



Legislation Details (With Text)

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File created: 11/2/2022 **In control:** Rules & City Government Committee

On agenda: 3/31/2023 **Final action:** 3/27/2023

Title: Landlord And Tenant Relations - Rent Guidelines - For the purpose of developing rent guidelines; creating a Rent Stabilization Board to create and oversee the guidelines; setting rent increase notice requirements; generally concerning rents and landlord-tenant relations; and removing a misplaced word in Section 18.10 of the Code.

Sponsors: Dajuan K. Gay

Indexes: Housing and Human Welfare Committee, Rules and City Government Committee

Code sections:

Attachments: 1. O-50-22 First Reader, 2. O-50-22 Staff Report

Date	Ver.	Action By	Action	Result
3/27/2023	1	City Council	withdrawn without objection	Pass
3/27/2023	1	City Council	presented	
3/20/2023	1	Housing and Human Welfare Committee	no action taken	Pass
2/21/2023	1	Housing and Human Welfare Committee	postpone	Pass
2/3/2023	1	Rules & City Government Committee	postpone	Pass
1/17/2023	1	Housing and Human Welfare Committee	no action taken	
12/12/2022	1	City Council	declare the public hearing closed	
11/28/2022	1	City Council	refer	
11/28/2022	1	City Council	refer	
11/28/2022	1	City Council	adopt on first reader	Pass

Landlord And Tenant Relations - Rent Guidelines - For the purpose of developing rent guidelines; creating a Rent Stabilization Board to create and oversee the guidelines; setting rent increase notice requirements; generally concerning rents and landlord-tenant relations; and removing a misplaced word in Section 18.10 of the Code.

**CITY COUNCIL OF THE
City of Annapolis**

Ordinance 50-22

**Introduced by: Ald. Gay
Co-sponsored by:**

Referred to

Housing and Human Welfare Committee
Rules and City Government Committee

AN ORDINANCE concerning

Landlord And Tenant Relations - Rent Guidelines

FOR the purpose of developing rent guidelines; creating a Rent Stabilization Board to create and oversee the guidelines; setting rent increase notice requirements; generally concerning rents and landlord-tenant relations; and removing a misplaced word in Section 18.10 of the Code.

BY reenacting with amendments the following portions of the Code of the City of Annapolis, 2022 Edition
2.48 Article XVIII (2.48.610)
18.04.030
18.04.040

BY enacting with amendments the following portions of the Code of the City of Annapolis, 2022 Edition
18.10

SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that the Code of the City of Annapolis shall be amended to read as follows:

Title 2 - Administration
Chapter 2.48 - Boards, Commissions and Committees
Article XVIII (2.48.610) - Rent Stabilization Board

2.48.610 - RENT STABILIZATION BOARD. THERE IS HEREBY CREATED A RENT STABILIZATION BOARD OF THE CITY OF ANNAPOLIS.

A. PURPOSE. THE RENT STABILIZATION BOARD SHALL:

1. REVIEW AND CONSIDER RESIDENTIAL RENTAL POLICY IN THE CITY OF ANNAPOLIS; AND
2. TRACK OVERALL NON-COMMERCIAL, PRIVATE RESIDENTIAL RENTAL RATES; AND
3. CREATE AN ANNUAL REPORT ON RESIDENTIAL RENTAL RATES AND GUIDELINES IN THE CITY OF ANNAPOLIS

B. COMPOSITION AND TERMS.

1. MEMBERS OF THE RENT STABILIZATION BOARD SHALL CONSIST OF FIVE MEMBERS, THREE OF WHOM ARE SELECTED BY THE HOUSING AND HUMAN WELFARE COMMITTEE OF THE CITY COUNCIL, AND TWO RESIDENTS OF THE CITY WHO POSSESS A DEMONSTRATED INTEREST IN HOUSING AND RENTER CONCERNS AND WHO SHALL BE APPOINTED BY THE MAYOR AND CONFIRMED BY THE CITY COUNCIL.

2. EACH MEMBER SHALL SERVE FOR A TERM OF THREE YEARS, OR UNTIL THE MEMBER'S SUCCESSOR IS APPOINTED AND CONFIRMED, COMMENCING ON THE FIRST DAY OF JUNE, THE TERM OF NO MORE THAN ONE MEMBER EXPIRING EACH YEAR
3. THE BOARD SHALL MEET MONTHLY, AND THE CHAIR MAY CALL SPECIAL MEETINGS.
 - a. THE BOARD SHALL ELECT A CHAIR AND VICE CHAIR WHO SERVE FOR A TERM OF ONE YEAR.
 - b. IF THE CHAIR CAN NOT ATTEND A MEETING, THE VICE CHAIR SHALL SERVE AS ACTING CHAIR FOR THAT MEETING.
4. THE PUBLISHED AGENDA FOR EACH MEETING MAY BE REVISED BY A MAJORITY VOTE OF THE MEMBERS PRESENT.
5. ACTION OF THE BOARD SHALL BE BY A MAJORITY VOTE OF THE MEMBERS PRESENT. THREE BOARD MEMBERS SHALL CONSTITUTE A QUORUM FOR THE BUSINESS TRANSACTION.
6. THE BOARD'S REPORTS SHALL BE ISSUED IN ENGLISH AND SPANISH.

C. RESPONSIBILITIES.

1. THE RENT STABILIZATION BOARD SHALL:
 - a. CREATE ANNUAL RENT INCREASE GUIDELINES PER TITLE 18 § 04.030 IN THE RESIDENTIAL RENT GUIDELINES SECTION OF THE CODE:
 - i. ISSUED NO LATER THAN MARCH 1; AND
 - ii. BASED ON THE INCREASE OR DECREASE IN THE RESIDENTIAL RENT COMPONENT OF THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE REGION COVERING THE CITY OF ANNAPOLIS UNDER THE MID-ATLANTIC REGION AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR STATISTICS, OR ANY SUCCESSOR INDEX; and
 - iii. PUBLISHED ON THE CITY OF ANNAPOLIS WEBSITE.
 - b. RECOMMEND POLICY INITIATIVES AND CHANGES IN LAW AND REGULATION TO ACCOMPLISH THE OBJECTIVES OF THE CITY COUNCIL REGARDING RESIDENTIAL RENT STABILIZATION; AND
 - c. REPORT COMPLAINTS THAT REQUIRE ACTION TO THE CITY MANAGER.

**TITLE 18 - LANDLORD AND TENANT RELATIONS
CHAPTER 18.01 - GENERAL PROVISIONS.**

Section 18.01.010 - DEFINITIONS.

THE FOLLOWING TERMS SHALL HAVE THE MEANINGS INDICATED UNLESS A CONTRARY MEANING IS CLEARLY INTENDED FROM THE CONTEXT IN WHICH THE TERM APPEARS:

- A. "CITY MANAGER" MEANS THE ANNAPOLIS CITY MANAGER OR THEIR DESIGNEE, WHICH MAY BE A CITY DEPARTMENT OR DEPARTMENT DIRECTOR.
- B. "LANDLORD" MEANS ANY PERSON, PARTNERSHIP, FIRM, CORPORATION, OR ANY COMBINATION OF BUSINESS ENTITIES ENGAGED IN THE BUSINESS OF LEASING ONE OR MORE DWELLING UNIT(S) IN THE CITY.
- C. "RENT", FOR THE PURPOSE OF THIS PROVISION ONLY, SHALL MEAN A FIXED PERIODIC COMPENSATION PAID BY A TENANT AT FIXED INTERVALS TO A LANDLORD FOR THE POSSESSION AND USE OF PROPERTY, INCLUDING ANY AMOUNT PAID TO THE LANDLORD.
- D. "RENT STABILIZATION BOARD", ALSO REFERRED TO AS "BOARD", IS AS DEFINED IN TITLE 2 § 48.610
- E. "TENANT" MEANS A PERSON WHO PAYS RENT OR OTHER CONSIDERATION FOR THE USE OF ANOTHER'S PREMISES PURSUANT TO A LEASE AGREEMENT OR SIMILAR ARRANGEMENT.

TITLE 18 - LANDLORD AND TENANT RELATIONS
CHAPTER 18.04 - LEASE AGREEMENTS - REQUIRED TERMS.

SECTION 18.04.030 - RENT GUIDELINES.

- B. **RENT GUIDELINES.** THE RENT STABILIZATION BOARD (TITLE 2 § 48.610) ISSUES ANNUAL RENT INCREASE GUIDELINES NO LATER THAN MARCH 1ST.
 - 1. THE GUIDELINE ARE BASED ON THE INCREASE OR DECREASE IN THE RESIDENTIAL RENT COMPONENT OF THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR THE REGION COVERING THE CITY OF ANNAPOLIS UNDER THE MID-ATLANTIC REGION AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR STATISTICS, OR ANY SUCCESSOR INDEX.
 - 2. RENT INCREASE GUIDELINES ARE PUBLISHED ON THE CITY OF ANNAPOLIS WEBSITE.
 - 3. THE BOARD MAY REVIEW ANY RESIDENTIAL RENT INCREASE THAT APPEARS TO BE EXCESSIVE AND ENCOURAGE THE LANDLORD TO REDUCE, MODIFY, OR POSTPONE THE INCREASE.

SECTION 18.04.040 - RENT ADJUSTMENTS.

- A. **RENT ADJUSTMENTS.**
 - 1. A LANDLORD SHALL GIVE TENANTS 90 DAYS' NOTICE BEFORE INCREASING

RENT.

2. A LANDLORD MUST NOT IMPOSE MORE THAN ONE RENT INCREASE ON A TENANT IN ANY 12 MONTHS.
3. EACH WRITTEN RENT INCREASE NOTICE MUST CONTAIN THE FOLLOWING INFORMATION:
 - a. THE AMOUNT OF MONTHLY RENT IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THE PROPOSED INCREASE (OLD RENT); AND
 - b. THE AMOUNT OF MONTHLY RENT OFFERED IMMEDIATELY AFTER THE RENT INCREASE TAKES EFFECT (NEW RENT); AND
 - c. THE PERCENTAGE INCREASE OF MONTHLY RENT; AND
 - d. THE EFFECTIVE DATE OF THE PROPOSED INCREASE; AND
 - e. THE APPLICABLE RENT INCREASE GUIDELINE ISSUED UNDER SECTION § 18.05.020 ABOVE; AND
 - f. A NOTICE THAT THE TENANT MAY ASK THE RENT STABILIZATION BOARD (TITLE 2 § 48.610) TO REVIEW ANY RENT INCREASE THAT THE TENANT CONSIDERS EXCESSIVE; AND
 - g. OTHER INFORMATION THE LANDLORD DEEMS HELPFUL IN EXPLAINING THE RENT INCREASE.
4. IF THE TENANT DECLINES THE RENT INCREASE:
 - a. A LANDLORD SHALL TERMINATE THE LEASE UPON 60 DAYS NOTICE; AND
 - b. THE TENANT SHALL VACATE THE PROPERTY AT THE END OF THE NOTICE TERM.

B. RENT INCREASE NOTICE REQUIREMENTS.

1. **WRITTEN NOTICE.** THE LANDLORD SHALL SEND THE WRITTEN NOTICE:
 - a. VIA THE U.S. POSTAL SERVICE TO THE TENANT'S DWELLING UNIT; OR
 - b. ANOTHER MEANS BY WHICH THE LANDLORD OBTAINS A SIGNED RECEIPT FROM THE TENANT OR THE TENANT'S REPRESENTATIVE.
2. **NOTICE CERTIFICATION.**
 - a. THE LANDLORD SHALL CERTIFY THAT THE NOTIFICATION HAS BEEN SENT BY THE FOLLOWING METHODS:
 - i. REGISTERED OR CERTIFIED MAIL RECEIPT; OR
 - ii. AFFIDAVIT DATED AT THE TIME OF MAILING.
 - b. THE RECEIPT OR REGISTRATION OF ANY NOTICE SENT BY U.S. CERTIFIED OR REGISTERED MAIL IS PRESUMPTIVE EVIDENCE THAT THE NOTICE WAS DELIVERED TO THE ADDRESS PARTY, AND THE RECEIPT OR REGISTRATION DATE IS THE POSTMARK DATE.
 - c. NOTICES MUST BE WRITTEN IN ENGLISH AND SPANISH.
3. **RECORD RETENTION.**

- a. THE LANDLORD SHALL RETAIN A COPY OF THE AFFIDAVIT IN THE LANDLORD'S RECORDS.
- b. THE DAY AFTER THE POSTMARK DATE IS THE DATE OF DELIVERY BY U.S. MAIL FOR THE PURPOSES OF THESE NOTICE REQUIREMENTS.

Title 18 - LANDLORD AND TENANT RELATIONS
Chapter 18.10 - EMERGENCY PROVISIONS

Strike the paragraph and word "Sections".

Chapter 18.10 EMERGENCY PROVISIONS

Sections

SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL the City Manager or their designee shall, within 90 days of the effective date of this legislation, promulgate any rules or regulations necessary to implement the intent of this legislation.

SECTION III: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL that this ordinance shall take effect from the date of its passage.

Explanation:

UPPERCASE indicates matter added to existing law.

~~Strikethrough~~ indicates matter stricken from existing law.

Underlining indicates amendments.