



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

September 12, 2022

FISCAL AND POLICY NOTE

TO: Robert J. Williams, Jr.
Council Administrator

William M. Hunt
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Arian Albear 
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-088-2022

CB-088-2022 (*Proposed and presented by:* Council Member Medlock)

Assigned to the Planning, Housing, and Economic Development (PHED) Committee

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.

Fiscal Summary

Direct Impact

Expenditures: Small increase in expenditures likely.

Revenue: No additional revenue likely.

Indirect Impact

None likely.

Legislative Summary

CB-088-2022¹, proposed by Council Member Medlock, was presented on September 6, 2022, and referred to the Planning, Housing, and Economic Development (PHED) Committee. CB-088-2022 would add a requirement that a landlord maintain all security equipment in working order and capable of performing its designed function. Security measures and security equipment are defined as including, but not limited to, “the maintenance of garages and parking lots, security gates, entry locks, lighting, security cameras, alarm systems, fencing and any measures designed to keep common areas of the leased premises under the landlord’s control in reasonably safe condition.”

The bill enables the Department of Permitting, Inspections, and Enforcement (DPIE) to investigate any tenant complaints regarding non-functioning security equipment. Violations are subject to a fine of up to \$500.

Finally, CB-088-2022 would add gender neutral language when referencing “the landlord” and reorganize, in alphabetical order, the “Definitions” under Sec. 13-138.

Background/Current Law

The current Prince George’s County Landlord-Tenant Code, under Section 13-162.02 of the County Code, requires that equipment provided by the landlord be “properly installed, connected, and maintained, and... capable of adequately performing the function for which it was designed.”²

This bill would not require the provision of any particular equipment but would reiterate the requirement that any *security equipment* that is provided is properly *maintained*. Additionally, the bill would establish enforcement capabilities only limited to air conditioning under Section 13-162.02.

Resource Personnel

Monica Best-James, Drafter.
Nellvenia W. Johnson, Chief of Staff, District 6.

¹ [CB-088-2022](#).

² [Prince George’s County Code, §13-162.02](#)

Discussion/Policy Analysis

While establishing a “Security Measures and Security Equipment” subsection would specifically mention security equipment, CB-088-2022 would reiterate provisions which already exist under §13-162.02, “Equipment provided by the landlord” subsection (a) that “[e]quipment which is provided by the landlord shall be properly installed, connected, and maintained, and shall be capable of adequately performing the function for which it was designed.” This Bill would, however, add enforcement authority to the “maintenance” requirement, as the enforcement authority under §13-162.02 is limited to the required maintenance of air conditioning provided by a landlord.

While requiring that existing equipment be maintained in working order, the bill would not impose any requirement for a minimum standard of security in common areas. This may work adversely to disincentivize some landlords from providing enhanced security measures at the cost of possible fines when these are not properly functioning. Additionally, the bill does not provide a timeframe in which a landlord must fix any broken equipment before accruing a fine; ostensibly leaving it to DPIE’s discretion.

Fiscal Impact

- *Direct Impact*

Enactment of CB-088-2022 could pose a modest adverse fiscal impact on the County by increasing the number of inspections DPIE would carry out as a result of tenant complaints. These costs would be at least partially offset by the \$500 fine per violation, when a violation is found, and the fine is collected.

- *Indirect Impact*

None likely.

Effective Date of Proposed Legislation

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please email me.