directly to the landlord with written receipt to the tenant. This type of program can also be stacked with other forms of assistance from any resource, to a maximum of 100% rent costs.

One thing to keep in mind is these types of programs often include criteria that limit eligibility to certain groups based on local needs (e.g., seniors, households with incomes below 40% regional area median income (AMI), households with children under 17 living at home, youth head of household, individuals aging out of foster care, survivors of domestic violence, among other populations). In addition, the fund may have "roll off" provisions after a period, such as assistance for 24-36 months (depending on the funding source).

Funding for this action is significant and depending on the eligibility pool, appropriations for such a fund could be \$5 million–\$8 million in the first year. As discussed above, administration of a permanent assistance fund and low-barrier housing assistance fund could be administered together but may remain programmatically distinct.

In terms of implementation, there are two key considerations to address:

- **Funding source:** The County could consider supporting short- and long-term rental assistance through various other funding sources such as local and state programs or federal programs such as HOME. Currently, the County is eligible to receive approximately \$3.5 million annually from HUD appropriations, some of which could be used for a housing assistance fund. It's important to note that using HOME and potentially other state and local funding sources may result in restrictions on use, such as shorter assistance time frames, or more stringent eligibility requirements.
- **Administration:** The creation of this fund creates the need for increased administrative capacity. Depending on the programs supported by a housing assistance fund, existing county entities, including the Department of Housing and Community Development, Department of Social Services, or the Housing Authority of Prince George's County may be able to assist with administration.

Implementation steps by the County Executive and County Council in 2021:

- Develop program design for housing assistance fund, including eligibility criteria.
- Consider reprogramming federal HOME funds to support tenant-based rental assistance.
- Continue to seek and use federal and state resources for existing Emergency Rental Assistance Program.
- Identify supplemental funding sources for housing assistance fund and allocate funds accordingly.

Budget impact: \$5 million-\$8 million annually (estimated) in addition to personnel costs for administration

Potential funding sources: Housing Investment Trust Fund (if additional funds are allocated through annual appropriations or dedicated source, such as the recordation tax); HOME Investment Partnership Program funds; Community Development Block Grant funds; Funding from local or regional philanthropic organizations

Create local tax relief (e.g., property tax credit or waiver) for late property tax payments.

Action overview: In 2020, the Workgroup considered a landlord tax credit or property tax waiver for late property tax payments associated with a pandemic or other hardship. Workgroup members anecdotally noted rent delinquencies reaching 40 percent and costs landlords have incurred to upgrade technology and HVAC systems to address COVID-19 challenges, highlighting the need for larger property tax incentives. Additionally, members noted that waivers might last longer than expected due to the pandemic, which could create residual effects on funds that the County has available from tax revenue. Currently, the County does not have such a tax credit or waiver. In finalizing these recommendations, workgroup members highlighted the importance of including homeowners who may need assistance paying housing costs, including property taxes, be eligible for property tax relief in addition to rental property owners and considering exemptions for some eligible property owners (e.g., if they received other housing assistance such payments through the County's Emergency Rental Assistance Program).

Other states have implemented such a waiver for landlords. For example, in Colorado, a state tax credit was proposed for landlords who can demonstrate that they have forgiven rent and applicable late fees and interest as well as those that have not initiated eviction filings or evicted those renters, whose ability to pay rent was adversely affected by financial hardship from the pandemic.

In implementing such a waiver, the County should consider the track record of the landlord, for example, if they have filed any evictions; in the case of homeowners, the County should consider if all homeowners are eligible for this type of waiver as a COVID-19 relief measure or if specific homeowners based on characteristics such as age, income, or disability status are eligible for one.

One key consideration in determining whether to offer this type of waiver and how broad it should be is the impact on revenue that Prince George's County receives through property taxes, given that property taxes are essential in funding local services and programs and lower revenues may result in other tradeoffs. An analysis of the fiscal impact of various scenarios will help evaluate the efficacy of this recommendation in more detail, as well as inform the breadth of tax relief.

Implementation steps by the County Executive and County Council in 2021:

- Evaluate the fiscal impact of different program structures (waiver, credit) and breadth of eligibility for tax relief to inform overall efficacy and program design.

- Create mechanism for property tax relief property owners who show pandemic or other external factors impacting housing payments (based on evaluation).
- Work with the State of Maryland lawmakers to explore ways to incentivize rental owners to forgive unpaid rent, late fees, or interest.

Budget impact: Forgone tax revenue (to be studied)

Appendix 1.

Council Resolution 16-2019

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2019 Legislative Session

Resolution No. CR-16-2019

Proposed by Council Members Glaros, Turner, Davis, Hawkins, Dernoga, Ivey, Taveras

Introduced by Council Members Glaros, Turner, Davis, Hawkins, Dernoga, Ivey, Taveras,
Harrison, Anderson-Walker and Streeter

Date of Introduction March 5, 2019

RESOLUTION

1 A RESOLUTION concerning

2 Housing Opportunities for All Workgroup

3 For the purpose of establishing a Housing Opportunities for All Workgroup to assist the County
4 in setting priorities and implementing the Comprehensive Housing Strategy report for Prince
5 George's County; to provide advice on any proposed legislation and/or changes being considered
6 by the County to existing policies and legislation and to recommend possible changes for
7 consideration by the County to the County's policies, regulations, procedures, and distribution of
8 County resources; and generally relating to housing in the County.

9 WHEREAS, developing an effective housing policy, which would be comprised of
10 strategies that develop housing for all, benefits the health, social, and economic development of
11 our entire County; and

12 WHEREAS, the Prince George's County Council established, by Council Resolution (CR-
13 13-2016), a Comprehensive Housing Strategy Ad-Hoc Housing Subcommittee to work with the
14 Department of Housing and Community Development, consultants and citizen advisory groups
15 to initiate and develop a Comprehensive Housing Strategy for the County; and

16 WHEREAS the goals of the Ad-Hoc Housing Subcommittee were to provide a variety of
17 quality and diverse housing choices to meet existing and future needs of a diverse population and
18 demographic; evaluate existing housing policy and program tools for effectiveness; provide
19 quality, secure, long-term affordable and workforce rental housing through strategic new
20 development and redevelopment; promote and support provision of affordable and workforce
21 home purchase opportunities for County residents and workers; increase homeownership
22 opportunities, develop strategies that promote regional housing collaboration and coordination as

1 well as consider the unique housing and fiscal challenges in Prince George's County; and
2 promote and encourage sustainable and vibrant communities, thriving families and housing
3 options for all; and

4 WHEREAS, after working with stakeholders over a twenty-four (24) month period, a
5 County Comprehensive Housing Strategy Report, titled "*Housing Opportunity for All*", (herein
6 "Report") was developed and was finalized in March 2019; and

7 WHEREAS, Prince George's County has become a key location for the relocation or
8 expansion sites of several key federal agencies and high value economic development activities,
9 all which will have a direct effect on short and long-term job creation, whereby diverse
10 affordable housing is needed to house potential employees; and

11 WHEREAS, Prince George's County has significant land opportunities, transit-oriented
12 development sites and a diverse housing stock at prices less than neighboring jurisdictions; and

13 WHEREAS, the Comprehensive Retail Market Strategic Plan recognized the need for
14 housing in strategic locations to support high-quality retail and the Approved County General
15 Plan 2035 identified the need for different housing types to support mixed-use walkable
16 neighborhoods; and

17 WHEREAS, Prince George's County continues to experience challenges including
18 foreclosures and shortages of quality affordable and workforce housing; and

19 WHEREAS, there is value in having a Housing Opportunities for All Workgroup to assist
20 the County with the creation and monitoring of a Countywide Housing Policy, to provide
21 guidance and assistance with implementing comprehensive strategies to promote and preserve
22 housing for all; to provide guidance and innovation in financing tools and the re-distribution of
23 County resources, promote strategies for equitable access to healthcare, education, jobs, and
24 transportation; and to assist the County assess barriers to fair, affordable, diverse and quality
25 housing opportunities to meet existing and future needs for the County's diverse population.

26 NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
27 County, Maryland, that the Housing Opportunities for All Workgroup is hereby established to
28 assist the County monitor and evaluate the effectiveness of the Comprehensive Housing Strategy
29 and implementing the strategies thereof.

30 BE IT FURTHER RESOLVED that the Housing Opportunities for All Workgroup will
31 have an initial term of two (2) years from the date of adoption of this Resolution. If determined

1 advantageous and desirable, the Housing Opportunities for All Workgroup may be reauthorized
 2 in subsequent years by Council Resolution. The Housing Opportunities for All Workgroup shall
 3 meet at least on a quarterly basis, unless otherwise required by the County Council or as deemed
 4 appropriate by the Co-Chairs of the Workgroup.

