



# PUBLIC POLICY PLATFORM

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# 2022-23 PUBLIC POLICY COMMITTEE

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# HOUSING OPPORTUNITY

***The Greater Baltimore Board of REALTORS® (GBBR) supports fair and equitable access to housing; tax changes to make home purchases more affordable; policies to encourage the creation of new homes and rental properties; and regulatory changes to increase housing supply and lower building costs.***

## **FAIR HOUSING**

Fair housing is more than a list of dos and don'ts, rights and penalties, and mandatory continuing education. As stewards of the right to own, use, and transfer private property, fair housing protects our livelihood and business as REALTORS® and depends on a free, open market that embraces equal opportunity.

REALTORS® recognize the significance of the Fair Housing Act and reconfirm their commitment to upholding fair housing law as well as their commitment to offering equal professional service to all in their search for real property.

GBBR supports legislation that creates an environment of equal access to housing for all individuals based solely on their financial ability to purchase/lease, and that



eliminates discriminatory housing practices in all real estate-related industries. We also support creating and expanding diversity in the practice of real estate and real-estate related industries.

### **AFFORDABLE HOUSING**

Access to quality, affordable housing – for both renters and homeowners – benefits individuals, families, and the community as a whole in numerous ways. An ample supply of affordable housing has been shown to reduce adverse effects of residential instability. A healthier population means a healthier community. When affordable housing is available near employment centers, workers enjoy greater mobility and reduced commute times, with less of an impact on the transportation network.

In the Baltimore Metropolitan area, demand for affordable housing far exceeds supply. According to the Baltimore City Department of Housing and

Community Development, “more than 3,000 persons are homeless and over twenty percent of all households are annually spending more than half their income on housing.”

GBBR recognizes the scope and scale of the affordable housing challenge and supports the following types of legislation:

- Dedicated and reliable funding sources to provide housing subsidies and dwelling units for low and moderate income residents
- Increases in housing supply, developer incentives, and the elimination of barriers to the production of a full range of housing options for Baltimore Metro residents
- Innovative housing programs, flexible zoning, preferred financing rates, down payment assistance, targeted tax relief, and revolving loan programs to make market-rate home purchases more affordable.



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### ***Favorable Regulatory Environment***

The costs of new regulations that contribute to housing affordability challenges are not always fully considered. There has been a tendency to look at legislative and regulatory costs on housing in isolation rather than their cumulative impacts on home prices. These costs disproportionately impact first-time, minority, and lower-income homebuyers, who have fewer resources to cover the up-front costs of a home purchase.

Regulations and requirements that guide housing development, although designed to address important goals, increase the cost of housing construction and home prices. Barriers to housing may include: (1) costs of implementing or complying with the regulation or process; (2) complex, non-transparent development processes; and (3) restrictive land use regulations near employment and services. GBBR supports legislation that eliminates these barriers that inhibit the housing supply.

### ***Senior Housing***

Like many localities, the Baltimore Metropolitan Area senior population is growing at a rapid rate. According to the Maryland Department of Aging, “between 2015 and 2030, Maryland’s 60+ population is anticipated to increase from 1.2 million to 1.7 million, a 40% increase.” Their report also indicates that “there is no greater desire than the one to age in place.” Yet many seniors lack the income to make the necessary modifications that would allow them to age in place.

GBBR supports the creation of affordable and accessible units to house our senior population, both in dedicated age-restricted communities and within the broader community. This support includes expanding Accessory Dwelling Unit (ADU) production through both regulatory changes and reductions in required taxes and fees charged on their construction, as well as programs to finance universal design updates to existing residences to



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avoid senior displacement for mobility or other health reasons. ADUs are secondary housing units on a single-family residential lot. They provide flexible dwelling options in central city neighborhoods, utilize existing governmental infrastructure (eg. roads, sewers, schools), and reduce the demand for expanding infrastructure in far-lying reaches of a developed metropolitan area. ADUs provide housing with a relatively small environmental footprint, and use less energy in construction, deconstruction, and habitation. ADUs provide more affordable housing options in residential neighborhoods with a lower impact on a neighborhood's character.

