



Prince George's County Council

Agenda Item Summary

Meeting Date: 10/24/2022

Effective Date:

Reference No.: CB-088-2022

Chapter Number:

Draft No.: 2

Public Hearing Date: 10/24/2022 @ 10:00 AM

Proposer(s): Medlock

Sponsor(s): Medlock, Turner, Streeter, Harrison, Glaros, Hawkins, Ivey, Franklin and Taveras

Item Title: AN ACT CONCERNING LANDLORD-TENANT CODE COMMON AREA SECURITY EQUIPMENT for the purpose of providing that the Landlord-Tenant Code require that any portion (of the premises in multi-family communities) retained under the control of the landlord shall be kept reasonably safe consistent with Maryland State law and providing that certain safety features provided by the landlord shall be properly installed, maintained and fully functional; providing for enforcement; and generally relating to safety defects in the common areas provided by the landlord.

Drafter: Monica Best-James

Resource Personnel: Nellvenia W. Johnson, Chief of Staff, District 6

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
09/06/2022	County Council	presented and referred	PHED
	Action Text: This Council Bill was presented by Council Member Medlock and referred to the Planning, Housing and Economic Development Committee.		
09/13/2022	PHED	Held in Committee	
	Action Text: A motion was made by Vice Chair Glaros, seconded by Council Member Hawkins, that this Council Bill be Held in Committee. The motion carried by the following vote: Aye: 4 Franklin, Glaros, Harrison and Hawkins Absent: 1 Turner		
09/21/2022	PHED	Favorably recommended with amendments	County Council
	Action Text: A motion was made by Council Member Turner, seconded by Council Member Hawkins, that this Council Bill be Favorably recommended with amendments to the County Council. The motion carried by the following vote:		

Aye: 5 Franklin, Glaros, Harrison, Turner and Hawkins

09/27/2022 County Council amended

Action Text:

A motion was made by Council Member Turner, seconded by Council Member Medlock, that this Council Bill be amended. The motion carried by the following vote:

Aye: 10 Ivey, Streeter, Taveras, Turner, Burroughs, Medlock, Hawkins,
Franklin, Glaros and Harrison

Absent: 1 Dernoga

09/27/2022 County Council introduced

Action Text:

This Council Bill was introduced by Council Members Medlock, Turner, Streeter, Harrison, Glaros, Hawkins, Ivey, Franklin and Taveras.

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

Constituents residing in multi-family rental facilities have expressed concerns for their safety as a result of unsafe conditions created when landlords fail to secure certain common areas controlled by the landlords. For example, unsecured garage entryways and parking lots, broken security gates, broken lighting, malfunctioning security cameras and broken locks on entry ways are among the primary complaints and concerns reported by tenants.

This bill will require landlords to keep common areas "in reasonably safe condition" to discourage criminal activity by residents and third parties. An enforcement element is also included to encourage compliance with this law and to promote the health, safety and welfare of County residents. This regulation is not intended to serve as a substitute for any other penalty authorized under federal law, state law, municipal law or civil action.

(The general rule of law in Maryland is that a landlord has a responsibility "to use reasonable diligence and ordinary care to keep the portion [of the premises] retained under his control in reasonably safe condition." Scott v. Watson, 278 Md. 160, 165 (1976). Numerous courts have ruled that this law applies to defects in the common areas and to criminal acts committed in the common areas that are under landlord's control, particularly when the landlord knew or should have known about the issues.)

Document(s): B2022088, CB-088-2022 AIS, CB-088-2022 Report, CB-088-2022 PAFI, CB-088-2022 ZHE Memo