

ADMINISTRATIVE REGULATION NO. 2016-01	Page 1 of 3
Subject: Residential Rental Facilities - - Fees	
Effective Date: May 1, 2016	

**RESIDENTIAL RENTAL FACILITIES - - FEES
ADMINISTRATIVE REGULATIONS**

Pursuant to *Takoma Park Code* Chapter 6.16, Landlord Tenant Relations, the following Administrative Regulations are hereby promulgated and are to be used in coordination with § 6.16.090, Fees.

Section 1. General Provisions

- A. Fees shall not be charged for services and amenities previously included in the rent for the rental unit or provided to current or prior tenants at no cost.
- B. Except as provided in paragraph D of this section, landlords may not charge any fee other than fees specified in these Regulations.
- C. Except as provided in paragraph D of this section, fees may not exceed the maximum amount established in these Regulations.
- D. Previously existing fees
 - 1. Landlords that have charged fees for optional services and amenities that are not specified in these Regulations prior to the effective date of these Regulations and have reported the fees on their Annual Rent Reports may continue to charge such fees but may not increase such fees.
 - 2. Landlords that have charged fees for optional services and amenities that are higher than the maximum fees established in this prior to the effective date of these Regulations and have reported such fees on their Annual Rent Report may continue to charge such fees but may not increase them.

Section 2. New Tenant Fees

Landlords may not charge prospective tenants any fee in connection with the commencement of a new tenancy except a one-time leasing fee, which shall not exceed \$35.00. Landlords must pay any brokerage fee associated with a tenant’s lease.

Section 3. Lease Option Agreements

Proposed: Sara Anne Daines	Date:
Title: Housing and Community Development Director	May 1, 2016
Approved: Suzanne Ludlow	Date:
Title: City Manager	May 16, 2016

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Landlords must refund any lease option agreement fees paid by a tenant if the tenant does not exercise the option to purchase the leased premises for any reason. Landlords must maintain lease option agreement fees in an escrow account. The landlord must return the lease option agreement fees to the tenant within thirty days of the termination of the tenant’s tenancy or within thirty days of receiving notice from the tenant that the tenant declines to exercise the option, whichever shall first occur. Lease option agreements shall include the statements required under section 8-202 of the Real Property Article of the Maryland Code.

Section 4. Optional Services and Amenities

- A. Fees may be assessed to tenants for new services and amenities.
- B. Fees may not be assessed for service and amenities that were previously provided to tenants of the rental unit at no cost or included in the rent.
- C. Tenants must acknowledge in writing that they understand that they have the right to decline a service or amenity and that they voluntarily accept the service or amenity before a landlord can begin charging the tenant a fee.
- D. Landlords must assess fees on a uniform basis throughout a rental facility.
- E. Pet Fees. A pet fee may be assessed to the tenant upon the initial occupancy of the rental unit or in the event a pet is obtained following the commencement of the tenancy, when the pet begins to reside in the unit. Nothing in this section shall be construed as requiring landlords to allow pets.
- F. Air Conditioning Fees.
 - 1. The landlord may assess a fee for the rental of an individual window air conditioning unit or units, for the installation or removal of the air conditioning units, and for additional utility consumption. The tenant shall have the option of providing an air conditioning unit upon written approval of the landlord. Such approval shall not be withheld if the tenant provided unit is equivalent in size, configuration and energy efficiency standards to the unit offered for rent by the landlord.
 - 2. Fees for additional utility consumption and use of landlord-provided air conditioning units shall only be assessed during the months of May through September.

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Section 5. Fee Schedule

Type of Fee	Maximum Fee
Parking Fee	\$50 per month
Parking Fee, Reserved Space	\$75 per month
Parking Fee, Covered	\$120 per month
Secure Storage Unit Accessible only by Tenant	\$3 per month per square foot
Lock Out (on site management during business hours)	\$25
Lock Out (off site management and off hours)	Actual cost
Lost Key	Actual duplication cost plus \$25
Leasing Fee	\$35
Pet Fee for Dogs or Cats	\$35 per month
Pet Fee for Other Pets	\$20 per month
Window Air Conditioning Unit Rental	\$35 per month per unit
Excess Utility Fee for Air Conditioning Window Units (if electricity is included in rent)	Actual cost
Cable Television and Internet	Actual cost to the landlord divided by the number of rental units in the rental facility
Bulk Trash Removal	Actual cost to the landlord in excess of regular waste removal
Furnished Rental Unit Fee (Furnishings must include a dresser and bed for each bedroom, a sofa, a table and chairs for eating, adequate lighting for each room, a stove or oven and installed cook top, a refrigerator, and a microwave.)	10% of monthly rent
Short Term Lease Fee	\$75.00 per month
Rental Unit Change During Lease Term	One month's rent for the unit to be vacated.
Enclosed Bicycle Storage	\$10 per month

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