5 BE IT FURTHER RESOLVED that the Housing Opportunities for All Workgroup shall be
 6 composed of nineteen (19) members, as follows:

- 7 1. The Chair of the Prince George's County Council or the Chair's designee; and
- 8 2. The Director of the Department of Housing and Community Development or their
 9 designee who will serve as Co-Chair of the Comprehensive Housing Workgroup; and
- 10 3. The President and CEO of the Prince George's County Chamber of Commerce or their
 11 designee; and
- 12 4. The President and CEO of the Prince George's Economic Development Corporation,
 13 or their designee; and
- 14 5. The Director of the Prince George's Department of Social Services, or their designee;
 15 and
- 16 6. The Director of Prince George's County Department of Planning or their designee; and
- 17 7. The Chairman of the Board of the Prince George's County Housing Authority or their
 18 designee; and
- 19 8. One (1) Representative from each of the following Organizations: Prince George's
 20 County Association of Realtors (PGCAR); CASA de Maryland (CASA); Prince George's
 21 County Municipal Association (PGCMA); Maryland Building Industry Association – Prince
 22 George's Chapter (MBIA); Apartment and Office Building Association (AOBA); and the City of
 23 Bowie (the County's Fair Housing partner); and
- 24 9. One (1) Representative from each category of the following areas, jointly selected by
 25 the County Executive and County Council Chair: Senior Community, Non-Profit/Faith
 26 Community, Housing Advocacy Organization, Disability Community; Non-profit housing
 27 developer and "For-profit" Developer.

28 BE IT FUTHER RESOLVED that appointment of members shall be completed within 30
 29 days after the adoption of this Resolution.

30 BE IT FURTHER RESOLVED that should either member listed above cannot serve in
 31 their full capacity, the agency/organization should provide a replacement within 30 days.

1 BE IT FURTHER RESOLVED that the Council Administrator and the Department of
2 Housing and Community Development shall assign appropriate technical and administrative
3 support staff, or contract for policy support as necessary, to assist the Housing Opportunities for
4 All Workgroup in its work.

5 BE IT FURTHER RESOLVED that the Housing Opportunities for All Workgroup will use
6 the existing Report and other data resources to create the framework of a housing policy; will
7 create benchmarks that will be monitored and distributed in a transparent manner; and provide
8 quarterly updates of the benchmarks and strategies to the County Council and submit an annual
9 report by January 1st of each year outlining activities, status of implementation and
10 recommendations to be used for incorporation within the upcoming budget and calendar year.

Adopted this ____ day of _____, 2019.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

Appendix 2.

Housing Opportunities for All Workgroup Notes
September–December 2020 meetings

Housing Opportunities for All Workgroup Meeting

September 25, 2020

MEETING NOTES

Key takeaways

- Workgroup members discussed some of the key issues and opportunities created by COVID-19, which has changed the landscape of affordable housing in the county.
 - Participants offered responses highlighting the importance of assisting tenants and preventing evictions among tenants, including multilingual outreach to renters about their rights and available assistance programs.
 - Participants highlighted the need to expand policies that assist landlords and prevent evictions.
 - Participants highlighted potential opportunities regarding funding (including funding for renters and rental properties) and new partnerships that have been created or greatly enhanced due to the pandemic.
- The workgroup identified two key areas to guide workgroup activities for the remainder of 2020 and into 2021. This guidance will be used to inform the topics for future meetings and *Housing Opportunity for All* implementation:
 - Renter stabilization – Participants highlighted addressing some of the COVID-19 related issues of assisting renters and landlords and improving outreach to renters about rights and programs available to them.
 - Funding sources and mechanisms - Participants prioritized responses related to pursuing a dedicated source of funding for the County’s Housing Investment Trust Fund; identifying a source of funding for a landbank, which is being further assessed by the Center for Community Progress; and using vacancy taxes to fund initiatives.
 - The workgroup stressed the importance to taking an inclusive approach to any future activities.

Informational requests

- Universal design policy language
- Housing Investment Trust Fund policy language (recordation tax)

Large-group Reflection and discussion notes

COVID-19: Challenges and Opportunities

The landscape has changed since the last time the workgroup met specifically related to the effects of COVID-19 and the challenges that it presents.

Question for discussion: *Based on what you are seeing or experiencing in your work, what housing challenges has COVID-19 brought into greater focus?*

Discussion Notes:

- Evictions, rental assistance, homelessness, housing stability, affordability have all been highlighted by this crisis:
 - We have a lot of households that financially live on the bubble

- One of the biggest challenges is around the funding that is available. People have to prove their needs were created by COVID, even though these needs predated COVID in many cases.
- Many households are living paycheck to paycheck – COVID heightens this issue.
- How do we think more comprehensively with our funding – people who had issues prior to COVID have issues accessing funding. How can we be as broad possible with our programs and their parameters?
- There’s a need to address tenant protections; some landlords are trying to push people out of homes. We need a taskforce or group to look at regulatory or legal issues as they try to help people.
- Small landlords need support, especially if tenants aren’t paying rent right now, to cover their own costs.
- We think about the immediate impacts of COVID, but won’t have a full picture of the impact for months.
 - We will see what happens when public safety measures are lifted and people will need to pay back rent or mortgage payments (i.e., need to think strategically what will happen when the moratorium ends).
 - Needs to start thinking about places where targeted rental assistance is needed and how to help small landlords. We need to focus on low-income renters.
 - We need programs that can be in place by January 1, 2021.

Question for discussion: *Based on what you are seeing or experiencing in your work, what housing opportunities has COVID-19 created?*

Discussion Notes:

- Funding and Partnerships:
 - Partnership piece is big – HHS and housing – relationships between landlords and sheriff’s department – working with them to help resolve issues in these area – reduction of evictions
 - Government Agency Collaboration
 - Funding (including funding for renters and rental properties) and new partnerships as potential opportunities created or greatly enhanced due to the pandemic
- Need to begin to look for long term way to reimagine how they deliver services.

Key Workgroup activities through 2020 and into 2021

The table below summarizes the activities or topics that Housing Opportunities for All Workgroup members were asked to prioritize during their meeting on September 25, 2020. From these responses, two main areas to focus on were identified:

1. **Renter stabilization** – Participants offered responses highlighting the importance of assisting landlords and tenants and preventing evictions among tenants, including after the Center for Disease Control’s eviction moratorium expires at the end of 2020. One response focused on multilingual outreach to renters about their rights’ and available assistance programs. In discussion, workgroup and audience members shared that many residents in the county were already “living on the bubble” before COVID-19. These residents have been hit hard by loss of

income or health issues, among other challenges, but cannot always access COVID-19 relief resources because they cannot demonstrate these challenges are directly related to the pandemic's impact.

- 2. Funding sources and mechanisms** – Participants prioritized responses related to pursuing a dedicated source of funding for the County's Housing Investment Trust Fund; identifying a source of funding for a landbank, which is being further assessed by the Center for Community Progress; and using vacancy taxes to fund initiatives.

Table 1. Responses to “Across all topics, what is the most important item for the Workgroup to work on in 2020 and 2021?” (n = 15)		
Priority	Frequency	Responses
Renter stabilization	4	<ul style="list-style-type: none"> • Help landlords who are losing rental income and cannot afford their operating expenses • Eviction Prevention Partnership with Shared Responsibility • Develop program to protect Renters from Eviction Upon Expiration of Moratorium • Multilingual Outreach on Renter's Rights/Available Rental Assistance
Funding needs & mechanisms	4	<ul style="list-style-type: none"> • Dedicated Funding Source for the Housing Investment Trust Fund • Landbanking - Funding Sources • Vacancy Taxes to Fund Initiatives and Encourage Development • Introduce dedicated Housing Trust Fund
Universal design/accessibility policy	3	
Community-serving land	2	<ul style="list-style-type: none"> • Disposition of public land for housing • Acquiring prime parcel/redevelopment opportunities to acquire to spur affordable housing development in critical location close
Connections to housing/related topics	2	<ul style="list-style-type: none"> • We need to explore strategic ways to develop housing policy in a comprehensive manner with health, social services, and ED • Police changes
Housing preservation (general)	2	<ul style="list-style-type: none"> • How to preserve existing affordable housing • Preservation of existing affordable housing
<i>*Note that frequency sums to more than 15 due to individual responses including more than one priority, which were counted separately.</i>		

Housing Opportunities for All Workgroup Meeting

October 30th, 2020

MEETING NOTES

Key takeaways

- Housing Opportunities for All Workgroup members and other meeting participants discussed the main policy and budget questions related to supporting renters' immediate, medium, and long-term needs. Through a real-time flash poll and follow-up polls, workgroup members and other meeting participants identified four broad approaches to addressing renter needs (in no particular order):
 1. **Resources and Funding** – Participants highlighted specific resources including legal assistance, short and long-term rental assistance for landlords and renters, utility assistance, rental subsidies, and direct payments and property tax relief for homeowners.
 2. **Information and Outreach** – Participants highlighted the need to centralize and streamline information, discussing how hard it is to find and get resources when they are not in one place. This information should be provided in multiple languages. They also highlighted the need to create and publicize a tenant bill of rights.
 3. **Policies** – Participants highlighted several specific policies to help renters including eviction prevention, legal representation in court, rent control, and sealing eviction cases.
 4. **Partnerships** – Participants highlighted several partnerships that could support renters. These included a comprehensive partnership portal, an agreement between the county and utility providers on how to allocate utility assistance, greater coordination between partners to protect tenants, and partnerships to provide job assistance and placement.
- Specific actions within these approaches will be prioritized at the workgroup's November meeting. The goal of prioritization will be to identify urgent actions to recommend to County Council and the County Executive as tenant protections, such as the CDC's eviction moratorium, expire at the end of 2020.
- In addition to specific actions to support renters, common themes for solutions were:
 - **Permanence**, such as making temporary renter support programs and resources into permanent programs offered by the County.
 - **Flexibility** by lowering barriers to access and use, with attention to providing resources to people regardless of immigration status or existing arrears.
 - **Strong outreach** with special attention to multi-lingual outreach.
 - **More housing affordability**, including vouchers and innovative models of housing such as community land trusts and county-run housing.

