

# Crime Free Housing & Excessive Use of Services - Ordinance

## OVERVIEW OF PROGRAM

In March of 2014, The Hagerstown City Council amended Chapter 197 "Rental Facilities" and Chapter 95 "Excessive Use of City Services" to promote the City's vision and commitment to safer neighborhoods.

An outline of these changes can be found in the attached document.

Link to [Crime Free Housing Fair Summary](#).

The City's Crime-Free Housing program consists pertains mainly with the types of calls that impact the safety and quality of life for residents living throughout the city. Program highlights include the use of designated "Qualifying Calls" along with a "[Crime-Free Housing Provision](#)" within written leases and the issuance of a "Residential Operator's Certification".

The program hinges on open communication between the City and Property Owners. Officer Gerry Kendle of the Crime Prevention section serves as the program administrator for the Police Department. For additional information please contact Officer Kendle at or direct at 301-797-6408.

Property Owners will be notified in writing by the Police Department anytime a "Qualifying Call" takes place at their property whether it be a residential, rental or commercial property.

## EXCESSIVE USE OF CITY SERVICES (Chapter 95)

### Qualifying Calls

Means that a sworn officer of HPD has been dispatched to, responds to, or otherwise comes upon a situation at a property as a result of certain conduct of the owner, tenant, occupant, patron, guest, or other person present with the implied or express permission of the owner, at or about said property and HPD verifies that said conduct qualifies as a disturbance as defined herein.

### Disturbance

For the purposes of this Chapter a disturbance shall mean conduct consisting of any of the following:

- Controlled dangerous substance or paraphernalia, possession or sale;
- Disorderly conduct;
- Disturbing the peace;
- Liquor law violation, public consumption or open container of alcohol;
- Loud noise complaint;
- Loitering;
- Prostitution;
- Public urination or indecent exposure;
- Undesirable, intoxicated or suspicious person; or
- Any conduct which constitutes a felony under Maryland law.

NOTE: Disturbance shall NOT include calls for service for domestic violence issues.

Fees for Excessive Calls for Service range from \$100 - \$500.  
(Refer to Chapter 95-5 for complete description of fees and appeal process)

Read More.....[Chapter 95 Excessive Use of City Services](#)

## RENTAL FACILITIES (Chapter 197)

### Written Lease Required

Beginning on July 1, 2014, or immediately upon the termination of a then-current term of tenancy for a particular unit existing on said date, a landlord or designated agent who offers a residential rental unit in a rental facility for rent in the City of Hagerstown may not rent or permit the occupancy of any such unit without using a written lease, or a written lease extension.

### Additional Lease Provision

Landlords are also required to include a Crime-Free Housing Lease Provision as outlined in Chapter 197-8 C (1).  
[Download Form Crime-Free Housing Provision.](#)

### Certification as a Residential Operator

New and Existing Landlords shall be automatically issued a Residential Operator's Certification as part of this ordinance.

Certification as a Residential Operator shall remain valid, so long as the certified individual is not in violation of any of the provisions of:

1. §197-7. *Training*; or
2. §197-8. *Written Leases; Required Provisions*; or
3. §197-9. *Enforcement of Crime Free Provision.*

Such a violation shall subject the operator to revocation of the certification. Re-certification shall be required after a revocation hereof.

### Reasonable Steps

In relation to §197-9 Enforcement of the Crime Free Provision, reasonable steps are measures instituted and/or supported by the owner to proactively and progressively respond to receipt of notice of HPD qualifying calls as defined in Chapter 95, and/or a Chronic Nuisance Designation. Such measures may include but not be limited to written notifications to tenant(s), use of no trespass letters, legal remedies, and/or additional training for the owner. Reasonable steps include communication and cooperation with HPD.

### Training

A. HPD shall sponsor a voluntary Crime Free Housing Seminar for landlords or their designated agents. The training seminar is approximately four (4) hours in length.

B. If an owner, landlord or designated agent has received notice of more than one (1) HPD qualifying call, or one (1) HPD qualifying call which constitutes a felony under Maryland law pursuant to Chapter 95 of the Code, in addition to the application requirements contained in Section 197-4 hereof, Certified Residential Operator Status and the issuance of the Rental Facility license is subject to and contingent upon the successful completion of the

Crime Free Housing Seminar. If HPD is unable to facilitate the completion of this training requirement, HPD may issue a conditional certification, subject to the landlord or designated agent completing the training requirements within ninety (90) days of the issuance thereof. This training requirement may be satisfied by the completion of a training seminar offered by a third party, so long as said seminar has been reviewed and approved by HPD.

Read More.....[Chapter 197 Rental Facilities](#)

## Voluntary Crime-Free Multi-Housing Program

In addition to the minimum "Crime-Free" standards outlined in this section, the Police Department also offers a Voluntary Crime-Free Multi-Housing program geared toward property owners and managers of larger apartment complexes. The Crime-Free Multi-Housing program is a nationally recognized crime prevention tool that has been found to increase occupancy rates and decrease turn-overs. See our [Voluntary Crime-Free Multi-Housing](#) page for more information on this cost effective program.

CONNECT  
WITH US: