

HOUSE BILL 415

C5, L5

8lr0789

By: **Prince George's County Delegation and Montgomery County Delegation**
Introduced and read first time: January 24, 2018
Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery and Prince George's Counties – Public Utilities – Property**
3 **Management**

4 **PG/MC 109–18**

5 FOR the purpose of requiring, in Montgomery and Prince George's counties, each public
6 utility that provides certain services to establish a certain policy and process for
7 administering public services in conjunction with a property manager for certain
8 managed property; authorizing a property manager to act on behalf of the owner to
9 perform certain activities in relation to utility services; requiring a public utility to
10 maintain a record of certain information; requiring transfer of certain utility service
11 to certain persons under certain circumstances; providing that certain invoices may
12 not be considered late during a certain period; prohibiting the authorization of a
13 tenant to enter into a certain agreement under a policy and process; requiring a
14 property manager to provide certain notice to a public utility; establishing certain
15 requirements for public utilities that send employees or agents to a managed
16 property; requiring each public utility to establish a policy and process under this
17 Act in a certain manner; authorizing the Public Service Commission to adopt certain
18 regulations; providing for the scope and application of this Act; defining certain
19 terms; and generally relating to public utility services provided to managed
20 properties in Montgomery and Prince George's counties.

21 BY adding to
22 Article – Public Utilities
23 Section 7–307.4
24 Annotated Code of Maryland
25 (2010 Replacement Volume and 2017 Supplement)

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

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



Article – Public Utilities

7-307.4.

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

(2) “MANAGED PROPERTY” MEANS A RESIDENTIAL PROPERTY THAT USES A PROPERTY MANAGER, WHETHER A PROPERTY MANAGEMENT COMPANY OR A SIMILAR ENTITY, TO MANAGE THE OPERATIONS OF THE PROPERTY ON BEHALF OF THE PROPERTY OWNER.

(3) (I) “PUBLIC UTILITY” MEANS A PUBLIC SERVICE COMPANY OR OTHER ENTITY THAT PROVIDES ELECTRICITY SERVICE, GAS SERVICE, OR WATER AND SEWER SERVICE TO A MANAGED PROPERTY.

(II) “PUBLIC UTILITY” INCLUDES THE WASHINGTON SUBURBAN SANITARY COMMISSION UNDER DIVISION II OF THIS ARTICLE.

(B) (1) THIS SECTION APPLIES ONLY IN MONTGOMERY AND PRINCE GEORGE’S COUNTIES.

(2) THIS SECTION APPLIES TO PUBLIC UTILITIES THAT SERVE:

(I) A RESIDENTIAL MULTIPLE OCCUPANCY BUILDING; OR

(II) ANY OTHER MANAGED PROPERTY.

(C) (1) EACH PUBLIC UTILITY SHALL ESTABLISH A POLICY AND PROCESS FOR ADMINISTERING PUBLIC SERVICES IN CONJUNCTION WITH A PROPERTY MANAGER AT A MANAGED PROPERTY.

(2) UNDER THE POLICY AND PROCESS OF A PUBLIC UTILITY, A PROPERTY MANAGER IS AUTHORIZED TO ACT ON BEHALF OF THE OWNER TO:

(I) DISCUSS UTILITY ACCOUNTS OF THE PROPERTY, INCLUDING ACCOUNTS OF THE OWNER AND ANY TENANT;

(II) TRANSFER UTILITY SERVICE:

1. FROM A TENANT TO ANOTHER TENANT OR TO THE OWNER; OR

2. FROM THE OWNER TO A TENANT;

(III) ASSIST WITH THE NOTIFICATION OF CREDIT REPORTING AGENCIES REGARDING TENANT DELINQUENCIES;

(IV) PAY FOR UTILITY SERVICE ON BEHALF OF THE OWNER IF REQUESTED BY THE PROPERTY MANAGER; AND

(V) AUTHORIZE THE USE BY EMPLOYEES OR AGENTS OF THE PUBLIC UTILITY OF A LOCKBOX THAT THE PROPERTY MANAGER PROVIDES TO GAIN ACCESS TO THE MANAGED PROPERTY IF NECESSARY.

(3) EACH PUBLIC UTILITY SHALL MAINTAIN A RECORD OF THE NAME, ADDRESS, AND OTHER CONTACT INFORMATION OF THE OWNER AND THE PROPERTY MANAGER OF THE MANAGED PROPERTY.

(4) EXCEPT AS OTHERWISE PROVIDED BY THE POLICY AND PROCESS UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION, WHEN A TENANT, AN OWNER, OR A PROPERTY MANAGER NOTIFIES A PUBLIC UTILITY THAT THE TENANT IS MOVING FROM THE MANAGED PROPERTY, THE PUBLIC UTILITY SHALL TRANSFER THE UTILITY SERVICE ACCOUNT INTO THE NAME OF THE OWNER.

(5) AN INVOICE FOR UTILITY SERVICE FOR A MANAGED PROPERTY MAY NOT BE CONSIDERED LATE UNTIL AT LEAST 30 DAYS AFTER THE BILLING DATE.

(6) UNDER THE POLICY AND PROCESS, A TENANT MAY NOT BE AUTHORIZED TO ENTER INTO A PAYMENT AGREEMENT WITH THE PUBLIC UTILITY.

(7) A PROPERTY MANAGER SHALL NOTIFY EACH PUBLIC UTILITY OF ANY CHANGES TO PROPERTY MANAGEMENT REPRESENTATION OF A MANAGED PROPERTY.

(8) WHENEVER AN EMPLOYEE OR AGENT OF A PUBLIC UTILITY IS SENT TO A MANAGED PROPERTY, THE PUBLIC UTILITY SHALL:

(I) PROVIDE AN ESTIMATE OF THE ARRIVAL OF THE EMPLOYEE OR AGENT WITHIN A 2-HOUR WINDOW;

(II) MAINTAIN ACCURATE RECORDS OF THE TRAVEL, ARRIVAL, AND DEPARTURE TIMES OF THE EMPLOYEE OR AGENT FOR APPOINTMENTS; AND

(III) PROVIDE COPIES OF DOCUMENTATION UNDER THIS PARAGRAPH TO THE PROPERTY MANAGER ON REQUEST.

1 **(D) EACH PUBLIC UTILITY SHALL ESTABLISH A PROCEDURE FOR HANDLING**
2 **THE POLICY AND PROCESS OF AUTHORIZED ACTIVITIES UNDER THIS SECTION IN A**
3 **MANNER BEST SUITED TO THE CIRCUMSTANCES OF THE PARTICULAR PUBLIC**
4 **UTILITY.**

5 **(E) THE COMMISSION MAY ADOPT REGULATIONS TO CARRY OUT THIS**
6 **SECTION.**

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2018.