Local Perspectives on Supporting Renters: Panel Discussion Among Community Partners

The workgroup invited six community partners to share their insights about the emerging and long-standing needs among renters living in Prince George's County and some of the ways to support renters (including after the expiration of the CDC's eviction moratorium). The partners were:

- Sarah Basehart - Independence Now
- Gloria Brown-Burnett - Prince George's County Department of Social Services
- Maryann Dillon - HIP, Inc.
- Ashanti Martinez - Casa de Maryland
- Jessica Quincosa - Community Legal Services of Prince George's County
- Sabrina Wear - Maryland Legal Aid

Panelists highlighted several issues that have become more apparent due to COVID-19 pandemic, including cost burden, issues related to the amount of documentation required to receive assistance, and a need for legal services to prevent evictions. Immigrant and refugee communities are especially hard hit as they are unable or afraid to use support programs.

Panelists suggested investment in deep housing subsidies to help tenants pay deferred rent during the eviction moratorium. Panelists offered examples of partnerships between renters, landlords, and courts to create payment plans and reduce future evictions. Panelists also suggested the need to expand legal services, with expanded communication and marketing efforts to increase program usage.

HOUSING OPPORTUNITIES FOR ALL WORKGROUP

Meeting #9

Meeting Notes

November 20, 2020 | 9.30 AM–11.30 AM

By the end of this meeting, we will have:

- Agreement on the priority elements of additional tenant protections
- Agreement on the information and outreach actions for immediate implementation

Agenda Topic and Notes:

9.45 AM Presentation: Supporting renters through policy and information & outreach

Chris Kizzie, Enterprise Community Partners, Inc. David Huaman, Enterprise Community Partners, Inc.

Summary of comments from discussion:

- Believes an education campaign to inform tenants of existing rights (rent escrow rights) is necessary and would be helpful.
- There was a comment regarding the difficulty understanding the benefit of a 2-year lease - many residents may not want a 2-year lease. Believes landlords may look to maximize rent increases within the 2-year lease which would be a disadvantage to the resident.
- The 2-year lease is not particularly popular in Montgomery County. Some of the compromises made to accept a resident for a 2-year lease may result in some potential residents being screened out (setting of a higher standard).
- Last year, the County attempted to address 2-year lease agreements and repairs by tenants via CB-056-2019.
- County currently offers 2-year lease agreements to seniors. One participant is interested in how the 2-year lease agreement is going as a reference.
- D.C. offers month to month lease agreements.
- Residents may not be well-versed in hiring a contractor to make repairs. Can a 3rd party representative oversee tenant escrow i.e. the Housing Authority?
- Montgomery County has a list of “trusted contractors” that have been pre-screened.
- UPenn research emerging about the correlation of tenant evictions to COVID deaths – believes it is important that a moratorium on evictions be extended. States and localities should extend moratorium as well.
- There should be outreach about the affirmative defenses afforded to residents facing eviction on the basis of COVID-related household illnesses or impacts. Tenants need to know more about these protections.
- Can OCS vet contractors to develop a list of approved contractors who can provide contracting/repair services to rental units? This can also be a mechanism to connect renters with competent businesses and additionally encourage the use of County-based businesses.
- Emergency Rental Assistance 2.0 Snapshot:
 - Application is submitted by Landlords of rental properties
 - **Opened:** Oct. 27th **Closed:** Nov. 10th
 - \$1800 per month, not including utilities
 - Assist those up to 80% AMI
 - Assistance for up to 6 months

- Total request: \$14M (from small-, medium-, and large-units)
- Complete review within 7 to 10 days
- Expend \$6 to 8 million

10.15 AM Large-group discussion: Policies for tenants **Facilitated by Enterprise Community Partners, Inc.*

What are the top 3 tenant protection that the County needs to adopt (or push state lawmakers to adopt) as soon as possible? Needed for the HOFA Workgroup's 2021 report to the County Council

- Most popular: Emergency policies to prevent evictions (23%); centralized assistance office (22%); and legal representation in eviction court (19%)

Discussion regarding the above listed policies and priorities – any other issues not listed other participants did not see listed or hoped would rise to the top?

- Start a fund for people going through evictions, perhaps through the business or non-profit community.
 - This option was tabled for the time-being. Councilmember Glaros added that the County's resources were limited and the prioritization was placed on addressed immediate needs while also building long-term resilience.
- Another participant commented that the sealing of evictions was important, as the publicizing of this record could lead to persons being forced to live in substandard housing.
 - Councilmember Glaros added that this is something that has been on the radar of the County Council. They have been working with Maryland Legal Aid. It may be something that needs to be resolved at the State level and may be included in this respect as part of recommendations offered by the Workgroup.
- Coordinated social services need to be provided across government agencies that can address the wave of evictions that may come in 2021.
- Lack of rent forgiveness was concerning to a participant. It was felt that individuals who proved they could pay their rents going forward should have their rents forgiven. The implication of rent not being forgiven is that residents who experience difficult times but were now in the position to fully pay their rents may be subject to eviction once the moratorium is lifted.
- Centralized assistance office would be a single place to provide resources, and could also provide access to resources which the resident may not realize exist – “people can't take advantage of what they don't know about.”
 - “This is incredibly helpful to people who don't know about dealing with bureaucracy.”
 - A one stop location is needed.
 - Centralized assistance should also be accessible via phone and be able to assist all representation, to include the disabled population.
- Another participant was concerned about the notion of rent forgiveness – this may put landlords in precarious positions since they also have mortgages and expenses to pay. However, this is a different story if there is some type of governmental financial assistance provided.

10.50 AM Large-group discussion: Information and outreach for tenants **Facilitated by Enterprise Community Partners, Inc.*

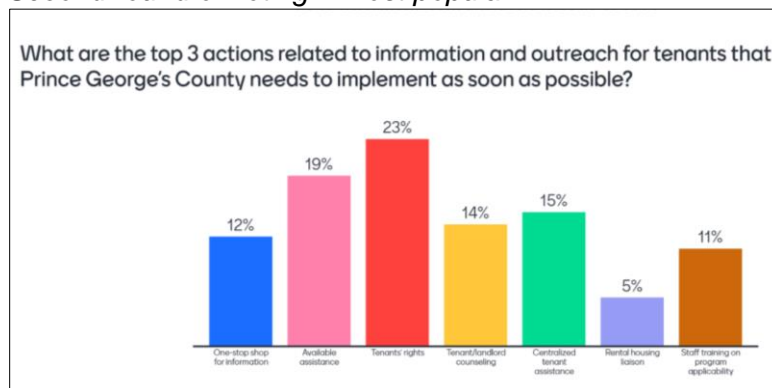
What are the top 3 actions related to information and outreach for tenants that PGC needs to implement as soon as possible?

- Most popular: One-stop shop for information (20%); Tenants' right (17%); and Centralized tenant assistance (16%). However, there was much more variation on the answers with three other issues landing at 12% or greater.

Discussion regarding the above listed policies and priorities – any other issues not listed other participants did not see listed or hoped would rise to the top?

- There was a comment that the one-stop shop for information is not working well in Montgomery County since there are not people available who are very familiar of all the subject matters.
- There were questions regarding the differences between “one-stop shop for information” and “centralized tenant assistance.” A “one-stop shop” is more of a self-service option, vs. “centralized tenant assistance” providing some amount of hand holding.
 - Some people need assistance remedying their existing problems – a knowledgeable rental housing liaison could serve that function.
- One-stop shop and Centralized tenant assistance should perhaps be a combined recommendation and an ongoing need.
- In the chat box, it was recommended to invite speakers from Montgomery County Office of Landlord-Tenant Affairs and DC Office of Tenant Advocate to discuss their programs.

Second round of voting – most popular:



Housing Opportunity for All Workgroup Meeting

12/11/2020

A few comments on county bill 78 that limits rental increases – is this sufficient in the county already?

