



Bill: **HB220 – Environment – Water – Individual Meters**

Committee: **Environment and Transportation**

Date: **February 5, 2026**

Position: **Favorable with amendments**

The Apartment and Office Building Association (AOBA) of Metropolitan Washington is a non-profit trade association representing the owners and managers of more than 23 million square feet of commercial office space and 133,000 apartment rental units in Montgomery and Prince George’s counties. AOBA submits the following testimony in support of House Bill 220 with amendments.

HB220 authorizes water submetering in multifamily buildings; requires adequate record keeping of the water billing process and formulas used to calculate individual water costs; limits water charges to actual usage; requires leak detection monitoring devices for each meter; and limits administrative billing fees to \$1 per meter per month.

AOBA supports efforts to increase water billing transparency and conservation efforts. Water submetering supports both goals by giving tenants direct control over their water bills. However, submetering requires housing providers to invest significant capital that cannot be recovered. Given this significant investment and the benefits to the tenants, AOBA respectfully requests the following amendments:

1. On page 2, lines 1 – 7; strike lines 5 –7 and limit adequate recordkeeping to 12 months instead of 2 years;

12 months is the most common lease term and most accurately reflects the actual water billing costs to the unit.

2. On page 3, lines 29 – 32; increase the service charge from \$1 per meter to the reasonable market cost of such services and not more than the actual cost billed to the owner, operator or manager for that service;

Submeter billing is administered by third-party billing companies that often charge more than \$1 to process bills. Limiting the service charge raises operating costs for housing providers and discourages investment in submetering. This fee should be increased to the actual costs billed to the housing provider.

3. On page 4, lines 8 – 13; strike the leak detection requirements; and

Commercial grade leak detectors are inaccurate, fail frequently, and are difficult to scale for multifamily buildings. A typical multifamily unit, for example, may have multiple water service lines known as risers that provide water to different parts of the unit. The optimal location for a leak detector is on a riser, which is located behind walls and is inaccessible to the tenant.

4. Add alternate billing methods for individual submeters in the event of water leaks or submeter malfunctions.

Older buildings frequently have water leaks, and the submeters themselves may fail to report data. In both scenarios, the tenant continues to use water and must remain responsible for their portion of the costs. As such, a housing provider must have an alternate billing method for tenants in the event of a leak or submeter malfunction. Housing providers should be able to use the most recent three months of actual usage or the average of the last three months for similarly sized units.

Attached to this testimony is a markup of the bill with the amendments above. AOBA urges a favorable report on House Bill 220 with these amendments. For more information, please contact Brian Anleu at banleu@aoba-metro.org.

HOUSE BILL 220

M3, N1

(PRE-FILED)

6lr1505
CF SB 130

By: **Delegate Charkoudian**

Requested: October 30, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Water – Individual Unit Meters**

3 FOR the purpose of authorizing the installation of individual **sub** water meters for certain
4 apartment houses and dwelling units; prohibiting the owner, operator, or manager
5 of an apartment house, or a contractor hired by the owner, operator, or manager,
6 from imposing certain costs on a unit;
7 **;;requiring the owner, operator, or manager to maintain the**
8 **individual sub meters in working order**, requiring the owner,
9 operator, or manager of an apartment house, or a contractor hired by the owner,
10 operator, or manager to maintain certain records; establishing a certain
complaint process; and generally relating to individual water **sub** meters.

11 BY adding to
12 Article – Environment
13 Section 9–1115
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2025 Supplement)

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

20 **Article – Environment**

21 **9–1115.**

22 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
23 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.

hb0220

(2) “ADEQUATE RECORDS” INCLUDES:

(I) A COPY OF ALL CHARGES THAT THE WATER SERVICE PROVIDER IMPOSED ON THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE IN THE PRECEDING 12 MONTHS; AND;

(II)(IV) AN EXPLANATION OF THE FORMULA USED TO ALLOCATE THE COST OF EACH UNIT’S WATER CONSUMPTION; AND

(3) (I) “APARTMENT HOUSE” MEANS ONE OR MORE BUILDINGS THAT EACH CONTAIN MORE THAN TWO DWELLING UNITS AND IN WHICH ALL THE DWELLING UNITS ARE OCCUPIED PRIMARILY FOR NONTRANSIENT USE WITH RENT PAID AT INTERVALS OF 1 WEEK OR LONGER.

