

*Clerk's Note: Corrected a typographical error by changing "(c)" to "(d)" in line 78.*

Expedited Bill No. 50-20  
Concerning: Landlord-Tenant Relations  
- Fire Safety - ~~[[Removal]]~~  
Replacement of Mercury Service  
Regulators  
Revised: 6/22/2021 Draft No. 6  
Introduced: December 8, 2020  
Enacted: June 29, 2021  
Executive: July 9, 2021  
Effective: July 9, 2021  
Sunset Date: None  
Ch. 15, Laws of Mont. Co. 2021

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Council President Hucker  
Co-Sponsors: Councilmember Riemer, Council Vice President Alborno, Councilmembers  
Navarro, Katz, Rice and Jawando

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**AN ACT** to:

- (1) require landlords to provide certain notices to tenants;
- (2) require landlords to schedule the replacement of indoor mercury service regulators; and
- (3) generally amend the law regarding landlord obligations and landlord-tenant relations.

By amending

Montgomery County Code  
Chapter 29, Landlord-Tenant Relations  
Sections 29-29 and 29-30

By adding

Montgomery County Code  
Chapter 29, Landlord-Tenant Relations  
Section 29-35C

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

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



25           (1) Except as provided in paragraph (2), this section applies to a  
 26           landlord of a multifamily dwelling in a structure built before  
 27           1968.

28           (2) This section does not apply to a landlord of a dwelling unit in a  
 29           common ownership community.

30           (c) ~~[[Determination]] Required landlord efforts. A landlord must [[verify~~  
 31           whether an indoor mercury service regulator is on the premises of any  
 32           rental property leased by the landlord]] make reasonable efforts to:

33           (1) take a photograph of any meter that could be an indoor gas  
 34           service regulator located on any rental property leased by the  
 35           landlord;

36           (2) provide a copy of the photograph to the gas utility company; and

37           (3) cooperate with the gas utility company to schedule the  
 38           replacement of any indoor mercury service regulator.

39           [[c) Initial notice. If an indoor mercury service regulator is on the premises  
 40           of the rental housing, the landlord must notify the Department, and must  
 41           notify each tenant in writing on a form prescribed by the Director. At a  
 42           minimum, the landlord must notify the tenant that:

43           (1) an indoor mercury service regulator exists on the premises of the  
 44           rental housing;

45           (2) the landlord has requested, or immediately will request, the  
 46           removal of the regulator by the gas utility company;

47           (3) the landlord will notify the tenant once the regulator is removed;  
 48           and

49           (4) the tenant may contact the landlord, the gas utility company, or  
 50           the Office of Landlord-Tenant Affairs with questions, concerns,  
 51           or complaints.]]

52       [[d) *Scheduling removal of the regulator.* The landlord must, with due  
 53       diligence and in good faith, contact the gas utility company to schedule  
 54       the immediate removal of each indoor mercury service regulator on the  
 55       premises of the rental housing.]]

56       [[e) *Follow-up requirements.*

57           (1) Within 30 days after providing notice under subsection (c), the  
 58           landlord must update the tenant in writing of the status of the  
 59           removal of the indoor mercury service regulator.

60           (2) If the regulator has not been removed within 30 days after  
 61           providing the notice under subsection (c), the landlord must re-  
 62           contact the gas service company to arrange for the immediate  
 63           removal of the regulator.]]

64       [[f)] (d) *[[Final notice]] Notification.*

65           (1) The landlord must notify the tenant in writing [[once]] within 30  
 66           days after the gas utility company informs the landlord that the  
 67           indoor mercury service regulator is [[removed]] replaced.

68           (2) The landlord must provide a copy of the notice to the  
 69           Department.

70       [[g)] (e) *Enforcement.*

71           (1) The Department must enforce this section under Section 29-8.

72           (2) A violation of this section is a Class A violation.

73       [[h)] (f) *Database.* The Department must maintain data, in a searchable  
 74       form available to the public, regarding[[:

- 75           (1) premises subject to an initial notice under subsection (c);
- 76           (2) premises subject to a final notice under subsection (f); and
- 77           (3) enforcement actions under subsection (g)]] notifications received
- 78           by the Department under subsection (d).

79           **Sec. 2. Expedited Effective Date.** The Council declares that this legislation is  
80 necessary for the immediate protection of the public interest. This Act takes effect on  
81 the date on which it becomes law.

82           **Sec. 3. Transition.** A landlord must comply with the requirements of Section  
83 1, 29-35C(c) of this Act within 90 days after the effective date of the Act.

Approved:



7/1/2021

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Tom Hucker, President, County Council

Date

Approved:



7/9/21

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Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*



7/12/2021

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Selena Mendy Singleton, Esq., Clerk of the Council

Date