

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2017 Legislative Session

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**Reference No.:** CB-39-2017

**Draft No.:** 2

**Committee:** TRANSPORTATION, HOUSING AND ENVIRONMENT COMMITTEE

**Date:** June 14, 2017

**Action:** FAV(A)

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### REPORT:

**June 14, 2017**

Committee Vote: Favorable with Amendments, 4-0 (In favor: Council Members Turner, Lehman, Franklin and Taveras)

CB-39-2017 establishes a Vacant and Abandoned Residential Property Program including maintaining a property registry. The property registry shall include defined terms, responsible parties, reporting requirements, exemptions or exclusions, registry fees and disclosure provisions. Violating the Program carries a penalty not to exceed \$1,000 per violation. Unpaid fees may constitute a lien on the property and may be collected in the same manner that taxes are collected. Revenue generated from penalties is remitted back to the Department of Permitting, Inspections and Enforcement. The provisions of this bill do not apply to property owned by public agencies.

The amendments are as follows:

1. On page 1, in line 17, strike “(a)”; on page 1, strike beginning with “subject” in line 18 down through “hearing” in line 19; and on page 1, in line 20, strike “(1)” and substitute “(a)”.
2. On page 2, strike lines 3 through 7. On page 2, in line 2, strike the semicolon and insert a period.
3. On page 2, in line 8, strike “(3)” and substitute “(b)”; on page 2, in line 9, strike “of up to” and substitute “not to exceed”; and in line 9, strike “with each day constituting a separate and distinct violation”.
4. On page 2, strike lines 10-11, and insert “Unpaid fees under this Section may constitute a lien on the property and may be collected in the same manner that taxes are collected.”

The Office of law has reviewed the above-referenced bill as it was presented on April 18, 2017, and offer the following comments:

Page 2, L 3: Per Section 813 of the Charter, Registry fees may be subject to referendum.

Page 2, Lines 9-10: Section 10-202 of the Local Government Article caps civil fines at \$1,000.

Page 2, Lines 12-13: The authority to impose a tax lien on a property must come from the State of Maryland. At this time, it is unclear as to the authority that the County has to impose a tax lien as proposed in this bill.

The Office of Audits and Investigation indicated that enactment of CB-39-2017 may result in a positive fiscal impact on the County related to any revenues from registry fees or the assessment and collection of penalties for violation. However, any positive impact may be offset by any additional costs of the Department of Permitting, Inspections, and Enforcement to establish and operate the program, which are not known at this time.