- Not suggesting that the CPI shouldn't be part of the dialogue – curious why that was proposed and not another amount
- CB 78 – 2.6% in Montgomery county – voluntary rent guidelines – tied to CPI but published every year – CB 16 – says that you cant increase rents on people with documented loss of income due to covid 19 – CB 78 – says that you cant increase rents on any tenant if they have loss of income except beyond CPI (2.6%)
- CB 52 – Clarifies which tenants qualify for rent increases
- Is CB 78 enough to protect tenants
- Permanently controlling rent – started with covid is closer to rent control
 - o During the pandemic it does control rent increases
- CB 78 – is not effective yet (become effective 45 days after it becomes law when it is signed by the county executive) – will be effective for 90 days after the pandemic ends
 - o WILL SEND OUT A FOLLOW-UP notice on the provisions

Question around expanding emergency rental protections – was curious about the time frame on this

- What might be a good timeline for this?
 - o Depends on the type aid they are seeking
 - o Tie it to notice of eviction
 - o For failure to pay rent – landlord can just file – pre covid this took a few weeks – not currently hearing them, but will be a big backlog – no limit – if you are late on rent you can file eviction papers
 - o This recommendation would insert a step so that others are notified – if the tenant and the county were notified they could intervene and get tenants aid
- Who would the housing provider contact?
- How does this play with a tenant right to privacy?
- Can work with organizations/realtors to send out notices – provide them information about tenants rights, availability of funds etc.
- Some bills are in the works around notices

Importance of more proactive intervention

Expunging eviction records during the pandemic time period

- Should we just protect people who had an inability to pay due to covid? Or do we evict persons who were already not paying prior to covid
 - o Should include everyone – the number using the eviction shield not just b/c of covid should not be massive
 - o When do we determine with covid is over? – Still going to be post-covid illness that may keep people from getting work – still going to be job/business loss – when do we say we no longer need these policy changes? Might be as late as 2022 – Do we have the resources at the county or state to go that long

- Starting to get the point where everyone's lease is coming up – some people may not be able to sign a new lease or going month to month which makes them more vulnerable
- We need to make inclusive policies – while we are talking covid now, we do need to think long term to get people access to affordable housing

Property tax waiver

- We are seeing rent delinquencies – about 40% - whatever the property tax incentive is, it needs to be large –
 - What does that need to look like? – Currently at 9 months, could be 2 years
 - Landlords have spent a lot on covid technology – already going through their reserves
 - Having a really robust tax credit/property tax waiver – has an effect on the funds that the county has available from tax revenue
 - There is a social justice piece to this to make sure there is affordable housing for all
 - Also an economic development piece
 - How does zoning fit into all this?
 - Building vertically
 - The cost of building in PGC vs the rest of the region
- IZ as it is setup doesn't work – need public investment to incentivize building affordable units
 - Currently cost prohibitive to build at market value

Inclusivity – a lot of conversations around renters

- Also overlaps with the needs of owners
- Should we expand to include to include homeowners
- Also expecting a large uptick in foreclosure next year
 - Homeowners have had some forbearance
- Landlords getting foreclosed on also affects renters as well

Question about the timeline – acting under a sense of urgency – but will need a continued conversation in the future

Charge for additional frameworks for the recommendations and polices in the future to create a framework for some of the policies

Department has put together a team to help families using the emergency rental assistance program

Appendix 3.

Related local legislation (including proposed legislation) from Prince George's County

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-16-2020

Chapter No. 9

Proposed and Presented by Council Members Ivey, Turner, Hawkins, Dernoga, Streeter,
Harrison, Franklin, Taveras, Glaros, Anderson-Walker and Davis

Introduced by Council Members Ivey, Turner, Hawkins, Dernoga, Streeter,
Harrison, Franklin, Taveras, Glaros, Anderson-Walker and Davis

Co-Sponsors _____

Date of Introduction May 18, 2020

EMERGENCY BILL

1 AN EMERGENCY ACT concerning

2 Landlord-Tenant Code – Prohibition of Rent Increases, Rental Terminations and Late Fees
3 During the COVID-19 Public Health Crisis

4 For the purpose of amending the Landlord-Tenant Code to prohibit rent increases, rental
5 terminations; provides payment plans with certain tenants and prohibit late fees or penalties from
6 being charged during the COVID-19 state-wide emergency.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

9 Section 13-138, 13-139, 13-140, 13-141, 13-142 and 13-143

10 The Prince George's County Code

11 (2019 Edition).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 13-138, 13-139, 13-140, 13-141, 13-142 and 13-143 of the Prince
14 George's County Code be and the same are hereby repealed and reenacted with the following
15 amendments:

16 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

17 DIVISION 3. LANDLORD AND TENANT RELATIONS.

18 SUBDIVISION 1. GENERAL PROVISIONS.

19 **Sec. 13-138. Definitions.**

(a) For the purposes of this Division (and Division 4):

* * * * *

(11) Tenant shall mean any person who occupies;
(A) a rental dwelling unit for living or dwelling purposes; and
(B) tenant shall mean an existing tenant and does not include a prospective tenant; and
(C) this new provision is provided for tenants that are able to provide proof through documentation or other objectively verifiable means, that the tenant suffered a Substantial Loss of Income and are therefore unable to make rent payments as a result of the emergency, as defined by the Governor of the State of Maryland’s Executive Order Number 20-04-30-01, 20-03-30-01 and 20-05-13-01, as amended and extended by the Governor, and under Section 143A-02 of the Public Safety Article of the Maryland Code;

* * * * *

(14) Emergency shall mean the catastrophic health emergency declared by the Governor of Maryland on March 5, 2020, as amended or extended by the Governor, by Executive Order Number 20-03-30-01, 20-04-03-01, 20-05-13-01 and under Section 14-3A-02 of the Public Safety Article of the Maryland.

Sec. 13-139. [Reserved] Rent Increases and Late Fees or Penalties During Certain Emergencies - Prohibited.

(a) A landlord shall not increase a tenant’s rent nor impose late fees or penalties if the rent increase would take effect during an emergency as defined in Sec. 13-138 (14) of this Subtitle and within 90 days after the expiration of an emergency; or

(b) A landlord shall not issue notice of a rent increase, late fees or penalties during an emergency and within 90 days after the expiration of an emergency.

Sec. 13-140. [Reserved] Notices of rent adjustments and Rent Payment Plans-Required During the Emergency.

(a) During an emergency and within 90 days after the expiration of an emergency, a landlord shall not notify a tenant of a rent increase.

(b) A landlord shall inform a tenant in writing to disregard any notice of a rent increase if:

(1) the landlord provided the notice to the tenant prior to the emergency; and

(2) the effective date of the increase would occur on or after the date the emergency began.

1 (c) A landlord may offer rent payment plans, in writing, to tenants.

2 **Sec. 13-141. [Reserved] Late fees or penalties – when prohibited.**

3 (a) A landlord shall not charge late fees if they apply to payments required during the
4 emergency.

5 (b) A landlord shall not charge penalties during the emergency.

6 (c) A landlord shall inform a tenant in writing to disregard any late fee or penalty notice if
7 the landlord provided the notice to the tenant during the emergency.

8 (d) A landlord may charge the costs of return check fees.

9 **Sec. 13-142. [Reserved] Notice of prohibition of rent increases, late fees and penalties.**

10 (a) The Department of Housing and Community Development (DHCD) and Department
11 of Permitting Inspection and Enforcement (DPIE) shall provide information about the
12 requirements of this Section on their respective websites, including the date that the emergency
13 expires, and the date that is 90 days after the expiration of the emergency.

14 (b) The DHCD and DPIE shall email and post notice to license holders of the prohibition
15 of rent increases, evictions, late fees or penalties within 15 days of the adoption of this bill.

16 (c) The DPIE shall exercise the enforcement authority provided pursuant to
17 Sec. 13-102 of Subtitle 13 and Sec. 1-123 of Subtitle 1 of this Code:

18 (1) This enforcement authority shall include the authority to impose fines for
19 violations of the provisions of this subtitle, including:

20 (2) The authority to impose a penalty in the amount of \$500 for the first violation of
21 the provisions of Sec.13-139 through 13-142 of this Subtitle; and

22 (3) The authority to impose a penalty in the amount of \$1000 for any subsequent
23 violation of the provisions of Sec.13-139 through 13-142 of this Subtitle;

24 (4) Any penalty collected shall be distributed to general fund.

25 **Sec. 13-143. [Reserved] Evictions are Prohibited for Non-Payment of Rent.**

26 (a) A landlord shall not evict for non-payment of rent by a tenant that occupies a dwelling
27 unit for living or dwelling purposes;

28 (b) this new provision shall apply to any pending eviction proceedings not initiated before
29 the COVID 19 emergency.

30 (c) As a result, any pending eviction proceedings, for non-payment of rent, not initiated
31 before the COVID 19 emergency shall be suspended until the duration of the emergency; and

1 (d) new complaints filed against tenants for failure to pay rent shall be prohibited during
2 the duration of the emergency;

3 (e) this new provision applies from date of the Governor of the State of Maryland’s
4 Executive Order Number 20-04-03-01 until August 31, 2020.

5 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
6 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
7 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
8 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
9 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
10 Act, since the same would have been enacted without the incorporation in this Act of any such
11 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
12 or section.

13 SECTION 3. BE IT FURTHER ENACTED that in accordance with the provisions of
14 Section 317 of the Charter, the County Council hereby declares that a public emergency exists
15 affecting the public health, safety, and welfare; said emergency being the COVID-19 Public
16 Health Crisis.

17 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the date it
18 becomes law.

19 SECTION 5. BE IT FURTHER ENACTED that the County Council may extend the terms
20 of this bill for an additional 90 days by resolution.
21

1 Adopted this 9th day of June, 2020, by an affirmative vote of two-thirds of the members of
2 the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

* * * * *

THE COUNTY EXECUTIVE HAVING FAILED TO RETURN THIS BILL WITH EITHER APPROVAL OR VETO WITHIN TEN (10) DAYS AFTER THE DATE OF ITS PRESENTATION TO HER, THIS BILL BECAME LAW ON JUNE 29, 2020.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-78-2020

Chapter No. _____

Proposed and Presented by Council Member Ivey

Introduced by Council Members Ivey, Turner, Anderson-Walker, Davis, Dernoga, Glaros,
Franklin, Harrison, Hawkins, Streeter and Taveras

Date of Introduction October 20, 2020

BILL

1 AN ACT concerning

2 Limiting the amount of a rent increase that may be assessed after the Adoption of CB-16-
3 2020, which Prohibited Certain Acts During the COVID-19 Public Health Crisis.

