

Chapter 262

(House Bill 220)

AN ACT concerning

Environment – Water – Individual ~~Unit Meters~~ Submeters

FOR the purpose of authorizing the installation of individual ~~unit water meters~~ submeters for certain apartment houses and ~~dwelling units~~ mobile home parks; prohibiting the owner, operator, or manager of an apartment house or a mobile home park, or a contractor hired by the owner, operator, or manager, from imposing certain costs on a unit; ~~requiring each individual unit meter to include a leak detection monitor; authorizing the occupant of a dwelling unit to periodically inspect the leak detection monitor installed for their unit~~ authorizing the owner, operator, or manager of an apartment house or a mobile home park to bill an occupant a certain amount under certain circumstances; prohibiting the owner, operator, or manager of an apartment house or a mobile home park from billing an occupant under certain circumstances; requiring the owner, operator, or manager of an apartment house or a mobile home park, or a contractor hired by the owner, operator, or manager to maintain certain records; prohibiting unpaid water bills from being treated as unpaid rent in an eviction process; establishing a certain complaint process; requiring certain landlords to use a certain written lease, provide a copy of a water or sewer bill to a tenant within a certain time frame, and notify prospective tenants of certain information within a certain time frame; prohibiting certain landlords from requiring a tenant to make certain payments to a third party; and generally relating to individual ~~unit water meters~~ submeters.

BY adding to

Article – Environment

Section 9–1115

Annotated Code of Maryland

(2014 Replacement Volume and 2025 Supplement)

BY adding toArticle – Real PropertySection 8–205.3Annotated Code of Maryland(2023 Replacement Volume and 2025 Supplement)

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

Article – Environment**9–1115.**

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

(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 OR A MOBILE HOME PARK IN THE PRECEDING 2 YEARS;

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

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

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

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

(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 ~~UNIT METER~~ SUBMETER” MEANS EQUIPMENT USED TO DETERMINE THE ACTUAL USE OF WATER FOR EACH RESIDENTIAL UNIT IN AN APARTMENT HOUSE OR A MOBILE HOME PARK.

(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; OR

(IV) A MOBILE HOME PARK.

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

(C) AN OWNER, AN OPERATOR, OR A MANAGER OF AN APARTMENT HOUSE OR A MOBILE HOME PARK, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, MAY INSTALL AN INDIVIDUAL ~~UNIT METER~~ SUBMETER FOR EACH DWELLING UNIT THAT IS NOT ~~INDIVIDUALLY~~ DIRECTLY 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 MOBILE HOME PARK, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, WHO INSTALLS INDIVIDUAL ~~UNIT METERS~~ SUBMETERS 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 AMONG THE UNITS IN PROPORTION TO THE ACTUAL USAGE BY THE UNIT.

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

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

(II) COMMON AREA USAGE; OR

(III) USAGE IN ANY PART OF A BUILDING THAT IS NOT USED AS A RESIDENTIAL UNIT.

(4) THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE OR A MOBILE HOME PARK, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, MAY COLLECT AN ADDITIONAL SERVICE CHARGE NOT EXCEEDING \$1 PER UNIT PER MONTH TO COVER ADMINISTRATIVE COSTS AND BILLING.

(E) (1) EACH INDIVIDUAL ~~UNIT METER~~ SUBMETER 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 ~~UNIT METERS~~ SUBMETERS.

(2) REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL BE AT LEAST AS STRINGENT AS THE REGULATIONS APPLICABLE TO THE WATER METERS THAT WATER SERVICE PROVIDERS INSTALL.

(F) (1) ~~EACH INDIVIDUAL UNIT METER UNDER THIS SECTION SHALL INCLUDE A LEAK DETECTION MONITOR.~~

~~(2) THE OWNER, OPERATOR, OR MANAGER OF THE APARTMENT HOUSE, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, SHALL ALLOW THE OCCUPANT OF THE UNIT TO PERIODICALLY INSPECT THE LEAK DETECTION MONITOR.~~

(I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “ACTUAL USAGE” MEANS USAGE THAT WAS MEASURED WHEN A METER WAS CONSIDERED ACCURATE.

(III) “ESTIMATED USAGE” MEANS THE AVERAGE USAGE BY DWELLING UNITS IN THE SAME APARTMENT HOUSE THAT:

1. ARE OF COMPARABLE SIZE; AND
2. HAVE A COMPARABLE NUMBER OF OCCUPANTS.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IF AN INDIVIDUAL SUBMETER DOES NOT PROVIDE ADEQUATE OR ACCURATE DATA FOR BILLING PURPOSES, THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE MAY BILL THE OCCUPANT OF THE UNIT:

(I) THE AVERAGE COST OF THE MOST RECENT 3 MONTHS OF ACTUAL USAGE BY THE OCCUPANT OF THE UNIT; OR

(II) IF RECORDS OF THE MOST RECENT 3 MONTHS OF ACTUAL USAGE BY THE OCCUPANT OF THE UNIT ARE NOT AVAILABLE, THE AVERAGE COST OF THE MOST RECENT 3 MONTHS OF ESTIMATED USAGE.

