



December 19, 2018

Dear Rental Property Owners and Managers:

The Montgomery County Department of Housing and Community Affairs (DHCA), Housing Code Enforcement Section, would like to notify you of several important law changes that may significantly impact your rental property in the County.

Major changes contained in County [Bill 19-15, Landlord-Tenant Relations](#) have strengthened DHCA's housing code enforcement activities by requiring:

- More frequent inspections of all multifamily rental properties in Montgomery County to determine their current condition,
- Additional code enforcement resources to focus on properties with significant **health and safety issues** and properties with **numerous code violations**, and
- Increased transparency about the condition of rental properties in the County through expanded data collection and sharing.

The following **Montgomery County Executive Regulations** may also significantly impact your rental property:

- 1) [5-17 Troubled Properties](#) (pending County Council approval) – DHCA must establish a housing code violation classification system to identify “**Troubled Properties.**” All “**Troubled Properties**” will be subject to annual inspections (instead of an inspection every three years) and will be required to develop a corrective action plan to address code violations.
- 2) [02-17 Establishing Inspection Fees](#) (approved July 18, 2017) - The annual licensing fee paid by a multifamily rental property owner covers the cost of **one initial code violation inspection and one follow-up second inspection within a three-year period.** Property owners are required to pay the cost of a third and any subsequent inspections when a code violation is not corrected by the second inspection according to the following fee schedule:
 - **1st Inspection \$0**
 - **2nd Inspection \$0**
 - **3rd Inspection \$100** flat fee, plus **\$25** for each rental unit that must be re-inspected
 - **4th Inspection \$200** flat fee, plus **\$50** for each rental unit that must be re-inspected
 - **5th Inspection \$500** flat fee, plus **\$125** for each rental unit that must be re-inspected
 - **6th Inspection \$1000** flat fee, plus **\$250** for each rental unit that must be re-inspected
- 3) [3-18 Repair and Deduct](#) (approved July 24, 2018) – The Director of DHCA may authorize tenants to repair a housing code violation and deduct up to one month's rent when a landlord fails to correct a housing code violation within the specified timeframe.

Other Important Reminders:

As we approach the winter, DHCA would like to remind you about five critical issues related to potential code violations and rental housing safety:

- 1) [Maryland's New Smoke Alarm Reminder](#) requires replacement of any smoke alarm that is 10 or more years old (from the date of manufacture) with a sealed 10-year life span battery-operated smoke alarm. [Montgomery County has additional smoke alarm equipment requirements](#) based on when a building was constructed.
- 2) [Maryland's Rental Property Carbon Monoxide Alarm](#) requires all rental properties containing any fuel burning equipment, wood burning appliance, or an enclosed garage to have a carbon monoxide alarm in addition to a smoke alarm. ***The Office of the Maryland Fire Marshall recommends that multi-family properties use a hard-wired combination smoke alarm/carbon monoxide alarm with a ten-year battery back-up.***
- 3) [Gas Heating and Cooking Safety Awareness](#) is a critical concern related to health and safety. **If anyone smells natural gas in or near your property, call 9-1-1 immediately.** Also, please ensure that residents and property staff immediately evacuate the property and relocate to a safe location.
- 4) **Complaints about mold** and related health risks in rental properties has increased significantly in the past six-months. Mold can be avoided by improving maintenance practices and educating tenants about the importance of repairing water leaks and ventilating rooms to avoid excessive moisture, humidity, and condensation. For additional information about mold prevention please refer to the EPA's "[Brief Guide to Mold and Moisture and Your Home](#)"
- 5) **Snow Removal** - in Montgomery County, all public sidewalks adjacent to a property, including any walkway in the public right-of-way, must be shoveled [within 24 hours after the snow stops](#) to provide a pathway wide enough for safe "pedestrian and wheelchair" use. Violators will receive a citation and will be subject to a fine. ***Commercial and multifamily properties receive a separate violation for each day that the violation continues. In addition to fines, the County can clear snow and ice and charge a violator for the cost.***

In closing, we would like to thank you in advance for your proactive efforts to ensure that Montgomery County's rental housing stock is in safe condition!

Sincerely,

Timothy J. Goetzinger, Acting Director

Additional Resources

- [DHCA Housing Code Enforcement Handbook](#)
- [DHCA Landlord Tenant Handbook](#)
- [BGE Natural Gas Safety Spanish/English Brochure](#)
- [Stay on the Safe Side of Natural Gas Outside](#)
- Holiday Safety Reminder (English/Spanish) - attached