(II) “APARTMENT HOUSE” INCLUDES A RESIDENTIAL CONDOMINIUM OR COOPERATIVE, WHETHER THE UNITS ARE RENTED OR OWNER OCCUPIED.

(4) “DWELLING UNIT” MEANS PREMISES THAT CONSIST OF ONE OR MORE ROOMS SUITABLE FOR OCCUPANCY AS A RESIDENCE AND THAT CONTAIN KITCHEN AND BATHROOM FACILITIES.

(5) “INDIVIDUAL SUB METER” MEANS EQUIPMENT USED TO DETERMINE THE ACTUAL USE OF WATER FOR EACH RESIDENTIAL UNIT IN AN APARTMENT HOUSE.

(6) “WATER SERVICE PROVIDER” MEANS, AS APPLICABLE:

(I) A POLITICAL SUBDIVISION THAT PROVIDES WATER AND SEWERAGE SERVICES UNDER SUBTITLE 7 OF THIS TITLE;

(II) A WATER COMPANY, AS DEFINED IN § 1-101 OF THE PUBLIC UTILITIES ARTICLE; OR

(III) THE WASHINGTON SUBURBAN SANITARY COMMISSION.

(B) SUBJECT TO THE PROVISIONS OF THIS SECTION, AND WITH THE APPROVAL OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, A LOCAL HOUSING AUTHORITY ESTABLISHED UNDER DIVISION II OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE MAY INSTALL INDIVIDUAL **SUB** METERS FOR ANY COMBINATION OF APARTMENT HOUSES OR DWELLING UNITS.

(C) AN OWNER, AN OPERATOR, OR A MANAGER OF AN APARTMENT HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, MAY INSTALL AN INDIVIDUAL **SUB** METER FOR EACH DWELLING UNIT THAT IS NOT **DIRECT** METERED FOR WATER TO ALLOCATE FAIRLY THE COST OF EACH UNIT'S WATER CONSUMPTION.

(D) (1) AN OWNER, AN OPERATOR, OR A MANAGER OF AN APARTMENT HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, WHO INSTALLS INDIVIDUAL **SUB** METERS UNDER THIS SECTION TO PROVIDE BULK METERED SERVICE MAY NOT IMPOSE ON A UNIT IN THE FACILITY ANY WATER OR SEWERAGE COST EXCEPT THE CHARGES THAT THE WATER SERVICE PROVIDER ACTUALLY IMPOSES ON THE OWNER, OPERATOR, OR MANAGER.

(2) THE CHARGES IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE ALLOCATED **TO EACH** UNIT IN PROPORTION TO THE ACTUAL USAGE BY **THAT** UNIT.

(3) THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, MAY NOT IMPOSE ON A UNIT IN THE FACILITY ANY COSTS ASSOCIATED WITH

LEAKS THAT THE OWNER, OPERATOR, MANAGER, OR CONTRACTOR IS RESPONSIBLE FOR; OR

(II) COMMON AREA USAGE.

(4) THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, MAY COLLECT AN ADDITIONAL SERVICE CHARGE NOT EXCEEDING **REASONABLE MARKET COSTS OF SUCH SERVICE** PER UNIT PER MONTH TO COVER ADMINISTRATIVE COSTS AND BILLING **AND MAY NOT CHARGE MORE THAN THE ACTUAL COSTS BILLED TO THE OWNER, OPERATOR, OR MANAGER FOR THAT SERVICE.**

(E) (1) EACH INDIVIDUAL **SUB** METER UNDER THIS SECTION IS SUBJECT TO THE REGULATIONS AND STANDARDS THAT THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, ADOPTS FOR THE ACCURACY, TESTING, AND RECORD KEEPING OF INDIVIDUAL **SUB** METERS.

(2) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE **NO MORE** STRINGENT **THAN** THE REGULATIONS APPLICABLE TO THE WATER METERS THAT WATER SERVICE PROVIDERS INSTALL.

