MMHA - 2024 - SB 138 - Baltimore City - set tax ra Uploaded by: Aaron Greenfield



Bill Title: Senate Bill 138, Baltimore City - Property Taxes - Authority to Set a

Special Rate for Vacant and Abandoned Property

Committee: Budget & Taxation

Date: January 24, 2024

Position: Favorable

This testimony is offered on behalf of the Maryland Multi-Housing Association (MMHA). MMHA is a professional trade association established in 1996, whose members consist of owners and managers of more than 210,000 rental housing homes in over 958 apartment communities. Our members house over 538,000 residents of the State of Maryland. MMHA also represents over 250 associate member companies who supply goods and services to the multi-housing industry.

Senate Bill 138 authorizes Baltimore City to set a special property tax rate for a vacant lot or improved property cited as vacant and unfit for habitation or other authorized use on a housing or building violation notice.

A recent report from the Johns Hopkins 21st Century Cities Initiative finds that Baltimore's roughly 15,000 vacant properties cost the city an estimated \$210M each year in lost revenue and other costs. Baltimore has the third highest rate of vacant properties of any city in the U.S according to one of the report's authors. Efforts are underway to address this crisis by the Mayor and community and business organizations seeking to invest \$7.5 billion in vacant properties in Baltimore.

Senate Bill 138 is another important tool to address vacant properties but ensure preservation of affordable housing in single-family and multi-family residential properties.

For these reasons, we respectfully request a favorable report on Senate Bill 138.

Aaron J. Greenfield, MMHA Director of Government Affairs, 410.446.1992

SB138-AFSCME-FAV.pdf Uploaded by: Cindy Smalls Position: FAV



190 W. Ostend St., #101 Baltimore, MD 21230 Phone: 410-547-1515 Email: info@afscmemd.org

SB 138 – Baltimore City – Property Taxes – Authority to Set a Special Rate for Vacant and Abandoned Budget & Tax Committee

January 24, 2024 FAVORABLE

Thank you, Chair Guzzone, Vice-Chair Rosapepe, and Budget and Tax Committee members for the opportunity to submit testimony on SB138. This bill authorizes Baltimore City to set a special property tax rate for a vacant lot or improved property cited as vacant and unfit for habitation or other authorized use on a housing or building violation notice.

In 2023, Baltimore estimated it had roughly 13,000 vacant and abandoned houses and structures, more than 20,000 vacant lots, and tens of thousands more homes that are affected because they are next to vacant and abandoned properties. Allowing Baltimore City to set special rates for these properties could have a positive impact on the community's revitalization and economic development. Implementing a special tax rate for such properties serves as an incentive for property owners to address safety concerns, maintain their properties, or either sell their vacant or abandoned properties, putting them back into productive use.

The passage of SB 138 could also provide additional revenue generated from the special tax rate that could be directed toward local government services, infrastructure projects, dealing with city staffing shortages, and community programs. This ensures that the financial burden is shared among property owners, while the benefits are reinvested into the community.

Property ownership comes with responsibilities, and a special tax rate for vacant or abandoned properties reinforces the idea that property owners should actively contribute to the community's well-being. The intent should not be to inadvertently harm well-intentioned homeowners out of their homes but to discourage owners from holding on to properties for potential future gains.

Something must be done to address the growing issue in Baltimore City and setting a special tax rate for vacant and abandoned property may be one way to potentially stimulate economic development, improve neighborhood aesthetics, address safety concerns, boost local government revenue, and foster responsible property ownership.

For those reasons, we ask for a favorable report on Sb 138.



Testimony SB0138 1.25.pdfUploaded by: Councilwoman Odette Ramos

Odette Ramos



Baltimore City Councilwoman District 14

(410) 396 - 4814

odette.ramos@baltimorecity.gov 100 N. Holliday Street, Room 506 Baltimore MD 21202

Testimony SB0138 – Baltimore City – Property Taxes – Authority to Set Special Rates January 23, 2024 FAVORABLE

Honorable Chair Guzzone and Distinguished Members of the Senate Budget and Taxation Committee:

I am writing to urge your support for SB0138 – Baltimore City – Property Taxes – Authority to Set Special Rates.

Currently, every jurisdiction has the authority to set their own tax rates, but all properties, no matter what type of property, must be taxed the same rate in that jurisdiction.

