



City of Annapolis

Department of Neighborhood & Environmental Programs
160 Duke of Gloucester Street
Annapolis, MD 21401-2517

DNEP@annapolis.gov • 410-263-7946 • Fax 410-263-9158 • TDD use MD Relay or 711 • www.annapolis.gov

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 Public Works. 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 Public Works 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. 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. 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. (Ord. O-1-05 § 1 (part), 2005; prior code § 12-16(h))

17.40.440 Smoke detectors. Required. It is the responsibility of the owner of each new or existing multifamily dwelling unit to install smoke detectors in each multifamily 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 detectors shall be capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm of the combustion. The 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.

A. Location. At least one smoke detector shall be installed in close proximity to the access for each sleeping area **and** inside 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.

B. Equipment. All devices, combinations of devices and equipment required in this section are to be installed in conformance with the provisions of the City Building Code and regulations and this section, and the equipment to be installed shall be approved by the Fire Department.

C. Power Source. Smoke detection systems shall operate on an AC primary source of electric power. Each detector shall be wired into the circuit serving the area in which it is located. No smoke detector or alternative system shall be connected directly (permanently wired) to the electrical system of the structure unless an electrical permit first has been obtained.

**Smoke detectors must be installed within fifteen (15) days from receipt of this notice.
You will receive notice of your annual inspection to determine if this compliance has been reached.**

Notification to all licensed residential rental property owner in the City of Annapolis

Effective immediately, all leases or agreements for the occupancy of a dwelling unit for which an operating license is required shall be bound by and include the following statement which cannot be waived by either party:

Chapter 18.04 Minimum Lease Terms

18.04.010 **Lease agreements—Required terms.** 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.

Attachments

Following the below City application are these Maryland Department of Environment (MDE) forms. Please visit the website for more information regarding the [Lead Poisoning Prevention Program](#).

1. Lead Poisoning Prevention Program Local Government Rental Registry Checklist
2. Summary of Owner Rights and Responsibilities
3. Educational Materials Requirements and Resources
4. Rental Property Registration



City of Annapolis
Department of Neighborhood & Environmental Programs
160 Duke of Gloucester St
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," proceed no further.

- 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.

Print name _____

Signature _____ Date _____



Lead Poisoning Prevention Program

EDUCATIONAL MATERIALS REQUIREMENTS UNDER ENVIRONMENT ARTICLE 6

Lead poisoning impacts over a thousand Maryland children each year. Most cases result from exposure to deteriorated or damaged residential lead paint in older housing. Maryland's lead law, "Reduction of Lead Risk in Housing," in Title 6, Subtitle 8 of the Environment Article, Annotated Code of Maryland, was established to reduce lead poisoning and maintain affordable housing stock by integrating basic paint maintenance requirements into routine rental maintenance, and offering liability limits to rental property owners in compliance.

1. WHICH EDUCATIONAL MATERIALS MUST OWNERS PROVIDE TO TENANTS?

When new tenants move in the rental unit, the property owner must provide a copy of each of the following:

- State of Maryland Lead Poisoning Prevention *Notice of Tenants' Rights*
- EPA Booklet *Protect Your Family From Lead In Your Home*
- Copy of the Inspection Certificate Form MDE 330 confirming that the unit meets the Risk Reduction Standard

2. WHEN DO THE MATERIALS GET PROVIDED?

Property owners must provide these materials to tenants upon execution of the lease or the inception of the tenancy. Property owners are also required to re-issue *Notice of Tenants' Rights* and the educational pamphlet materials every two years to the tenant. Inspection certificates must be provided to the tenant at initial occupancy only. Any certificate obtained during the tenancy must be provided to the tenant within 10 days of the inspection.



3. WHERE CAN I GET COPIES OF THESE MATERIALS?

Property owners can get the inspection certificate from the inspection company they hired to do the inspection. The Maryland *Notice of Tenants' Rights* and EPA brochure are available on the Maryland Department of the Environment's (MDE) website or copies may be requested from MDE.

4. WHAT IF I NEED ONE HUNDRED COPIES?

Photocopy or download documents as needed.

5. DO I HAVE TO OBTAIN AND KEEP PROOF OF DELIVERY OF THESE MATERIALS?



Notice given under this section shall be written, and shall be sent by:

Certified mail, return receipt requested or a verifiable method approved by the Department. For example, a signed receipt from the tenant documenting the items were provided. The record of receipt should be maintained by the property owner.

6. WHICH PROPERTY OWNERS MUST DO THIS?

- Mandatory for property built before 1950, unless the property has been certified lead free.
- Mandatory for property built between 1950 through 1978 if the owner elects to "opt-in", unless the property has been certified lead free.

