

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Bill No. CB-070-2021

Chapter No. _____

Proposed and Presented by Council Member Jolene Ivey

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

EMERGENCY BILL

1 AN EMERGENCY ACT concerning Extending Current Limitations Against Rent Increases,
2 Late Fees & Penalties for One Year After The COVID-19 Public Health Crises Ends

3
4 For the purpose of Extending Current Limitations Against Rent Increases, Late Fees & Penalties
5 for One Year After The COVID-19 Public Health Crises Ends

6 BY repealing and reenacting with amendments:

7 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

8 Sections 13-138, 13-139, 13-140, 13-141, and 13-142

9 The Prince George's County Code

10 (2019 Edition; 2020 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, that Sections 13-138, 13-139, 13-140, 13-141, and 13-142 of the Prince George's
13 County Code be and the same are hereby repealed and reenacted with the following
14 amendments:

15 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

16 **DIVISION 3. LANDLORD AND TENANT RELATIONS.**

17 **SUBDIVISION 1. GENERAL PROVISIONS.**

18 **Sec. 13-138. Definitions.**

19 * * * * *

20 (11.1) Tenant With Substantial Loss of Income shall mean any person who occupies:

21 (A) a rental dwelling unit for living or dwelling purposes; and

(B) tenant shall mean an existing tenant and does not include a prospective tenant;
and

(C) this new provision is provided for tenants that are able to provide proof through documentation or other objectively verifiable means, that the tenant suffered a Substantial Loss of Income and are therefore unable to make rent payments as a result of the emergency, as defined by the Governor of the State of Maryland's Executive Order Number 20-04-30-01, 20-03-30-01 and 20-05-13-01, as amended and extended by the Governor, [and] under Section 14-3A-02 of the Public Safety Article of the Maryland Code[.], and the Centers for Disease Control and Prevention Order dated August 3, 2021.

* * * * *

Sec. 13-139. - Rent Increases-Limitations and Late Fees or Penalties During Certain Emergencies - Prohibited.

* * * * *

(b) A landlord shall not issue notice of a rent increase, late fees or penalties during an emergency and within [90 days] one year after the expiration of an emergency.

* * * * *

Sec. 13-140. - Notices of rent adjustments and Rent Payment Plans During the Emergency.

During an emergency, and within [90 days] one year after the expiration of the emergency, a landlord:

- (a) shall not notify a tenant with substantial loss of income of a rent increase; or
- (b) shall inform a tenant with substantial loss of income in writing to disregard any notice of a rent increase if:

- (1) the landlord provided the notice to the tenant with substantial loss of income prior to the emergency; and
- (2) the effective date of the increase would occur on or after the date the emergency began; and

(c) may offer rent payment plans, in writing, to tenants with substantial loss of income.

* * * * *

Sec. 13-141. - Late fees or penalties - when prohibited.

1 (a) A landlord shall not charge late fees if they apply to payments required during the
2 emergency[.] and for a period of one year after the expiration of the emergency.

3 (b) A landlord shall not charge penalties during the emergency[.] and for a period of one
4 year after the expiration of the emergency.

5 (c) A landlord shall inform a tenant in writing to disregard any late fee or penalty notice if
6 the landlord provided the notice to the tenant during the emergency[.] and for a period of
7 one year after the expiration of the emergency.

8 (d) A landlord may charge the costs of return check fees.

9 * * * * *

10 **Sec. 13-142. - Notice of prohibition of certain rent increases, limitations on the rate of**
11 **certain rent increases, late fees and penalties.**

12 (a) Department of Housing and Community Development (DHCD) and Department of
13 Permitting Inspection and Enforcement (DPIE) shall provide information about the
14 requirements of this Subdivision on their respective websites, including the date that the
15 emergency expires, and the date that is [90 days] for a period of one year after the
16 expiration of the emergency.

17 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
18 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
19 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
20 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
21 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
22 Act, since the same would have been enacted without the incorporation in this Act of any such
23 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
24 or section.

25 SECTION 3. BE IT FURTHER ENACTED that in accordance with the provisions of
26 Section 317 of the Charter, the County Council hereby declares that a public emergency exists
27 affecting the public health, safety, and welfare; said emergency being the continuing COVID-19
28 pandemic as described by the Centers for Disease Control and Prevention by Order dated
29 August 3, 2021.

30 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the date it
31 becomes law.

1 Adopted this ____ day of _____, 2021, by an affirmative vote of two-thirds of
2 the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:

Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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