HB0002 allows Baltimore City to set a different rate for vacant and abandoned properties. Just like in Washington, DC and other jurisdictions who have done this, adding an additional tax onto vacant and abandoned properties discourages investors from holding onto the property without rehabilitation.

I have the reservation in the City Council to introduce the vacancy tax once it passes this body. Properties that have Vacant Building Notices, which designates them as derelict, will be taxed higher than any other properties. In many cases, this will discourage investors from holding onto the property without rehabilitating it. In other cases, this will allow more properties to be eligible for our new In Rem strategy. This is where the liens exceed the value of the property, and the City can foreclose. With the vacancy tax, we would not have to rely on citations that are inconsistent to help make more properties eligible for the In Rem action.

Baltimore City has roughly 14,000 vacant properties, and only owns about 1,000 of them. The City owns half of the vacant lots. We have to continue our effort to foreclose on these properties to take possession and work through our block-by-block strategies to dispose of the properties. The Vacancy Tax will allow us to do this.

I urge your favorable report for this legislation.

Please do not hesitate to contact me should you have any questions. I can be reached at 410-396-4814 or via email at odette.ramos@baltimorecity.gov.

Respectfully Submitted:

Odette Ramos

Baltimore City Councilwoman, District 14

SB138 Authority to Set a Special Rate for Vacant Uploaded by: Dan Ellis



Neighborhood Housing Services of Baltimore, Inc.

January 23, 2024

Senator Guy Guzzone, Chair Miller Senate Office Building 3 West Annapolis, Maryland 21401

RE: Senate Bill 138

Honorable Chair Guzzone and Members of the Committee:

I am the Chief Executive Officer of Neighborhood Housing Services of Baltimore (NHS), and a resident of Baltimore City. Our organization believes that economic and social justice are a right for all residents and communities. We promote this belief by removing barriers of access to homeownership, helping resident access resources to maintain their homes, and supporting communities historically impacted by systemic disinvestment.

One area where economic justice can be expanded in Baltimore City is the property tax system. The current tax system requires all properties to be taxed at the same rate. These rates are based on the state assessment of value. Vacant properties are typically assessed for a significantly lower value than occupied properties but have a much higher cost to the city with demands for city services. The effective result of this is occupied properties subsidizing the services demanded for vacant properties. This results from the very low amount of taxes paid by vacant properties due to low assessments. A study conducted by Johns Hopkins University last year concluded that vacant properties cost Baltimore City over \$100 million annually in direct costs through city services and an additional \$100 million annually in reduced collections because of the direct impact of the vacant properties on the value of surrounding properties. This annual cost to the city is directly attributed to the 13,682 vacant properties in Baltimore. This means that the direct cost to the city in provision of services and lost revenue is \$14,617 for each vacant property in Baltimore. Almost all vacant properties in Baltimore have tax assessments below \$40,000. This results in a tax bill that is less than \$1,000. The result is that the remaining city taxpayers are subsidizing the cost of vacant properties. These properties are not only blighting our neighborhoods physical environment they are also utilizing a disproportionate amount of resources depriving the city of desperately needed funding for city services and revitalization. SB138 enables Baltimore City to create special property tax rates that could help address this problem. Vacant properties could be taxed at a rate appropriate for the services demanded or a minimum tax for vacant properties could be determined to ensure support for the needed city services.

SB138 would help bring equity to the tax collection system in Baltimore City. We ask that the Committee issue a <u>favorable</u> report on SB138.

Sincerely,

Daniel T. Ellis Executive Director





Comment letter.pdf Uploaded by: Jordan Luke Position: FAV

Comment Letter

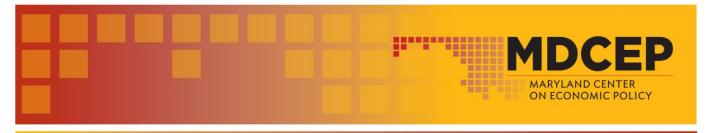


Dear Elected Leaders,

Last year I was significantly impacted by a vacant home fire that destroyed almost everything in my house Greektown (21224), which is a neighborhood in Baltimore. We have reported the vacant home to the city for the past 6 years because we were afraid this would happen. The landlord has been negligant with fixing a bad room, missing windows, plumbing leaks, etc...

