

Spring 2009

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COLTA Newsletter

The Commission on Landlord-Tenant Affairs, 7500 Maple Avenue, Takoma Park, Maryland
Established by the City of Takoma Park to adjudicate and mediate complaints for violation of the city's Landlord-Tenant Relations law and to rule on petitions for rent increases above the rent stabilization allowance. (6.24.020 TP Code).

COLTA Decisions

Landlord-Tenant Law Decisions

08-13T-Mickey v. Ernst-(Wakelyn, Hill)-
Tenant's defective tenancy claim was denied.

08-16T-Gordon v. Simms-(Hill, Smith, Wohl)-
Tenant's defective tenancy claim was denied.

Fair Return Petition Decisions

() = % of Rent Increase awarded in addition to Rent Stabilization Allowance.

08-7L-8309 Roanoke Ave-(+11.48%)

08-8L-8302 Roanoke Ave-(+11.34%)

08-9L-8304 Roanoke Ave-(+11.34%)

08-23L-7106-08 Maple Ave-(4.44%)



Special points of interest:

- * COLTA Decisions
- * Do You Know???
- * Rent Stabilization Allowance (7/1/09-6/30/10)
- * From the Chair
- * A Word From Moses

Do You Know????

- The Landlord-Tenant staff conducts periodic "Your Rights as a Tenant" workshops for city tenants. A workshop was held on March 12, 2009 and the next one will be held on June 9, 2009 at 7500 Maple Avenue.
- A revised Landlord-Tenant Handbook will be reprinted in English and Spanish and will be available by July 2009.
- The city is purchasing a rents data base that will allow landlords to submit their rent reports electronically.
- Landlord-Tenant Coordinator Moses A. Wilds, Jr. wrote a Mayoral Proclamation, read by the Mayor at the Council's 4/6/09 meeting, recognizing April 2009 as Fair Housing Month in Takoma Park.
- Landlord-Tenant Staff will conduct Fair Return Petition Training beginning in June 2009. Notices announcing the training will be sent to landlords subject to Rent Stabilization.

Rent Stabilization Allowance (7/1/09-6/30/09)

The Takoma Park Rent Stabilization Law (6.20) attempts to maintain the affordability of city rental units by limiting the amount and frequency of rent increases in selected rental units. Calculated annually and applicable to licensed multi-family and condominium rental facilities (except those provided exemptions by the county or city) the Rent Stabilization Allowance (RSA) generally limits rent increases to once per year based on the annual increase in the Consumer Price Index (CPI).

The **2009-2010 RSA is 0.4%** and landlords required to comply with the city's rent stabilization law may not increase the rent on currently occupied rental units more than this amount. Landlords seeking to determine if they may increase their rents above the RSA should note that the city's housing department will be conducting training beginning in June designed to assist landlords' understanding of the fair return petition process.

For information about Takoma Park's Rent Stabilization Law, the 2009-10 RSA and the Fair Return Petitions process, please contact Jean Kerr at 301-891-7216.

From the Chair

Chairperson Smith in the initial COLTA Newsletter and subsequently at the December 2008 business meeting raised questions about the subpoena section of the current COLTA Regulations. Mr. Smith noted the absence of enforcement powers and use of subpoenas to avoid document submission deadlines. COLTA's Ex. Dir. has indicated that subsequent revisions of the regulations will include changes to and/or

elimination of the subpoena section from the COLTA Regulations.

Chairperson Smith has recently raised the question and solicits commission members comments regarding whether city policy permitting public access to landlord's annual rent reports may be overly broad since these documents may contain private information.



Security Deposit interest rates indicated on a lease in accordance with a state attorney general's office opinion remain in effect until changed in writing by the landlord. If the lease is silent on the amount of the deposit's interest, the then prevailing state-wide rate (currently 3% for leases signed after 10/1/04) will be presumed to be the effective interest rate.

A Word From Moses

City Council's pending approval of two applicants will result in the commission again having twelve (12) members:

COLTA Hearings for the period May-December 2009 will be held in the Azalea Room while the Council Chamber undergoes renovations;

Four commissioners whose current terms will expire on June 30,

2009 have been sent their reappointment applications which are to be returned to the city clerk;

An article in the monthly city newsletter entitled "Housing Mailbox" answers tenant and landlord questions based on selected sections of the city's landlord-tenant relations law;

Commissioners are again requested to provide me with your suggestions for topics to be included in future

editions of the COLTA Newsletter.

Have a safe and enjoyable summer!

