

1 **..Title**

2 **Rental Operating Licenses and Inspections of Housing Authority of the City of**
3 **Annapolis Properties** - For the purpose of requiring rental operating licenses and
4 inspections of Housing Authority of the City of Annapolis properties.

5 **..Body**

6 **CITY COUNCIL OF THE**

7 **City of Annapolis**

8
9 **Resolution 26-19**

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11 **Introduced by: Alderman Rodriguez, Alderwoman Finlayson,**
12 **Alderwoman Tierney, Alderman Savidge and Alderwoman PindellCharles**

13
14 **A RESOLUTION** concerning

15
16 **Rental Operating Licenses and Inspections of**
17 **Housing Authority of the City of Annapolis Properties**

18
19 **FOR** the purpose of requiring rental operating licenses and inspections of Housing
20 Authority of the City of Annapolis properties.

21
22 **WHEREAS,** the City of Annapolis has the primary authority, under its police powers,
23 to provide for the general welfare of all residents of the City of Annapolis;
24 and

25
26 **WHEREAS,** the Housing Authority of the City of Annapolis (“HACA”) provides
27 public housing to hundreds of Annapolis citizens and their families; and

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29 **WHEREAS,** the City of Annapolis and HACA have an obligation to protect the health
30 and safety of public housing residents; and

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32 **WHEREAS,** the City of Annapolis and HACA have the responsibility to ensure that
33 HACA properties are held to the same safety, sanitary, and habitable
34 standards found throughout the City; and

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36 **WHEREAS,** pursuant to 24 CFR § 902.20, federal law requires the U.S. Department of
37 Housing and Urban Development (“HUD”) to inspect the physical
38 conditions of public housing, but such inspections do not relieve HACA
39 from its own obligation to inspect its housing units; and

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41 **WHEREAS,** in addition to conducting inspections, HACA is responsible for
42 emergency, routine, and preventative maintenance services; and

43
44 **WHEREAS,** pursuant to the Annotated Code of Maryland, Housing and Community
45 Development Article (“HCD”), § 12-403, Maryland law requires all public
46 housing properties of HACA be “subject to the planning, zoning, sanitary,
47 health, fire, housing, subdivision, and building laws, ordinances, codes,
48 rules, and regulations” that apply to the City of Annapolis; and

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1 **WHEREAS**, Chapter 17.44 of the Annapolis City Code requires the City to license and
2 inspect all rental housing units in the City; and
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4 **WHEREAS**, rental operating licenses require that properties be subject to inspections
5 to determine whether the conditions of the rental housing units comply
6 with Chapter 17.44 of the City Code; and
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8 **WHEREAS**, the purpose of the requirements under Chapter 17.44 of the City Code that
9 residential rental units be licensed is to make certain that rental units are
10 safe for habitation; and
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12 **WHEREAS**, pursuant to HCD § 12-506(b), Maryland law permits HACA to make an
13 agreement with the City that “make[s] exceptions to its sanitary, building,
14 housing, fire, health, subdivision, or other similar laws, rules, regulations,
15 and ordinances”; and
16

17 **WHEREAS**, in 1965, the City entered into a Cooperation Agreement with HACA
18 where the City is permitted to waive requirements of the City’s building
19 code as are reasonable and necessary to promote economy and efficiency
20 in the development and at the same time safeguard health and safety; and
21

22 **WHEREAS**, there is currently no federal, state, or local law prohibiting the City of
23 Annapolis from enforcing its local laws on Public Housing Agencies; and
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25 **WHEREAS**, as a result of this Cooperation Agreement with HACA, the City of
26 Annapolis, currently, does not require inspections nor rental operating
27 licenses for HACA properties; and
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29 **WHEREAS**, there have been numerous and ongoing complaints made by residents of
30 public housing that health and safety concerns have neither been addressed
31 effectively nor efficiently by HACA.
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34 **NOW, THEREFORE,**
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36 **BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that the City of
37 Annapolis begin requiring rental operating licenses for HACA properties.
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39 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** that
40 the City of Annapolis begin inspecting HACA units under the City’s rental licensing
41 program.
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43 **AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL** the
44 City of Annapolis work with HACA to prioritize the correction of deficiencies within
45 HACA properties.
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47 **EXPLANATION**

48 Underlining indicates matter added.

49 [~~Strikethrough~~] indicates matter stricken.