### **Vacant Properties**

GBBR believes that safe, weather-resistant, affordable housing should be available to all, and that wise governmental policy promotes the development and retention of such housing within its jurisdiction. We support policies and programs that

encourage the rejuvenation of the innermost ring of older suburban development in Baltimore County. We also support policies and programs within Baltimore City that reduce property taxes for City residents, and bring vacant and abandoned properties in the City back into active use, as both rental and homeowner-occupied properties. Although we support property ownership rights, we recognize that the approximately 14,000 vacant and abandoned properties in Baltimore City represent a drain on the tax base, present substantial safety hazards and potential for criminal activity, and place many residential neighborhoods in jeopardy of total economic collapse. Finally, we believe that the REALTOR® community can be an asset in providing a currently-existing market-driven system that can take foreclosed and repossessed properties, dispose of them quickly and efficiently, and provide the local governments with the best return on their property inventory by matching residents and investors with the



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right properties for redevelopment and either lease or re-sale.

### **Rental Regulations**

#### ***Eviction Protection***

GBBR supports policies that consider tenant displacement balanced with the impact to property owners and rental housing supply. Maryland property managers have reported that many of their clients are choosing to sell their investment properties rather than continue to rent them under current conditions. GBBR supports eviction prevention measures that mitigate costs for both rental housing providers and tenants to preserve housing choice in the future.

#### ***Tenants Right of First Refusal***

GBBR supports tenant's right of first refusal in the sale of a single-family residence in which there are, or were, tenants, with the exception of cases where the property is being offered for sale by a

bona fide, third-party, licensed real estate agent. GBBR supports other exemptions for the purpose of handling estates and/or financial hardships. We oppose legislation that delays or hinders the free-market sale of real property.

#### ***Short-Term Rentals***

The right to rent private property on a temporary or short-term basis to another party has been recognized as a fundamental right of property ownership. Short-term rental units provide a valuable service in the marketplace, are usually very well-maintained, support fair housing goals, and provide additional revenue to localities. GBBR opposes regulations that prohibit or restrict the ability to own and operate short-term rental properties, provided owners adhere to all local codes and minimize any negative impacts to surrounding properties.



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# TAXATION

***GBBR supports broad-based funding sources to fund needed local services as opposed to narrow taxes which negatively impact small segments of the population or particular industries.***

## **Property and Transfer Taxes**

Economics teaches that one gets less of what one taxes; thus, tax policy influences business formation, expansion of existing enterprises in our community, investment in property and enterprises, and growth. Strong, growing enterprises provide well-paying jobs, supporting families and the health and stability of our communities.

Home ownership is critical to stable neighborhoods, supporting the creation of generational wealth, especially among historically disadvantaged communities. We encourage policy makers to consider the impact of tax policy on housing formation, retaining elderly and long-time residents, encouraging first-time and move-up home ownership, and the retention, formation, and expansion of enterprises.

While taxes are necessary to support government functions, we are reminded that government naturally seeks to grow, increasing its power and influence.



Therefore, it is incumbent upon citizens and legislators to carefully consider taxation and restrain from the impulse to increase taxes. As stated in the Maryland Constitution, “all Government of right originates from the People.” Let us remember that all taxes are paid by people.

GBBR supports a “one state, one rate” policy of taxation where all jurisdictions apply the same property tax rate and eliminate jurisdictional housing decisions based on property tax policy.

We support a fair and equitable system of assessing the fair value of property such that all citizens are taxed based on the same method of determining fair value.

### **CHAP and Other Housing Credits**

Baltimore’s Commission for Historical and Architectural Preservation (CHAP), established in 1964, oversees 36 local historic districts, over 200 landmarks, and

manages a local historic preservation tax credit program. CHAP helps preserve and revitalize neighborhoods, celebrates City history, and promotes historic preservation as a proven economic driver for Baltimore City.

The National Register of Historic Places covers 299 properties and historic districts within the city of Baltimore, many of which are not under the auspices of CHAP. Literally thousands of historically and architecturally significant properties are protected by one of these levels of historic designation.

GBBR supports the preservation and funding of these districts and the national, state, and local programs and tax credits that encourage the preservation, restoration, and maintenance of the built environment that adds so much to the quality of life for residents in the City of Baltimore.



