



Angela D. Alsobrooks
County Executive

PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

June 22, 2020

The Honorable Todd M. Turner, Chair
Prince George's County Council Members
Prince George's County Council
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Re: CB-16-2020

Dear Chair Turner and Members of the County Council:

Thank you for this opportunity to share some thoughts and concerns regarding the above-referenced legislation. As adopted, there are two concerns that the legislation does not reflect the intent of the County Council.

First, the definition of "tenant" was changed to three-prong criteria and every element must meet the definition. Specifically, a tenant shall mean any person who occupies (A) a rental dwelling unit for living or dwelling purposes; (B) tenant shall mean an existing tenant and does not include a prospective tenant; and (C) any person who suffered substantial loss of income as defined in the Governor's Emergency Orders. Prior to adoption of CB-16-2020, tenant was simply defined as a person who occupies a rental dwelling unit for living or dwelling purposes.

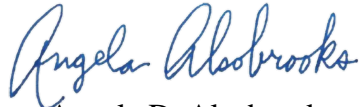
The concern is that the definition in CB-16-2020 is much narrower than the former definition and as written, this very narrow definition can be incorrectly interpreted to apply to all portions of Divisions 3 and Division 4 of the Subtitle 13. Those divisions include several protections and obligations for tenants as previously defined. The concern is that this recently adopted provision could be interpreted to deny tenants the other protections of the law unless they also can show substantial loss of income as set forth in the Governor's orders. That was not the intent of the legislation and Councilmember Ivey, who originally proposed the bill in discussions with members of the Executive Branch, agrees that was not the original intent.

In addition, Councilmember Ivey raised the issue that the "substantial loss of income" portion of the definition was not intended to apply to the prohibition against late fees and penalties. That protection was meant for tenants across the board during the emergency. Executive Branch staff also reviewed the tape recordings from the Council session and agree with Councilmember Ivey's position.

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In conclusion, I recommend that the Council take required action to amend the law to accurately reflect the intent as set forth in this letter. The Executive Branch is willing to help in any way we can to make the revisions. Should you have any questions or concerns, please contact Terry Bell, Council Liaison, at (301) 780-2953.

Sincerely,



Angela D. Alsobrooks
County Executive