

Emergency Bill No. 36-00  
Concerning: Commission on Landlord -  
Tenant Affairs - Membership  
Revised: 7-31-01 Draft No. 6  
Introduced: December 12, 2000  
Enacted: July 31, 2001  
Executive: August 8, 2001  
Effective: August 8, 2001  
Sunset Date: None  
Ch. 20, Laws of Mont. Co. 2001

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President Ewing, Councilmembers Leggett, Subin, Silverman and Praisner

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### AN EMERGENCY ACT to:

- (1) amend the qualifications for membership on the Commission on Landlord-Tenant Affairs; ~~[[and]]~~ and
- (2) [[authorize payment of a stipend to certain members of the Commission on Landlord-Tenant Affairs; and]]
- ~~[[(3)]]~~ generally provide for appointment to membership on the Commission on Landlord-Tenant Affairs.

By amending

Montgomery County Code  
Chapter 29, Landlord-Tenant Relations  
Section 29-9

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



28 derive a substantial portion of his or her income from **rental**  
 29 **housing** or tenants of **rental housing**. ~~[[The Executive may~~  
 30 appoint, and the Council may confirm, a member who does not  
 31 meet the requirements of the preceding sentence if the  
 32 Executive certifies that:

- 33 (A) after a good faith search, the Executive did not find any  
 34 qualified applicant who met those requirements; and  
 35 (B) the appointee will be able to perform all duties of a  
 36 Commission member fairly and impartially,  
 37 notwithstanding any affiliation with or income derived  
 38 from **rental housing** or tenants of **rental housing**. ]]

39 (5) As used in this ~~[[Section]]~~ subsection, an attorney primarily  
 40 represents either owners and managers of **rental housing**, or  
 41 tenants of **rental housing**, if at the time of appointment the  
 42 attorney appeared in 10 or more landlord-tenant cases in any  
 43 jurisdiction, and represented that type of client in more than  
 44 60% of the attorney's landlord-tenant cases, in the preceding 12  
 45 months. As used in this subsection, a "substantial portion" of a  
 46 person's income means, measured at the time of appointment,  
 47 either:

- 48 (A) ~~[[20%]]~~ \$10,000 or more of that person's family income  
 49 during the preceding calendar year, or  
 50 (B) the ownership of more than 5% of any rental housing  
 51 unit, or any ownership interest in any business that owns  
 52 or manages rental housing.

53 The Director must adjust the \$10,000 amount in the preceding  
 54 sentence each year by the increase or decrease in the

55 appropriate consumer price index for the preceding calendar  
56 year, rounded to the nearest multiple of \$10.

57 \* \* \*

- 58 (e) **Compensation.** Members of the Commission serve without
- 59 compensation, except[[;
- 60 (1)] reimbursement for expenses [(including child and dependent
- 61 care),]] as appropriated[[; and]]
- 62 [(2) a stipend, subject to appropriation, for each case heard by a
- 63 Commission member sitting on a panel which conducts a
- 64 hearing on a complaint or appeal before the Commission]].

65 \* \* \*

66 **Sec. 2. Emergency Effective Date.**

67 The Council declares that an emergency exists and that this legislation is  
68 necessary for the immediate protection of the public health and safety. This Act  
69 takes effect on [[April 1, 2001]] the date when it becomes law.

70 **Sec. 3. Transition.** Any amendment to County Code Section 29-9 made by  
71 Section 1 of this Act applies only to a member of the Commission on Landlord-  
72 Tenant Affairs appointed or reappointed after this Act becomes law.

73 *Approved:*

74 /S/	August 1, 2001
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Blair G. Ewing, President, County Council	Date

75 *Approved:*

76 /S/	August 8, 2001
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Douglas M. Duncan, County Executive	Date

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

78 /S/

August 13, 2001

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Mary A. Edgar, CMC, Clerk of the Council

Date