

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2020 Legislative Session

Bill No. CB-78-2020

Chapter No. 73

Proposed and Presented by Council Member Ivey

Introduced by Council Members Ivey, Turner, Anderson-Walker, Davis, Dernoga, Glaros,
Franklin, Harrison, Hawkins, Streeter and Taveras

Date of Introduction October 20, 2020

BILL

1 AN ACT concerning

2 Limiting the amount of a rent increase that may be assessed after the Adoption of CB-16-
3 2020, which Prohibited Certain Acts During the COVID-19 Public Health Crisis.

4 For the purpose of amending the Landlord-Tenant Code to limit a landlord’s ability to increase
5 rent for certain tenants above a certain amount; providing that existing obligations or contract
6 rights may not be impaired by this Act; and generally relating to rent increases.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 13. HOUSING AND PROPERTY
9 STANDARDS.
10 Sections 13-139, 13-140 and 13-142,
11 The Prince George's County Code
12 (2019 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, that Sections 13-139, 13-140 and 13-142 of the Prince George's County Code be and
15 the same are hereby repealed and reenacted with the following amendments:

16 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**
17 **DIVISION 3. LANDLORD AND TENANT REGULATIONS.**
18 **SUBDIVISION 1. GENERAL PROVISIONS.**

19 * * * * * * * * * *

20 **Sec. 13-139. Rent Increases-Limitations and Late Fees or Penalties During Certain**
21 **Emergencies –Prohibited.**

1 (a) From the date of adoption, a landlord shall not: [During an emergency, a landlord shall
2 not increase rent for a tenant with substantial loss of income nor impose late fees or
3 penalties for any tenant if the rent increase would take effect during an emergency as
4 defined in Sec. 13-138 (14) of this Subtitle and within 90 days after the expiration of an
5 emergency; or]

6 (1) increase rent in an amount that exceeds two-point six percent (2.6%) per annum
7 of the existing rent amount for any tenant not suffering a loss of income because of
8 the emergency; or

9 (2) increase rent for a tenant with substantial loss of income.

10 (b) A landlord shall not issue notice of a rent increase, late fees or penalties during an
11 emergency and within 90 days after the expiration of an emergency.

12 **Sec. 13-140. Notices of rent adjustments and Rent Payment Plans [-Required] During the**
13 **Emergency.**

14 During an emergency, and within 90 days after the expiration of the emergency, a landlord:

15 (a) [During an emergency, and within 90 days after the expiration of the emergency, a
16 landlord] shall not notify a tenant with substantial loss of income of a rent increase[.]; or

17 (b) [A landlord] shall inform a tenant with substantial loss of income in writing to
18 disregard any notice of a rent increase if:

19 (1) the landlord provided the notice to the tenant with substantial loss of income prior
20 to the emergency; and

21 (2) the effective date of the increase would occur on or after the date the emergency
22 began; and

23 (c) may offer rent payment plans, in writing, to tenants with substantial loss of income.

24 * * * * *

25 **Sec. 13-142. Notice of prohibition of certain rent increases, limitations on the rate of certain**
26 **rent increases, late fees and penalties.**

27 (a) [The] Department of Housing and Community Development (DHCD) and Department
28 of Permitting Inspection and Enforcement (DPIE) shall provide information about the
29 requirements of this Subdivision [Section] on their respective websites, including the date that
30 the emergency expires, and the date that is 90 days after the expiration of the emergency.

31 (b) [The] DHCD and DPIE shall [email and] post notice to license holders of the

1 prohibition of rent increases for a tenant that has not suffered a substantial loss of income as
2 defined in CB-16-2020 and CB-52-2020, evictions, late fees or penalties and the two-point six
3 percent (2.6%) per annum limit on rent increases for any tenant that has not suffered a substantial
4 loss of income, within 15 days of the enactment of this bill.

5 (c) The DPIE shall exercise the enforcement authority provided pursuant to Sec. 13-102 of
6 Subtitle 13 and Sec. 1-123 of Subtitle 1 of this Code:

7 (1) This enforcement authority shall include the authority to impose fines for
8 violations of the provisions of this subtitle, including:

9 (2) The authority to impose a penalty in the amount of \$500 for the first violation of
10 the provisions of Sec.13-139 through 13-142 of this Subtitle; and

11 (3) The authority to impose a penalty in the amount of \$1000 for any subsequent
12 violation of the provisions of Sec.13-139 through 13-142 of this Subtitle; and

13 (4) Any penalty collected shall be distributed to the general fund.

14 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
15 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
16 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
17 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
18 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
19 Act, since the same would have been enacted without the incorporation in this Act of any such
20 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
21 or section.

22 SECTION 3. BE IT FURTHER ENACTED that a presently existing obligation or contract
23 right may not be impaired by this Act.

24 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
25 calendar days after it becomes law.

Adopted this 17th day of November, 2020.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.