

ORDINANCE NO. O-1-22

EMERGENCY ORDINANCE TO AMEND CHAPTER 13
OF THE CITY CODE, ENTITLED, "LANDLORD-TENANT RELATIONS,"
BY AMENDING SECTION 13-13A, ENTITLED, PROHIBITED
RENT INCREASES DURING COVID-19 STATE OF EMERGENCY

The Mayor and City Council hereby declares an emergency to exist with respect to the potential for renters of dwelling units in the City to face rent increases due to the impact of COVID-19; THEREFORE,

BE IT ORDAINED, by the Mayor and Council of the City of Gaithersburg, in public meeting assembled, that Chapter 13 of the City Code is hereby amended to read as follows:

* * *

Sec. 13-13A. Prohibited rent increases ~~during due to COVID-19 impact state of emergency.~~

- (a) A landlord must not increase a tenant's monthly rent for a dwelling unit in excess of the voluntary rent increase guidelines issued by the county executive under Montgomery County Code § 29-53(a) on or after the effective date of the ordinance from which this section derived if the rent increase would take effect prior to May 15, 2022, ~~during, or within ninety (90) days after, the expiration of, the state of emergency and catastrophic health emergency declared by the Governor of the State of Maryland on March 5, 2020, as amended or extended by the Governor, under Md. Public Safety Code Ann., § 14-3A0-02 of the Maryland Public Safety Code Ann ("State of Emergency").~~
- (b) A landlord must not, on or after the effective date of the ordinance from which this section derived, notify a tenant of any monthly rent increase on a dwelling unit in excess of the voluntary rent increase guidelines issued by the county executive under Montgomery County Code § 29-53(a) prior to May 15, 2022, ~~during the above-referenced state of emergency, or within ninety (90) days thereafter, which takes effect during the state of emergency or within ninety (90) days thereafter.~~

Boldface

Underlining

~~Single strikethrough~~

Double underlining

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Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by Amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

- (c) If a landlord provided a notice of a monthly rent increase on a dwelling unit to a tenant in violation of this section, taking initial effect prior to May 15, 2022, ~~during the state of emergency or within ninety (90) days thereafter~~, the landlord must additionally notify the tenant to disregard that notice to the extent the increase takes effect prior to May 15, 2022. ~~during the state of emergency or ninety (90) days thereafter.~~
- (d) Violations of this section are declared to be a municipal infraction and enforceable pursuant to the provisions of section 1-9 of this Code. This section may also be enforced under the enforcement procedures for this chapter, provided by section 13-6 of this Code.
- (e) This section shall expire and have no further force or effect after May 15, 2022. ~~upon the 151st day following the expiration of the state of emergency.~~

* * *

ADOPTED by the City Council this 3rd day of January 2022.

 JUD ASHMAN, MAYOR and
 President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland this 3rd day of January, 2022. APPROVED by the Mayor of the City of Gaithersburg, Maryland this 3rd day of January, 2022.

 JUD ASHMAN, MAYOR

THIS IS TO CERTIFY that the foregoing Ordinance was adopted by the City Council of Gaithersburg, in public meeting assembled, on the - - - 3rd day of January, 2022, and the same was APPROVED by the Mayor of the City of Gaithersburg on the 3rd day of January, 2022. This Emergency Ordinance will become effective on the 3rd day of January, 2022.

 Tanisha Briley, City Manager