



City of Annapolis

Department of Neighborhood & Environmental Programs

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Annapolis, MD 21401-2517

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Rental Unit Operating License Application

As per City of Annapolis Charter and Code

Chapter 17.44 Rental Unit and Rooming House Licenses

17.44.010 Required. (A) No person shall let for occupancy or use any vacant single rental dwelling unit, multiple dwelling, bed and breakfast home or rooming house without a current operating license issued by the Department of Neighborhood and Environmental Programs, after the application for the license has been approved by the Department of Neighborhood and Environmental Programs, with the concurrence of the Director of Planning and Zoning, and the Fire Chief and the County Health Officer, for the specific named unit, multiple dwelling, bed and breakfast home or rooming house. (B) When an operating license is suspended or revoked or an application for renewal is denied, it shall be unlawful for any person to let for occupancy or use any dwelling unit then vacant or becoming vacant until a license has been reissued or revalidated. (Ord. O-1-05 § 1 (part), 2005; Ord. O-26-03 § 1 (part); Ord. O-29-88 § 1 (part); revised during 1985 codification; prior code § 12-16(a))

17.44.020 Application. No operating license shall be issued or renewed unless the applicant owner first has made application on an application form provided by the Director of Neighborhood & Environmental Programs. The director shall develop the forms and make them available to the public. (Prior code § 12-16(d))

17.44.030 Initial inspection. No operating license shall be issued or renewed unless the applicant/owner agrees in the application to an initial inspection, as the Director of The Department of Neighborhood and Environmental Programs may require to determine if the single rental dwelling unit, multiple dwelling, bed and breakfast home or rooming house for which the license is sought is in compliance with Chapter 17.40 and this chapter. (Prior code § 12-16(e))

17.44.040 Rental unit license. The operating license fee shall be as established by resolution of the City Council annually per dwelling or rooming unit, which is payable in advance of issuance of the license or renewal. Any person who fails to obtain an operating license is guilty of a municipal infraction and is subject to a fine as established by resolution of the City Council per unit per day after the initial fifteen calendar day notification period. (Ord. O-5-04 § 1 (part), 2004; Ord. O-16-99 § 1 (part); Ord. O-54-94 § 1; Ord. O-26-91 § 1 (part); Ord. O-42-87 § 1; Ord. O-32-85 § 1; prior code § 12-16(f))

17.44.050 Issuance. The City Clerk, upon application to and approval of the Director of Public Works, may issue new operating licenses and renewals of the licenses, in the names of applicant owners of single rental dwelling units, multiple dwellings, bed and breakfast homes, and rooming houses. No license shall be issued unless the single rental dwelling unit, multiple dwelling, bed and breakfast home or rooming house for which the license is sought is found, after inspection, to meet the requirements of this chapter. (Prior code § 12-16(c))

17.44.060 Operating license for rental units and rooming houses. (A) The operator of a multi-family dwelling consisting of fifty or more units who employs a full-time maintenance staff of three or more employees on-site shall have its license initially issued or renewed for a two-year period. All other licenses shall be issued or renewed on an annual basis. (B) No operating license shall be renewed unless an application for renewal has been made within thirty days prior to the expiration of the current operating license. Unless the City has failed to give notice of a renewal date sixty days prior to the date, a penalty fee as established by resolution of the City Council shall accompany any application filed less than thirty days prior to expiration.

17.40.440 Smoke Alarms. (A) Smoke alarms and Smoke detectors. For the purposes of this section, the term "Smoke Alarm" shall be construed to mean smoke alarms, smoke detectors, and alternative detection devices and systems approved by the Department of Neighborhood and Environmental Programs and the Fire Department.

B Required. It is the responsibility of the owner of each rental dwelling unit to install smoke alarms in accordance with this section in each rental dwelling unit intended to be used, or originally built or designed to be used for residential purposes, not to include any dwelling unit within any structure which has been converted entirely to a nonresidential use. The smoke alarms shall be capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm of the combustion. The smoke alarms shall be installed by July 1, 1980 in the manner provided in this section, unless any other provision of State or Federal law requires installation before that date. For the purposes of this section, "multifamily dwelling" means a building containing three or more dwelling units. Exception: Existing approved smoke alarm installations in residential structures with fewer than three dwelling units where: 1) The smoke alarm installation is existing and approved; and 2) The smoke alarms have been maintained in operating condition.

