



Legislation Text

File #: R-26-19, Version: 1

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

**CITY COUNCIL OF THE
City of Annapolis**

Resolution 26-19

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

A **RESOLUTION** concerning

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

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

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

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

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

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

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

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

WHEREAS, pursuant to the Annotated Code of Maryland, Housing and Community Development Article (“HCD”), § 12-403, Maryland law requires all public housing properties of HACA be “subject to

the planning, zoning, sanitary, health, fire, housing, subdivision, and building laws, ordinances, codes, rules, and regulations” that apply to the City of Annapolis; and

WHEREAS, Chapter 17.44 of the Annapolis City Code requires the City to license and inspect all rental housing units in the City; and

WHEREAS, rental operating licenses require that properties be subject to inspections to determine whether the conditions of the rental housing units comply with Chapter 17.44 of the City Code; and

WHEREAS, the purpose of the requirements under Chapter 17.44 of the City Code that residential rental units be licensed is to make certain that rental units are safe for habitation; and

WHEREAS, pursuant to HCD § 12-506(b), Maryland law permits HACA to make an agreement with the City that “make[s] exceptions to its sanitary, building, housing, fire, health, subdivision, or other similar laws, rules, regulations, and ordinances”; and

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

WHEREAS, there is currently no federal, state, or local law prohibiting the City of Annapolis from enforcing its local laws on Public Housing Agencies; and

WHEREAS, as a result of this Cooperation Agreement with HACA, the City of Annapolis, currently, does not require inspections nor rental operating licenses for HACA properties; and

WHEREAS, there have been numerous and ongoing complaints made by residents of public housing that health and safety concerns have neither been addressed effectively nor efficiently by HACA.

NOW, THEREFORE,

BE IT RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis begin requiring rental operating licenses for HACA properties based on inspections completed by the City of Annapolis Department of Planning and Zoning.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis begin inspecting HACA units under the City’s rental licensing program pursuant to a reasonable inspection schedule determined by the Department of Planning and Zoning.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that the City of Annapolis work with HACA to prioritize the correction of deficiencies within HACA properties.

AND BE IT FURTHER RESOLVED BY THE ANNAPOLIS CITY COUNCIL that this resolution shall take effect from the date of its passage.

EXPLANATION

Underlining indicates matter added.

[~~Strikethrough~~] indicates matter stricken.