Broad-Based  
**FUNDING**

### **School Funding**

A quality education system is a key component of a community's quality of life, its housing prices, and its overall business competitiveness. However, school systems across the state struggle with uneven utilization of area school facilities and a lack of capital funding to address overcrowding. As state and local governments consider initiatives to provide this funding, GBBR supports a comprehensive study of all funding sources along with their potential impacts on the housing market, area businesses, and the local economy.

GBBR also supports legislation that would prevent the imposition of school impact fees on new development. While such fees may be necessary to provide capital infrastructure to serve new development, they can also distort the housing market by raising housing prices, encouraging sprawl to areas with no or lower fee structures, and disproportionately impact lower-income households. Elected officials must weigh these competing interests and consider adjustments to the impact fee structure to further the County's housing goals.



Broad-Based  
**FUNDING**

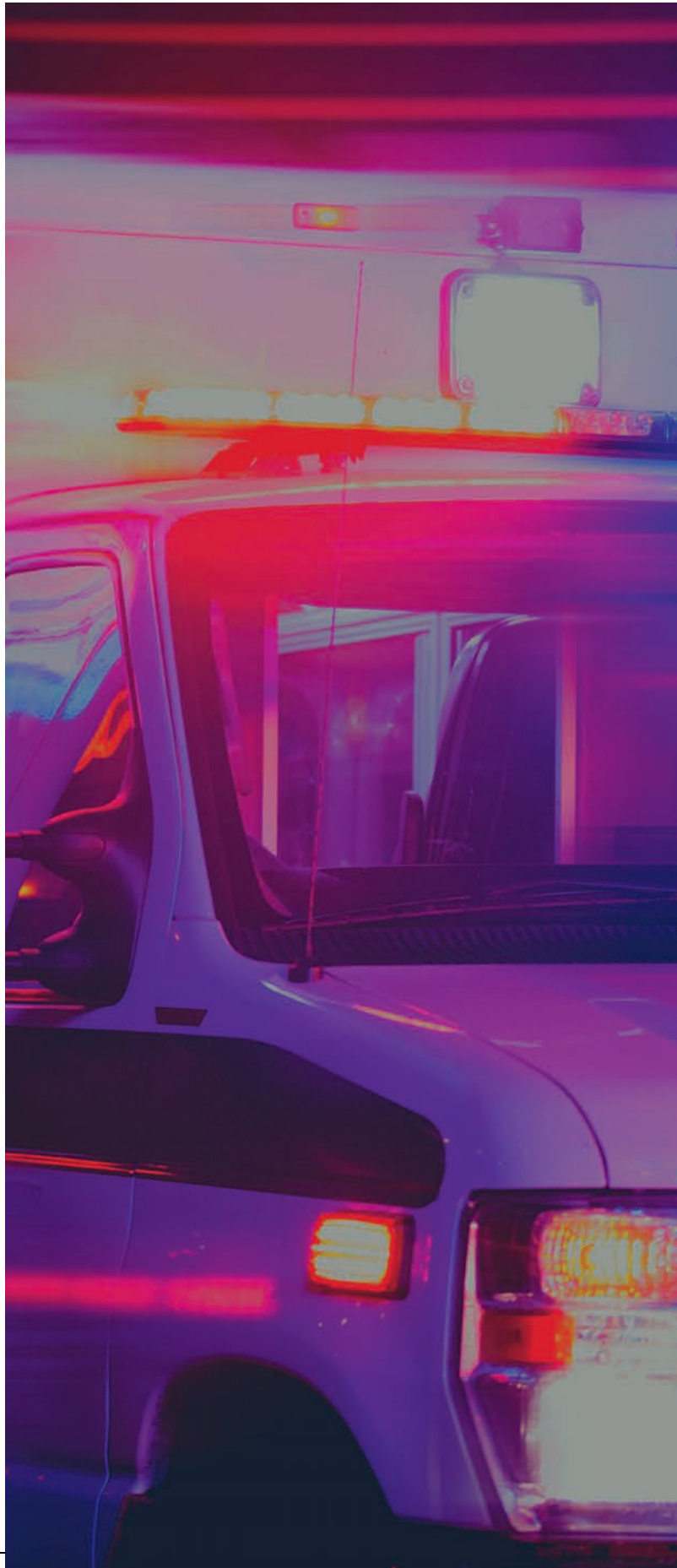
## PUBLIC HEALTH & SAFETY

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***GBBR supports policies that guide future growth in a responsible manner and that foster economic development opportunities. We support land use regulations that enhance the enjoyment of private property and that positively impact a property's value.***

