

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2023, Legislative Day No. 8

Bill No. 18-23

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, April 3, 2023

A BILL
ENTITLED

AN ACT concerning

Rental Housing Licenses

FOR the purpose of a self-certification option for dwellings with seven or more dwelling units, and apartment complexes, with less than three health and safety violations in the past three years; providing for an inspection process for dwellings with seven or more dwelling units that cannot self-certify, and apartment complexes that cannot self-certify; and generally concerning required inspections for rental housing.

BY repealing and re-enacting, with amendments.

Sections 35-6-103 and, 35-6-106, and 35-6-107
Article 35 – Buildings and Housing
Title 6 – Rental Housing Licenses
Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 35 – BUILDING AND HOUSING

5 Title 6 – Rental Housing Licenses

6
7 § 35-6-103.

8 (a) This title applies to:

- 9 (1) Boarding or rooming houses; [and]
10 (2) Dwellings [with six or less dwelling units]; AND
11 (3) APARTMENT COMPLEXES.

12 (b) This title does not apply to:

13 (1) Dwellings that are solely owner-occupied, including:

14 (i) One additional individual who is not a minor without regard to the
15 relationship of the individual and without regard to the number of minors in the dwelling unit
16 related by blood, marriage or adoption to the additional individual or under the legal custody of
17 the individual; and

18 (ii) Individuals related as [grandparents, parents, children, or
19 grandchildren] FAMILY by blood, marriage, or adoption to or under the legal custody of the
20 owner;

21 [(2) Dwellings with seven or more dwelling units;

22 (3) Apartment complexes;]

23 [(4)] (2) Dwelling units exempted by the Department as required by federal or

1 state law or regulation;

2 [(5)] (3) Dwelling units occupied by a former owner of the dwelling unit who,
3 after having sold the dwelling unit to a new owner, continues to reside in the dwelling unit and
4 pays rent to the new owner, provided the residency lasts not more than 12 months;

5 [(6)] (4) Subject to regulations adopted by the Department, dwellings occupied
6 by an owner and an individual paid directly or indirectly by the owner, including a nurse, nanny,
7 or other household assistant;

8 [(7)] (5) Dwelling units solely occupied by a person related as [a grandparent,
9 parent, child, or grandchild] FAMILY by blood, marriage, or adoption to or under the legal
10 custody of the owner of the dwelling unit, which may include one additional individual who is
11 not a minor without regard to the relationship of the individual and without regard to the number
12 of minors in the dwelling unit related by blood, marriage or adoption to the additional individual
13 or under the legal custody of the individual; or

14 [(8)] (6) Dwellings listed on the National Register of Historic Places, the county
15 inventory established under § 32-7-301 of the Code, the Baltimore County Preliminary
16 Landmarks List, or the Baltimore County Final Landmarks List.

17 (c) This title does not authorize the use of a dwelling as a boarding or rooming house,
18 except as authorized under the Baltimore County Zoning Regulations.

19
20 § 35-6-106.

21 (a) An applicant for a license shall:

22 (1) Submit to the Director an application on the form the Director provides; and

23 (2) Pay to the Director the application fee established by the County

1 Administrative Officer in accordance with:

2 (i) Subsection (b) of this section; and

3 (ii) § 3-1-202 of the code.

4 (b) (1) In establishing the fee for a license for a dwelling unit or boarding or rooming
5 house, the County Administrative Officer shall establish all fees, including:

6 (i) A fee for a boarding or rooming house that is:

7 1. Owner-occupied and contains three or more tenants; or

8 2. Not owner-occupied; and

9 (ii) A reduced fee for a dwelling that is owner-occupied and contains one
10 or two tenants.

11 (2) The Director may waive a fee for any dwelling that is owner-occupied if the
12 Director determines that the fee is a financial hardship for the owner.

13 (c) (1) In addition to any other information required on an application form, the
14 application form shall require, IF APPLICABLE:

15 (i) The name of the applicant and the address of the principal place of
16 business of the applicant;

17 (ii) A description of the dwelling unit and the address of the dwelling unit
18 by house or unit number;

19 (iii) The name and address of the managing operator, resident agent, or
20 trustee[, when applicable];

21 (iv) The name and address of an adult individual who is a resident of
22 Maryland and is designated as the applicant's agent for receiving service of process, notices, or
23 any other papers from the county;

1 (v) The number of adult individuals authorized to occupy the dwelling
2 unit;

3 (vi) The type of dwelling, including the number of stories, in which the
4 dwelling unit is located;

5 (vii) The year the dwelling in which the dwelling unit is located was
6 constructed;

7 (viii) [If applicable, proof] PROOF that the dwelling unit is registered
8 with the Maryland Department of the Environment under Title 6, Subtitle 8 of the Environment
9 Article of the Annotated Code of Maryland and copies of any applicable lead inspection
10 certificate;

11 (ix) The type and number of smoke detectors in the dwelling unit;

12 (x) The type of heating system in the dwelling unit;

13 (xi) The type of hot water heating system in the dwelling unit;

14 (xii) The source of water; and

15 (xiii) The type of sewage disposal.

