



Statement on Council Bill 7-24, Landlord-Tenant Relations – Tenant Protection and Notification

April 23, 2024

The Apartment and Office Building Association of Metropolitan Washington (AOBA) is a non-profit trade association representing more than 133,000 apartment units and over 23 million square feet of office space in Montgomery and Prince George’s County. In Montgomery County, AOBA members own or manage 60,000 of the county’s estimated 83,000 rental units.

AOBA supports efforts to make multifamily buildings safer and has been working with State and County leaders to accomplish this goal. At the state level, AOBA was favorable with amendments on House Bill 823 – Fire Protection and Prevention - Residential Rental Property – Requirements. This enacted bill includes the following requirements for multifamily high-rise buildings that are not protected by automatic sprinkler systems:

- Signage at all main entrances indicating that the building is not protected by an automatic sprinkler system;
- Lease notice that the building is not protected by an automatic sprinkler system;
- Fire safety and building evacuation instructions for new tenants and every two years for existing tenants; and
- Notification devices for tenants that are deaf, blind or hard of hearing paid for by the landlord without being passed on to the tenant.

AOBA also worked with lawmakers on a compromise to HB 823 requiring new smoke detectors in public corridors in accordance with the location and spacing requirements established by the National Fire Protection Association.

Given that HB 823 and CB 7-24 have several overlapping provisions, AOBA supports the lease notice and emergency safety plan requirements in the Council Bill. However, AOBA asks that the Department of Permitting Services (DPS), not the Department of Housing and Community Affairs (DHCA), be responsible for reviewing and approving the emergency safety plans. This is consistent with Chapter 22 of the County Code, which requires DPS to approve fire plans for certain multifamily high-rise buildings. The bill should also be amended to make it explicitly clear that the emergency safety plans may not require a landlord to relocate displaced tenants.

Lastly, as AOBA highlighted in its FY 25 Operating Budget testimony, the County currently has a fragmented approach to fire safety. DPS does fire code enforcement in buildings, but not in individual units. That responsibility is left to the DHCA inspectors that are not fire code experts. Fire safety education and outreach is left to the Fire Department. The Council should take this opportunity to establish a centralized Office of Fire Safety that works across all three departments to coordinate fire code enforcement efforts; perform outreach to tenants and landlords; and train all stakeholders on the testing, inspecting, and maintenance of fire alarms and suppression systems.

For more information about this statement, please contact Brian Anleu, Vice President of Government Affairs for Maryland, at banleu@aoba-metro.org.