Establishing and maintaining healthy, safe, and enjoyable communities is the cornerstone of economic growth and prosperity and quality of life for its members. The health and safety of our community members are paramount and should not be threatened by location, economic status, or any other factors. Effective public safety legislation respects the rights of all individuals and balances safety concerns with the right to fair and equitable treatment under the law.

GBBR supports legislation that contributes to maintaining a safe and secure living, learning, and working environment through the respectful protection of people and property. We also support legislation that assures equal access for all community members to quality health and wellness services, healthy food options, and safe and healthy homes.

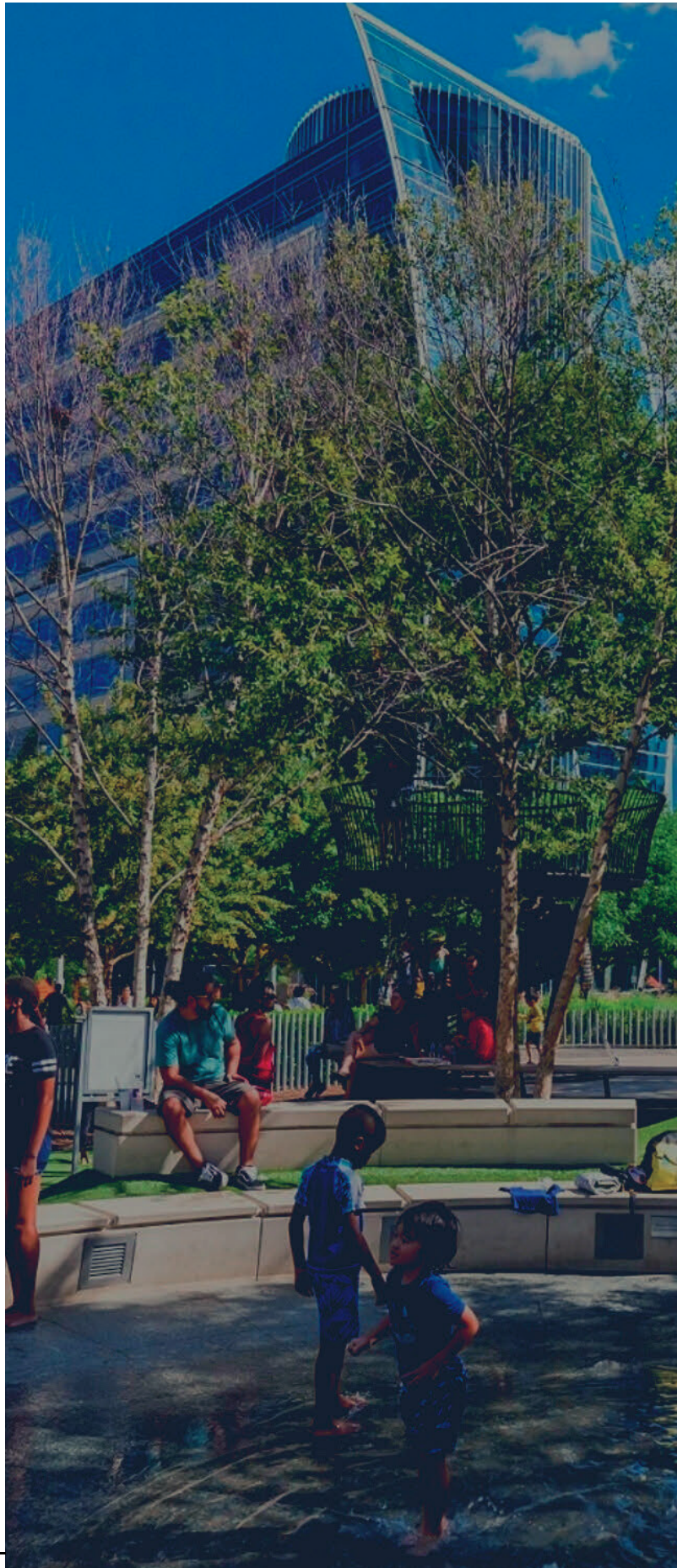


# LAND USE, GROWTH & DEVELOPMENT

***GBBR supports policies that guide future growth in a responsible manner and that foster economic development opportunities. We oppose any land use regulations that inhibit the enjoyment of private property or that negatively impact a property's value without just compensation.***

## **Placemaking: Making Communities More Livable**

Placemaking is the concept of creating quality places where people want to live, work, and play by activating unused or underused sites. Placemaking is a process, and is best accomplished when communities are involved in the planning. Examples of placemaking projects include pocket parks, alley activations, trails and pedestrian paths, community gardens, playgrounds, and dog parks. The goal of placemaking is to create new, outdoor public spaces and destinations in a community. GBBR believes placemaking projects can enhance safety, accessibility, and economic opportunity for all communities.



### **Economic Development and Employment**

GBBR supports initiatives to grow Baltimore City and Baltimore County's businesses and employment base. A strong commercial tax base relieves upward pressure on residential property taxes to fund necessary public services. Baltimore City and Baltimore County should avoid actions that place additional burdens on employers that would lead to increased business costs, decreased employment opportunities and hinder economic growth and opportunities. In addition, its land use policies and zoning codes should provide adequate flexibility to embrace the industries of the future while refraining from burdening those industries already in existence.

### **Private Property Rights**

GBBR believes in the fundamental right of all private property owners to determine the highest and best use of their land, working through appropriate

governmental entities. Governmental actions, regulations, and legislation are most effective when they respect individual property owners, work collaboratively with them to achieve common goals, and avoid actions that negatively impact property values and the ability to fully use and enjoy privately held lands. State and local governments that adopt a doctrine of transparency ensure that their constituent communities maintain an opportunity to participate in matters directly or indirectly affecting their lives, property, and businesses.