16 (2) [The] IF APPLICABLE, THE applicant shall submit a certificate of
17 satisfactory completion of a home inspection issued by a home inspector as provided for under §
18 35-6-107 of this title certifying an inspection that was performed not more than 90 days before
19 the application date.

20 (d) The applicant shall inform the Director in writing of any change in the information
21 provided under subsection (c)(1)(i), (iii), or (iv) of this section not more than 30 days after the
22 change is made.

23 (e) If the applicant is a corporation or a limited liability company, an officer of the

1 corporation or limited liability company shall provide the information required under subsection
2 (c) of this section.

3 (f) If the applicant is an association or partnership, an associate or partner shall provide
4 the information required under subsection (c) of this section.

5
6 § 35-6-107.

7 (A) DWELLINGS WITH 7 OR MORE DWELLING UNITS AND APARTMENT
8 COMPLEXES ARE ELIGIBLE TO SELF-CERTIFY AND APPLY FOR A LICENSE WITH
9 NO INSPECTION IF, AS DETERMINED BY THE DIRECTOR OF PERMITS, APPROVALS,
10 AND INSPECTIONS, THEY HAVE HAD LESS THAN 3 HEALTH AND SAFETY
11 VIOLATIONS IN THE PAST 3 YEARS THAT HAVE BEEN FULLY ADJUDICATED BY
12 THE ADMINISTRATIVE LAW JUDGE AND ARE NOT UNDER APPEAL.

13 (1) HEALTH AND SAFETY VIOLATIONS INCLUDE:

14 (I) FIRE SAFETY VIOLATIONS;

15 (II) THE PRESENCE OF PESTS, RATS, OR MOLD; OR

16 (III) EVIDENCE OF WORK DONE WITHOUT PERMITS.

17 (2) SELF-CERTIFICATION APPLICATIONS MUST INCLUDE SIGNED
18 STATEMENTS THAT THE DWELLING UNITS ARE IN COMPLIANCE WITH:

19 (I) THE BALTIMORE COUNTY RENTAL LICENSE INSPECTION
20 SHEET;

21 (II) LIFE AND SAFETY CODES AND LAWS FOR PLACEMENT;

22 (III) TENANT NOTIFICATION; AND

23 (IV) FUNCTION OF:

- 1 1. HARDWIRED AND BATTERY-BACKED
- 2 INTERCONNECTED SMOKE DETECTORS;
- 3 2. WOOD BALCONY RAILINGS; AND
- 4 3. CARBON MONOXIDE DETECTORS.

5 (B) FOR DWELLINGS WITH 6 OR LESS DWELLING UNITS, DWELLINGS WITH
6 7 OR MORE DWELLING UNITS THAT CANNOT SELF-CERTIFY, AND APARTMENT
7 COMPLEXES THAT CANNOT SELF-CERTIFY, DWELLING UNITS MUST BE
8 INSPECTED AS FOLLOWS:

9 [(a)] (1) Before applying for a license for a dwelling unit, the applicant shall, at
10 the applicant's expense, contract with a home inspector to perform a home inspection of the
11 dwelling unit and premises to determine if the dwelling unit and the premises meet health and
12 safety requirements established by the Director by regulation.

13 (2) FOR DWELLINGS WITH 7 OR MORE DWELLING UNITS OR
14 APARTMENT COMPLEXES THAT CANNOT SELF-CERTIFY, BEFORE APPLYING FOR
15 LICENSES, THE APPLICANT SHALL, AT THE APPLICANT'S EXPENSE, CONTRACT
16 WITH A HOME INSPECTOR TO PERFORM AN INSPECTION OF AT LEAST 10
17 PERCENT OF THE DWELLING UNITS AND ALL OF THE PREMISES TO DETERMINE IF
18 THE DWELLING UNITS AND THE PREMISES MEET HEALTH AND SAFETY
19 REQUIREMENTS ESTABLISHED BY THE DIRECTOR BY REGULATION.

20 (I) THE 10 PERCENT OF INSPECTED UNITS MUST BE
21 REPRESENTATIVE AND EVENLY DISTRIBUTED BY GROUPING OF UNITS, SUCH AS
22 BY BUILDING.

23 (II) THE RECORD OF ALL REPAIRS REQUIRED BY THE HOME

1 INSPECTOR SHALL BE SHARED WITH THE DEPARTMENT.

2 (III) IF THE SAME OR SIMILAR DEFECT HAS BEEN FOUND IN A
3 MAJORITY OF THE UNITS BY THE HOME INSPECTOR, THE DEPARTMENT MAY
4 REQUIRE ADDITIONAL INSPECTIONS.

5 [(b)] (3) The home inspector must be a licensed home inspector under Title 16,
6 Subtitle 3A of the Business Occupations and Professions Article of the Annotated Code of
7 Maryland.

8 [(c)] (4) After the home inspection, if the dwelling unit and premises meet the
9 health and safety requirements established by the Director, the home inspector shall issue to the
10 applicant a certification on a form required by the Director and under the home inspector's seal.

11

12 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect ~~45~~ 90
13 days after its enactment.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

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AYE	NAY	
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