

Bill No. 44-14
Concerning: Landlord-Tenant Relations –
Licensing of Rental Housing –
Common Ownership Community
Fees
Revised: February 24, 2015 Draft No. 2
Introduced: September 23, 2014
Enacted: March 3, 2015
Executive: March 13, 2015
Effective: June 12, 2015
Sunset Date: None
Ch. 10, Laws of Mont. Co. 2015

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Vice President Leventhal and Councilmembers Floreen and Branson

AN ACT to:

- (1) require an owner of a dwelling unit in a common ownership community to certify payment of common ownership community fees in order to receive a rental housing license for the unit;
- (2) authorize the Director of Housing and Community Affairs to deny, suspend, revoke, or refuse to renew a rental housing license for a dwelling unit in a common ownership community if the owner fails to pay the common ownership community fees due for the unit; and
- (3) generally amend the laws governing the licensing of rental housing.

By amending

Montgomery County Code
Chapter 29, Landlord-Tenant Relations
Sections 29-1 and 29-19

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 29-1 and 29-19 are amended as follows:

29-1. Definitions.

In this Chapter, the following words and phrases have the following meanings:

* * *

Common ownership community:

- (a) a development subject to a declaration enforced by a homeowners' association, as those terms are used in State law;
- (b) a condominium, as that term is used in State law; and
- (c) a cooperative housing project, as that term is used in State law.

Common ownership community fees means fees charged by the entity authorized to impose a fee on the owner or occupant of a housing unit in a common ownership community for services or the benefit of common areas in the community.

* * *

29-19. Licensing procedures.

- (a) To obtain a rental housing license, the prospective operator must apply on a form furnished by the Director and must pay the required fee. If the Director notifies the applicant of any violation of law within 30 days, the Director may issue a temporary license for a period of time the Director finds necessary to achieve compliance with all applicable laws.

* * *

(e) Common ownership community fees.

- (1) The Director must not issue or renew a rental housing license for a dwelling unit in a common ownership community unless the owner certifies that the common ownership community fees for the dwelling unit are no more than 30 days past due. If a common

28 ownership community decides to charge a fee to certify that the
29 common ownership fees for a dwelling unit have been paid, the fee
30 must be no more than \$25.

31 (2) The Director may deny, suspend, revoke, or refuse to renew a
32 housing rental license for a dwelling unit in a common ownership
33 community if the governing body of a common ownership
34 community submits proof of [[an unsatisfied final judgment
35 against the owner for]] unpaid common ownership community
36 fees for the dwelling unit through:

37 (A) a recorded statement of lien obtained under the Maryland
38 Contract Lien Act; or

39 (B) an unsatisfied judgment against the owner.

40 (f) Each licensee must give the Department a current address for the receipt
41 of mail. If the Department sends first class or certified mail to the licensee
42 at the designated address and the mail is returned as undeliverable, the
43 Department may treat the mail as having been received.

44 *Approved:*

45 George Leventhal 3/6/2015
George Leventhal, President, County Council Date

46 *Approved:*

47 Isiah Leggett March 13, 2015
Isiah Leggett, County Executive Date

48 *This is a correct copy of Council action.*

49 Linda M. Lauer 3/16/15
Linda M. Lauer, Clerk of the Council Date