4 For the purpose of amending the Landlord-Tenant Code to limit a landlord’s ability to increase
5 rent for certain tenants above a certain amount; providing that existing obligations or contract
6 rights may not be impaired by this Act; and generally relating to rent increases.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 13. HOUSING AND PROPERTY

9 STANDARDS.

10 Sections 13-139, 13-140 and 13-142,

11 The Prince George's County Code

12 (2019 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Sections 13-139, 13-140 and 13-142 of the Prince George's County Code be and
15 the same are hereby repealed and reenacted with the following amendments:

16 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

17 **DIVISION 3. LANDLORD AND TENANT REGULATIONS.**

18 **SUBDIVISION 1. GENERAL PROVISIONS.**

19 * * * * * * * * * *

20 **Sec. 13-139. Rent Increases-Limitations and Late Fees or Penalties During Certain**
21 **Emergencies –Prohibited.**

1 (a) From the date of adoption, a landlord shall not: [During an emergency, a landlord shall
2 not increase rent for a tenant with substantial loss of income nor impose late fees or
3 penalties for any tenant if the rent increase would take effect during an emergency as
4 defined in Sec. 13-138 (14) of this Subtitle and within 90 days after the expiration of an
5 emergency; or]

6 (1) increase rent in an amount that exceeds two-point six percent (2.6%) per annum
7 of the existing rent amount for any tenant not suffering a loss of income because of
8 the emergency; or

9 (2) increase rent for a tenant with substantial loss of income.

10 (b) A landlord shall not issue notice of a rent increase, late fees or penalties during an
11 emergency and within 90 days after the expiration of an emergency.

12 **Sec. 13-140. Notices of rent adjustments and Rent Payment Plans [-Required] During the**
13 **Emergency.**

14 During an emergency, and within 90 days after the expiration of the emergency, a landlord:

15 (a) [During an emergency, and within 90 days after the expiration of the emergency, a
16 landlord] shall not notify a tenant with substantial loss of income of a rent increase[.]; or

17 (b) [A landlord] shall inform a tenant with substantial loss of income in writing to
18 disregard any notice of a rent increase if:

19 (1) the landlord provided the notice to the tenant with substantial loss of income prior
20 to the emergency; and

21 (2) the effective date of the increase would occur on or after the date the emergency
22 began; and

23 (c) may offer rent payment plans, in writing, to tenants with substantial loss of income.

24 * * * * *

25 **Sec. 13-142. Notice of prohibition of certain rent increases, limitations on the rate of certain**
26 **rent increases, late fees and penalties.**

27 (a) [The] Department of Housing and Community Development (DHCD) and Department
28 of Permitting Inspection and Enforcement (DPIE) shall provide information about the
29 requirements of this Subdivision [Section] on their respective websites, including the date that
30 the emergency expires, and the date that is 90 days after the expiration of the emergency.

31 (b) [The] DHCD and DPIE shall [email and] post notice to license holders of the

1 prohibition of rent increases for a tenant that has not suffered a substantial loss of income as
2 defined in CB-16-2020 and CB-52-2020, evictions, late fees or penalties and the two-point six
3 percent (2.6%) per annum limit on rent increases for any tenant that has not suffered a substantial
4 loss of income, within 15 days of the enactment of this bill.

5 (c) The DPIE shall exercise the enforcement authority provided pursuant to Sec. 13-102 of
6 Subtitle 13 and Sec. 1-123 of Subtitle 1 of this Code:

7 (1) This enforcement authority shall include the authority to impose fines for
8 violations of the provisions of this subtitle, including:

9 (2) The authority to impose a penalty in the amount of \$500 for the first violation of
10 the provisions of Sec.13-139 through 13-142 of this Subtitle; and

11 (3) The authority to impose a penalty in the amount of \$1000 for any subsequent
12 violation of the provisions of Sec.13-139 through 13-142 of this Subtitle; and

13 (4) Any penalty collected shall be distributed to the general fund.

14 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
15 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
16 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
17 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
18 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
19 Act, since the same would have been enacted without the incorporation in this Act of any such
20 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
21 or section.

22 SECTION 3. BE IT FURTHER ENACTED that a presently existing obligation or contract
23 right may not be impaired by this Act.

24 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
25 calendar days after it becomes law.

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Adopted this 17th day of November, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-79-2020

Chapter No. _____

Proposed and Presented by Council Member Taveras

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Landlord-Tenant Code

3 Eviction Notice and Prohibited Acts

4 For the purpose of providing that the Landlord-Tenant Code require that landlords give certain
5 notice of pending dispossession to tenants; and providing the details required in the notice to
6 tenants and the procedural requirements for such notice; providing for postponement of eviction
7 under certain circumstances; providing penalties for making false representations about tenant's
8 rights; prohibiting landlords from unlawfully preventing tenant from entering or leaving their
9 dwelling units; prohibiting landlords from terminating or diminishing essential services to the
10 tenant without the consent of the tenant; and generally relating to landlords providing notice of
11 dispossession to tenants.

12 BY repealing and reenacting with amendments:

13 SUBTITLE 13. HOUSING AND PROPERTY

14 STANDARDS.

15 Section 13-168 and 13-169

16 The Prince George's County Code

17 (2019 Edition).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, that Section 13-168 and 13-169 of the Prince George's County Code be and the same
20 is hereby enacted with the following amendments:

21 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

DIVISION 3. LANDLORD-TENANT REGULATIONS.

SUBDIVISION 2. LANDLORD-TENANT CODE.

Sec. 13-168. [Reserved.] Notice of Pending Dispossession

(a) **Scope.** The requirement to provide notice of pending dispossession does not apply to a judgment entered in favor of a landlord for possession of a leased dwelling unit as defined under one of the following sections of the Maryland Real Property Article:

(1) Section 14-120(4) **Controlled Dangerous Substance**; or

(2) Section 14-120(5) **Abatement of Nuisance**; or

(3) Section 14-132 **Wrongful Detainer**.

(a.1) The requirement to provide notice of pending dispossession does not apply to a judgment entered in favor of a landlord for possession of a leased dwelling unit as defined under Sections 13-162.00.01, 13-162.00.02, or 13-162.00.04 of the Prince George’s County Code.

(b) Definitions.

(1) **Leased dwelling unit** means any dwelling unit, rooming unit, efficiency unit, or other living quarters, whether in a single-family dwelling, a multiple-family dwelling, an apartment complex, or any other type of residence, that was occupied under a lease between a tenant and a landlord.

(2) **Petition for Warrant of Restitution.** Before an eviction can take place, a landlord must obtain a judgment against a tenant(s) and then file a “Petition for Warrant of Restitution”. If it is granted, it will allow the landlord to begin the process of evicting the tenant(s) from the property.

(3) **Summary Ejectment.** According to Maryland Rule 2-501(f), Summary Ejectment may only be granted if two conditions are met:

(A) The moving party must establish that there is not genuine dispute as to any material fact; and

(B) The Moving party must establish that it is entitled to judgment as a matter of law.

(c) Procedural Requirements for Executing the Notice of Pending Dispossession.

Whenever a judgment is entered in favor of the landlord for possession of a leased dwelling unit, the landlord shall:

(1) Notify the tenant of the scheduled date on which the warrant of restitution will be

1 first scheduled to be executed by the sheriff; or

2 (2) Arrange for the sheriff to notify the tenant of the scheduled date on which the
 3 Warrant of Restitution will be scheduled to be executed, if the sheriff has agreed to provide the
 4 required notice.

5 (3) The Notice of Pending Dispossession shall be:

6 (A) Provided by first-class, certified mail with a requested return receipt, at least
 7 five business days before the scheduled date of execution; or

8 (B) Provided by both certified-mail, with a certificate of mailing, and first-class
 9 mail at least fourteen days before the first scheduled date of execution; and

10 (C) Posted on the premises at least two business days before the first scheduled
 11 date of execution, with a signed affidavit by the person that posted notice, as proof of compliance
 12 with the requirement.

13 **(d) Contents of the Required Notice of Pending Dispossession.** The Notice shall:

14 (1) State the District Court Summary Ejectment case number, the tenant’s name, and
 15 the address of the leased dwelling;

16 (2) Specify the date on which the eviction is first scheduled to be executed;

17 (3) State that the eviction shall be executed on the specified date provided unless:

18 (A) The tenant moves out and returns the keys and control of the property to the
 19 landlord; or

20 (B) The tenant exercises the Right to Redemption under Maryland Real Property
 21 Article, Section 8-401(e), unless the Right to Redemption has been foreclosed or otherwise is
 22 inapplicable; and

23 (4) The landlord prominently posts notice warning the tenant that any property left in
 24 the leased dwelling unit shall be considered abandoned, and may be disposed of, if the property
 25 is not reclaimed within 3 business days after the date of the execution of the warrant of
 26 restitution; and

27 (5) The landlord provides written instruction for the tenant explaining how the tenant
 28 may exercise the right to reclaim that property; and

29 (6) The landlord provides written notice stating that it is the final notice that the tenant
 30 will receive of the date of the eviction, even if the eviction date is postponed by the sheriff or the
 31 District Court.

1 **(e) Postponement of Execution of Petition for Warrant of Restitution.**

2 **(1) By the District Court of Maryland.** The District Court shall stay the execution of
3 the Petition for Warrant of Restitution for a period of fifteen days, if the court finds that the
4 landlord did not provide the proper notice to the tenant as required by this subtitle.

