



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Licensing for Bed and Breakfast and Short-Term Residential Rental	Number 27-25
Originating Department Department of Housing and Community Affairs	Effective Date

Department of Housing and Community Affairs  
Montgomery County Regulation on:

## LICENSING FOR BED AND BREAKFASTS AND SHORT-TERM RESIDENTIAL RENTALS

Issued by: County Executive  
COMCOR 54.00.02

Authority: Section 54-2 of the County Code  
Supersedes: N/A

Council Review: Method (3) Under Code Section 2A-15  
Register Vol. 42, No. 12

Comment Deadline: December 31, 2025  
Effective Date: \_\_\_\_\_  
Sunset Date: N/A

**SUMMARY:** The regulation establishes the procedures to apply for a license for the operation of a bed and breakfast or short-term residential rental in Montgomery County, including license application, approval, suspension and revocation under Code Sections 54-42 through 54-49. This applies to a county resident who operates a bed and breakfast or a short-term residential rental in compliance with Chapter 54, Article III, and these regulations.

**ADDRESS:** Department of Housing and Community Affairs  
1401 Rockville Pike, 4<sup>th</sup> Floor  
Rockville, Maryland 20852

**STAFF CONTACT:** Tiffany Johnson, Program Manager  
Department of Housing and Community Affairs  
Licensing and Registration Program  
tiffany.johnson@montgomerycountymd.gov



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## **COMCOR 54.00.02 Licensing for Bed and Breakfasts and Short-Term Residential Rentals**

### **54.00.02.01 Definitions**

- (a) **Abutting and Confronting Neighbor:** Any property that shares a common boundary with, faces, is directly across from, or is located in the same cul-de-sac with the property that is the subject of the application.
- (b) **Applicant:** A person who applies for a license to operate a bed and breakfast or a short-term residential rental under Chapter 54 of the Montgomery County Code.
- (c) **Designated Representative:** An individual over the age of 18 who resides within 15 miles of the rental property and can be contacted by renters for emergency purposes or otherwise if the applicant is unavailable.
- (d) **Owner-Authorized Agent:** An individual authorized in writing by the property owner to act on their behalf.
- (e) **Primary Resident:** An individual who occupies the property or dwelling unit for more than 180 days of each calendar year and uses, considers, and treats the property as their primary residence for all legal and tax purposes.
- (f) **Record of Overnight Visitors:** A record that at a minimum contains the following information:
  - (1) the name of each overnight visitor;
  - (2) the residence address of each overnight visitor, including state, city or town, street, and street number or rural mail delivery route number;
  - (3) the age of each overnight visitor;
  - (4) the number of the room or facility occupied by each overnight visitor; and
  - (5) the date and time of registration and checkout of each overnight visitor.



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## **54.00.02.02 Bed and Breakfast and Short-Term Residential Rental License Application Requirements**

- (a) **License applicant qualifications.** To qualify for a bed and breakfast or short-term residential rental license, an applicant must:
- (1) be the owner of the property or the owner's authorized agent; and
  - (2) meet all other requirements set out in Section 54-43 of the County Code.
- If the applicant is a business entity, the individual submitting and signing the application must be the applicant's authorized agent and must certify that they are the primary resident of the property or dwelling unit. If the applicant is an individual, the individual must be and must certify that they are the primary resident of the property or dwelling unit.
- (b) **Self-certification requirements.** As part of the application process, the applicant must self-certify compliance with Section 54-43 "Application for a License," on a form to be provided by the Department.
- (c) **Proof of Primary Residence.** To establish that they are a primary resident of the property, an applicant must submit at least one or more of the following documents:
- (1) a current Maryland driver's license or identification card;
  - (2) most recent tax return;
  - (3) W-2 from the most recent year; or
  - (4) recent utility bill with applicant's name.
- (d) **Owner-Authorized Agent:** If an owner-authorized agent submits the application, they must provide a written, notarized consent from the property owner to act on behalf of the property owner. If the owner is a corporate entity, the written, notarized consent must be provided by an individual with authority to bind the entity legally.
- (e) **Designated Representative:** When submitting the application, applicants must provide the full name, mailing address, and operational phone number of the designated representative.



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- (f) **Prior Revocation of License:** An applicant must disclose any prior revocation of a license under Chapter 54 of the County Code where:
- (1) the applicant was the former licensee;
  - (2) the applicant was a member of a former licensee's household; or
  - (3) the property is the same dwelling unit that was the subject of a former license.
- (g) **Notification to Abutting and Confronting Neighbors:** The applicant must provide the address, lot, parcel, and block number of each abutting and confronting property. This requirement applies only to single-family homes, townhouses, duplexes, and condominiums with properties stacked above or below.
- (h) **Notification to Neighboring Units in a Multifamily and Condominium Property:** For multifamily and condominium units, applicants must provide the unit numbers and mailing addresses of all units across from or sharing a ceiling, floor, or wall with the dwelling unit that is the subject of the application.
- (i) The Department may at any time during the application process require the applicant to supplement the supporting documentation to resolve any conflict, inconsistency, inadequacy, or other concern presented in the documentation provided or as a result of the discovery of additional information from outside sources.

## **54.00.02.03 Denial of Applications**

- (a) The Director may deny any bed and breakfast or short-term residential rental license application that does not conform to Chapter 54 of the County Code or any other applicable law or regulation, or other reasons, including the following:
- (1) falsified or inaccurate information submitted during the self-certification process. The Director may review any additional information available in making this determination;
  - (2) any existing violations of the County Code at the time of application or violations discovered during an inspection pursuant to Section 54-45(b) of the County Code;
  - (3) failure to complete the application, including providing all required documentation, within 60 days of initial license application submission; or



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(4) the presence on the property of a licensed or unlicensed Accessory Dwelling Unit (ADU), as such term is defined in Section 59-3.3.3 of the Zoning Ordinance.

(b) The Director must deny an application where any of the conditions in Section 54-49 of the County Code existed within three years prior to the date of application.

## **54.00.02.04 Suspension or Revocation of Licenses**

(a) The Director may suspend or revoke a license if any of the conditions in Section 54-47 of the County Code are met.

(b) In determining whether a licensee has operated in a manner that is dangerous to the health and safety of the community or is a nuisance because of noise or other activity, the Director may consider any available information, including but not limited to complaints or reports to law enforcement, fire and rescue services, or any other County agency.

(c) If the Director suspends the license:

(1) the Department will issue a written notification to the license holder;

(2) all violations must be corrected within the specified timeframe; and

(3) the license holder may submit a formal request to the Director for reinstatement following corrective actions.

Approved:

\_\_\_\_\_  
Marc Elrich, County Executive

\_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY  
OFFICE OF THE COUNTY ATTORNEY

Neal Anker

Neal Anker

Assistant County Attorney

11/20/2025

\_\_\_\_\_  
Date