The city told us that they have limited options to deal with this problem so I support the is bill because I think we need more tools to promote the safety of homeowners who have a landlord neighbor who is negligent in their property maintenance. Presently, I have water entering my house because the landlord of the vacant neighboring house refuses to repair his roof or plumbing.

SB 138_MD Center on Economic Policy_FAV.pdf Uploaded by: Kali Schumitz



JANUARY 24, 2024

Baltimore City Needs Tools to Promote Development, Raise Revenue

Position Statement in Support of Senate Bill 138

Given before the Budget and Taxation Committee

Baltimore City's more than 10,000 vacant properties increase the city's costs by millions each year, undermine public safety, and hinder economic development. A special tax rate would enable the city to recoup the disproportionate costs vacant properties generate, raise much-needed revenue, and incentivize healthy development. Senate Bill 138 is identical to the version of this legislation passed by the House of Delegates in 2023 authorizing the city to levy a special tax rate on vacant properties. For these reasons, the Maryland Center on Economic Policy supports Senate Bill 138.

Baltimore has the third-highest rate of vacant and abandoned properties nationwide, according to a 2022 study published by the 21st Century Cities Initiative at Johns Hopkins University. This study estimates that vacant properties cost the city more than \$200 million per year:

- \$100 million in directly identifiable expenditures related to vacant properties fiscal year 2022
- \$50 million in directly lost property tax revenue due to the low assessment of vacant properties
- \$22 million in lost property tax revenue due to depressed property values nearby vacant properties
- \$36 million in lost income tax and sewer and water revenue

These costs are untenable at a time when the city already faces increasing fiscal pressures. The Blueprint for Maryland's Future is expected to increase the city's required annual support for public schools by nearly \$200 million once fully phased in, compared to the pre-Blueprint funding trajectory. ii

Senate Bill 138 would arm the city with a powerful tool to recoup costs and encourage development:

- Because of the extremely low assessed value of vacant properties, the (overwhelmingly private) owners of
 these properties have very low tax responsibilities meaning little revenue for the city and little incentive
 to put properties to more productive use.
- Vacant properties pose a safety hazard, promote violence, and make neighborhoods less attractive to families and businesses alike. Accountability for owners of vacant properties would provide an incentive to instead use these properties to boost the city's scarce stock of affordable housing.
- Baltimore would not be alone in levying a special tax rate on vacant properties. For example, the District of Columbia taxes blighted real property at a rate of 10% and other vacant property at a rate of 5%.
 Based on state assessment data, matching these rates would raise between \$8 million and \$22

- **million per year to fund city services**. iv To the extent that Senate Bill 138 incentivizes development and improves neighborhood quality of life, the impact could be significantly greater.
- Senate Bill 138 is narrowly tailored to allow a special rate only on vacant properties, fully addressing
 concerns raised by opponents of last year's bill as introduced.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Budget and Taxation Committee make a favorable report on Senate Bill 138.

Equity Impact Analysis: Senate Bill 138

Bill summary

Senate Bill 138 would authorize the mayor and city council of Baltimore City to set a special real property tax rate for a vacant lot or improved property cited as vacant and unfit for habitation or other authorized use on a housing or building violation notice.

Background

- For fiscal year 2023, there were about 11,300 taxable vacant property accounts in Baltimore City, with a combined assessed value of \$282.9 million.
- A 2022 study published by the 21st Century Cities Initiative at Johns Hopkins University estimated that
 vacant properties cost the city more than \$100 million in lost revenue and more than \$100 million in
 increased budget costs each year. Baltimore has the nation's third-highest rate of vacant and abandoned
 properties.
- The District of Columbia levies a 10% real property tax rate on blighted property and a 5% rate on other vacant property.
- The House of Delegates in 2023 passed Senate Bill 13831, which as amended would have granted the city
 the same authority as this year's Senate Bill 138.