5 **(2) By the Office of the Sheriff.** The Sheriff shall stay the execution of the Petition for
6 Warrant of Restitution for a period of fifteen days if the sheriff determines that the landlord did
7 not provide the notice to the tenant required by this subtitle.

8 **(f) Presumption – Receipt of Notice of Dispossession.** There is a presumption that the
9 Notice of Pending Dispossession was actually received by the tenant if:

10 (1)The landlord provides a copy of the Notice of Pending Dispossession, a certified
11 mail receipt, or a certificate of mailing, and a signed affidavit by the person who posted the
12 Notice of Pending Dispossession on the subject property; and

13 (2) All of the referenced evidence is dated within the proper time periods required by
14 this Subtitle.

15 **Sec. 13-169. [Reserved.] Fraudulent Statements and Other Prohibited Acts.**

16 (a) Any person, whether as an individual, member of a firm, or an officer of a corporation,
17 who makes any false representation or fraudulent statement regarding information required under
18 Section 13-168 of this Code; or

19 (b) Who willfully deprives a tenant of ingress into or egress from his/her dwelling unit; or

20 (c) Who, without the written consent of the tenant, diminishes essential services to the
21 tenant, including but not limited to, the providing of gas, electricity, water, heat, light, furniture,
22 furnishings, or similar utilities and services, to which, under the expressed or implied terms of
23 the tenancy, the tenant is entitled,

24 (d) Shall commit a misdemeanor and, upon conviction, is subject to:

25 (1) A fine not to exceed five hundred dollars; or

26 (2) Imprisonment of not more than ten days; or

27 (3) Both a five hundred dollars fine and imprisonment for each offense.

28 * * * * *

29 SECTION 2. BE IT FURTHER ENACTED that the provisions of the Act are hereby
30 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
31 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional shall not

1 affect the remaining words, phrases, clauses, sentences, subparagraphs, subsections, or sections
2 of this Act, since the same would have been enacted without the incorporation in the Act of any
3 such invalid or unconstitutional word, phrase clause, sentence, paragraph, subparagraph,
4 subsection, or section.

5 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on the date it
6 becomes law.

Adopted this _____ day of _____, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

Appendix 4.

Related local legislation (including proposed legislation) from other jurisdictions

CITY OF BALTIMORE
ORDINANCE **20.465**
Council Bill 20-0625

Introduced by: President Scott, Councilmembers Clarke, Henry, Bullock, Dorsey, Pinkett,
Reisinger, Cohen, Stokes

Introduced and read first time: October 5, 2020

Assigned to: Housing and Urban Affairs Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 16, 2020

AN ORDINANCE CONCERNING

1 **Landlord-Tenant – Right to Counsel in Eviction Cases**

2 FOR the purpose of establishing a mechanism to provide to counsel for individuals in certain
3 matters involving eviction; providing that the Commissioner of the Department of Housing
4 and Community Development oversee the provision of counsel for individuals in certain
5 matters involving eviction in Baltimore City; setting forth certain additional duties of the
6 Commissioner of the Department of Housing and Community Development and the
7 Affordable Housing Trust Fund Commission; providing for an additional member of the
8 Affordable Housing Trust Fund Commission as permitted by the City Charter; defining
9 certain terms; requiring an annual report to the Mayor and City Council regarding certain
10 metrics; providing for the severability of certain provisions; requiring licensed landlords to
11 disclose to their tenants certain information regarding the right to counsel in eviction matters;
12 and providing for a special effective date.

13 BY adding

14 Article 13 - Housing and Urban Renewal
15 Section(s) 6A-1 through 6A-6, to be under the new subtitle,
16 “Tenant’s Right to Counsel in Eviction Cases”
17 Baltimore City Code
18 (Edition 2000)

19 BY repealing and re-ordaining, with amendments

20 Article 13 - Housing and Urban Renewal
21 Section 7-3
22 Baltimore City Code
23 (Edition 2000)

24 **Recitals**

25 **Whereas**, approximately 140,000 eviction cases are filed each year in a City with only
26 125,000 renter households yielding an eviction filing rate of over 100% for Baltimore City
27 renters;

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike-out~~ indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.

Council Bill 20-0625

1 **Whereas**, evictions exacerbate the public health crisis posed by COVID-19 and create
2 significant costs for state and local government related to shelter funding, education funding,
3 health care provided in hospitals instead of community-based providers, transportation costs for
4 homeless youth, and foster care;

5 **Whereas**, 99% of tenants in eviction proceedings are unrepresented and 96% of landlords are
6 represented in Baltimore City eviction proceedings;

7 **Whereas**, the number of Black households evicted is 195% greater than the number of white
8 households evicted in Baltimore City;

9 **Whereas**, the number of Black female-headed household evictions is 3.9 times higher (296%
10 more) than the number of white male-headed household evictions in Baltimore City;

11 **Whereas**, the Mayor and City Council of Baltimore seek to end the disparate impact of
12 evictions based on race and gender;

13 **Whereas**, providing a right to counsel to tenants in eviction cases is a proven means of
14 preventing the disruptive displacement of families and the resulting social, economic, and public
15 health costs of such displacement; and

16 **Whereas**, tenants must be able to invoke and enforce the right to legal representation in any
17 eviction-related proceeding to provide for equal access to justice and the courts.

18 **Whereas**, it is the policy of the City of Baltimore that tenants facing an eviction from their
19 homes shall have a right to legal representation in eviction proceeding, and the City shall provide
20 that representation to tenants to assist in the fair administration of justice.

21 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That the
22 Laws of Baltimore City read as follows:

23 **Baltimore City Code**

24 **Article 13. Housing and Urban Renewal**

25 **SUBTITLE 6A. TENANT'S RIGHT TO COUNSEL IN EVICTION CASES**

26 **§ 6A-1. DEFINITIONS.**

27 (A) *IN GENERAL.*

28 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS SPECIFIED.

29 (B) *COMMISSION.*

30 "COMMISSION" MEANS THE BALTIMORE CITY AFFORDABLE HOUSING TRUST FUND
31 COMMISSION ESTABLISHED BY ARTICLE I, § 14 OF THE CITY CHARTER.

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1 (C) *COMMISSIONER.*

2 "COMMISSIONER" MEANS COMMISSIONER OF THE DEPARTMENT OF HOUSING AND
3 COMMUNITY DEVELOPMENT OR THE COMMISSIONER'S DESIGNEE.

4 (D) *COVERED INDIVIDUAL.*

5 (1) *IN GENERAL.*

6 "COVERED INDIVIDUAL" MEANS ANY INDIVIDUAL WHO OCCUPIES A DWELLING WITHIN
7 THE CITY OF BALTIMORE UNDER A CLAIM OF LEGAL RIGHT OTHER THAN THE OWNER.

8 (2) *INCLUSION.*

9 "COVERED INDIVIDUAL" INCLUDES ANY TENANT IN A BUILDING OWNED, OPERATED, OR
10 MANAGED BY THE HOUSING AUTHORITY OF BALTIMORE CITY.

11 (E) *COVERED PROCEEDING.*

12 (1) *IN GENERAL.*

13 "COVERED PROCEEDING" MEANS:

14 (I) ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING TO EVICT OR TERMINATE THE
15 TENANCY OR HOUSING SUBSIDY OF A COVERED INDIVIDUAL;

16 (II) ANY PROCEEDING ~~DEEMED BY A DESIGNATED ORGANIZATION AS THAT IS THE~~
17 FUNCTIONAL EQUIVALENT OF A PROCEEDING DESCRIBED IN SUBPARAGRAPH (I);
18 OR

19 (III) ANY FIRST APPEAL OF ~~SUCH A PROCEEDING WHERE THE DESIGNATED~~
20 ~~ORGANIZATION DETERMINES THAT THERE ARE GOOD GROUNDS FOR AN APPEAL~~
21 DESCRIBED IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH.

22 (2) *INCLUSIONS.*

23 "COVERED PROCEEDING" INCLUDES ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING
24 TO REMEDY A VIOLATION OF:

25 (I) CITY PUBLIC LOCAL LAWS § 9-9 {"RENT ESCROW LAW: IN GENERAL"};

26 (II) CITY PUBLIC LOCAL LAWS § 9-9A {"RENT ESCROW LAW: LANDLORD'S
27 NON-COMPLIANCE WITH LEASE"};

28 (III) CITY PUBLIC LOCAL LAWS § 9-10 {"RENT ESCROW LAW: RETALIATORY
29 ACTIONS"};

30 (IV) STATE REAL PROPERTY ARTICLE § 8-208.1 {"RETALIATORY ACTIONS DUE TO
31 REPORTING VIOLATIONS OR COMPLAINTS PROHIBITED"}; AND

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1 (V) STATE REAL PROPERTY ARTICLE § 8-216 {"RESTRICTIONS RELATING TO
2 TAKING OR THREATENING TO TAKE POSSESSION OF DWELLING UNIT"}.

3 (F) *DESIGNATED ORGANIZATION.*

4 "DESIGNATED ORGANIZATION" MEANS ANY NOT-FOR-PROFIT ORGANIZATION OR
5 ASSOCIATION THAT IS DESIGNATED BY THE ~~DIRECTOR~~ COMMISSIONER UNDER THIS
6 SUBTITLE AND ENGAGED PURSUANT TO ARTICLE VI, § 11 OF THE CITY CHARTER
7 REGARDING PROCUREMENT THAT:

8 (1) HAS THE CAPACITY TO PROVIDE LEGAL REPRESENTATION TO COVERED
9 INDIVIDUALS FACING EVICTION; AND

10 (2) AGREES TO ADHERE TO THE STANDARDS OF PRACTICE ESTABLISHED IN RULES AND
11 REGULATIONS ADOPTED UNDER THIS SUBTITLE.

