Bill No.	25-2	0		
Concerning: _F	Rental	Assista	ince -	
Amendments				
Revised: 7/1	6/2020	Draf	t No. <u>3</u>	
Introduced:	June 16	5, 2020		
Enacted:	July 29,	2020		
Executive:	August	7, 2020		
Effective:	Noveml	oer 6, 202	20	
Sunset Date:	None			
Ch. 23 . Laws of Mont. Co. 2020				

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the County Executive

AN ACT to:

- (1) change the age of eligibility for the Rental Assistance Program;
- (2) clarify the definition of a person with a documented disability;
- (3) remove the prohibition of eligibility of County residents without immigration documentation;
- (4) provide that the benefit amount for the Program is established in regulations; and
- (5) generally amend County law regarding the Rental Assistance Program.

By amending

Montgomery County Code Chapter 41A, Rental Assistance Sections 41A-2, 41A-3, and 41A-5

Heading or defined term.
Added to existing law by original bill.
Deleted from existing law by original bill.
Added by amendment.
Deleted from existing law or the bill by amendment.
Existing law unaffected by bill.
(

The County Council for Montgomery County, Maryland approves the following Act:

2 41A-2. Definitions. In this Article, the following words have the meanings indicated: 3 Applicant means a person, commonly the head-of-household, who 4 (a) applies for rental assistance on behalf of a household. 5 6 [Disabled person means any individual who: 7 (e) receives disability benefits under the Social Security Act or the 8 (1) 9 Railroad Retirement Act, or from a federal, state, or local government disability retirement system; or 10 11 (2) has a physical, mental, or emotional impairment that substantially limits one or more major life activities of the individual as the 12 Department determines after the individual submits a statement of 13 condition of disability from the individual's physician. 14 (f)] Eligible Household means a household that [: 15 16 (1)meets the standards of eligibility adopted in regulations, and 17 includes one or more of the following: a person with a documented disability and any others who live with <u>(1)</u> 18 the person under the same rental agreement; 19 a person 55 years of age or older, and any others who live with the 20 (2) person under the same rental agreement; or 21 a person who is a participant designated by the Director as eligible 22 (3) for participation. 23 resides in an eligible rental unit.] [(2)]24 (f) [(g)] *Eligible rental unit* means a rental unit in the County: 25 (1) that conforms to the standards adopted in regulations; 26 for which the household has a rental agreement; and (2) 27

Sec. 1. Sections 41A-2, 41A-3, and 41A-5 are amended as follows:

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28	(3)	that maintains all licenses and permits as required by Chapter 29.
29	(g) [(h)] (1)	Gross income means the total household income from all sources,
30		whether or not reported on a federal or state income tax return.
31	(2)	Gross income does not include losses from business, rental, or
32		capital transactions and certain third-party, educational, and
33		restitution payments specified in regulations.
34	[(i) House	ehold means:
35	(1)	two or more persons, whether or not related, who live together in
36		an eligible rental unit;
37	(2)	a disabled person; or
38	(3)	a person 62 years of age or older.
39	All p	ersons living in an eligible rental unit must be treated as one
40		household for the purposes of determining eligibility.]
41	(h) Perso	n with a documented disability means a person who:
42	<u>(1)</u>	receives disability benefits under the Social Security Act or the
43		Railroad Retirement Act, or from a federal, state, or local
44		government disability retirement system; or
45	<u>(2)</u>	has a physical, mental, or emotional impairment that substantially
46		limits one or more major life activities of the individual as the
47		Department determines after the individual submits a statement of
48		condition of disability from the individual's physician.
49	(i) [(j)] Rec	ipient means a person who is receiving benefits on behalf of a
50	house	hold under this Article. A recipient includes a person who reapplies
51	for be	enefits before the end of that person's eligibility period. Each
52	recipi	ent must be at least 18 years old, a resident of the County, reside at
53	the ap	plication rental unit, and be a member of the household.

54	<u>(j)</u> [(k)] Rental unit means a unit occupied by not more than one household,
55		which includes:
56		(1) a detached or attached single family home or townhouse;
57		(2) an apartment in a multi-family facility;
58		(3) a condominium or cooperative unit in a <u>multi-family</u> [multifamily]
59		facility;
60		(4) a rental mobile home in a licensed mobile home park, or a rented
61		mobile home pad on which the applicant has placed a mobile home
62		in a licensed mobile home park; or
63		(5) a room or group of rooms in an attached or detached single family
64		home or townhouse, apartment, condominium or cooperative.
65	41A-3. Eli	gibility for Rental Assistance Program benefits.
66	(a)	A household is eligible to receive Rental Assistance Program benefits if
67		the household meets the standards established in regulations. The
68		standards of eligibility must consider, but are not limited to, the following
69		elements:
70		* * *
71	[(c)	A household is not eligible for benefits under this Article if the applicant
72		is an undocumented resident. An undocumented resident applicant may
73		receive benefits if a child for whom the applicant receives Temporary
74		Cash Assistance benefits resides in the household.]
75	41A-5. Rea	ntal assistance benefits.
76		* * *
77	(a)	[[Benefits under this Article must be paid in accordance with regulation.]]
78		[The regulation must specify the amount of the benefit, considering the
79		actual monthly rent paid by a tenant for a rental unit. The regulation may
80		also consider a maximum allowable rent cost, based on household size

81	and other variables. Maximum benefit amounts may be established for
82	classes of eligible households based on age, household size, and other
83	variables specified by regulation.
84	(1) The percentages must vary based upon the number of individuals
85	in the household.
86	(2) The office of landlord-tenant affairs must at least annually
87	determine the average rental costs for rental units of different sizes
88	in Montgomery County.] [[By Method 3 regulation, the
89	Department must annually set and disseminate a schedule of the
90	benefit amount.]] Benefits under this Article must be paid in
91	accordance with criteria set by Method 2 regulation. However, the
92	specific minimum and maximum benefit that may be paid to an
93	eligible household must be determined annually by Method 3
94	regulation.
95	* * *

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Approved:

Soule Katz	7/29/2020
Sidney Katz, President, County Council	Date
Approved:	
Man Elf	8/7/2020
Marc Elrich, County Executive	Date
This is a correct copy of Council action.	
SmSinglet_	8/9/2020
Selena Mendy Singleton, Esq. Clerk of the Council	Date