

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2012 Legislative Session**

Bill No. CB-89-2012

Chapter No. 88

Proposed and Presented by Council Members Turner, Olson, Campos, Lehman

Toles and Patterson

Introduced by Council Members Turner, Olson, Campos, Lehman, Toles and Patterson

Co-Sponsors \_\_\_\_\_

Date of Introduction October 23, 2012

**BILL**

1 AN ACT concerning

2 Common Ownership Communities Rental Housing License Requirements

3 For the purpose of amending the rental housing license requirements for single-family and  
4 multifamily rental facilities in common ownership communities, allowing for suspension,  
5 revocation and denial of licenses in certain circumstances; and generally relating to rental  
6 housing licenses in Prince George's County.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

9 DIVISION 4. RENTAL HOUSING

10 Sections 13-181 and 13-183,

11 The Prince George's County Code

12 (2007 Edition, 2010 Supplement)

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
14 Maryland, that Section 13-181 and 13-183 of the Prince George's County Code be and the same  
15 are hereby repealed and reenacted with amendments:

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

17 **DIVISION 4. RENTAL HOUSING.**

18 **Sec. 13-181. License required.**

19 (a) No person shall conduct or operate or cause to be operated either as owner, lessee,  
20 agent, or in any other capacity within the County any single-family rental facility or any

1 multifamily rental facility as defined in Section 13-138(a) without having first obtained a license  
2 as provided in this Division. [By December 31, 1993, the legal owner of record of each single-  
3 family rental facility shall apply with applicable fee to the Director for a license to operate.  
4 Notwithstanding the above, any single-family rental facility that has a valid application pending  
5 may continue to operate without a license until its issuance or denial is established within this  
6 Division.]

7 (b) Implementation of this Division shall be established by procedures adopted by the  
8 Director.

9 (c) Notwithstanding the provisions of Subsection (a), above, no license shall be required  
10 for a single-family rental facility in any of the following circumstances:

11 (1) If the tenant is the landlord's parent, son, daughter, sibling, grandchild,  
12 grandparent, or in-law;

13 (2) If the landlord is an active member of any branch of the United States Armed  
14 Forces, Diplomatic Corps, or Foreign Service who maintains the subject property as her or his  
15 domicile and permanent residence; or

16 (3) If the landlord has been relocated for employment or education, maintains the  
17 subject property as her or his domicile and permanent residence, and the subject property has not  
18 been leased for more than two (2) consecutive years.

19 **Sec. 13-182. License application; existing or new premises.**

20 (a) The legal owner of record of each existing single-family rental facility or multifamily  
21 rental facility shall make written application to the Director for a license for such use, on a form  
22 to be supplied by the Director and containing such information as necessary to administer and  
23 enforce the provisions of, and to insure compliance with the provisions of, this Division and the  
24 Housing Code in its entirety. Such information shall include, but shall not be limited to, the  
25 name and address of the owner's mortgage holder. There shall be a continuing obligation on the  
26 part of the license holder to update the information on the application and/or to supply  
27 information not previously submitted. In addition, the legal owner of record of each such  
28 multifamily rental facility newly constructed shall make written application to the Director for a  
29 license, as herein provided, prior to any initial occupancy.

30 (b) No license for a single-family rental facility will be granted until the premise meets the  
31 minimum standards of the County Code.

\* \* \* \* \*

**Sec. 13-183. Common Ownership Communities requirements.**

(a) In this section the following words have the meanings indicated:

(1) Common Ownership Community has the same meaning at Section 13-316 of the County Code.

(2) Common Ownership Community Fees mean fees charged by the entity authorized to impose a fee on the owner or occupant of a housing unit in connection with the provision of services or to the benefit of the common areas in the community.

(b) For an application for a single-family rental facility or multifamily rental facility in a Common Ownership Community, in addition to the information required under Sec. 13-182, an applicant shall provide the following information:

(1) name of the Common Ownership Community;

(2) A certification by the applicant that the dwelling unit does not have a lien placed upon it by a Common Ownership Community for non-payment of Common Ownership Community Fees and that the dwelling unit does not violate the covenants or bylaws of the Common Ownership Community. The applicant shall provide evidence with the application to the Director from the Common Ownership Community consistent with this section.

(c) The Director may suspend, revoke or deny a license pursuant to Section 13-184 or Section 13-187, where a Common Ownership Community provides documentation to the Department of a final adjudication that:

(1) use of the dwelling unit as a rental violates the covenants or bylaws that govern the unit; or

(2) that the dwelling unit has a lien place upon it by a Common Ownership Community for non-payment of Common Ownership Community fees.

\* \* \* \* \*

SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such

1 invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.

2 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)

3 calendar days after it becomes law.

Adopted this 20<sup>th</sup> day of November , 2012.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Andrea C. Harrison  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
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.