

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2025 Legislative Session

Bill No. CB-051-2025

Chapter No. _____

Proposed and Presented by Council Member Fisher

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

BILL

1 AN ACT concerning

2 Housing Code of Prince George's County

3 For the purpose of amending the Housing Code to add email or e-mail, by written consent to the
4 methods of service of a notice of violation, civil citation, and administrative citation of the
5 Housing Code; providing that a rental license and renewal license application shall contain
6 written authorization for a licensee to have the option to provide written consent to service of
7 notice of violation, civil citation, and administrative citation by email or e-mail; providing for a
8 certain definition; providing for the Department to issue certain guidelines; and generally
9 regarding a notice of violation, civil citation, and administrative citation of the Housing Code by
10 written consent, via email or e-mail.

11 BY repealing and reenacting with amendments:

12 SUBTITLE 13. HOUSING AND PROPERTY
13 STANDARDS.

14 Section 13-112, 13-182, 13-185, 13-1125

15 The Prince George's County Code
16 (2023 Edition; 2024 Supplement).

17 SUBTITLE 28. CIVIL MONETARY FINES OR
18 PENALTIES.

19 Section 28-230,

20 The Prince George's County Code
21 (2023 Edition; 2024 Supplement)

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 13-112, 13-182, 13-185, 13-1125 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

DIVISION 1. HOUSING CODE.

SUBDIVISION 2. AMENDMENTS TO HOUSING CODE.

Sec. 13-112. - Same; Section 107, Notices and Orders.

(a) Section 107.1 is amended to read as follows:

107.1 Notice to owner or to person or persons responsible. Whenever the Code Official determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice shall be given to the owner or the person or persons responsible therefore in the manner prescribed in Sections 107.2 and 107.3. Notices declaring a structure unfit shall also comply with Section 108.3.

(b) Section 107.3 is amended to read as follows:

107.3 Method of Service. Such notice shall be deemed to be properly served if a copy thereof is delivered personally or sent by certified or first-class mail addressed to the last known address, or by written consent, sent by email or e-mail. Except for email or e-mail, if the notice is returned showing that the letter was not delivered a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Email or e-mail is the exchange of computer-stored messages from one user to one or more recipients through the internet that requires a webmail server address. The Department shall provide guidelines for implementation of email and e-mail methods of service. The guidelines shall include a method of prompting, promoting, or reminding those who consented to service through email of maintaining their current email with the Department. It is the responsibility of those who consent in writing to be served a notice of violation, civil citation, and administrative citation of the Housing Code by email or e-mail to maintain a current email or e-mail address with the Department.

[(b)] (c) Section 107.5 is amended to read as follows:

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease, or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied

with, or until such owner shall first furnish the grantee, transferee, mortgagee, or lessee a true copy of any compliance order or notice of violation issued by the Code Official.

[(c)] (d) a new Section 107.6 is added to read as follows:

107.6 Transfer of responsibility. A contract, lease, or other agreement, effective as between the owner and operator, operator and occupant, or owner and occupant, with regard to matters covered hereunder, shall not relieve any party of the direct responsibility under the provisions of this Code.

SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.

DIVISION 4. RENTAL HOUSING.

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

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

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

(c) The license application shall contain authorization for the licensee to have the option to consent in writing to service of notice of violation, civil citation, and administrative citation of Housing Code violations by email or e-mail. The license application shall provide for the placement of the optional signature of an applicant for service by email or e-mail.

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Sec. 13-185. - License renewal.

(a) Unless revoked or suspended for cause prior to expiration, each license issued under this Division shall expire not less than one (1) year nor more than two (2) years from the date of initial issuance or renewal as the Director may determine is necessary to develop and maintain an

1 evenly distributed work schedule of the inspection and licensing program. The licensing fee shall
2 be prorated in accordance with the schedule set forth in Section 13-189 of this Code.

3 (b) The renewal license application shall contain authorization for the licensee to have the
4 option to consent in writing to service of notice of violation, civil citation, and administrative
5 citation of Housing Code violations by email or e-mail. The renewal license application shall
6 provide for the placement of the optional signature of an applicant for service by email or e-mail.