(3) IF AN INDIVIDUAL SUBMETER HAS NOT BEEN REPAIRED OR REPLACED FOR TWO CONSECUTIVE BILLING CYCLES, THE OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE MAY NOT BILL THE OCCUPANT OF THAT UNIT UNTIL THE INDIVIDUAL SUBMETER IS REPAIRED OR REPLACED.

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

(1) MAINTAIN ADEQUATE RECORDS REGARDING INDIVIDUAL ~~UNIT METERS~~ SUBMETERS; AND

(2) OBTAIN ANY ADDITIONAL RECORDS NEEDED BY AN OCCUPANT OF A UNIT TO VERIFY A WATER BILL; AND

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

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

~~(H)~~ (H) (1) A COMPLAINT BY AN OCCUPANT OF A DWELLING UNIT AGAINST AN OWNER, OPERATOR, OR MANAGER OF AN APARTMENT HOUSE OR A MOBILE HOME PARK, OR A CONTRACTOR HIRED BY THE OWNER, OPERATOR, OR MANAGER, UNDER THIS SECTION MAY BE FILED IN THE COUNTY OR MUNICIPALITY WHERE THE APARTMENT HOUSE OR MOBILE HOME PARK IS LOCATED.

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

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

(II) THE CONSUMER PROTECTION AGENCY, IF ONE EXISTS, OF THE COUNTY OR MUNICIPAL CORPORATION IF THERE IS NOT A LANDLORD-TENANT COMMISSION IN THE COUNTY OR MUNICIPALITY OR IF THE COMMISSION DOES NOT HAVE JURISDICTION; ~~OR~~

(III) THE CONSUMER PROTECTION DIVISION OF THE OFFICE OF THE ATTORNEY GENERAL, IF THERE IS NOT A CONSUMER PROTECTION AGENCY IN THE COUNTY OR MUNICIPALITY OR THE AGENCY DOES NOT HAVE JURISDICTION; OR

(IV) A PRIVATE CAUSE OF ACTION.

(3) NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED AS PREVENTING ANY STATE AGENCY FROM EXERCISING ITS AUTHORITY REGARDING THE COLLECTION OF OBLIGATIONS ARISING FROM CONSUMER TRANSACTIONS.

Article – Real Property

8-205.3.

(A) IN THIS SECTION, “INDIVIDUAL SUBMETER” HAS THE MEANING STATED IN § 9-1115 OF THE ENVIRONMENT ARTICLE.

(B) A LANDLORD THAT REQUIRES A TENANT TO MAKE PAYMENTS FOR WATER OR SEWER SERVICES MEASURED BY AN INDIVIDUAL SUBMETER TO A THIRD PARTY SHALL:

(1) USE A WRITTEN LEASE THAT PROVIDES NOTICE THAT THE TENANT IS RESPONSIBLE FOR MAKING PAYMENTS FOR THE WATER OR SEWER SERVICES TO THE THIRD PARTY;

(2) PROVIDE A COPY OF THE WATER OR SEWER BILL TO THE TENANT NOT LATER THAN 20 DAYS BEFORE PAYMENT OF THE BILL IS DUE; AND

(3) BEFORE THE BEGINNING OF THE INITIAL LEASE, NOTIFY THE PROSPECTIVE TENANT IN WRITING OF:

(I) THE TOTAL WATER AND SEWER COSTS BILLED TO THE OCCUPANTS OF THE UNIT IN THE IMMEDIATELY PRECEDING 2 YEARS; OR

(ii) IF WATER AND SEWER COSTS WERE NOT BILLED TO AN OCCUPANT OF THE UNIT FOR THE IMMEDIATELY PRECEDING 2 YEARS, THE TOTAL WATER AND SEWER COSTS BILLED TO A COMPARABLY SIZED UNIT WITHIN THAT TIME PERIOD.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A LANDLORD THAT DOES NOT MEET THE REQUIREMENTS OF § 9-1115 OF THE ENVIRONMENT ARTICLE MAY NOT REQUIRE A TENANT TO MAKE PAYMENTS TO A THIRD PARTY FOR WATER OR SEWER SERVICES.

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

Approved by the Governor, April 28, 2026.