

<b>ADMINISTRATIVE REGULATION NO. 2014-02</b>	<b>Page 1 of 3</b>
<b>Subject:</b> Notice Requirements For Transfer Of Utilities To Residential Tenants	
<b>Effective Date:</b> May 12, 2014	

## NOTICE REQUIREMENTS FOR TRANSFER OF UTILITIES TO RESIDENTIAL TENANTS 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 *Takoma Park Code Chapter 6.16.100 Utilities – charges to tenant and transfer of utility payments*.

### Section 1. Administration

The City Manager is authorized by *Takoma Park Code Chapter 2.12 Administrative Regulations* to establish administrative regulations governing the notification requirements for the transfer of financial responsibility to a tenant or group of tenants for a utility or utilities previously paid by the landlord.

### Section 2. General Provisions

- A. A landlord has the right to transfer the responsibility of the cost of a utility to a tenant or group of tenants if the landlord has the utility separately metered to each rental unit. Such transfer must be approved by the City prior to implementation.
- B. A landlord is required to provide written notice of their intent to transfer responsibility for utility payments to an existing tenant at least three months prior to the effective date of the transfer. Notice may be delivered to the tenant by any reasonable means, including mailing by U.S. Postal Service, email, or personal delivery.
- C. The landlord is required to certify in writing to the City, the date and to whom the notice was mailed or delivered, and the names and apartment numbers of each tenant who was given the notice.

### Section 3. Form of Notice

Notice of the transfer of utility costs to the tenant, a form of which is attached hereto as Exhibit A, must include the following information:

- a) Effective date of transfer of cost of utility from landlord to tenant
- b) Estimated average monthly cost of utility for the tenant's rental unit
- c) Amount of rent that will be charged upon transfer of utility costs to tenant
- d) Effective date of new rent charge
- e) Where the tenant may view the landlord's application for transfer of costs of utilities

### Section 4. Enforcement Responsibility

The Housing and Community Development Director or designee shall be responsible for the enforcement of these Administrative Regulations.

<b>Proposed:</b> Sara Anne Daines	<b>Date:</b>
<b>Title:</b> Housing and Community Development Director	May 12, 2014
<b>Approved:</b> Brian T. Kenner	<b>Date:</b>
<b>Title:</b> City Manager	May 12, 2014

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**Exhibit A**

**EXAMPLE**

**NOTICE OF UTILITY COST TRANSFER TO TENANT  
AND  
REDUCTION OF RENT**

The Takoma Park Code Section 6.16.100 allows a landlord the right to transfer the responsibility of the cost of a utility to the tenant if the landlord has the utility separately metered to each rental unit and the tenant receives at least three months' written notice of the transfer.

Section 6.16.100(B) of the Code requires a reduction of rent that is equivalent to the average utility consumption for the rental unit. This average utility consumption is calculated from the rental facility's utility bills for the 24-month period prior to this notice. Common usage utility costs such as common hallway lights, exterior lights and laundry facilities remain the landlord's responsibility.

On \_\_\_\_\_20\_\_, you will be responsible for payment of your own \_\_\_\_\_ (utility) bill, which will be individually metered to your unit.

The landlord has submitted an application to the Department of Housing and Community Development for review of the utility transfer calculations. To view a copy of the documentation for this application, please call (301) 891-7216. You have 30 days from the date you receive this notice to file any objection to the calculations that are included in this notice.

If you receive no further notice, this transfer will go into effect on the date stated in this notice. You will be responsible for establishing a utility account in your name and the utility company may require you to pay a deposit.

Rental Unit#\_\_\_\_\_

Current Rent \$\_\_\_\_\_

Estimated Average Monthly Utility Cost for your rental unit \$ \_\_\_\_\_ (see accompanying chart)

New Reduced Rent \$\_\_\_\_\_

Effective Date of Reduced Rent \_\_\_\_\_

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**EXAMPLE**

**PROPOSAL FOR UTILITY COST TRANSFER TO TENANTS  
FOR NEWLY SUB-METERED UNITS**

1	Address of Rental Facility	_____
2	Number of Rental Units	_____ 5
3	Type of Utility Being Transferred	_____
4	Utility Costs for Most Recent 24 Month Period	
	Total 24 Month Cost of Utility	_____ \$9,000.00
	Common Area Utility Cost	_____ \$ 900.00
	Cost to be Allocated to Tenants	_____ \$8,100.00
5	Proposed Rent Reduction	
	Per Rental Unit per Month	_____ \$67.50

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