### **Broadband Access**

Broadband and mobile access has risen to the level of critical public infrastructure. As services increasingly move online, many Baltimore households lack access to essential tools for daily lives, such as broadband service at home, access to a computer, or the ability to engage in remote work.

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Responsible  
**GROWTH**



For many lower-income households and communities of color, the lack of internet or a computer compounds gaps in education and financial security. Households on the wrong side of the digital divide are left behind in online connectivity for accessing education, unemployment benefits, and health care services. GBBR supports Baltimore County's current project that is bringing broadband services to the northwest corner of the county, as well as Baltimore City's goal to permanently close the digital divide by 2030. Internet access is no longer a luxury but a necessity. Equitable broadband access will make Baltimore a more attractive region for economic development.

### **Adequate Public Facilities Ordinance**

GBBR supports the use of adequate public facilities ordinances (or APFOs) as a tool to ensure that public facilities are either already in place or will be provided as a result of newer development. In that way, a city, county, or municipality can be assured that new development will not place excessive additional loads on existing infrastructure. When they are used to delay new development until sufficient infrastructure is in place, they increase the costs of providing new housing stock and place additional financial risks on housing developers. These ordinances may also impact development patterns to direct new development to areas of available infrastructure, even if those areas are not

A close-up photograph of a hand holding a wooden pencil, pointing to a specific green-shaded area on a map. The map shows a grid of streets with various house numbers. The text 'Responsible GROWTH' is overlaid on the left side of the image.

Responsible  
**GROWTH**

where housing units are most needed, and could result in sprawl as opposed to more compact, walkable developments. Any APFO program must consider and balance these competing needs.

### **Zoning**

GBBR supports zoning legislation that balances the needs between density and affordable housing and allows for flexibility and innovation as housing and business trends evolve. Local comprehensive and

master plans can provide a predictable roadmap for future development for community stakeholders. GBBR encourages our elected leaders and planning staff to continue to provide transparency to the public on timetables for future corridor plans. In addition, legislation should seek to include all sectors impacted by plans, including residents, businesses, and housing providers.



