

Consent Agenda

Agenda Item #	5D
Meeting Date	September 8, 2009
Prepared By	Sara Anne Daines HCD Director
Approved By	Barbara B. Matthews City Manager

Discussion Item	Resolution in support of the purchase of 8312 and 8316 Flower Avenue by Montgomery County's Department of Housing and Community Affairs
Background	<p>Montgomery County's Department of Housing and Community Affairs (DHCA) has requested Council support of its proposed purchase of 8312 and 8316 Flower Avenue, a twelve-unit, two building rental facility located in Ward 5. Under Chapters 53A and 11A of the Montgomery County Code, the DHCA has the right of first refusal to purchase rental properties when the property is made available for sale. The property would, upon purchase, be transferred to an as yet unidentified non-profit housing provider and maintained as an affordable rental facility.</p> <p>The County's right of first refusal legislation applies in the following order of priority: the County; the Housing Opportunities Commission (HOC); and any tenant organization. Similar legislation can be found in the City of Takoma Park Code which affords registered tenant associations the right to purchase the rental facility they represent. There is no tenant association currently registered with the City of Takoma Park nor have the tenants expressed an interest in forming an association.</p> <p>Staff endorses the proposed purchase of the property by DHCA and its eventual transfer to an affordable housing provider. The current owner has a history of failing to obtain required rental licenses and for failing to maintain the property in accordance with City Code. The owner has been cited for charging illegal rents and for failing to submit required rent reports. Utilities have been shut off at both properties for lack of payment. One of the two buildings is currently condemned due to the lack of electricity and a suspected gas spill. The building has been vacated.</p>
Policy	<p>Affordable Housing Policy: To "preserve, protect and develop habitable, sustainable and affordable home ownership and rental housing opportunities throughout the community."</p> <p style="text-align: right;"><i>Affordable Housing Policy and Action Plan (Adopted June 2009)</i></p>
Fiscal Impact	NA
Attachments	Resolution of Support for County Purchase of 8312 and 8316 Flower Avenue
Recommendation	Adoption of Resolution of support of purchase of 8312 and 8316 Flower Avenue by Montgomery County's Department of Housing and Community Affairs
Special Consideration	

Introduced by:

CITY OF TAKOMA PARK

RESOLUTION 2009-

**RESOLUTION IN SUPPORT OF MONTGOMERY COUNTY'S
PURCHASE OF 8312 AND 8316 FLOWER AVENUE, TAKOMA PARK**

WHEREAS, the City of Takoma Park and Montgomery County share the common goal of providing affordable housing to those residing in the community; and

WHEREAS, Chapters 53A and 11A of the Montgomery County Code give the County a right of first refusal to purchase rental properties; and

WHEREAS, Montgomery County desires to exercise its right of first refusal under Chapters 53A and 11A of the Montgomery County Code to purchase 8312 and 8316 Flower Avenue; and

WHEREAS, Montgomery County proposes to transfer the property to an affordable housing provider for the continued operation of the property as a rental facility; and

WHEREAS, the City of Takoma Park supports Montgomery County's efforts to maintain the property as affordable housing.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND approves of Montgomery County's purchase of 8312 and 8316 Flower Avenue, Takoma Park, Maryland.

Adopted this _____ day of _____, 2009

Attest:

Jessie Carpenter, CMC
City Clerk