C. Location. At least one smoke alarm shall be installed in close proximity to the access for each sleeping area. "Sleeping area" means the area or areas of the dwelling unit in which the bedrooms (or sleeping rooms) are located. Rooms habitually used for sleeping which are separated by other use areas (such as kitchens or living rooms, but not bathrooms or closets), shall be considered as separate sleeping areas for the purposes of this section.

D. Equipment. All devices, combinations of devices and equipment required in this section shall be approved by the fire department and are to be installed in conformance with the provisions of Title 17 of the code of the City of Annapolis and the manufacturer's requirements for installation.

E. Power Source. Smoke alarms shall primarily operate on an AC electric power supply. Each smoke alarm shall be wired into the circuit serving the area in which it is located. No smoke alarm, shall be connected directly to the electrical system of the structure unless an electrical permit first has been obtained.

Chapter 18.04 Minimum Lease Terms

18.04.010 Lease agreements—Required terms. A. Subject to any public general State laws to the contrary, including, but not limited, to the real property article of the Annotated Code of Maryland, this chapter shall regulate and determine legal rights, remedies and obligations of the parties and beneficiaries of any rental agreement, concerning any dwelling unit for which an operating license is required under Section 17.44.010 of this code. Any written rental agreement shall be unenforceable in the City of Annapolis insofar as any provisions thereof conflict with any provision of this chapter. Such unenforceability shall not affect other provisions of the agreement which can be given effect without such unenforceable provision.

B. All leases or agreements for the occupancy of a dwelling unit for which an operating license is required under Section 17.44.010 of this code shall be offered, in written form, for a minimum initial term of one year to be accepted at the prospective tenant's option, unless a reasonable cause exists for offering an initial term of less than one year.

1. For purposes of this subsection, reasonable cause shall mean those situations which would create undue hardships or expense for a landlord to enter into a one-year lease. Such situations may include, but not be limited to, the sale of a dwelling unit with settlement to occur within a one-year period, a bona fide contract to sell within a one-year period or a planned conversion to condominium or cooperative within a one-year period.

2. The landlord shall include the following statement on all lease agreements insuring that it is properly initialed by the prospective tenant and, if an addendum to a written lease, that it is signed and dated by the parties:

The law of the City of Annapolis requires landlords, unless there is reasonable cause otherwise, to offer all prospective tenants lease agreements for initial terms of one year. Such an offer may be accepted at the option of the prospective tenant. Prior to entering this lease, the tenant hereby acknowledges that (initial and date one option below):

I was offered and accepted a one-year lease term by the landlord. A. I was offered but rejected a one-year lease term by the landlord. B. I received a copy of a written statement in which the C. Landlord asserts and explains a reasonable cause for failing to offer me a one-year initial lease term and was advised of my rights to challenge such statement by filing a complaint with the Department of neighborhood and environmental programs.

3. Providers of temporary and emergency shelters, including those shelters managed by religious organizations, are specifically exempt from the operation of this chapter.

C. All leases or agreements for the occupancy of a dwelling unit for which an operating license is required under Section 17.44.010 of this code shall be bound by and include the following statement which cannot be waived by either party:

The Code of the City of Annapolis requires that leases offered to prospective tenants specify that all maintenance, including repairs and replacements due to normal wear and tear, but not including those resulting from negligence or deliberate damage by the tenant, is the responsibility of the Landlord who shall arrange for maintenance in a timely manner. As a minimum, leased units must be maintained in full compliance with the residential housing standards as enumerated in Chapter 17.40 of the Code of the City of Annapolis and applicable provisions of the Annotated Code of Maryland. Repairs of dangerous defects by the Landlord are subject to Section 8-211 of the Real Property Article of the Annotated Code of Maryland. All maintenance, repairs or replacements resulting from negligence or deliberate damage by the Tenant is entirely the responsibility of the Tenant. At the Landlord's option, the Tenant may be required to arrange for appropriate repairs, and pay for such repairs directly to the contractor.

D. When the landlord presents a potential or signed lease or agreement to the prospective or actual tenant, the landlord shall also provide the most recent copy of a booklet prepared by the Director of Neighborhood and Environmental Programs explaining the rights of the tenant and who to contact for assistance in landlord-tenant relations.



City of Annapolis
Department of Neighborhood & Environmental Programs
145 Gorman Street, 3rd Floor
Annapolis, MD 21401-2517

Zoning status _____
Approved for zone _____
Date approved _____
Rental License # _____
Rental District 1 2 3 4

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Rental Unit Operating License Application

Fee (see Building Fee Schedule) per rental unit must accompany this application. License application and rental operating license are non-transferable.