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# TRANSPORTATION

***A robust transportation network provides critical connections between residents and employment centers, as well as between goods and area businesses. Transportation improvement planning should consider the needs of all stakeholders along a transportation corridor and provisions should be made to accommodate a variety of users in transportation projects, where possible.***

Safe, efficient, reliable transportation is essential to the economic health and long-term growth of the region. A locally-developed, comprehensive transportation master plan needs to consider more than the existing highway infrastructure. Such a plan would include streamlined and faster bus routes and an expanded rail-based transit system that allows travelers of all financial means to reach most of the metropolitan area without requiring an automobile. Convenient electric charging stations for a growing number of electric vehicles are essential. Finally, the plan would incorporate urban zoning that creates an accessible and environmentally-conscious balance between residential and light commercial uses that include sidewalks as a part of the transportation thoroughfares for recreation and the commerce of daily life.

GBBR supports adequate funding levels to maintain existing systems and make improvements that will reduce congestion, improve access for all, and foster economic development in areas now inaccessible by public transportation. New transportation infrastructure should consider the impact – both negative and positive – to current homeowners and their property values.



# ENVIRONMENT

***GBBR acknowledges the role a healthy environment plays in maintaining our communities and contributing to our quality of life. We support incentive-based approaches to assist residents and business owners in these preservation efforts as opposed to costly mandates on property owners.***

## **Watershed Protection**

A healthy Baltimore is an attractive Baltimore. As our region grows, GBBR supports considerate planning and development that conserves and maintains our natural resources. Smart development of existing and new communities must consider the impact to stormwater management, groundwater supply, clean air, managed waste (solid and liquid), traffic, greenspace, energy efficiency, and ecosystems to mitigate the risks of significant and catastrophic climate issues like flooding and temperature increases. There is a balance between being a good steward to the land and the financial cost to find an efficient solution to maintain and improve our communities while providing affordable housing options. Natural resources like land, air, and water are shared resources.



GBBR supports clean air and clean water initiatives and we acknowledge the responsibility of protecting our great natural resource, the Chesapeake Bay. We support innovative building and development techniques that balance property rights and the housing needs of our communities with our duty to protect and enhance our precious environment. We support responsible, targeted, well thought-out, and planned legislation. We believe environmental improvements, maintenance, and testing requirements should be applied equally to all affected property owners and not just buyers and sellers at the point of a transaction. Burdening the real estate industry adds cost, extends closing times, and overcomplicates an already complex process. Affected homeowners, therefore, should bear the responsibility for upkeep on a regular basis. This approach maximizes the intention of new regulations intended to improve environmental safety and personal health. In short, we support intelligent regulations on property owners

if required, versus policies that require bringing the property into compliance only when the subject real estate transfers.

### **Viewsheds**

Viewshed protection ordinances involve changes to zoning regulations in areas of scenic value and may incorporate tools such as height restrictions, setback requirements, design review, sign controls, landscaping, and environmental impact standards. While these ordinances can provide community benefits, they impose hardships on a narrow section of property owners. GBBR supports efforts to protect viewsheds through partnerships with affected landowners, including incentives, easements, and purchase agreements, rather than through involuntary regulation.

### **Energy Efficiency/Green Building**

Green building practices and energy-conserving home features support environmentally sustainable communities. Although many construction methods may be cost effective over time, the upfront



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costs may price certain segments of our population out of the market. GBBR supports incentive-based approaches to assist homeowners in making energy efficiency improvements to their homes.

### **Groundwater and Septic Regulation**

Despite having some of the most stringent septic regulations in the entire United States, many regulations seek to mandate Best Available Technology (BAT) septic systems throughout Maryland. Studies have shown that the use of BAT septic outside of the state's Critical Areas adjacent to the Chesapeake Bay are an inefficient means of improving water quality. BAT systems impose a high cost on individual landowners – an additional \$8,000 to \$10,000 per system - for very little water quality improvement. For this reason, GBBR opposes mandating BAT system use beyond the current required areas, instead encouraging proven water improvement strategies including wastewater treatment upgrades,

enforcement actions against willful violations of existing regulations, and promotion of responsible agriculture practices.

