

Prince George's County Council Agenda Item Summary

Meeting Date: 11/3/2015
Reference No.: CB-059-2015
Draft No.: 3
Proposer(s): Taveras, Turner
Sponsor(s): Taveras, Turner, Lehman, Harrison
Item Title: An Act concerning Senior Rental Leases for the purpose of amending the Landlord-Tenant Code to provide certain senior tenants with twenty-four month residential leases; to establish the Senior Tenant Rental Leases Program; to provide for the administration and notice of the Program; and generally relating to senior tenant rental leases in the County.

Drafter: Kathleen H. Canning, Legislative Officer
Resource Personnel: Wanika Fisher, Council District 2

LEGISLATIVE HISTORY:

Date Presented:	7/21/2015	Executive Action:	11/13/2015 S
Committee Referral:	7/21/2015 - THE	Effective Date:	12/29/2015

Committee Action: 9/24/2015 - FAV(A)

Date Introduced: 10/6/2015
Public Hearing: 11/3/2015 - 10:00 AM

Council Action (1) 11/3/2015 - ENACTED
Council Votes: DLD:A, MRF:A, DG:A, AH:A, ML:A, OP:-, DT:A, KT:A, TT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

13-138, 13-161, 13-165, 13-166, 13-167

COMMITTEE REPORTS:

Transportation, Housing and Environment Committee

Date 9/24/2015

September 24th, 2015

Committee Vote: Favorable with Amendments, 5-0 (In favor: Council Members Lehman, Turner, Taveras, Franklin and Glaros)

Staff provided a summary of the bill and referral comments that were received. CB-59-2015 amends the Landlord-Tenant Code to provide certain senior tenants with twenty-four month residential leases; to provide for the administration and notice of the Program; and generally relating to senior tenants.

Eric Brown, Director, Department of Housing and Community Development, and Ron Weinholt of AOBA provided testimony.

Amendments that were accepted are as follows:

On page 1, in line 2, before “Senior”, insert “Age Restricted”.
 On page 1, in line 3, after “certain” insert “age restricted”.
 On page 1, in line 3, strike “tenants” and substitute “lessees”.
 On page 1, in line 4, strike “to establish the Senior Tenant Rental Leases Program;”.
 On page 1, in line 5, strike “tenant” and in line 6, after “leases” insert “in age restricted senior housing”.

On page 2, after line 4, insert: “(1.1) Age restricted senior housing means any senior facility and/or building that has an age restriction of 55 years and older for a lease to live in the facility and/or building.”

On page 2, in line 6, strike “tenant” and substitute “lessee”.
 On page 2, in line 6, strike “sixty-two (62)” and substitute “fifty-five (55)”.
 On page 2, in line 10, strike the brackets and in line 11, strike the bracket and in line 12, strike the bracket.

On page 3, in line 1, strike “tenants” and substitute “lessees”.
 On page 3, in line 8, strike “tenant” and substitute “lessee”.
 On page 3, in line 8, strike “privately managed”, and strike “market rate rental” and substitute “age restricted senior”.
 On page 3, in line 8, strike the second “tenant” and substitute “lessee”.
 On page 3, in line 9, strike “The types of rental” and substitute “Rental”.
 On page 3, in line 10, after “for” insert “Department of Housing and Urban Development”.
 On page 3, in line 10, strike “and” and substitute a comma.
 On page 3, in line 10, strike “managed”.
 On page 3, in line 10, after “housing” insert “assisted living, care home and nursing home facilities. The twenty-four (24) month lease or renewal lease shall apply to senior lessees in a facility that are at least fifty five (55) years of age at the time the lease or renewal is offered.”

CB-59-2015 (DR-2) Age Restricted Senior Rental Leases

On page 3, in lines 14-16, strike “At the beginning of a new or renewal twenty-four (24) month senior lease, the rent may be increased by no more than the Baltimore-Washington area cost of living index.”
 On page 3, strike lines 17-19.
 On page 3, in line 20, strike “(e)” and substitute “(d)”.
 On page 3, in line 20, strike “tenants” and substitute “lessees”.
 On page 3, in lines 21, 22, and 23, respectively, strike “option” and substitute “period”.

On page 3, strike lines 26, 27, and 28.
 On page 3, in line 29, strike “(c)” and substitute “(a)”.
 On page 3, strike “certify” in line 29, down through “(2)” in line 30, and substitute “, as part of the biennial renewal process, ”.

On page 4, in line 1, strike “(3)” and substitute “(2)”.
 On page 4, in line 3, strike “(d)” and substitute “(b)”.
 On page 4, in line 5, strike “option” and substitute “period”; and in line 5, strike “tenants” and substitute “lessees”.

On page 4, strike beginning with “The” in line 5 down through “option” in line 6, and substitute “The Department of Permitting, Inspections and Enforcement may deny, suspend or revoke a rental license or the renewal of a rental license, pursuant to Section 13-184 or 13-187 of the Code, if they find that the landlord has not offered this lease period”.

On page 4, after line 6, insert: “(c) The Department of Housing and Community Development, in conjunction with the Department of Social Services and the Office on Aging, will use HUD and other housing resources to help encourage financial literacy and to provide housing information to seniors.”

Staff provided a summary of the bill and referral comments that were received.

Eric Brown, Director, Department of Housing and Community Development, and Maryann Dillon, HIP provided testimony in support of the bill. Several senior citizens from Evergreen and the Willows in Bowie also testified in support of this bill.

The Office of Law determined that CB-59-2015 was in proper legislative form and without legal impediments to its adoption.

The Office of Audits and Investigation indicated there will be no adverse fiscal impact on the County as a result of adopting CB-59-2015 (DR-2).

September 17th 2015

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BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This bill concerns certain senior rental leases and amends the Landlord-Tenant Code to provide certain senior tenants with twenty-four month residential leases in the County.

10/6/2015: CB-59-2015 (DR-2) was amended on the floor prior to introduction as follows:

1. On page 2, strike beginning with "an" in line 13 down through " facility" in line 14, and substitute "in age restricted senior housing".

2. On Page 3, strike beginning with "rental" in line 12 down through the second "housing" in line 13.

CB-59-2015 (DR-3) was introduced

CODE INDEX TOPICS:

INCLUSION FILES:
