

Bill No. 25-20
Concerning: Rental Assistance -
Amendments
Revised: 7/16/2020 Draft No. 3
Introduced: June 16, 2020
Enacted: July 29, 2020
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President at the Request of the County Executive

AN ACT to:

- (1) change the age of eligibility for the Rental Assistance Program;
- (2) clarify the definition of a person with a documented disability;
- (3) remove the prohibition of eligibility of County residents without immigration documentation;
- (4) provide that the benefit amount for the Program is established in regulations; and
- (5) generally amend County law regarding the Rental Assistance Program.

By amending

Montgomery County Code
Chapter 41A, Rental Assistance
Sections 41A-2, 41A-3, and 41A-5

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:

28 (3) that maintains all licenses and permits as required by Chapter 29.

29 (g) [(h)] (1) *Gross income* means the total household income from all sources,
30 whether or not reported on a federal or state income tax return.

31 (2) *Gross income* does not include losses from business, rental, or
32 capital transactions and certain third-party, educational, and
33 restitution payments specified in regulations.

34 [(i)] *Household* means:

35 (1) two or more persons, whether or not related, who live together in
36 an eligible rental unit;

37 (2) a disabled person; or

38 (3) a person 62 years of age or older.

39 All persons living in an eligible rental unit must be treated as one
40 household for the purposes of determining eligibility.]

41 (h) *Person with a documented disability* means a person who:

42 (1) receives disability benefits under the Social Security Act or the
43 Railroad Retirement Act, or from a federal, state, or local
44 government disability retirement system; or

45 (2) has a physical, mental, or emotional impairment that substantially
46 limits one or more major life activities of the individual as the
47 Department determines after the individual submits a statement of
48 condition of disability from the individual’s physician.

49 (i) [(j)] *Recipient* means a person who is receiving benefits on behalf of a
50 household under this Article. A recipient includes a person who reapplies
51 for benefits before the end of that person’s eligibility period. Each
52 recipient must be at least 18 years old, a resident of the County, reside at
53 the application rental unit, and be a member of the household.

54 (j) [(k)] *Rental unit* means a unit occupied by not more than one household,
55 which includes:

- 56 (1) a detached or attached single family home or townhouse;
- 57 (2) an apartment in a multi-family facility;
- 58 (3) a condominium or cooperative unit in a multi-family [multifamily]
59 facility;
- 60 (4) a rental mobile home in a licensed mobile home park, or a rented
61 mobile home pad on which the applicant has placed a mobile home
62 in a licensed mobile home park; or
- 63 (5) a room or group of rooms in an attached or detached single family
64 home or townhouse, apartment, condominium or cooperative.

65 **41A-3. Eligibility for Rental Assistance Program benefits.**

66 (a) A household is eligible to receive Rental Assistance Program benefits if
67 the household meets the standards established in regulations. The
68 standards of eligibility must consider, but are not limited to, the following
69 elements:

70 * * *

71 [(c) A household is not eligible for benefits under this Article if the applicant
72 is an undocumented resident. An undocumented resident applicant may
73 receive benefits if a child for whom the applicant receives Temporary
74 Cash Assistance benefits resides in the household.]

75 **41A-5. Rental assistance benefits.**

76 * * *

77 (a) [[Benefits under this Article must be paid in accordance with regulation.]]
78 [The regulation must specify the amount of the benefit, considering the
79 actual monthly rent paid by a tenant for a rental unit. The regulation may
80 also consider a maximum allowable rent cost, based on household size


81 and other variables. Maximum benefit amounts may be established for
82 classes of eligible households based on age, household size, and other
83 variables specified by regulation.

84 (1) The percentages must vary based upon the number of individuals
85 in the household.

86 (2) The office of landlord-tenant affairs must at least annually
87 determine the average rental costs for rental units of different sizes
88 in Montgomery County.] [[By Method 3 regulation, the
89 Department must annually set and disseminate a schedule of the
90 benefit amount.]] Benefits under this Article must be paid in
91 accordance with criteria set by Method 2 regulation. However, the
92 specific minimum and maximum benefit that may be paid to an
93 eligible household must be determined annually by Method 3
94 regulation.

95 * * *

Approved:



Sidney Katz, President, County Council
7/29/2020
Date

Approved:

Marc Elrich, County Executive
Date

This is a correct copy of Council action.

Selena Mendy Singleton, Esq. Clerk of the Council
Date