

Q: Do I have to register a rental property that is occupied by a relative?

A: Yes. However, in single-unit rental properties the registration fee is waived if certain family members, including children, parents, siblings, grandparents and grandchildren, are tenants. Registration is still required.

Q: What do I need to do if I sell my rental property?

A: The license is transferable to the new owner, but the new owner is required to inform us of the transfer within ten days of the sale.

Q: When will I receive a printed license?

A: The unit is licensed as soon as we've received a completed registration, including current lead inspection results. We send out printed licenses at the beginning of each month for all properties registered during the previous month.

Q: Lead Paint Compliance questions?

A: If your property was built before 1978, call the Maryland Department of the Environment at **410.537.4199** or **800.776.2706** to register your property and begin the state compliance process.



OVERVIEW

The Rental Licensing Program is focused on ensuring that properties are maintained for health, safety, and general welfare of the entire community. The program, created and implemented in 2003, has proven successful in ensuring that adequate living conditions are maintained for all. It is designed to help protect the character and stability of residential areas as well as preserve the value of land and property throughout the city of Hagerstown.

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City of Hagerstown

RENTAL LICENSING PROGRAM

2017-2018



A LANDLORD'S GUIDE

Frequently Asked Questions

Q: What is considered a rental property?

A: Single-family, duplex, triplex, fourplex, apartments, condos, townhomes, or other residential rental dwellings located within the City of Hagerstown that are rented, whether for consideration or not, for occupancy by one or more persons who are not the owner.

Q: How do I register my property?

A: Submit a completed, signed application, including mandatory lead paint inspection information, to the Planning and Code Administration Department, along with the annual per-unit rental licensing fee. Applications are available from the Planning and Code Administration Department or online at www.hagerstowncode.org.

Q: How do I know when the registration is due?

A: All rental properties must be registered and licensed before a tenant moves into the unit. Once an application is created, payment is due within 30 days. A license is valid until the next June 30 and a renewal will be sent prior to that date.

Q: What are the fees for a rental license?

A: \$75 per rental unit. Significant late fees are charged once an application is more than 30 days past due.

Q: How do I schedule an inspection?

A: To schedule an interior inspection, call the Code office at **least three business days before** a tenant moves in. Our phone number is **301.790.4163**. Online requests for interior inspections can be made at www.hagerstowncode.org. Exterior inspections are done without an appointment and results are sent to the owner/manager.

Q: What inspections are required?

A: An exterior inspection is done annually. An interior inspection is required at tenant turnover if we have not inspected the unit in the past four years.

Q: Do I need an interior inspection if the property has been inspected under the Section 8 program?

A: In lieu of a separate City inspection, we may accept a completed and passed Hagerstown Housing Authority initial inspection that has been conducted as part of the Section 8 program. The inspection must be current and done while the unit is vacant.

Q: Is anyone exempt from obtaining a rental license?

A: Exemptions include:

- Newly constructed properties, for the first four years following the issuance of a Certificate of Occupancy.
- Owner-occupied properties that contain no more than one rental unit.
- Rental properties owned and operated by the Hagerstown Housing Authority.
- Hotels, motels, hospitals, state-licensed residential care facilities, assisted-living facilities and nursing homes.

Q: Do I need to take a Crime Free Housing Seminar to receive a rental license?

A: No, as long as the property is maintained and Hagerstown Police Department (HPD) has not had two or more qualifying complaint calls about the property in a one-year period (or one if qualifying call constitutes a felony under Maryland law). The seminar, which we encourage all property owners to take, is offered regularly by HPD and details are available at crimefree@hagerstownpd.org or **301.797.6408**.

The property owner or representative will be **REQUIRED** to attend the seminar once the number of qualifying calls to HPD exceeds the minimum level noted.

Q: What are “qualifying” complaint calls?

A: Calls to HPD that involve the following disturbances: drug offenses, disorderly conduct, disturbing the peace, liquor law violations—including public consumption of alcohol, loud noise complaints, loitering, prostitution, indecent exposure or public urination, undesirable, intoxicated or suspicious persons, and any conduct which constitutes a felony under state law.

Q: What happens if a property is designated a Chronic Nuisance Property?

A: If the number of qualifying police calls reaches a certain level (2-14 calls, depending on number of units rented) or there are three or more qualifying Code violations in a 12-month period and the property owner does not work actively with the police and/or Code Administration to remedy the problem at the property, the property will be designated a “Chronic Nuisance Property.” A list of these properties will be published annually by HPD. Also, after such designation each additional qualifying call in a 12-month period will result in a fee of \$100 for the first offense, \$250 for the second, and \$500 for each subsequent offense. The rental license may also be revoked.

Q: Am I required to have a written lease with my tenants?

A: Yes. All residential landlords must utilize a written lease and it must contain the Crime Free Housing provision. The provision language is printed on the “Fair Summary” sheet included with the rental license application or is available online at www.hagerstowncode.org.