

# NAIOP

MARYLAND CHAPTERS



THE ASSOCIATION FOR  
COMMERCIAL REAL ESTATE

February 2, 2026

The Honorable, Marc Korman, Chair  
House Economic Matters Committee  
230 Taylor House Office Building  
Annapolis, Maryland 21401

**Support w/ Amendments: HB 220 – Water – Individual Unit Meters and Billing**

Dear Chair, Korman and Committee Members:

The NAIOP Maryland Chapters represent approximately 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to support with amendments HB 220 which would establish requirements for submetering, billing, and recordkeeping related to water use in residential rental properties.

While we appreciate the intent to promote accuracy and fairness in water billing, we believe the bill needs amendments in areas where it imposes requirements beyond what is necessary to achieve these goals. The changes also make the bill more consistent with similar requirements related submetering of gas and electrical service in the Utilities Article. We have attached an unofficial reprint of the bill marked with requested amendments. The amendments are related to:

➤ **Record Retention**

- Shortening the record retention window from 2 years to 12 months.
- Removing requirements to retain and make available for inspection total building utility costs and the utility costs collected from other occupants.
- Removing vague, open ended information retention language.

➤ **Meter Equipment**

- Clarifying that regulations adopted for submeters are no more stringent than the regulations for the master meters installed by the water utility to provide primary service to the building.
- Removing the requirement that each unit have a leak detection monitor due to questionable effectiveness in an apartment building.

➤ **Cost Recovery**

- Allowing the building owner to pass through reasonable, market-rate administrative costs.
- Establishing a methodology for billing in the event that submeters malfunction.
- Making the requirements consistent with existing gas and electric metering provisions by removing the prohibition on treating unpaid water bills as unpaid rent.

**NAIOP respectfully recommends your favorable w/ amendments report on HB 220.**

Sincerely,

Tom Ballentine, Vice President for Policy  
NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Environment and Transportation Committee Members  
Nick Manis – Manis, Canning Assoc.

# HOUSE BILL 220

M3, N1

(PRE-FILED)

6lr1505  
CF SB 130

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By: **Delegate Charkoudian**

Requested: October 30, 2025

Introduced and read first time: January 14, 2026

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of authorizing the installation of individual ~~unit~~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; ~~requiring each individual unit meter to include~~  
7 ~~a leak detection monitor; authorizing the occupant of a dwelling unit to periodically~~  
87 ~~inspect the leak detection monitor installed for their unit; requiring the~~  
~~owner, operator, or manager to maintain the individual~~  
~~sub meters in working order,~~ requiring the owner,

98 operator, or manager of an apartment house, or a contractor hired by the owner,  
10 operator, or manager to maintain certain records; ~~prohibiting unpaid water bills~~  
119 ~~from being treated as unpaid rent in an eviction process;~~ establishing a certain  
1210 complaint process; and generally relating to individual ~~unit~~sub meters.

1311 BY adding to

1412 Article – Environment

1513 Section 9–1115

1614 Annotated Code of Maryland

1715 (2014 Replacement Volume and 2025 Supplement)

1816 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
1917 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.**

[Brackets] indicate matter deleted from existing law.

**\*hb0220\***



1                   (2)    “ADEQUATE RECORDS” INCLUDES:

2                    (I)    A COPY OF ALL CHARGES THAT THE WATER SERVICE  
3 PROVIDER IMPOSED ON THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT  
4 HOUSE IN THE PRECEDING ~~2 YEARS~~ 12 MONTHS; AND;

~~5                    (II)    THE TOTAL UTILITY COST IMPOSED ON ALL UNITS IN THE  
6                    FACILITY EACH MONTH FOR THE CURRENT CALENDAR YEAR  
7                    AND PREVIOUS  
8                    CALENDAR YEAR;~~

~~8                    (III)   THE TOTAL REVENUE COLLECTED FROM OCCUPANTS TO  
9                    PAY THE CHARGES IMPOSED ON THE OWNER, OPERATOR, OR MANAGER BY THE  
10                  WATER SERVICE PROVIDER EACH MONTH FOR THE CURRENT CALENDAR YEAR AND  
11                  PREVIOUS CALENDAR YEAR;~~

~~125                (II)(IV)    AN EXPLANATION OF THE FORMULA USED TO  
                  ALLOCATE  
136                THE COST OF EACH UNIT’S WATER CONSUMPTION; AND~~

~~14                (V)    ANY OTHER INFORMATION NECESSARY FOR A TENANT TO  
15                VERIFY A WATER UTILITY BILL.~~

~~167               (3)    (I)    “APARTMENT HOUSE” MEANS ONE OR MORE BUILDINGS  
178                THAT EACH CONTAIN MORE THAN TWO DWELLING UNITS AND IN WHICH ALL THE  
189                DWELLING UNITS ARE OCCUPIED PRIMARILY FOR NONTRANSIENT USE WITH RENT  
1910               PAID AT INTERVALS OF 1 WEEK OR LONGER.~~