12 (G) *DESIGNATED COMMUNITY GROUP.*

13 "DESIGNATED COMMUNITY GROUP" MEANS A NOT-FOR-PROFIT COMMUNITY
14 ORGANIZATION OR ASSOCIATION DESIGNATED BY THE COMMISSIONER THAT HAS THE
15 CAPACITY TO CONDUCT TENANT OUTREACH, ENGAGEMENT, EDUCATION, AND
16 INFORMATION REGARDING THIS SUBTITLE.

17 (H) *INCLUDES; INCLUDING.*

18 "INCLUDES" OR "INCLUDING" MEANS BY WAY OF ILLUSTRATION AND NOT BY WAY OF
19 LIMITATION.

20 (I) *LEGAL REPRESENTATION.*

21 (1) *IN GENERAL.*

22 "LEGAL REPRESENTATION" MEANS ONGOING LEGAL REPRESENTATION PROVIDED BY A
23 DESIGNATED ORGANIZATION TO A COVERED INDIVIDUAL AND ALL LEGAL ADVICE,
24 ADVOCACY, AND ASSISTANCE ASSOCIATED WITH THAT REPRESENTATION.

25 (2) *INCLUSIONS.*

26 "LEGAL REPRESENTATION" INCLUDES THE FILING OF A NOTICE OF APPEARANCE ON
27 BEHALF OF THE COVERED INDIVIDUAL IN A COVERED PROCEEDING.

28 **§ 6A-2. RULES AND REGULATIONS.**

29 (A) *IN GENERAL.*

30 THE COMMISSIONER, WITH THE ADVICE AND CONSULTATION OF THE COMMISSION, SHALL
31 ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE, INCLUDING PROVIDING
32 TENANT EDUCATION REGARDING THEIR RIGHTS UNDER THIS SUBTITLE.

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1 (B) *FILING WITH LEGISLATIVE REFERENCE.*

2 A COPY OF ALL RULES AND REGULATIONS SHALL BE FILED WITH THE DEPARTMENT OF
3 LEGISLATIVE REFERENCE PRIOR TO TAKING EFFECT.

4 § 6A-3. RIGHT TO COUNSEL IN EVICTION-RELATED PROCEEDINGS.

5 (A) *IN GENERAL.*

6 (1) SUBJECT TO PROVISIONS OF THIS SUBTITLE INCLUDING ANY RULES AND REGULATIONS
7 AND WITH THE ADVICE AND CONSULTATION OF THE COMMISSION, THE COMMISSIONER
8 SHALL ENSURE THAT ALL COVERED INDIVIDUALS ~~RECEIVE~~ ARE OFFERED LEGAL
9 REPRESENTATION FROM A DESIGNATED ORGANIZATION IN A COVERED PROCEEDING AS
10 SOON AS PRACTICABLE AFTER THE INITIATION OF THAT PROCEEDING, BUT NO LATER
11 THAN AT THE TIME OF THE COVERED INDIVIDUAL'S FIRST SCHEDULED APPEARANCE IN
12 A COVERED PROCEEDING IF POSSIBLE.

13 (2) THE COMMISSIONER SHALL SEEK TO PRIORITIZE THE PROVISION OF LEGAL
14 REPRESENTATION BASED ON MEDIAN INCOME WITH COVERED INDIVIDUALS HAVING
15 THE LOWEST MEDIAN INCOME RECEIVING THE HIGHEST PRIORITY.

16 (B) *LIMITATION.*

17 COVERED INDIVIDUALS SHALL RECEIVE LEGAL REPRESENTATION UNLESS CIRCUMSTANCES
18 SPECIFIC TO THE INDIVIDUAL OR CASE, SUCH AS A CONFLICT WITH THE MARYLAND
19 ATTORNEYS' RULES OF PROFESSIONAL CONDUCT, MAKE LEGAL REPRESENTATION
20 INFEASIBLE TO RENDER ~~AS DETERMINED BY A DESIGNATED ORGANIZATION.~~

21 (C) *ENGAGEMENT AND EDUCATION.*

22 ~~IN~~ SUBJECT TO ARTICLE VI, § 11 OF THE CITY CHARTER REGARDING PROCUREMENT, IN
23 ADDITION TO OVERSEEING THE ADMINISTRATION OF THIS SUBTITLE, THE COMMISSIONER,
24 WITH THE ADVICE AND CONSULTATION OF THE COMMISSION, ~~SHALL~~ MAY ENGAGE
25 DESIGNATED COMMUNITY GROUPS TO ENGAGE AND EDUCATE TENANTS ABOUT THEIR
26 RIGHTS, ~~INCLUDING THROUGH ACTIVITIES SUCH AS:~~

27 (1) HOSTING KNOW-YOUR-RIGHTS TRAININGS AND OTHER WORKSHOPS FOR TENANTS;

28 (2) DISTRIBUTING WRITTEN INFORMATION TO TENANTS;

29 (3) ASSISTING TENANTS TO FORM AND MAINTAIN TENANT ASSOCIATIONS;

30 (4) REFERRING TENANTS TO DESIGNATED COMMUNITY GROUPS; AND

31 (5) ENGAGING IN ANY OTHER ACTIVITY DESIGNED TO ENGAGE, EDUCATE OR INFORM
32 TENANTS ABOUT THEIR RIGHTS.

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1 (D) *AVAILABILITY OF FUNDS.*

2 LEGAL REPRESENTATION UNDER THIS SECTION IS SUBJECT TO THE APPROPRIATION OF
3 FUNDS IN ACCORDANCE WITH THE CITY CHARTER.

4 **§ 6A-4. ADDITIONAL COMMISSION MEMBER.**

5 (A) *IN GENERAL.*

6 IN ADDITION TO THOSE COMMISSION MEMBERS SPECIFIED IN ARTICLE I, § 14(D)(2) OF THE
7 CITY CHARTER, THE MAYOR SHALL APPOINT AN ADDITIONAL COMMISSIONER IN
8 ACCORDANCE WITH ARTICLE IV, § 6 OF THE CITY CHARTER.

9 (B) *QUALIFICATIONS.*

10 (1) *"EXTREMELY LOW-INCOME HOUSEHOLD" DEFINED.*

11 IN THIS SUBSECTION, "EXTREMELY-LOW INCOME HOUSEHOLD" MEANS A HOUSEHOLD
12 WHOSE AGGREGATE GROSS INCOME DOES NOT EXCEED 30% OF THE AREA MEDIAN
13 INCOME, AS ADJUSTED FOR THE SIZE OF THE HOUSEHOLD.

14 (2) *IN GENERAL.*

15 THE COMMISSION MEMBER APPOINTED UNDER THIS SECTION SHALL BE:

16 (1) A TENANT RESIDING IN BALTIMORE CITY; AND

17 (2) A MEMBER OF AN EXTREMELY LOW-INCOME HOUSEHOLD.

18 **§ 6A-5. ANNUAL REPORT.**

19 (A) *IN GENERAL.*

20 NO LATER THAN ~~AUGUST 31~~ NOVEMBER 1 OF EACH YEAR, THE COMMISSIONER, WITH THE
21 ADVICE AND CONSULTATION OF THE COMMISSION, SHALL SUBMIT A REPORT TO THE
22 MAYOR AND CITY COUNCIL, WHICH SHALL INCLUDE INFORMATION FROM THE PRIOR
23 FISCAL YEAR REGARDING:

24 (1) THE NUMBER OF COVERED INDIVIDUALS SERVED;

25 (2) THE EXTENT OF LEGAL REPRESENTATION PERFORMED;

26 (3) METRICS ON EVALUATING OUTCOMES; AND

27 (4) THE ENGAGEMENT AND EDUCATION OF TENANTS.

28 (B) *POSTING.*

29 THE COMMISSIONER SHALL PROMINENTLY POST THE REPORT REQUIRED BY THIS SECTION
30 ON THE CITY'S WEBSITE.

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1 (C) *HEARING.*

2 NO LATER THAN ~~SEPTEMBER 30~~ DECEMBER 1 OF EACH YEAR, THE CITY COUNCIL OR AN
3 APPROPRIATE COMMITTEE OF THE CITY COUNCIL SHALL CONDUCT A HEARING ON THE
4 REPORT REQUIRED BY THIS SECTION.

5 **§ 6A-6. SEVERABILITY.**

6 ALL PROVISIONS OF THIS SUBTITLE ARE SEVERABLE. IF A COURT DETERMINES THAT A WORD,
7 PHRASE, CLAUSE, SENTENCE, PARAGRAPH, SUBSECTION, SECTION, OR OTHER PROVISION IS
8 INVALID OR THAT THE APPLICATION OF ANY PART OF THE PROVISION TO ANY PERSON OR
9 CIRCUMSTANCES IS INVALID, THE REMAINING PROVISIONS AND THE APPLICATION OF THOSE
10 PROVISIONS TO OTHER PERSONS OR CIRCUMSTANCES ARE NOT AFFECTED BY THAT DECISION.