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

8 **DIVISION 15. ADMINISTRATIVE HEARINGS.**

9 **SUBDIVISION 1. GENERAL PROVISIONS.**

10 **Sec. 13-1125. - Administrative Citations.**

11 (a) **Required contents.** A citation issued under this Division shall include, at a minimum:

- 12 (1) date of issuance;
- 13 (2) the name and address of the party charged;
- 14 (3) the address of the location at which the violation occurred;
- 15 (4) the date and time that the violation occurred;
- 16 (5) a description of the nature of the violation;
- 17 (6) the section of this Code that was violated;
- 18 (7) the manner and time in which the person shall either:
 - 19 (A) pay the prescribed fine prescribed for the violation and correction of the
 - 20 violation or
 - 21 (B) request a hearing on the violation;
- 22 (8) the time within which the violation, if ongoing, must be abated; and
- 23 (9) a notice that failure to pay the fine and correct the violation, or to request a hearing,
- 24 within the prescribed time may result in a default decision and order entered against the party.

25 (b) **Service of citations.** A citation shall be:

- 26 (1) issued by an Inspector; and
- 27 (2) served on the person or property and the property owner cited by one of the
- 28 following methods:
 - 29 (A) in person;
 - 30 (B) first class mail;
 - 31 (C) delivery to a person 18 years or older who resides at the cited person's last

known address; or

(D) posting on the front door of the property; or

(E) delivery to the registered agent by first class mail[.]; or

(F) delivery by email or e-mail, by written consent. Email or e-mail is the exchange of computer-stored messages from one user to one or more recipients through the internet that requires a webmail server address. The Department shall provide guidelines for implementation of email and e-mail methods of service. The guidelines shall include a method of prompting, promoting, or reminding those who consented to service through email of maintaining their current email with the Department. It is the responsibility of those who consent in writing to be served an administrative citation of the Housing Code by email or e-mail to maintain a current email or e-mail address with the Department.

(3) If applicable, mailed to the property owner and registered management agent for multifamily property.

(c) **Effect of citation.** When properly issued and served, the citation or a copy of it shall:

(1) constitute full and complete notice of the violation cited in it;

(2) constitute full and complete notice of an order of abatement, if abatement is ordered; and

(3) constitute prima facie evidence of the facts contained in it, if sworn to or affirmed under the penalties of perjury.

(d) **Single document permissible.** A single document may be used to issue two or more separately numbered citations.

(e) **Electronic signature.** An electronic signature may be used to execute a citation and to serve as an affirmation, under the penalties of perjury, that the facts stated in the citation are true.

(f) **Records of citation to be kept.** The original or a copy of the citation shall be filed and retained in the records of the Administrative Hearing Unit.

SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 28-230 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 28. CIVIL MONETARY FINES OR PENALTIES.

DIVISION 2. HOUSING CODE VIOLATIONS.

SUBDIVISION 3. CITATION.

Sec. 28-230. Issuance of citation.

Subsequent to service of notice of violation pursuant to Section H-140.1 of the Housing Code; the expiration of a grace period, if any; and verification by the Department that the civil violation exists, the Department may deliver or mail or by written consent, email or e-mail a citation to the person deemed responsible. Email or e-mail is the exchange of computer-stored messages from one user to one or more recipients through the internet that requires a webmail server address. The Department shall provide guidelines for implementation of email and e-email methods of service. The guidelines shall include a method of prompting, promoting, or reminding those who consented to service through email of maintaining their current email with the Department. It is the responsibility of those who consent in writing to be served a civil citation of the Housing Code by email or e-mail to maintain a current email or e-mail address with the Department. The citation shall serve as the notification to the person concerned that he is charged with a civil violation of the Housing Code and that he has been assessed a civil monetary fine which, unless overturned by Court action, shall be due and payable to the County.

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

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this ____ day of _____, 2025.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Edward P. Burroughs III
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Tara H. Jackson
Acting 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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