



April 8, 2016

Montgomery County Council  
100 Maryland Avenue  
Rockville, MD 20850

***Re: Recommend New Public Hearing and Workgroup on Significantly Amended Bill 19-15, “Landlord-Tenant Relations, Licensing of Rental Housing, Landlord-Tenant Obligations” for Full Stakeholder Input***

Dear Council President Floreen and esteemed members of the Planning, Housing, and Economic Development Committee,

This letter is on behalf of the Greater Capital Area Association of REALTORS® (“GCAAR”) – the voice of Montgomery County and the District of Columbia’s more than 9,700 REALTORS®, property managers, attorneys and other real estate professionals. We are also the voice for many homeowners, buyers, sellers, renters and housing providers. GCAAR would like to reiterate not only our ***strong opposition*** to Bill 19-15, “*Landlord-Tenant Relations, Licensing of Rental Housing, Landlord-Tenant Obligations,*” as introduced (prior testimony attached), but respectfully urge you to hold a new public hearing on what we understand to be a substantially revised Bill.

First and foremost, GCAAR fully acknowledges fair and reasonable renters’ rights are innately a part of a healthy rental market. Unfortunately, we continue to believe Bill 19-15, as introduced and most recently rewritten, surpasses the bounds of what could be considered reasonable for the average housing provider, in particular small individual housing providers, to administer. Not only can overly burdensome rent control laws make housing less affordable, but they also may have the unintended consequence of taking certain housing units off the market entirely because property owners are simply unable to comply with the vast number of legal and regulatory requirements.

At this juncture, GCAAR’s greatest concern is the sheer volume of onerous provisions up for consideration by the PHED Committee at Monday’s worksession. While we understand there may occasionally be ambiguities in the law which need clarification, the necessity to add over fifty new rules and regulations to the legal framework for rentals is extremely unclear.

In our original public testimony back in June of 2015, we took a significant amount of time to dissect the legislation to specifically identify the concerns of our vast membership. We highly cautioned against moving any single provision of this legislation forward without a more comprehensive analysis of how it will affect housing providers. It appeared the Council understood our concerns as all further action was postponed.

After nearly a year, it seems as though there have been numerous consultations with a particular group of stakeholders resulting in an entirely new review of the Bill. We do not believe the concerns of housing providers have been accurately identified, resulting in far too many negative implications being incorporated into the revised Bill. In fact, upon our initial review of the amendments, the Bill now seems more onerous than it originally was (for example, requiring three months' notice for any rent increase above the standard guidelines). On the other hand, the Bill's language remains vague. Even our most experienced housing providers were left with a multitude of questions surrounding any reasonable implementation.

**In light of the above, GCAAR firmly maintains Bill 19-15, as substantively amended, at the very least warrants an additional public hearing for fair consideration and input from ALL stakeholders—something which does not appear to have been done during this amendment process, but has been done in the past. Particularly since the last public hearing was in June of 2015, it would seem prudent to publicly revisit the Bill as the housing market may have undergone changes. An additional public hearing would allow ALL stakeholders an equal opportunity to weigh in on the amendments through a more transparent legislative process.**

**Further, if there remains any intent to do such a comprehensive overhaul of the Montgomery County's entire rental rules and regulations, GCAAR also recommends a newly designated working group of diverse stakeholders be established.** This way, a more systematic review of legislation can be done between work sessions. GCAAR also strongly believes such a working group must be open and accessible to the public. It would surely create a fairer environment to allow all those directly affected by the proposed legislation to fully comprehend how the changes would negatively impact their lives, businesses and communities. Until this group has had the chance to meet, we find moving forward the proposed legislation premature.

In conclusion, GCAAR highly values when the Montgomery County Council maintains a thoughtful, transparent and fair legislative process open to ALL stakeholders. Unfortunately, we do not believe this has been the case with the discussions surrounding the provisions of Bill 19-15. We hope you will carry out our recommendation for a new public hearing to ensure ALL stakeholders are equally valued, represented and heard.

We sincerely thank the members of the County Council for consideration of our Association's perspective.

Sincerely,

Peg Mancuso  
2016 GCAAR President