

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2024 Legislative Session

Reference No.:	CB-002-2024
Draft No.:	2
Committee:	PLANNING, HOUSING AND ECONOMIC DEVELOPMENT
Date:	5/16/2024
Action:	FAVORABLE (A)

REPORT: Committee Vote: Favorable, as amended, 5-0 (In favor: Council Members Dernoga, Ivey, Franklin, Hawkins, and Olson)

The Planning, Housing and Economic Development (PHED) Committee convened on March 7, 2024, to consider CB-2-2024. The PHED Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. As presented on February 6, 2024, Draft-1 of the bill for the purpose of providing for a certain definition, amending the Housing Code to add email, by written consent by certain persons to the methods of service of a notice of violation, civil citation, and administrative citation of the Housing Code; providing that a rental license application and renewal license application shall contain written authorization for a licensee to have the option to provide written consent to service of notice of violation, civil citation, and administrative citation by email; providing for the Department to provide certain guidelines; providing for a certain definition; providing for certain requirements; and generally regarding a notice of violation, civil citation, and administrative citation of the Housing Code by email, by written consent by certain persons.

The bill sponsor, Council Member Fisher, explained that the bill was presented last year at the end of the County Council legislative year. Council Member Fisher also explained that this bill would help modernize systems to get the needed results for correcting code violations and allowing property owners to know what is going on with their property.

Ms. Sakinda Skinner, County Council Liaison, stated that the County Executive's Office supported CB-002-2024 but would like to offer a few friendly amendments to the bill. Ms. Lori Parris, Senior Advisor to the Director of the Department of Permitting, Inspections, and Enforcement (DPIE), explained that the amendment would state that service by certified mail or first-class mail is not required if email consent is given. In addition, failure to update DPIE with a new email is not a basis for challenging the notification service. Council Member Fisher had questions regarding licensees who do consent to email and how they will be notified. Chair Ivey asked about whether the notice option changes after the first notice.

Ms. Parris explained that properties are posted, and notices are sent via first-class mail. Chair Ivey also discussed requiring the licensee to pay the extra mailing charges after the first notice.

CB-002-2024 (DR-2) Report

The Office of Audits and Investigations submitted a Policy Analysis and Fiscal Impact Statement dated March 5, 2024, indicating the enactment of CB-2-2024 will have a direct adverse fiscal impact of approximately \$150,000 to reconfigure the Momentum system to accommodate the change. The agency could also decrease current operational costs by requiring fewer citations by mail, which currently costs \$2,000 per budget year. The indirect fiscal impact would be favorable because it will increase the efficiency of issuing violations and reminders, which may produce timely responses from property owners.

Council Member Oriadha spoke in support of the legislation. Council Member Olson requested that an amendment offered by the Prince George's County Association of Realtors be added to the bill. Ms. Canning and Ms. Parris both accepted the amendment.

The amendment is under Section 13-112. On page 3, line 22, strike the word "or" and replace it with "and."

The language at the end of line 22 would read: "and by written consent of the rental license applicant or rental renewal license applicant, sent by email."

The subtle change may assist with making the distinction that email is not the only source of the notification.

Ms. Amber Waller, President of the 8th Precinct Civic Association, and Ms. Rachiel Durant, President of Avondale CDC, both spoke in support of the bill.

After a lengthy discussion, the PHED Committee held the bill in for additional amendments.

The Planning, Housing and Economic Development (PHED) Committee convened on May 16, 2024, to consider CB-002-2024 and discuss amendments to the bill. An overview of the bill was given again. Ms. Kathy Canning, Legislative Attorney, explained the amendments to the bill proposed by Council Member Dernoga. The amendments were technical and are listed below.

On page 4, in line 1, strike "them" and substitute "the applicant"; and on page 4, in line 1, strike "notice related" and substitute "notice-related."

2. On page 4, in line 27, strike "them" and substitute "the applicant"; and on page 4, in line 27, strike "notice related" and substitute "notice-related."
3. On page 5, in line 10, strike "them" and substitute "the applicant"; and on page 5, in line 11, strike "notice related" and substitute "notice-related."

Ms. Sakinda Skinner, County Council Liaison, stated that the County Executive's Office supported CB-002-2024 (DR-2) and thanked Council Member Fisher for proposing the legislation.

Ms. Parris stated that DPIE supports the amendments discussed by Ms. Canning and thanked Council Member Fisher for proposing them.

After a discussion on Chair Dernoga's motion, seconded by Vice Chair Ivey, the PHED Committee voted favorably on the technical amendments to the bill.

CB-002-2024 (DR-2) Report

Next, on a motion of Vice Chair Ivey, seconded by Council Member Olson, the PHED voted favorably on CB-002-2024 (DR-2) as amended.