

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

Senate Bill 545 (Senator Harrington)

Education, Health, and Environmental Affairs
and Judicial Proceedings

Assisted Housing - Protected Actions - Extended Leases for Seniors

This bill requires the landlord of a rental unit covered by federal rental housing assistance to offer an additional two-year lease extension period to a person who is at least 62 years old on the day the preceding lease extension period ends, and who can demonstrate that available housing in the same price range does not exist.

Fiscal Summary

State Effect: The bill is not expected to affect State operations or finances.

Local Effect: None.

Small Business Effect: Minimal. Landlords of affected rental housing may be further restricted from transferring a rental unit.

Analysis

Current Law/Background: Under the Maryland Assisted Housing Preservation Act a “protected action” is a sale, conveyance, transfer, prepayment, termination, failure to renew, or expiration of a rental unit in a commonly owned housing project of at least 10 units that is financed under a specified federal housing program. If inhabited, these rental units are known as *assisted households*. An assisted household is given special protection as a *designated household* if at least one individual in the household is: (1) a minor; or (2) an individual who was a member of the household for at least 12 months before the notice is given, and is at least 62 years old on the day the notice of

intent to take a protected action is given, or qualifies as disabled under specified federal law.

A landlord may not take a protected action that affects a designated household without first offering to extend the lease for at least three years.

Additional Comments: A definition of “price range” is not provided in the bill and is not defined elsewhere in the Housing and Community Development Article. The bill also does not specify the geographic scope that applies to a tenant’s demonstration of whether available housing exists.

Additional Information

Prior Introductions: A bill with similar provisions, SB 5 of 2009, received a favorable report with amendments from the Senate Education, Health, and Environmental Affairs Committee, but did not pass the Senate.

Cross File: None.

Information Source(s): Cecil, Carroll, Harford, and Montgomery counties; Department of Housing and Community Development; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2010
mlm/lgc

Analysis by: Evan M. Isaacson

Direct Inquiries to:
(410) 946-5510
(301) 970-5510