

Bill No. 24-19
Concerning: Landlord-Tenant Relations –
Obligations of Landlord – Air
Conditioning
Revised: 2/25/2020 Draft No. 6
Introduced: July 16, 2019
Enacted: February 25, 2020
Executive: March 2, 2020
Effective: June 1, 2020
Sunset Date: None
Ch. 4, Laws of Mont. Co. 2020

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Hucker
Co-Sponsors: Councilmembers Jawando and Alborno, Council President Navarro, and
Councilmember Riemer

AN ACT to:

- (1) require a landlord to provide and maintain air conditioning service for rental housing located in the County during certain months;
- (2) establish standards for air conditioning service provided by a landlord; ~~[[and]]~~
- ~~(3) establish certain exceptions from the air conditioning requirement; and~~
- ~~[[3]]~~ (4) generally amend the law governing rental housing in the County.

By amending

Montgomery County Code
Chapter 26. Housing and Building Maintenance Standards
Section 26-7

Chapter 29. Landlord-Tenant Relations
Section 29-30

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

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(6) Supply water and hot water as reasonably required by the tenant and adequate heat as required by Chapter 26. In a dwelling unit located in a common ownership community, the landlord must provide water, hot water and adequate heat to the extent that the landlord is responsible for providing these services. This subsection ~~[[does not]]~~ must not be construed to impair any provision in a lease that obligates a tenant to pay for gas, heating oil, electricity, water, or sewer service that the tenant uses.

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(9) Except when required for reasonable maintenance and repair, ~~[[Supply]]~~ supply and maintain air conditioning service either through individual air conditioning units or a central air conditioning system in a safe and good working condition so that it ~~[[provides an inside temperature of eighty degrees Fahrenheit (80° F.) or less between May 1 and September 30]]~~ meets the requirements of Section 26-7. This ~~[[subsection does not]]~~ paragraph must not be construed to impair any provision in a lease that obligates a tenant to pay for gas or electricity that the tenant uses. The Executive must adopt Method (2) regulations to implement the requirements of this paragraph, including regulations to define reasonable maintenance and repair.

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Sec. 2. Transition. For 12 months following the effective date of this Act, a landlord may request, and the Director may grant, delayed implementation of the requirements of this Act for any real property that is the subject of a pending application for a necessary approval for development before the Planning Board, Board

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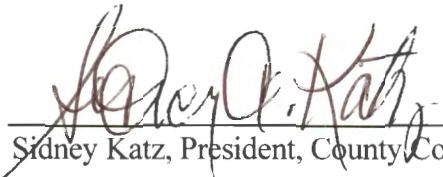
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82 of Appeals, or Office of Zoning and Administrative Hearings. The period of delayed
83 implementation for a property may not exceed the sooner of the completion of the
84 development or 24 months.

85 **Sec. 3. Impairment of Leases.** This Act must not be construed to invalidate or
86 impair a lease in effect on the effective date of the Act.

87 **Sec. 4. Financing.** The Executive must, subject to appropriation and applicable
88 law, explore options to offer low-interest financing to landlords who need to upgrade
89 their electrical systems to comply with the requirements of this Act.

Approved:


Sidney Katz, President, County Council

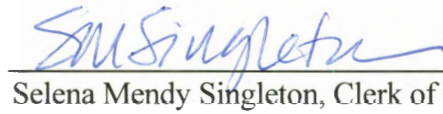
2/26/2020
Date

Approved:


Marc Elrich, County Executive

3/2/20
Date

This is a correct copy of Council action.


Selena Mendy Singleton, Clerk of the Council

3/9/20
Date