Equity Implications

The extraordinary number of vacant properties in Baltimore City costs the city substantial revenues, generates significant costs, and holds back the city's economic development. This brings significant equity concerns, given the city's racial and ethnic composition:vi

- 61% of Baltimore City residents are Black, compared to 32% of Maryland residents overall
- 72% of Baltimore City residents are people of color, compared to 43% of Maryland residents overall

Moreover, vacant properties inflict greater harm on Baltimoreans of color than on white residents: The 10 Baltimore neighborhoods with the highest shares of vacant properties include: vii

- · The highest and second-highest shares of Black residents by neighborhood
- The neighborhoods with the highest and third-highest rates of child poverty
- Five of the 10 lowest-median-income neighborhoods

Impact

Senate Bill 138 would likely improve racial and economic equity in Maryland.

https://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnInnovEduc/Tot Local Approp Pre and Blueprint ModelingAssum.pdf https://dls.maryland.gov/pubs/prod/NoPblTabMtg/CmsnInnovEduc/Tot Local Approp Pre and Blueprint FiscalEffect.pdf

https://mgaleg.maryland.gov/cmte_testimony/2023/wam/13025_02072023_74138-919.pdf

i Mary Miller and Mac McComas, "The Costs of Baltimore's Vacant Housing," Johns Hopkins 21st Century Cities Initiative, 2022, https://21cc.jhu.edu/wp-content/uploads/2022/09/the-costs-of-baltimores-vacant-housing-1.pdf

ii Baltimore City's FY 2034 appropriation to public schools is projected to increase from \$346 million (pre-Blueprint) to \$543 million (Blueprint), according to a 2021 Department of Legislative Services analysis. Projected Blueprint costs have generally increased since this analysis.

iii Del. Regina Boyce, Senate Bill 13831 of 2023 sponsor testimony, 2023,

iV Taxable vacant properties in Baltimore City had a total assessment of \$283 million in FY 2023, according to the Senate Bill 13831 of 2023 Fiscal and Policy Note (https://mgaleg.maryland.gov/2023RS/fnotes/bil 0001/hb0231.pdf). Applying the District of Columbia tax rates to this assessable value would generate between \$14 million and \$28 million in revenue (depending on the proportion of vacant properties classified as blighted), compared to \$6 million at the current 2.246% rate.

V Senate Bill 13831 of 2023 Fiscal and Policy Note (https://mgaleg.maryland.gov/2023RS/fnotes/bil 0001/hb0231.pdf)

vi U.S. Census Bureau QuickFacts

VII MDCEP analysis of Baltimore Neighborhood Indicators Alliance Vital Signs, https://bniajfi.org/

SB 138_Habitat Chesapeake_Testimony.pdfUploaded by: Leila Kohler-Frueh

Bringing people together to build homes, communities & hope

Testimony SB138 Budget and Taxation Committee January 23, 2024 Position: Favorable

Dear Chair Guzzone:

For 40 years, Habitat for Humanity of the Chesapeake has been a catalyst for moving low-income families out of poverty toward more prosperous, stable futures through affordable homeownership. By bringing people together to build homes, communities, and inspire hope, we settled 794 families into energy-efficient, affordable homes with zero-interest mortgages. This positively impacted the lives of more than 3,000 partner family members (more than half of whom are children), involved more than 1,200 volunteers annually and impacted hundreds of other community residents who benefit from safer, more vital communities as homeownership rates increase.

During the next year, Habitat Chesapeake will work on 16 homes, some of them new construction, and rehabilitate properties that stand vacant or abandoned in Baltimore area neighborhoods including Milton-Montford, Sandtown, and Curtis Bay.

We know that homeownership is one of the most effective means for ensuring progress for first-time and first-generation homebuyers. It also provides tremendous benefit for our city and entire state.

Our work to ensure affordability for our homeowners, who fall within the 30-80% AMI for the region. The average household income for one of our buyers is currently around \$45,000.

The way that we achieve an affordable mortgage for our homebuyers relies on our ability to cover two gaps. The first gap between the cost of construction and the appraised value for the home. The second in ensuring affordability by covering any gap that might remain between the appraised value and our homeowner's capacity to pay a mortgage successfully. As a result, payments are limited to 30% of family income through use of second mortgages.

We understand that the potential to tax vacant properties is a powerful new tool for better assuring that vacant properties are brought into productive use, as it could speed up the process for having them go from vacant to rehabilitated. As a non-profit builder that works with communities and the City to acquire vacant properties in order to move them to productive use, we would also ask that the stipulation for vacant properties to be taxed at a different/higher rate not apply to non-profits who have them in their holdings until the property is rehabilitated. Typically, the Vacant Building Notice on a property is not removed until the property has been fully rehabbed, and received its Use and Occupancy certificate.