RESOURCES

Maryland Department of the Environment Website:

www.mde.state.md.us/lead

- Downloadable required educational materials
- List of accredited inspectors and contractors
- Fact Sheets about the "Reduction of Lead Risk in Housing" Law
- General Information about childhood lead poisoning prevention



Registration and General Information (Hotline):

Lead Rental Property Registry 410-537-4199 or 1-800-776-2706 (within Maryland)

Risk Reduction Treatments or Certified Inspectors and Contractors:

Environmental Lead Division 410-537-3825 or 1-800-633-6101 X3825 (within Maryland)

U.S. Environmental Protection Agency:

www.epa.gov or 1-800-424-LEAD

Downloadable required brochure *Protect Your Family From Lead In Your Home*

Screening, at Risk Areas, and Health Resources:

Department of Health and Mental Hygiene <http://mdpublichealth.org/och/html/lead.html>

410-767-6713

Financial Assistance for Lead Hazard Reduction:

Baltimore City: Lead Abatement Action Project 410-396-7225

Statewide: Maryland Department of Housing and Community Development

www.dhcd.state.md.us or 410-514-7565 or 1-800-492-7127

The following information is from
**Maryland Department of the
Environment**

Please submit your registration to:

Maryland Department of the Environment
P.O. Box 23660
Baltimore, Maryland 21203-5660

BOX 5 RESIDENT AGENT/ AUTHORIZED AGENT

You must name a contact person 18 years of age or older who is customarily present in an office in Maryland for the purpose of transacting business or who actually resides in Maryland. It may be the owner, the property manager, or any other person.	LAST NAME:
	FIRST NAME:
	ADDRESS:
	CITY: STATE: MD
	ZIP CODE:
	TELEPHONE:

BOX 6A & 6B INSURANCE

Please complete the information below for each company providing property insurance or lead hazard	<input type="checkbox"/> CHECK HERE IF YOU DO NOT HAVE ANY INSURANCE
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6A POLICY# 1

INSURANCE CO. NAME:	
ADDRESS:	
CITY:	STATE:
ZIP CODE:	
POLICY NUMBER:	

6B POLICY# 2

INSURANCE CO. NAME:	
ADDRESS:	
CITY:	STATE:
ZIP CODE:	
POLICY NUMBER:	

BOX 7 AFFIRMATION

I hereby affirm that the information contained in this Registration Form is complete and true to the best of my knowledge.	
	SIGNATURE DATE
	PRINT NAME

TRACKING #

PART B

UNIT IDENTIFICATION

Tally \checkmark marks(s) under Column B1, B2, and B3. Do this on every Part B that you are submitting. Then move to Part C to calculate total fee due.

Tracking #

--	--	--	--	--	--	--	--	--	--

Property #

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Sheet ____ of ____

(A) Print Property Address	(B) Date of Construction or Status			(C) Date of Most Recent Change in Occupancy	(D) Type of Treatment				(E) Notices	(F) Insurance			
	Before 1950	After 1949 Opt-In	Certified Lead Free Opt-In	Date of Most Recent Change in Occupancy	Lead Dust Test Date(s)	Modified Risk Reduction Date(s)	Full Risk Reduction Date(s)	Date of Most Recent Cert. Full Risk Reduction	Tenant's Rights Date(s) Sent	6A Policy #1 Lead Hazard?		6B Policy #2 Lead Hazard?	
	(1)	(2)	(3)		(1)	(2)	(3)	(4)		YES	NO	YES	NO
EXAMPLE - UNIT 1B	\checkmark			02/08/1995			02/05/1995	02/06/1995	02/08/1995		\checkmark	\checkmark	
1.													
2.													
3.													
4.													
5.													
6.													
7.													
8.													
9.													

Subtotal This Sheet Only

Total Checks \checkmark

PART C

FEE SUMMARY PAGE

Tracking #

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Please calculate fees for all rental units listed and tallied on Part B

Total Column B 1 (Pre-1950 Units) = _____ x \$15 = _____

Total Column B 2 (Opt-In Units) = _____ x \$15 = _____

Total Column B 3 (Certified Lead-Free Opt-In Units) = _____ x \$15 = _____

TOTAL AMOUNT SUBMITTED = _____

- Make check or money order payable to: Maryland Department of the Environment
- Include tracking number on your payment
- Cancelled check will serve as receipt
- To receive proper credit, Parts A, B, and C of the Registration Form must be submitted with payment
- Return form with payment to: **Maryland Department of the Environment
P.O. Box 23660
Baltimore, MD 21203-5660**