

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2019 Legislative Session

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**Reference No.:** CB-38-2019

**Draft No.:** 2

**Committee:** PLANNING, HOUSING AND ECONOMIC DEVELOPMENT

**Date:** 10/17/2019

**Action:** FAV (A)

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### REPORT:

Committee Vote: Favorable as amended, 4-1 (In favor: Council Members Glaros, Davis, Dernoga, and Ivey. Oppose: Council Member Hawkins)

The Planning, Housing, and Economic Development (PHED) Committee convened on September 11 and October 17 to consider CB-38-2019. At the September 11 meeting, the Committee Director summarized the purpose of the legislation and informed the Committee of written referral comments received. The Legislative Officer and Senior Policy Analyst summarized changes included in a Proposed Draft-2 (DR-2) to clarify in Section 15A-101 the County's regulatory powers, to include source of income in the definitions and as a protection status, and to include immigration status, citizenship status, source of income in Subtitle 2, Sec. 2-210 concerning "Sale or rental of housing; exception." The Legislative Officer commented on the proposed language being similar to the City of Annapolis recent legislation concerning source of income and fair housing as well as a Montgomery County case in which the county prevailed on not allowing discrimination based on housing choice vouchers.

Renee Battle-Brooks, Prince George's County Human Relations Commission (HRC), V'Hesspa Glenn, Sumeana Leslie, and Jose Villegas, also representing HRC, testified regarding the Commission's mission and interest in all things anti-discrimination. The HRC representatives provided comments on the proposed changes to Division 2 which includes the housing section that authorizes the agency to enforce issues of discrimination.

Mike Cerrito, representing Prince George's County Association of Realtors (PGCAR), and Erin Bradley, representing Apartment and Office Building Association, testified regarding their concerns with the inclusion of source of income as a protected class and the mandate for landlords to accept housing choice vouchers. Michael A. Graziano, PGCAR Executive Vice President, submitted a letter dated September 11, 2019 to Committee Chair Glaros informing the Committee of the Association's opposition to the bill as drafted.

The Office of Law reviewed the legislation and determined that it is in proper legislative form with no legal impediments to its enactment.

At the October 17 meeting, the Committee Director informed the Committee of additional

correspondence received since the September 11 meeting. The Senior Legislative Auditor and Senior Policy Analyst submitted an October 16, 2019 Policy Analysis and Fiscal Impact Statement. Adoption of CB-38-2019 should not have an adverse fiscal impact on the County.

Gustavo Torres, CASA Executive Director, submitted a letter to Committee Chair Glaros in support of CB-38-2019. Mr. Graziano submitted a letter dated October 17, 2019 to the Committee Chair stating the PGCAR opposition to the bill as currently drafted.

The Legislative Officer summarized revisions contained in a Proposed Draft-2A (DR-2A) as well as those provided on an amendment sheet as follows:

1. On page 2, in line 11, after “education,” insert “financial lending”.
2. On page 2, in lines 11-12, strike “source of income”.
3. On page 5, line 29, after “unit” insert, “unless to comply with a federal or state law or a court order.”
4. On page 5, line 31, after “status” insert “, unless to comply with a federal or state law or a court order.”
5. On page 6, line 9 strike “and”

Mr. Cerrito testified regarding his continued concern that the legislation requires landlords to accept Section 8 vouchers. The Legislative Officer and Senior Policy Analyst reiterated that the housing choice voucher program is a voluntary program for landlords that choose to participate. The Committee requested that the legislation and the legislative history clearly reflect that acceptance of the housing choice voucher program is voluntary.

Council Member Davis made a motion to accept the changes on the amendment sheet, seconded by Council Member Ivey. The motion passed unanimously. Council Member Ivey made a motion for favorable recommendation on Proposed DR-2A as amended, seconded by Council Member Davis. The Committee voted for a favorable recommendation, 4-1, as to CB-38-2019, as amended.