Bringing people together to build homes, communities & hope

This legislation could provide a real means for the City's to meet its goal in decreasing vacancy, increasing population, and creating equitable revitalization.

We favor enlarging access to affordable homeownership for low- to moderate-income homebuyers as an essential strategy for equitable revitalization. Such investments will pay great dividends for Baltimore and the State of Maryland. We hope that the Committee will look favorably upon this bill, as it may provide a real solution to some of the consistent problems of housing supply and neighborhood safety in the City.

Sincerely,

eila Kohler-Frueh, Director of Community Engagement

SB0138-BT-SUPP.pdfUploaded by: Nina Themelis Position: FAV



Office of Government Relations 88 State Circle Annapolis, Maryland 21401

SB0138

January 24, 2024

TO: Members of the Senate Budget and Taxation Committee

FROM: Nina Themelis, Director, Mayor's Office of Government Relations

RE: Senate Bill 138 – Baltimore City – Property Taxes – Authority to Set a Special Rate

for Vacant and Abandoned Property

POSITION: Support

Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) <u>supports</u> Senate Bill (SB) 138.

SB 138 aims to authorize the Mayor and City Council of Baltimore City to set special property tax rates for certain vacant and abandoned property that is subject to the county property tax. This bill provides a step toward improving the current tax system in Baltimore City and allows the city to make informed decisions about how to allocate its resources as well as address the large number of vacant properties.

The current system does not give the Mayor and City Council the necessary authority to set special property tax rates for certain classes and subclasses of real property, which can limit the city's ability to respond to the changing needs of its residents. The proposed legislation will allow for the City to set special rates for certain classes which provides an additional tool to ensure that we are able to further our historic efforts in the reduction of the total number of vacant properties.

By passing this legislation and granting the Mayor and City Council the authority to set special property tax rates for certain vacant and abandoned property, the City will be able to support the growth and development of its communities as well as provide an additional tool toward furthering Mayor Scott's comprehensive vision to address vacant properties at scale.

For these reasons, the BCA respectfully requests a **favorable** report on SB 138.

CLC Written Testimony SB 138 Baltimore City - Prop Uploaded by: Shana Roth-Gormley



SB 138

Baltimore City - Property Taxes – Authority to Set a Special Rate for Vacant and Abandoned Property

Hearing before the Senate Budget and Taxation Committee Jan. 24, 2024

POSITION: Favorable

Community Law Center (CLC) is a 501(c)(3) nonprofit organization, which is a legal partner to Maryland neighborhoods and nonprofits in pursuit of more just and vibrant communities. CLC provides direct legal representation to communities and nonprofits on issues like tax exemption and organizational governance, real estate, contracts, intellectual property, employment law, and more. We advocate on issues that impact our Maryland neighborhood and nonprofit clients, including to reform the tax sale system and to prevent and remediate property vacancy and abandonment.

CLC supports SB 138 to allow the Mayor and City Council of Baltimore City to set a special tax rate for vacant properties. This bill provides a much needed tool to address the vacant property crisis in Baltimore. Many vacant properties have been essentially abandoned by their owners, left to attract rodents and other pests, invite illegal dumping and other criminal activity, and accumulate trash and high grass and weeds. They become open to the elements, furthering their own deterioriation and causing structural damage to neighboring structures, like attached row houses. These vacants also impact neighboring property values, pose a danger of collapse, and require increased City police, fire, and code enforcement services.

All the while, these abandoned properties further deteriorate. As they deteriorate, their assessed value decreases, and so, as a result, does the property tax due. This decreasing property tax perversely incentivizes the property owner to take no action to clean up and rehab the property, leaving the cycle of deterioration to continue – as it becomes more expensive to rehab the deteriorated vacant, it becomes less expensive to do nothing, since the low property tax is based on the low assessed value. With the incentive of low taxation if the property owner does nothing, there is no reason to clean up the property and return it to productive use. This impacts the neighboring properties and the entire community, which must now deal with this deteriorated and abandoned vacant property. It also impacts the City of Baltimore as a whole, contributing not only the vacant property crisis, but also to the City's declining tax base.