~~2011              (II)    “APARTMENT HOUSE” INCLUDES A RESIDENTIAL  
2112                CONDOMINIUM OR COOPERATIVE, WHETHER THE UNITS ARE RENTED OR OWNER  
2213                OCCUPIED.~~

~~2314              (4)    “DWELLING UNIT” MEANS PREMISES THAT CONSIST OF ONE OR  
2415                MORE ROOMS SUITABLE FOR OCCUPANCY AS A RESIDENCE AND THAT CONTAIN  
2516                KITCHEN AND BATHROOM FACILITIES.~~

~~2617              (5)    “INDIVIDUAL UNITSUB                METER” MEANS  
                  EQUIPMENT    USED TO  
2718                DETERMINE THE ACTUAL USE OF WATER FOR EACH RESIDENTIAL UNIT IN AN  
2819                APARTMENT HOUSE.~~

~~2920              (6)    “WATER SERVICE PROVIDER” MEANS, AS APPLICABLE:~~

~~3021              (I)    A POLITICAL SUBDIVISION THAT PROVIDES WATER AND  
3122                SEWERAGE SERVICES UNDER SUBTITLE 7 OF THIS TITLE;~~

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

3 (III) THE WASHINGTON SUBURBAN SANITARY COMMISSION.

4 (B) SUBJECT TO THE PROVISIONS OF THIS SECTION, AND WITH THE  
5 APPROVAL OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, A  
6 LOCAL HOUSING AUTHORITY ESTABLISHED UNDER DIVISION II OF THE HOUSING  
7 AND COMMUNITY DEVELOPMENT ARTICLE MAY INSTALL INDIVIDUAL UNIT-SUB  
8 METERS

FOR ANY COMBINATION OF APARTMENT HOUSES OR DWELLING UNITS.

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

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

20 (2) THE CHARGES IMPOSED UNDER PARAGRAPH (1) OF THIS  
21 SUBSECTION SHALL BE ALLOCATED AMONG-THE-TO-EACH UNITS IN  
22 PROPORTION TO THE  
ACTUAL USAGE BY THE-THAT UNIT.

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

26 (I) POOR-MAINTENANCE OR LEAKS THAT THE OWNER,  
27 OPERATOR, MANAGER, OR CONTRACTOR IS RESPONSIBLE FOR; OR

28 (II) COMMON AREA USAGE.

29 (4) THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT  
30 HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, MAY  
31 COLLECT AN ADDITIONAL SERVICE CHARGE NOT EXCEEDING \$1 REASONABLE  
32 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.

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

5 (2) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE ~~AT~~  
NO MORE  
 6 ~~LEAST AS~~ STRINGENT ~~AS~~ THAN THE REGULATIONS APPLICABLE TO THE WATER  
 METERS  
 7 THAT WATER SERVICE PROVIDERS INSTALL.

8 ~~(F) (1) EACH INDIVIDUAL UNIT METER UNDER THIS SECTION SHALL~~  
 9 ~~INCLUDE A LEAK DETECTION MONITOR. ALTERNATIVE BILLING METHODS FOR~~  
INDIVIDUAL SUB METERS

10 ~~(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 ~~SIZE-UNITS UNITE TYPE~~ IN THE APARTMENT  
 11 ~~HOUSE. THE OWNER, OPERATOR, OR MANAGER OF THE APARTMENT~~  
~~HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR~~  
~~MANAGER, SHALL~~  
 12 ~~ALLOW THE OCCUPANT OF THE UNIT TO PERIODICALLY INSPECT~~  
~~THE LEAK~~  
 8 ~~DETECTION MONITOR.~~

13 ~~(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 ~~SIZE-UNITS-UNIT TYPE~~ IN  
THE APARTMENT HOUSE.

33

(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 ~~SIZE-UNITS- 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.

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

163 \_\_\_\_\_ (1) MAINTAIN ADEQUATE RECORDS REGARDING INDIVIDUAL  
UNITSUB  
174 METERS; AND

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

~~20 \_\_\_\_\_ (H) UNPAID WATER BILLS UNDER THIS SECTION MAY NOT BE TREATED AS  
21 UNPAID RENT IN AN EVICTION PROCEEDING.~~

227 \_\_\_\_\_ (H) (H) (1) A COMPLAINT BY AN OCCUPANT OF A DWELLING UNIT AGAINST AN  
238 OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE, OR A CONTRACTOR  
249 HIRED BY THE OWNER, OPERATOR, OR MANAGER, UNDER THIS SECTION MAY BE  
2510 FILED IN THE COUNTY OR MUNICIPALITY WHERE THE APARTMENT HOUSE IS  
2611 LOCATED.

2712 \_\_\_\_\_ (2) A COMPLAINT FILED UNDER PARAGRAPH (1) OF THIS  
2813 SUBSECTION MAY BE HANDLED BY:

2914 \_\_\_\_\_ (I) THE LANDLORD-TENANT COMMISSION, IF ONE EXISTS, OF  
3015 THE COUNTY OR MUNICIPALITY;

3116 \_\_\_\_\_ (II) THE CONSUMER PROTECTION AGENCY, IF ONE EXISTS, OF  
3217 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.