

# HOUSE BILL 451

N1, L6

1lr1314

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By: **Delegate Henson**

Introduced and read first time: January 15, 2021

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Residential Rental Property Inspection – Remote Video**  
3 **Inspection**

4 FOR the purpose of requiring certain local jurisdictions to adopt provisions for the remote  
5 video inspection of certain residential rental property under certain circumstances;  
6 requiring a local provision adopted under this Act to be calculated to achieve a  
7 remote video inspection substantially comparable to an on-site visual inspection,  
8 require inspections to be directed by a certain individual, require a certain  
9 verification, and identify the aspects of a property that may be inspected remotely;  
10 providing that a visual record created in accordance with this Act is not a public  
11 record; defining certain terms; and generally relating to the remote video inspection  
12 of residential rental property.

13 BY adding to  
14 Article – Real Property  
15 Section 8–119  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2020 Supplement)

18 Preamble

19 WHEREAS, The Maryland Minimum Livability Code under Title 12, Subtitle 2 of  
20 the Public Safety Article authorizes in certain circumstances and requires in certain  
21 circumstances the inspection of rental housing by counties and municipalities; and

22 WHEREAS, Counties and municipalities impacted by COVID–19 continue to  
23 develop means to maintain critical safety code oversight while personnel and resources are  
24 reallocated, personnel work remotely, and access to shared interior spaces poses an ongoing  
25 health risk; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Remote video inspection provides an alternative to on-site inspection  
2 while allowing scheduling, coordinating, documenting, and processing in a manner that  
3 mirrors the on-site inspection process; and

4 WHEREAS, Remote video inspection allows property inspectors to maintain the  
5 quality of residential rental housing remotely, efficiently, and thoroughly while observing  
6 safety protocols; now, therefore,

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
8 That the Laws of Maryland read as follows:

9 **Article – Real Property**

10 **8-119.**

11 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
12 **INDICATED.**

13 **(2) “LICENSED HOME INSPECTOR” MEANS AN INDIVIDUAL LICENSED**  
14 **BY THE STATE UNDER TITLE 16, SUBTITLE 3A OF THE BUSINESS OCCUPATIONS**  
15 **AND PROFESSIONS ARTICLE.**

16 **(3) “REMOTE VIDEO INSPECTION” MEANS THE INSPECTION OF A**  
17 **PROPERTY OR AN ELEMENT OF A PROPERTY USING TECHNOLOGY THAT ALLOWS A**  
18 **HOME INSPECTOR TO VISUALLY ASSESS WHETHER THE PROPERTY OR ELEMENT**  
19 **MEETS BUILDING AND SAFETY CODE STANDARDS WITHOUT THE HOME INSPECTOR**  
20 **BEING PHYSICALLY PRESENT AT THE PROPERTY.**

21 **(B) EXCEPT IN INSTANCES WHERE THE USE OF A REMOTE VIDEO**  
22 **INSPECTION WOULD BE INADEQUATE OR MAKE IT IMPOSSIBLE TO RENDER A**  
23 **DETERMINATION, A LOCAL JURISDICTION THAT REQUIRES THE INSPECTION OF**  
24 **RESIDENTIAL RENTAL PROPERTY BY A LICENSED HOME INSPECTOR OR SIMILAR**  
25 **PROFESSIONAL DESIGNATED BY THE LOCAL JURISDICTION SHALL ADOPT LOCAL**  
26 **PROVISIONS PROVIDING FOR THE REMOTE VIDEO INSPECTION OF RESIDENTIAL**  
27 **RENTAL PROPERTY:**

28 **(1) DURING A PROTRACTED STATE OF EMERGENCY DECLARED BY**  
29 **THE GOVERNOR; AND**

30 **(2) IN RESPONSE TO A COMPLAINT BY A TENANT OF A DANGEROUS OR**  
31 **HAZARDOUS CONDITION IN A RESIDENTIAL RENTAL PROPERTY OR AN ELEMENT OF**  
32 **A RESIDENTIAL RENTAL PROPERTY DURING A SEVERE WEATHER EVENT OR A STATE**  
33 **OF EMERGENCY OF ANY LENGTH DECLARED BY THE GOVERNOR THAT PREVENTS OR**  
34 **RENDERS INADVISABLE AN IN-PERSON INSPECTION.**

1           **(C) A PROVISION ADOPTED BY A LOCAL JURISDICTION UNDER THIS**  
2 **SECTION SHALL:**

3                   **(1) BE CALCULATED TO ACHIEVE REMOTE VIDEO INSPECTIONS THAT**  
4 **ARE SUBSTANTIALLY COMPARABLE TO ON-SITE VISUAL INSPECTIONS;**

5                   **(2) REQUIRE REMOTE VIDEO INSPECTIONS TO BE DIRECTED BY A**  
6 **LICENSED HOME INSPECTOR OR SIMILAR PROFESSIONAL DESIGNATED BY THE**  
7 **LOCAL JURISDICTION;**

8                   **(3) REQUIRE VERIFICATION OF THE LOCATION OF A RESIDENTIAL**  
9 **RENTAL PROPERTY TO BE INSPECTED; AND**

10                   **(4) IDENTIFY WHAT ASPECTS OF A RESIDENTIAL RENTAL PROPERTY**  
11 **MAY BE INSPECTED REMOTELY.**

12           **(D) ANY VISUAL RECORD CREATED IN ACCORDANCE WITH THIS SECTION IS**  
13 **NOT A PUBLIC RECORD AS DEFINED IN § 4-101 OF THE GENERAL PROVISIONS**  
14 **ARTICLE.**

15           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2021.