Rental address _____ Rental Property Tax ID _____
Property owner _____ Email address _____
Owner address _____
Phones Day _____ Cell _____ Fax _____
Authorized agent * _____ Email address _____
Resident agent _____ Email address _____

* The authorized agent will be the person we contact regarding inspections, renewals, complaints and any violations.

Agent address _____
Phones Day _____ Cell _____ Fax _____

Please describe the property for which this rental license is requested. *Check one only.*

- Single-family dwelling - a building containing one dwelling unit.
- Two-family dwelling - a building containing two dwelling units.
- Multi-family dwelling - a building, or portion of a building, containing three or more dwelling units.
- Apartment hotel - an apartment building in which not more than ten percent of the accommodations are available for occupancy by nonpermanent guests, and which provides such services as maid service, laundering or furnishing of linens, telephone and secretarial or desk service, and bellboy service.
- Hotel - an establishment which is open to transient guests, in contradistinction to a rooming house, and which provides customary hotel services including maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service.

Total number of dwelling units in the entire building _____ Number units requested on this application _____
If single or two family dwelling, total number of bedrooms in each unit _____
Is the building owner occupied? Yes No

The applicant hereby certifies and agrees as follows: (1) That they are the owner or the duly authorized agent of the owner to make this application; (2) That they have read all of the information above set forth and that same is correct; (3) That the license, if issued, may be declared void should said information be false; (4) That they will comply with the ICC Code and the Charter and Code of the City of Annapolis, which are applicable hereto; (5) That they agree to inspections by the Department of Neighborhood & Environmental Programs, Fire Department, and Planning and Zoning to determine if the property is in compliance with the provisions of the ICC Code and the Charter and Code of the City of Annapolis; (6) That they will notify the Department of Neighborhood & Environmental Programs within 24 hours if there is a change of ownership or in the agents who are listed above.

Applicant signature _____ Date _____

In an effort to go green, check here if you would like to receive your license via email. The inspection, renewals and any violations will be sent by standard mail.

City of Annapolis Checklist

MARYLAND DEPARTMENT OF ENVIRONMENT (MDE) STATE LEAD LAW COMPLIANCE

All owners of residential rental properties in Maryland constructed prior to 1950 ("Affected Properties") must comply with the State's lead laws (Title 6, Subtitle 8 of the Environment Article). Compliance includes annual registration with MDE, distribution of educational materials, and obtaining an MDE Lead Inspection Certificate to verify that the property meets the required risk reduction standard. You must supply the information on this checklist before your properties may be registered or renewed for renting or leasing. If you have any questions regarding your compliance with Maryland lead laws, contact MDE at 410-537-4199 or visit www.mde.state.md.us.

*** Complete for each separate dwelling unit or submit spreadsheet or other list detailing cert. numbers for multiple dwelling units.**

1. Is the residential property an "affected property" i.e., residential rental property built before 1950? Yes No

2. Property owner _____

Address _____

City _____ ST _____ Zip _____

3. Property address _____

City _____ ST _____ Zip _____

4. If the answer to #1 above is "No", give reason (e.g. post 1949, Lead free). If the residence is certified "lead free," please provide a copy of your certificate.

If answer to #1 is "NO," please skip to Signature Line.

5. If "Yes" to #1 above, has the property been registered with The Maryland Department of the Environment ("MDE")? Yes No

6. If "Yes" to #1 above, is the property registration renewal current for this year? Yes No

7. Provide the tracking number (formerly the owner registration number) _____

8. When did the current tenant(s) move in? _____

9. Provide the Lead Inspection Certificate Number for the current tenancy as required under §6-815(c), 6-817(b) or 6-819(e) of the Environment Article. _____

(Please note: You must obtain a new certificate stating the property meets the full risk reduction standard upon each change in occupancy that has occurred since February 23, 1996. Even if a change in occupancy has never occurred since February 23, 1996, the property must still meet the full risk reduction standard if you have received written notice that a child under six or pregnant woman ("Person at Risk") is present. In addition, all properties in which a change in occupancy has not occurred since February 23, 1996, and you have not received notice of a Person at Risk present, must meet the modified risk reduction standard).

Copy of Certificate attached Yes No

I hereby certify under the penalties of perjury that the above information is true and accurate.

Signature _____ Date _____

Print name _____



Lead Poisoning Prevention Program

“STANDARD OF CARE”

**WHAT OWNERS NEED TO DO TO COMPLY WITH
MARYLAND’S “REDUCTION OF LEAD RISK IN HOUSING ACT”**

Compliance is mandatory for rental dwelling units built prior to 1950, regardless of renovation history. Resources for forms, materials, and contacts are on the back of this summary. More details about each requirement is available on the MDE website at www.mde.state.md.us/lead.