(F) (1) **ALTERNATIVE BILLING METHODS FOR INDIVIDUAL SUB METERS**

(2) IN THE EVENT AN INDIVIDUAL SUB METER DOES NOT PROVIDE ADEQUATE OR ACCURATE DATA FOR BILLING, THE OWNER, OPERATOR, OR MANAGER MAY BILL THE UNIT THE AVERAGE COST OF THE LAST THREE MONTHS OF ACTUAL USAGE BY THE UNIT, OR IF THREE MONTHS OF USAGE IS NOT AVAILABLE, MAY BILL THE AVERAGE OF LAST THREE MONTHS OF THE SAME UNIT TYPE IN THE APARTMENT HOUSE.

(2A) IN THE EVENT OF A DOCUMENTED WATER LEAK, THE OWNER, OPERATOR, OR MANAGER MAY ONLY BILL THE UNIT THE AVERAGE COST OF THE LAST THREE MONTHS OF ACTUAL USAGE BY THE UNIT, OR IF THREE MONTHS OF USAGE IS NOT AVAILABLE, MAY BILL THE AVERAGE OF THE LAST THREE MONTHS OF THE SAME UNIT TYPE IN THE APARTMENT HOUSE.

(2B) IN THE EVENT THE INDIVIDUAL SUB METER MALFUNCTIONS OR IS NOT OPERATIONAL, THE OWNER, OPERATOR, OR MANAGER OF THE APARTMENT HOUSE MAY BILL THE UNIT THE AVERAGE COST OF THE LAST THREE MONTHS OF ACTUAL USAGE BY THE UNIT, OR IF THREE MONTHS OF USAGE IS NOT AVAILABLE, MAY BILL THE AVERAGE OF LAST THREE MONTHS OF THE SAME UNIT TYPE IN THE APARTMENT HOUSE.

(2C) IN THE EVENT OF A LEAK OR MALFUNCTION OF AN INDIVIDUAL SUB METER, THE OWNER, OPERATOR, OR MANAGER MAY ONLY USE THE BILLING METHODS 2A AND 2B FOR UP TO THREE CONSECUTIVE BILLING CYCLES IN ORDER TO REPAIR OR REPLACE THE INDIVIDUAL SUB METERS. AFTER THREE CONSECUTIVE BILLING CYCLES, IF THE METER IS NOT REPLACED OR REPAIRED, NO FURTHER BILLING MAY TAKE PLACE UNTIL SUCH INDIVIDUAL SUB METERS HAVE BEEN REPAIRED OR REPLACED.

(G) THE OWNER, OPERATOR, OR MANAGER OF THE APARTMENT HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, SHALL:

(1) MAINTAIN ADEQUATE RECORDS REGARDING INDIVIDUAL **SUB** METERS; AND

(2) ALLOW THE OCCUPANT OF THE UNIT TO INSPECT THE RECORDS DURING REASONABLE BUSINESS HOURS.

(H)

(1) A COMPLAINT BY AN OCCUPANT OF A DWELLING UNIT AGAINST AN

8 OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE, OR A CONTRACTOR
9 HIRED BY THE OWNER, OPERATOR, OR MANAGER, UNDER THIS SECTION MAY BE
10 FILED IN THE COUNTY OR MUNICIPALITY WHERE THE APARTMENT HOUSE IS
11 LOCATED.

12 (2) A COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS
13 SUBSECTION MAY BE HANDLED BY:

14 (I) THE LANDLORD–TENANT COMMISSION, IF ONE EXISTS, OF
15 THE COUNTY OR MUNICIPALITY;

16 (II) THE CONSUMER PROTECTION AGENCY, IF ONE EXISTS, OF
17 THE COUNTY OR MUNICIPAL CORPORATION IF THERE IS NOT A LANDLORD–TENANT

1 COMMISSION IN THE COUNTY OR MUNICIPALITY OR IF THE COMMISSION DOES NOT
2 HAVE JURISDICTION; OR

3 (iii) THE CONSUMER PROTECTION DIVISION OF THE OFFICE OF
4 THE ATTORNEY GENERAL, IF THERE IS NOT A CONSUMER PROTECTION AGENCY IN
5 THE COUNTY OR MUNICIPALITY OR THE AGENCY DOES NOT HAVE JURISDICTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2026.