



**CITY OF SALISBURY  
SPECIAL MEETING AGENDA**

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**May 22, 2020**

**6:00 p.m.**

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**ZOOM SPECIAL MEETING**

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Times shown for agenda items are estimates only.

6:00 p.m. CALL TO ORDER

6:01 p.m. WELCOME/ANNOUNCEMENTS

6:02 p.m. SILENT MEDITATION

6:03 p.m. ADOPTION OF SPECIAL MEETING AGENDA

6:04 p.m. ORDINANCE— City Attorney Mark Tilghman

- **Ordinance No. 2599** - to amend Chapter 15.26 Rental Of Residential Premises of the Salisbury City Code by adding Subsection 15.26.035 Rent Increases Barred During States Of Emergency and authorizing the Mayor to issue such executive orders as are necessary to protect tenants from abuse

6:10 p.m. COUNCIL COMMENTS

6:15 p.m. ADJOURNMENT

Copies of the agenda items are available for review in the City Clerk's Office, Room 305 – City/County Government Office Building, 410-548-3140 or on the City's website at [www.salisbury.md](http://www.salisbury.md). City Council meetings are conducted in Open session unless otherwise indicated. All or part of the Council's meetings can be held in Closed Session under the authority of the Maryland Open Meetings Law, Annotated Code of Maryland General Provisions Article § 3-305(b), by vote of the City Council.

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**To: City Council**

**From: Julia Glanz, City Administrator**

**Subject: COVID-19 Rent Control**

**Date: May 14, 2020**

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On March 5, 2020, Governor Larry Hogan declared a state of emergency due to COVID-19. To date, 36.5 million Americans have filed for unemployment which directly impacts the ability of many residents in the City of Salisbury to pay many bills, including rent. Many of the industries hardest hit by COVID-19 include transportation, professional services, retail, health care and education, and arts and entertainment. In Salisbury, those industries make up approximately 69 percent of the work force. It is safe to say our community is being hit hard by the impacts of COVID-19 and we need to act in any and all ways we can.

The ordinance attached will bar rental increases during the State of Emergency, and for 90 days after. Physiological and safety needs are the foundation of Maslow's Hierarchy of needs. If members of our communities are worrying about where they lay their head at night, their physiological needs are in jeopardy. We know there is an imminent mental health crisis. Ultimately, we want to keep families in their homes and stable.

This ordinance will require landlords to notify tenants to disregard a previous notice of rent increase during the stated time frame. Late fees are also prohibited if the tenant makes a nonpayment or late payment. Finally, landlords shall offer payment plans to tenants for the payment of rental fees for no less than one year after the expiration of the Emergency.

\*Public Housing Authorities are not impacted by this legislation since they must comply with federal laws and regulations.

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WHEREAS, the Mayor and Council of the City of Salisbury desire to update the Salisbury Municipal Code; and

WHEREAS, Governor Hogan has issued multiple executive orders in an attempt to reduce the spread of COVID-19, resulting in the shut-down or slow-down of multiple businesses in the State of Maryland; and

WHEREAS, it has come to the attention of the City that some landlords have terminated leases, advised tenants to vacate rental premises, and engaged in campaigns to mislead tenants into leaving their homes or agreeing to the payment of higher rental fees; and

NOW, THEREFORE, be it enacted and ordained by the City of Salisbury, that Chapter 15.26 of the City of Salisbury Municipal Code be amended by adding the following subsection to Chapter 15.26:

### A. “Emergency” defined.

### B. Scope.

Page 1

45 applies to any public housing authority who must comply with federal laws, regulations,  
46 or other federal requirements to determine a tenant's rental fee.  
47

48 C. In General.

49 A Landlord may not increase a tenant's rental fee if:

- 50 1. The increase would take effect during an Emergency; or
- 51 2. Notice of the increase is not in compliance with subsection (D) of this section.  
52

53 D. Notice of Rent Adjustment.

- 54 1. During an Emergency and within 90 days after the expiration of an  
55 Emergency, a landlord may not increase or notify a tenant of an increase in  
56 rent or a rental fee. Rental fees shall include any fee for service, a product or  
57 commodity provided by the landlord or by a third-party to a tenant prior to the  
58 declaration of an Emergency.

- 59 2. Pre-Emergency rent increase notices.

60 A landlord must inform a tenant in writing to disregard any notice of a rental  
61 fee increase if:

- 62 i. The landlord provided the notice to the tenant prior to an  
63 Emergency; and
- 64 ii. The effective date of the increase would occur on or after the date  
65 the Emergency began.  
66

67 E. Late fees prohibited.

- 68 1. "Late Fee" defined.

- 69 i. In this subsection, "Late Fee" means any additional charge or fee  
70 imposed because a rental fee is not made when the rental fee is due  
71 under the terms of a lease.
- 72 ii. "Late Fee" includes a fee imposed:  
73 a. As a flat rate;  
74 b. As a percentage of the rental fee due; or  
75 c. In any other terms.  
76

- 77 2. In general.

78 A landlord may not charge, assess, or otherwise seek to collect a late fee from  
79 a tenant for nonpayment or the late payment of a rental fee that comes due  
80 during an Emergency.  
81

82 F. Payment Plans.

- 83 1. Landlords shall offer payment plans to tenants for the payment of rent and  
84 rental fees to be in effect for no less than one year after the expiration of the  
85 Emergency.
- 86 2. Upon request of the tenant, landlords shall work with tenants, on an individual  
87 basis, to arrange payment plans for the payment of rent and rental fees in  
88 installments which will continue for no less than one year after the expiration  
89 of the Emergency.
- 90 3. All payment plans shall be in writing and signed by the landlord and tenant.

91  
92 G. Notice to and Protection of Tenants.

- 93 1. The Housing and Community Development Department must post on its  
94 website information regarding the requirements of this section, including the  
95 date that an Emergency expires and the date that is 90 days after the expiration  
96 of the Emergency.  
97 2. During an Emergency, the Mayor is hereby authorized to issue any and all  
98 executive orders necessary to protect tenants from being victimized or misled  
99 by the actions of unscrupulous landlords. Violations of such executive orders  
100 will constitute violations under this chapter and be subject to arrest and  
101 misdemeanor charge under 9.08.220 of the Municipal Code of Salisbury.  
102

103 H. Landlord's right of review.

104 The provisions of this subsection do not limit a landlord's right, under the applicable  
105 provisions of the Salisbury Municipal Code, to an administrative review of a violation  
106 notice.  
107

108 I. Enforcement by tenant.

109 In addition to enforcement action by city officials, tenants may seek relief from an  
110 appropriate court to restrain or enjoin any violation of 15.26.035 of this subsection in  
111 accordance with State Law.  
112  
113  
114

115 AND BE IT FURTHER ENACTED AND ORDAINED BY THE CITY OF  
116 SALISBURY, MARYLAND, that the Ordinance shall take effect upon final passage.  
117

118 THIS ORDINANCE was introduced and read at a meeting of the Council of the City of Salisbury  
119 held on the \_\_\_\_ day of \_\_\_\_\_, 2020 and thereafter, a statement of the substance of the  
120 ordinance having been published as required by law, in the meantime, was finally passed by the Council  
121 on the \_\_\_\_ day of \_\_\_\_\_, 2020.  
122

123 ATTEST:  
124  
125

126 \_\_\_\_\_  
127 Kimberly R. Nichols, City Clerk

\_\_\_\_\_  
John R. Heath, City Council President

128  
129  
130 Approved by me, this \_\_\_\_ day of \_\_\_\_\_, 2020.  
131  
132

133 \_\_\_\_\_  
134 Jacob R. Day, Mayor