We need every tool to address vacant properties and return them to productive use. SB 138 provides one such tool, giving the Mayor and City Council the power to set a special tax rate for vacant properties to incentivize their rehabilitation, and disincentivize their abandonment and decay.

CLC supports SB 138. Thank you for the opportunity to testify.

For the above reasons,

CLC urges a FAVORABLE VOTE ON SB 138.

Please contact Shana Roth-Gormley, Staff Attorney at Community Law Center, with any questions. ShanaR@communitylaw.org | 410-366-0922 x 118

SB 138_BOMA_UNF.pdf Uploaded by: Bryson Popham Position: UNF



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January 23, 2024

The Honorable Guy Guzzone Chairman, Senate Budget and Taxation Committee 3 West, Miller State Office Building Annapolis, Maryland 21401

RE: Senate Bill 138 - Baltimore City - Property Taxes - Authority to Set a Special Rate for Vacant

and Abandoned Property - UNFAVORABLE

Dear Chair Guzzone and Members of the Committee,

I am writing in my capacity as both the Legislative Chairman of the Building Owners and Managers Association of Greater Baltimore (BOMA), and as a member of its Board of Directors, to respectfully request an unfavorable report on Senate Bill 138.

BOMA, through its nearly 300 members, represents owners and managers of all types of commercial property, comprising 143 million square feet of office space in Baltimore and Central Maryland. Our members' facilities support over 19,000 jobs and contribute \$2.5 billion to the Maryland economy each year.

We write in opposition to Senate Bill 138. The fundamental reason for our opposition is that the bill would create an unwarranted exception to long-established principles governing real property taxation in the State. The bill simply authorizes Baltimore City government, through the Mayor and City Council, to create a special tax rate for a vacant lot or approved property if that property is cited as vacant and unfit for habitation or other authorized use. There are no other limitations placed on the City's ability to establish such a rate, and the language of the bill could be interpreted to authorize individual special rates for individual properties. There is also no time or other limit for a new special rate created under the bill – the danger being that it would become a permanent feature of our real property tax law and may encourage unwarranted subsidies, especially from existing commercial properties, to address any revenue shortfall.

While such drafting deficiencies in the legislation might be remedied through amendment to Senate Bill 138, the larger issue is how to treat the generally acknowledged problem of dealing with the large number of vacant and abandoned properties in Baltimore City. We note that Governor Moore has proposed a substantial expenditure in the Administration's budget bill, and we urge the Committee to shift its attention to that method of addressing this problem.

Sincerely,

Kevin J. Bauer

SB0138 - Baltimore City - Property Taxes - Authori Uploaded by: Tom Ballentine

Position: UNF



January 24, 2024

The Honorable, Guy Guzzone, Chair Senate Budget and Taxation Committee Miller Senate Office Building, 3 West Annapolis, Maryland 21401

Oppose: SB 138 – Baltimore City – Property Tax – Authority to Set Special Rates

Dear Chair, Guzzone and Committee Members:

On behalf of the NAIOP Maryland Chapters representing 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate I am writing in opposition to SB 138. NAIOP requests the committee consider the following points:

- Although narrower than prior year bills, House Bill 2 still provides authority for the City of Baltimore to establish separate tax rates for subclasses of real property breaking from the principle that real estate should be taxed at uniform rates regardless of use.
- We understand the authority is intended to be used to tax vacant and blighted properties. In our opinion, House Bill 2 is not a particularly good vehicle to deal with vacant and blighted property because increasing unpaid property tax obligations will make it harder to clear title and bring these properties to market.
- Recognizing the need to address vacant and blighted buildings in the city, during the 2023 Session you passed Senate Bill 855, Senator McCray / House Bill 921, Delegate Smith In Rem Foreclosure Vacant and Blighted Property. We see the authority granted in that legislation as a more direct, and effective policy approach.

For these reasons NAIOP respectfully requests your unfavorable report on SB 138.

Thank you for consideration of our point of view.

Sincerely,

Tom Ballentine, Vice President for Policy

NAIOP – Maryland Chapters, The Association for Commercial Real Estate

cc: Budget and Taxation Committee Members Nick Manis – Manis, Canning Assoc.

U.S. Mail: 12 Francis Street, Annapolis, Maryland 21401 Phone: 410.977.2053 Email: tom.ballentine@naiop-md.org