### **Lead Paint Regulation**

The real estate industry, tenant advocates, health care providers, and government, working together in 1994, created and enacted the Lead Poisoning Prevention Program, a program which has resulted in a 98% reduction in the incidence of childhood lead-poisoning in the State of Maryland. The structure of this program recognized our community's need for affordable housing units and made provisions where a responsible person investing in affordable housing could expect to earn a reasonable return and the ability to obtain insurance so long as the housing provider complied with basic safe housing regulations. We support laws and regulations that understand this delicate balance; that is, a system where responsible housing providers are

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encouraged to enter the marketplace and provide affordable housing to our most vulnerable residents, balanced with the need for a safe and healthy environment in which to raise infants and small children.

Because regulations add cost to providing housing, every regulation has a negative impact on affordable housing in our community. The impact of health needs to be balanced with the need to provide affordable housing in our community.

GBBR supports innovative efforts to clean up hazards while promoting the interests of our communities in creating affordable housing and well-paying jobs. Past examples include the aforementioned Lead Poisoning Prevention Program, which preserved the affordable housing industry

while dramatically lowering child lead poisoning, and Brown Fields, which provided developers a safe haven to redevelop old industrial properties, providing jobs and housing opportunities while simultaneously cleaning up environmental hazards.

### **Water and Sewer**

An essential role of government is to provide infrastructure that supports the growth, health, and safety of our communities. Clean drinking water and safe and effective treatment of waste water are essential. GBBR supports investment in modernizing our water and sewer infrastructure and a fair, equitable, modern, and customer-focused billing system for municipal services.



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## INDUSTRY LICENSING & REGULATION

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***GBBR supports the equitable treatment of all Maryland brokers, associate brokers and agent licensees, and the transparency of regulations over the real estate industry. We support the exclusive practice of real estate by licensed professionals, except as exempted by law. We object to the unlicensed practice of real estate, which devalues the real estate profession and endangers the public. The State of Maryland and the Maryland Real Estate Commission are the sole licensing authorities for real estate practitioners, and GBBR supports maintaining that authority at the state level only.***

### **Licensing of Real Estate Practitioners**

The purpose of licensing and regulating participants in real estate transactions is to protect the public. We support requiring non-profit agencies and government-employed participants to be licensed.

GBBR also supports stronger enforcement of out-of-state licensees who act as an agent or broker without first obtaining a



Maryland license. GBBR supports legislation that would require a real estate licensee to be involved in the transfer of any business entity whose primary value is composed of real estate holdings.

GBBR opposes efforts to require administrative employees or contractors who perform ministerial duties relating to the renting or leasing of properties that do not involve aspects of trained licensees to be licensed as an agent, associate broker, or broker. GBBR supports more uniform protections for the consumer and recommends a registration requirement for both property managers of rental property as well as property managers of homeowner association and condominium communities. Although a registration program falls short of the protections of a licensing program, a registration program will provide information on the number of property managers working in Maryland.

That information can be used to determine whether a full licensing board makes

sense. In addition, a property manager registration requirement would provide some minimal regulatory oversight for property management activities. Potential licensing of property managers needs to exclude owner-managers and their employees.

GBBR opposes classifying licensees as anything other than independent contractors, unless the brokerage with which they are affiliated engages them as W-2 employees.

### **Real Estate Signage**

Recent activity from the United States Supreme Court has required many local governments to reconsider the manner in which they regulate signage, including real estate for-sale and directional signs.

GBBR supports local sign programs that comply with these new guidelines but do not create undue hardship on area residents and businesses. We oppose efforts to ban the posting of temporary



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directional and open house signs or require permits for standard real estate signage.

### **Business Practices**

GBBR supports legislation that warns the public about potential predatory business practices provided such laws and

regulations require contract language that conforms to current practices and industry standards regarding other consumer disclosures. GBBR supports providing the Maryland Real Estate Commission and the Maryland Attorney General with the resources to adequately enforce measures that protect the public.



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