

PUBLIC HEARING/WORK SESSION OF THE GREENBELT CITY COUNCIL held Thursday, November 5, 2020, to discuss the Eviction Ordinance to include Rent and Late Fee Freeze.

Mayor Byrd started the meeting at 7:30 pm. The meeting was held virtually via Zoom.

Present were Councilmembers Judith F. Davis, Emmett V. Jordan, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts, and Mayor Colin A. Byrd.

Staff members present were: Nicole Ard, City Manager; Todd Pounds, City Solicitor; Dr. Liz Park, CARES Director; Gilberto Cabrera, Code Enforcement Officer; and Bonita Anderson, City Clerk.

Also present were: Bill Orleans, Lore Rosenthal, Larry McNeely, Bob Rand, and Renaud Brown.

During a public hearing opened by Mayor Byrd at 7:03 pm, the focus was solely on the draft ordinance concerning an eviction freeze, excluding discussion on rent and late fee freezes.

Larry McNeely, a Greenbelt resident, supported the ordinance, urging Council to prioritize renters impacted by potential eviction during the pandemic. He emphasized the need for Council to take action to protect renters in this challenging time.

Another Greenbelt resident, Bob Rand, voiced his support for the ordinance, highlighting the ongoing housing crisis. He encouraged Council to pass the eviction freeze, stressing its importance for addressing the current situation.

The Public Hearing/Meeting ended at 7:17 pm.

The work Session began at 8:00 pm.

Mr. Pounds informed Council that Chief Judge Mary Ellen Barbera had reopened the courts, allowing local jurisdictions to determine their own reopening timelines. He also emphasized that county courts were following policies prohibiting evictions, rent increases, and late fees during the state of emergency. However, legal action against tenants who were already in arrears before the pandemic were proceeding.

There was a debate about the impact of these policies on landlords. Ms. Pope pointed out that landlords, particularly those with only a few properties, also faced financial burdens, such as mortgage payments and association fees. She shared her experience as a landlord of a single unit she rents out. Both she and Mr. Putens highlighted the financial strain landlords faced, especially when unable to pass along costs like electricity rate hikes.

The discussion also covered the fact that landlords were ineligible for direct business assistance, but they could benefit from CARES Act funding, which helped tenants pay rent. Dr. Park noted that landlords in Greenbelt have expressed satisfaction with this funding, often applying on behalf of their tenants to ensure payment.

Mr. Pounds brought up the uncertainty around how a local ordinance freezing evictions might be received. He noted that judges generally followed state law in landlord-tenant cases unless directed otherwise. To clarify this issue, he suggested that Council consider seeking guidance from Judge Barbera and other judges. Additionally, the City might request a temporary restraining order from the County Circuit Court to enforce any local measures.

The conversation shifted to enforcement challenges. Mr. Cabrera observed that creating an enforcement process would be complex. Once the City issues a citation, it goes to the County Landlord-Tenant Court, at which point the City has no further involvement, limiting its control over the process.

Mr. Putens argued that it would be more effective to provide tenants with information about their legal options rather than passing an ordinance that could be overridden by state law. He believed that education, rather than legislation, might yield better results for tenants.

Ms. Pope and Ms. Davis raised concerns about the legal costs associated with implementing such an ordinance. Specifically, they questioned whether it would be feasible to pay Mr. Pounds to serve as a prosecutor in landlord-tenant court if the City pursued legal action.

Despite these concerns, Mayor Byrd and Mr. Roberts expressed strong support for the ordinance, believing it would be a fight worth undertaking to protect tenants. However, there was disagreement on the potential impact and complexities of such a law.

Mr. Jordan voiced his skepticism, stating that the proposed ordinance might end up as mere "window dressing" rather than offering substantial help to residents. He also noted the logistical difficulties in enforcing a freeze on evictions.

In response, Mayor Byrd suggested the possibility of including significant penalties for landlords who fail to comply with the ordinance. However, Ms. Pope firmly stated that she would not support any ordinance that imposed penalties on landlords, expressing her opposition to such measures.

The meeting ended at 9:52 pm.

Respectfully submitted,

Bonita Anderson
City Clerk