COMPLIANCE REQUIRES OWNERS TO:

- 1. REGISTER** the rental dwelling unit and pay \$30 (per unit). Registration renewal is on or before December 31st of each year.
- 2. DISTRIBUTE TENANT EDUCATIONAL INFORMATION:** Provide the Maryland “Notice of Tenants Rights,” the EPA lead brochure “Protect Your Family from Lead in Your Home” and a copy of the current inspection certificate upon execution of lease to new tenants. Redistribute the educational materials every 2 years thereafter. Be sure to obtain a receipt signed by the tenant verifying that you distributed the materials and keep this for your files.
- 3. MEET THE RISK REDUCTION STANDARD:** Failure to meet the required Risk Reduction standard may result in fines and loss of limited liability protection.
 - A. MEET FULL RISK REDUCTION STANDARD AT EACH CHANGE OF OCCUPANCY IN A UNIT.** Pass an inspection for lead contaminated dust by an accredited inspection contractor, provided that there is no chipping, peeling, or flaking paint on the interior or exterior of the property.
 - B. MEET MODIFIED RISK REDUCTION STANDARD UPON NOTICE.** Within 30 days of being notified in writing of either paint defects in a property, or that a child under 6 years of age or pregnant woman has a blood lead elevation of 10 mcg/dL or more, the owner is required to:
 1. Provide for the temporary relocation of tenants to a certified lead free dwelling unit or another dwelling unit that has met the full risk reduction standard;

OR

 2. Ensures that the subject property passes a test for lead contaminated dust and by performing the specific lead hazard reduction treatments;
 - C. USE TRAINED WORKERS, ACCREDITED SUPERVISORS, OR CONTRACTORS** for work performed to meet Risk Reduction Standards.
- 4. OBTAIN A VERIFICATION INSPECTION CERTIFICATE.** The Lead Paint Risk Reduction Inspection Certificate (Form MDE 330) verifies that a Risk Reduction Standard is satisfied. The accredited inspector who performed the inspection is required to submit a copy of the certificate to MDE, and two copies to the owner. Owners should keep one copy for their records and are required to give one copy to the tenant. Appropriate attachment forms are to be distributed with all copies.

**MARYLAND REDUCTION OF LEAD RISK IN HOUSING
WHERE TO OBTAIN MORE INFORMATION**

MDE LEAD POISONING PREVENTION CONTACTS:

Registration, Renewal, and Inspection status: Lead Rental Property Registry leadreg@mde.state.md.us
410-537-4199 or 1-800-776-2706 (only in Maryland)

Educational Materials (Tenants Rights, EPA Pamphlet): www.mde.state.md.us/lead Go to rental property owners

Compliance/Enforcement: Lead Compliance and Accreditation Division leadreg@mde.state.md.us 410-537-3825 or 1-800-633-6101 (only in Maryland)

Certified Inspectors and Contractors, inspection requirements: www.mde.state.md.us/lead Go to rental property owners
Or contact Lead Compliance and Accreditation Division 410-537-3825 or 1-800-633-6101 (only in Maryland)

MDE Internet Homepage: www.mde.state.md.us/lead includes lists of accredited inspectors and contractors, registration form, tenants' rights notice, summaries of the lead law, risk reduction standards and general information about lead health effects.

OTHER RESOURCES

Financial Assistance for Lead Hazard Reduction:

Baltimore City: Lead Abatement Action Project www.baltimorecity.gov

Statewide: MD Dept of Housing & Community Development www.dhcd.state.md.us

Insurance:

Maryland Insurance Administration 410-468-2000 or 1-800-492-6116 www.mdinsurance.state.md.us

Qualified Offer Assistance:

Coalition to End Childhood Lead Poisoning 410-534-6447 or 1-800-370-5323 www.leadSAFE.org
ceclp@leadSAFE.org

Worker Safety and Health:

MD Occupational Safety and Health (MOSH) 410-767-7233 www.dllr.state.md.us

EPA Disclosure Pamphlet and Federal Lead Requirements:

EPA Federal Lead Hotline 1-800-424-5323 www.epa.gov/lead

Blood lead testing, at Risk Areas, and Health Care Resources:

Department of Health and Mental Hygiene 410-767-6713 www.mdpublichealth.org/och

Copies of the Laws & Regulations: www.mde.state.md.us/lead Choose Additional Resources

