

HB0335/543727/1

BY: Environment and Transportation Committee

AMENDMENTS TO HOUSE BILL 335  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “County;” insert “requiring certain notices relating to nuisance actions to be provided to the county code enforcement agency and certain tenants and property owners:”.

AMENDMENT NO. 2

On page 2, in line 30, after “**UNDER**” insert “**;**”

**1.**”;

and in line 31, after “**AMENDED**” insert “**;**OR

**2. ANY STORMWATER MANAGEMENT PROVISION OF THE BALTIMORE COUNTY CODE**”.

On page 3, in line 16, after “(i)” insert “**1.**”; and after line 19, insert:

**“2. IF THE APPROPRIATE COUNTY CODE ENFORCEMENT AGENCY IS THE BALTIMORE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, AN ACTION UNDER THIS SECTION MAY NOT BE BROUGHT IF THE BALTIMORE COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PROVIDES A WRITTEN RESPONSE TO THE COMMUNITY ASSOCIATION WITHIN 60 DAYS AFTER RECEIVING THE NOTICE REQUIRED UNDER THIS SUBPARAGRAPH THAT THE PROPERTY THAT IS THE SUBJECT OF THE VIOLATION IS PART OF AN ACTIVE CODE ENFORCEMENT PLAN.”**

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On page 4, in line 1, after “(iii)” insert:

**“1. THE NOTICE SHALL BE PROVIDED TO THE TENANT, IF ANY, AND THE OWNER OF RECORD IN THE SAME MANNER AS SERVICE OF PROCESS IN A CIVIL IN PERSONAM ACTION UNDER THE MARYLAND RULES.**

**2. ADEQUATE AND SUFFICIENT NOTICE MAY BE GIVEN TO THE TENANT, IF ANY, AND THE OWNER OF RECORD BY SENDING A COPY OF THE NOTICE BY REGULAR MAIL AND POSTING A COPY OF THE NOTICE ON THE PROPERTY WHERE THE NUISANCE IS ALLEGEDLY OCCURRING, IF NOTICE SENT BY CERTIFIED MAIL IS:**

**A. RETURNED UNCLAIMED OR REFUSED;**

**B. DESIGNATED BY THE POST OFFICE TO BE UNDELIVERABLE FOR ANY OTHER REASON; OR**

**C. SIGNED FOR BY A PERSON OTHER THAN THE ADDRESSEE.**

**(IV)”;**

and after line 9, insert:

**“(4) (I) AN ACTION MAY NOT BE BROUGHT AGAINST AN OWNER OF RESIDENTIAL RENTAL PROPERTY UNLESS, PRIOR TO THE PROVISION OF NOTICE UNDER SUBSECTION (C)(3)(I) OF THIS SECTION, A NOTICE OF VIOLATION RELATING TO THE NUISANCE HAS FIRST BEEN ISSUED BY AN APPROPRIATE CODE ENFORCEMENT AGENCY.**

(II) IN THE CASE OF A NUISANCE BASED ON A HOUSING OR BUILDING CODE VIOLATION, OTHER THAN A RECURRENT SANITATION VIOLATION, RELIEF MAY NOT BE GRANTED UNDER THIS SECTION UNLESS A VIOLATION NOTICE RELATING TO THE NUISANCE HAS BEEN ISSUED BY AN OFFICIAL OF THE STATE OR BALTIMORE COUNTY AND REMAINS OUTSTANDING AFTER A PERIOD OF 75 DAYS.”.