

# TRoubLED PROPERTy FAQ

## Why create a Troubled Property List?

Montgomery County Maryland is home to about 1.05 million residents and about 35% live in rental housing. The demand for rental housing is growing and aging housing stock is challenging to maintain. As such, property owners and/or property managers play a vital role in the community as they are responsible for providing and preserving one of the most basic human necessities – shelter. Because of this vital need, Montgomery County Government has enacted legislation to motivate certain property owners and managers to improve the living conditions of the apartments they own and/or manage by reducing the overall number and severity of violations existing on their properties.

The designation of troubled properties is also intended to assist DHCA in prioritizing where to focus its limited housing code inspection resources among the nearly 700 multifamily rental properties in Montgomery County; these properties contain approximately 73,000 individual rental units.

## What is a Troubled Property?

“Troubled property” is a term found in Chapter 29 (§29-22) of the Montgomery County Code. Essentially, a troubled property is a multifamily rental property that– because of the severity and quantity of housing code violations observed during DHCA’s most recent inspection of the property – is subject to annual inspections by the DHCA.

A property may also be designated as a troubled property if one or more of the following conditions are observed:

- Rodent or insect infestation affecting 20 percent or more of the units in the building;
- Extensive or visible mold growth on interior walls or exposed surfaces;
- Windows that do not permit a safe means of egress;
- Pervasive or recurring water leaks resulting in chronic dampness, mold growth, or personal property damage in more than one unit; and,
- Lack of one or more working utilities that is not shut off due to tenant non-payment.

Additionally, a property designated as troubled must develop and implement a corrective action plan that describes in detail the specific actions that the landlord will take within a specified time schedule to both identify and correct current and ongoing housing code violations in a timely manner and prevent future housing code violations to the greatest extent possible. A troubled property must also submit a quarterly log of its internal maintenance calls upon the request of DHCA.

## How are properties designated as a Troubled Property?

An individual property is designated as troubled based on a comparison of its most recent inspection results with the results of all other properties inspected during the same time period. Each year, DHCA uses the results of the preceding year's multifamily housing code inspections to calculate which properties should be designated as troubled. DHCA calculates two numerical scores for each multifamily property inspected: The Total Number of Violations Score (the "TV" Score), and the Severity of Violations Score (the "SV" Score). If a property's scores exceed the annual thresholds established by DHCA, that property will be designated as a troubled property and it will receive annual inspections.

## How can the Troubled Property designation be removed from my property?

A property designated as troubled may have the designation removed at the time its annually calculated TV and SV scores no longer exceed the thresholds at which properties are designated as troubled. Additionally, troubled properties are required to complete a corrective action plan and submit quarterly records listing all the maintenance requests received by the landlord from their tenants. Failure to submit the required corrective action plan and/or submittal of quarterly maintenance logs will result in a property remaining on the troubled property list. The minimum amount of time a property will be designated as troubled is one year. This means that a property that has been designated as troubled in Year 1 will have that designation until a subsequent annual inspection of that property produces scores that do not exceed the established thresholds.

## What happens after my property is removed from the Troubled Property List?

Each year, DHCA will establish a list of troubled properties subject to annual inspections. Multifamily properties that do not have annual inspections will still receive a minimum of one inspection within each three-year period for compliant properties. Those properties that move from "Troubled" to "At-Risk", may be inspected more frequently at the discretion of DHCA.

## Where can I turn for more information?

Montgomery County has three dedicated resources for monitoring and tracking the status of Multifamily properties. They are:

1. **dataMontgomery:** [Contains list and status \(Complaint, At-Risk and Troubled\) of all of the nearly 700 multifamily properties in the County.](#)
2. **CountyStat:** [Explanation of DHCA's inspection process.](#) Includes more information on Troubled Properties and includes an interactive map that depicts all multifamily properties in the County.
3. **eProperty:** Searchable database that contains individual inspection results for all Housing Enforcement cases as well as info for matters related to the Office of Landlord/Tenant Affairs. <https://apps.montgomerycountymd.gov/dhca-eproperty>

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