11 **Subtitle 7. Residential Lease Requirements**

12 **§ 7-3. Information required.**

13 (a) *In general.*

14 (1) Each residential lease must contain the following information:

15 (i) the name, residence address, and residence telephone number or the name,
16 business address, and business telephone number of the owner of the property,
17 or

18 (ii) the name, residence address, and residence telephone number or the name,
19 business address, and business telephone number of an agent of the owner
20 who is authorized to receive court process on behalf of the owner in
21 connection with the property.

22 (2) Any owner who is not customarily present in an office in the metropolitan Baltimore
23 area must include in the lease the information required above for an agent authorized
24 to receive court process on behalf of the owner.

25 (a-1) *Payment for water and wastewater services.*

26 (1) Any property owner or managing operator who requires that a tenant pay the costs of
27 water or wastewater services, whether directly to the Department of Public Works or
28 as reimbursement to the owner or managing operator, shall include that requirement
29 in an express provision of a written lease.

30 (2) The lease shall include a provision that the landlord makes the tenant a designee
31 under Maryland's Public Information Act to request and to receive copies of any
32 account records for the water or wastewater account at issue.

33 (3) Whenever a landlord requires the tenant to reimburse the landlord for allocated costs
34 of water or wastewater service, the lease required by this subsection shall also:

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1 (i) describe the calculation method used by the owner or owner's agent to allocate
2 the cost of water and wastewater services to the tenant; and

3 (ii) specify the average monthly allocated costs of water and wastewater services
4 for the leased dwelling unit or rooming unit in the 12 months preceding
5 execution of the lease or renewal of the lease.

6 (b) *Changes.*

7 (1) Within 10 days of a change in any information required by subsection (a) of this
8 section to be contained in a lease, the property owner must notify the tenant of the
9 change.

10 (2) The notice must be sent to the tenant by first class mail.

11 (c) *Additional required disclosures.*

12 (1) Along with the copy of the lease required to be given to the tenant by § 7-2 of this
13 subtitle, the tenant must be given a copy of a tenants rights brochure approved by the
14 Housing Commissioner that discusses:

15 (i) free or reduced price legal representation available to tenants, INCLUDING ANY
16 RIGHT TO REPRESENTATION PURSUANT TO SUBTITLE 6A {"TENANT'S RIGHT TO
17 COUNSEL IN EVICTION CASES"} OF THIS ARTICLE;

18 (ii) pre-trial and day of trial mediation programs available to resolve landlord-
19 tenant disputes; and

20 (iii) a tenant's right to know the amount of rent that is in arrears.

21 (2) A tenant must also be given a copy of the brochure required by paragraph (1) of this
22 subsection:

23 (i) at the time that a lawsuit is commenced by the owner or landlord against the
24 tenant; [and]

25 (ii) if the Baltimore City Sheriff's Office is used to serve a [summary ejectment
26 notice] SUMMONS AND COMPLAINT BY THE LANDLORD SEEKING EVICTION,
27 INCLUDING FOR SUMMARY EJECTMENT, TENANT HOLDING OVER, AND BREACH
28 OF LEASE, at the time that [notice is sent to] THE SUMMONS AND COMPLAINT
29 ARE SERVED ON the tenant; AND

30 (III) AT THE TIME THAT THE HOUSING AUTHORITY OF BALTIMORE CITY SENDS A
31 NOTICE TO TERMINATE A TENANT'S SUBSIDY OR TENANCY.

32 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
33 are not law and may not be considered to have been enacted as a part of this or any prior
34 Ordinance.

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SECTION 3. AND BE IT FURTHER ORDAINED, That:

(a) Legal representation to all covered individuals in all covered proceedings, as set forth in this Ordinance, shall be phased-in during a period of time not to exceed 4 years, in a manner that the Commissioner, with the advice and consultation of the Commission determines appropriate based on all relevant factors, including those factors specified in subsection (b) of this Section.

(b) Factors that the Commissioner and the Commission shall consider when phasing-in legal representation to covered individuals include:

- (1) the prioritization of individuals over the phase-in period;
- (2) the availability of funding from the City, State, and other sources as the case may be;
- (3) the availability of trained and qualified attorneys to provide legal representation;
- (4) the scope of the need for legal representation; and
- (5) any other appropriate logistical consideration.

SECTION 4. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date 120th day after it is enacted.

Certified as duly passed this 16 day of November, 2020

Brandon M. Scott
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

this 16 day of November, 2020

Katanna B. Austin
Chief Clerk

Approved this 2nd day of Dec., 2020

Approved for Form and Legal Sufficiency
This 2nd day of December, 2020.

Elena DiPietro
Chief Solicitor

[Signature]
Mayor, Baltimore City

Appendix 5

Tenant-Landlord Commission: Overview & examples

Common Elements of Tenant Landlord Commissions

January 5, 2020

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- Purposes of a Tenant-Landlord Commission
- Sample composition
- Sample functions
- Sample activities
- Commission standing – grievances (two examples)
- Potential government agency and other staff coordination roles

Purposes of a Tenant Landlord Commission

Commissions of this kind have generally common goals and missions:

- To support broader community education on relevant federal, state, and local laws and policies pertaining to tenant and landlord affairs
 - This is distinct from a Tenant Assistance office. The Commission focuses on systems and strategy informed in part by the work of the TAO, but does not managing individual requests for help on accessing resources, except to hear grievances and/or serve as an arbitrator if chartered to do so.
- To advise the local Council and County agencies on topics involving tenant and landlord affairs
- To support fair and equitable interactions between landlords and tenants within the jurisdiction

Sample Composition

- Appointment of Commissioners by County Council through Commission charter or other authorization
- Pursue parity in appointments between:
 - Tenants
 - Landlords
 - At-large or additional non-industry representatives
 - Liaisons from other relevant County bodies (e.g. HOFA, Continuum of Care, Human Relations Commission)
- Staff from relevant agencies to assist the work of the Commission
 - Primary coordination via DHCD
 - Additional support and participation via Department of Social Services, Office of Law, Housing Authority
 - State Attorney General's local office in Prince George's County (optional)
- Invitations to legal aid organizations, landlord associations, other organizations as appropriate

Sample Functions

- Develop an annual work plan that reflects the goals of relevant County policies and strategies (e.g. Housing Opportunity for All HOFA Annual work plan) to the issues of tenants and landlords.
- Collaboration – Coordinate and/or collaborate with other Commissions and task forces on matters involving overlapping scope, where appropriate.
- Hold public hearings, presentations, and community outreach events to raise awareness, hear priorities and concerns, and offer support to tenants and landlords across Prince George's County.

Sample Activities

Key activities of a Tenant Landlord commission could include:

- Council Advisors - Advise the County Council on problems, policies, and programs in the areas of tenant-landlord relations and rental housing. Work with Tenant Assistance Office to identify trends, emerging best practices, opportunities for engagement and impact.
- Laws, Regulations, and Policy – Examine and evaluate current regulations and laws regarding tenants and landlords; offer suggested amendments to local policies and regulations which would aid tenants and landlords; identify and state-level policies and regulations that impact these areas.
- Relocation Plans – Assess and recommend approval of proposed relocation plans for residential projects where temporary or permanent relocation may be needed. Advise stakeholders on rights and responsibilities for tenants and landlords in these cases.
- Grievances – Gather facts relevant to understanding the grievances; conciliate and provide advice on grievances whenever possible; seek new methods of bringing tenants and landlords together.

Commission standing - grievances

Tenant Landlord Commissions can be purely advisory, as in Northern Virginia jurisdictions. This is particularly relevant in the matter of grievances:

From the municipal code establishing the [Alexandria, VA Landlord Tenant Relations Board](#):

Disputes raised by either the landlord, the tenant, or both shall go to the equivalent of a local office of tenant assistance.

In the event the assigned staff is unable to obtain conciliation within a reasonable time, and with the consent of the aggrieved landlord or tenant, promptly notify the Commission of the grievance.

The Commission will schedule a public hearing at which it shall receive evidence to determine if there is a legitimate grievance. The Commission shall render and announce and make public a decision which shall include a written statement of its findings. (Code 1963, Sec. 2-147)

Findings and decisions of the board shall be advisory only and of no legal force or effect. (Code 1963, Sec. 2-148)

Commission standing – grievances, cont.

Conversely, Tenant Landlord commissions may also have the authority of a quasi-judicial body, as in Montgomery County:

- “The [Montgomery County Commission on Landlord-Tenant Affairs](#) is a quasi-judicial body within the local Housing Department, established by Montgomery County Code. The Commission renders decisions regarding complaints filed with the Office of Landlord-Tenant Affairs that the Department’s Investigators are unable to resolve through conciliation. The Commission members act as administrative judges and have the power to hold hearings and issue Decisions and Orders that have the force of law.” These decisions may be appealed to the Circuit Court.

Potential staff roles and coordination

- Lead staff support could be provided by DHCD and/or another relevant agency:
 - provide support services and technical assistance to the Commission for meeting logistics, notice of meetings, preparation of agendas and minutes, and coordinating witnesses and public comment
 - apprise the Commission of public processes and other opportunities to participate in support of County goals including tenant and landlord affairs
 - prepare reports and responses as requested and attend meetings and hearings when applicable
 - maintain with the Clerk of the Council the Commission composition, roster, terms, and contact information, and any chairpersons or vice chairpersons as designated.