



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

Richard S. Madaleno
Chief Administrative Officer

MEMORANDUM

February 5, 2025

TO: Chris Cihlar, Director
Office of Legislative Oversight

FROM: Richard S. Madaleno, Chief Administrative Officer *BSM*

SUBJECT: Draft OLO Report 2025-2, Implementation of the Housing Justice Act

Thank you for the opportunity to comment on the Office of Legislative Oversight's (OLO) Draft Report 2025-2, Implementation of the Housing Justice Act.

Fair and affordable housing has long time been goal and passion of the County Executive. In July 2024, the County Council adopted Bill 8-24, Human Rights and Civil Liberties – Fair Criminal History and Credit Screenings - Amendments, to Address Discrimination in the Housing Market; which the County Executive supported. In implementing Bill 8-24, we developed and disseminated outreach material and messaging to landlords in November 2024. The implementing agencies, Department of Housing and Community Affairs (DHCA) and the Office of Human Rights (HRC), will collaborate in monitoring for landlord compliance. Below are select examples and highlights of recent programs and efforts that implement the County Executives strategic and impactful housing vision.

- In FY25, through its implementation agency, DHCA, the County enacted regulations to implement the Rent Stabilization law and enhanced and increased inspection services. To ensure effective implementation and optimize operations, a new division, the Office of Rental Housing was created within DHCA, which also included two key positions—a senior manager position and inspectors.
- The County launched the Common Ownership Communities (COCs) Common Area Assistance Loan Fund program in FY25. This DHCA program is designed to assist COCs lacking the financing capacity to maintain and sustain their housing stock in livable conditions through a zero-interest loan program. It anticipated that a significant number

of the COCs in need of repairs are in communities with higher population clusters of minority communities.

- The County launched the Non-Profits Preservation Fund in FY25 to invest in the acquisition and preservation of affordable housing in a joint effort with the Housing Opportunities Commission (HOC). DHCA has routinely partnered with housing providers in furthering the County's affordable housing objectives and will continue to work with our partners.
- Finally, the County Executive is proposing to increase downpayment assistance limits to assist residents seeking housing opportunities. In addition, DHCA is also seeking to increase funding for counseling and tenant services contracts.

The highlights above represent a few examples of programs and activities that seek to further accessibility to returning citizens and County residents through programing, preservation, and creation of affordable housing. Staff will continue to explore opportunities that seek to further accessibility and availability of affordable housing supply.

Lastly, County staff will continue community outreach efforts to help foster engagement, awareness and understanding of the various housing regulations, programs, and initiatives for County residents and especially with BIPOC and low and moderate-income communities. This includes educating both residents and landlords on programs such as troubled and at-risk properties and the new rent stabilization program.

We are pleased to respond to this draft report which includes the following recommendations.

Recommendation #1: Convene a collaborative effort to jointly develop, implement, and evaluate housing solutions for returning citizens and other community members with criminal records.

CAO Response: We agree with this recommendation, as it would bring a diverse and collaborative group of agencies/partners together to jointly develop, implement, and evaluate outreach, education, and enforcement of fair housing laws. Research by Jacobs & Gottlieb¹ demonstrates the relationships between housing circumstances and recidivism are well established among people released from incarceration and that housing effects are particularly strong for relatively low risk people and for relatively low-severity offenses (i.e., property crimes, minor crimes, and revocations). Interventions that increase housing access for people on probation may reduce recidivism, especially for those who are relatively low risk and low-level reoffending.

¹ Jacobs, A. & Gottlieb, A. (2020). The Effect of Housing Circumstances on Recidivism. Criminal Justice Behavior. Aug 6;47(9):1097–1115.

We also concur with OLO's recommendations that this effort should consist of various County representatives; such as County representatives from Services to End and Prevent Homelessness (SEPH), the Department of Correction and Rehabilitation (COR), DHCA, the Housing Opportunities Commission (HOC), and HRC, community representatives from the Interagency Commission on Homelessness and community groups that advocate for racial equity in the criminal legal system, in addition to community members with lived experience of involvement in the criminal legal system, especially returning citizens who are Black, Indigenous, and people of color (BIPOC). A collaborative team would support and improve addressing housing related concerns for those re-entering the community after incarceration.

Recommendation #2: Convene a collaborative effort to jointly develop, implement, and evaluate outreach, education, and enforcement of fair housing laws.

CAO Response: We agree with this recommendation. We recommend the reconstitution of the Interagency Fair Housing Coordination Group (IAFHCG), which was established by County Council and codified in Chapter 27, Section 27-26B of the Montgomery County Code to facilitate and promote the County's efforts to prevent discrimination in housing.

Recommendation #3: Commission an additional study of fair chance housing policies in other jurisdictions.

CAO Response: We agree with this recommendation. We would suggest a review of the policies of Howard County, Prince George's County, the City of Baltimore and Washington, DC which more closely reflect our racial demographic and population. We would also suggest a similar review of the policies of the Maryland Civil Rights Commission.

Recommendation #4: Increase funding to the Office of Human Rights to support implementation of the Housing Justice Act and other human rights laws.

CAO Response: We are currently working with the HRC to determine the workload, help improve current processes, increase efficiencies and mission alignment to determine additional staff that may be needed.

We appreciate the work of OLO and this comprehensive study on the Housing Justice Act, as well as our fair housing policies. We also appreciated the opportunity to share on comments on the various recommendations. Fair and affordable housing continues to be one of the Executive's highest priorities.

We look forward to discussing these items at the Council work session.

RM/js

cc: Fariba Kassiri, Deputy Chief Administrative Officer, Office of the County Executive
Tricia Swanson, Director of Strategic Partnerships, Office of the County Executive

James Stowe, Director, Office of Humans Rights

James Bridges, Director, Department of Health and Human Services

Ben Stevenson, Director, Department of Corrections and Rehabilitation

Scott Bruton, Director, Department of Housing and Community Affairs