

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2011 Legislative Session

Legislative Day No. 3

Bill No. 10 -2011

Introduced by: The Chairperson at the request of the County Executive
Co-sponsored by Calvin Ball, Council Chairperson, and Greg Fox, Councilperson

AN ACT providing for certain market-based alternatives to the moderate income housing unit obligation imposed on developers; making certain corrections in the process for determining the price of a moderate income housing unit offered for sale; clarifying when certain factors related to price will be established; amending the time that certain interest rates shall be determined; setting the maximum amount of earnest money that may be collected from certain purchasers; removing obsolete references related to the eligibility to rent moderate income housing units; making certain technical corrections; and generally relating to Moderate Income Housing Units in Howard County.

Introduced and read first time _____, 2011. Ordered posted and hearing scheduled.

By order _____
Stephen LeGendre, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2011.

By order _____
Stephen LeGendre, Administrator

This Bill was read the third time on _____, 2011 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Stephen LeGendre, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2011 at ___ a.m./p.m.

By order _____
Stephen LeGendre, Administrator

Approved/Vetoed by the County Executive _____, 2011

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. Be It Enacted** by the County Council of Howard County, Maryland, that the
2 Howard County Code is amended as follows:

3

4 1. By amending subsection (d) of:

5 Title 13 – Housing and Community Development

6 Section 13.402 “Development procedures; moderate income housing unit
7 agreement; alternative”

8

9 2. By adding new section 13.402A “Market-based required alternatives to moderate
10 income housing unit obligation” to:

11 Title 13 – Housing and Community Development

12

13 3. By amending subsection (a) of:

14 Title 13 – Housing and Community Development

15 Section 13.403 “Prices for moderate income housing units offered for sale; rates
16 for rental units”

17

18 4. By amending subsection (a) of:

19 Title 13 – Housing and Community Development

20 Section 13.404 “Sale of moderate income housing unit”

21

22 5. By amending subsections (a) through (e) of:

23 Title 13 – Housing and Community Development

24 Section 13.405 “Rental of moderate income housing units”

25

26 6. By amending subsections (a) and (b) of:

27 Title 13 – Housing and Community Development

28 Section 13.406 “Certificate of eligibility”

29

30

31

1 **Title 13. Housing and Community Development.**

2 **Subtitle 4. Moderate Income Housing Units.**

3
4 **Section 13.402. Development procedures; moderate income housing unit**
5 **agreement; alternative.**

6 (d) *Requirements Applicable to Moderate Income Housing Units.* Except as provided in
7 subsections (e) and (f) of this section, AND EXCEPT AS PROVIDED IN SECTION 13.402A OF
8 THIS SUBTITLE, a developer obligated to provide moderate income housing units in
9 accordance with the zoning regulations as part of a development shall provide all of the
10 units:

- 11 (1) On the site of the development project;
- 12 (2) In the same ratio of unit types as proposed for the development; and
- 13 (3) Evenly distributed within each phase of development.

14
15 **SECTION 13.402A. MARKET-BASED REQUIRED ALTERNATIVES TO MODERATE INCOME**
16 **HOUSING UNIT OBLIGATION.**

17 (A) *APPLICATION.* THIS SECTION SHALL APPLY WHEN THE BASE SALES PRICE FOR A
18 MODERATE INCOME HOUSING UNIT, AS DETERMINED BY THE DEPARTMENT AT THE TIME THE
19 SELLER OFFERS THE UNIT FOR SALE PURSUANT TO SECTION 13.404 OF THIS SUBTITLE, IS
20 90% OR MORE OF THE MARKET PRICE. FOR PURPOSES OF THIS SECTION, MARKET PRICE IS
21 THE PRICE OFFERED TO THE PUBLIC BY THE SELLER FOR A COMPARABLE UNIT WITHIN THE
22 DEVELOPMENT. IN THIS INSTANCE, INSTEAD OF PROVIDING MODERATE INCOME HOUSING
23 UNITS AS REQUIRED BY SECTION 13.402 OF THIS SUBTITLE, THE DEVELOPER SHALL PURSUE
24 ONE OR A COMBINATION OF THE ALTERNATIVES SET FORTH IN SUBSECTION (B), (C), OR (D)
25 OF THIS SECTION.

26 (B) *SCATTERED FORECLOSED UNITS.* THE DEVELOPER SHALL SUBSTITUTE UNITS BY
27 PURCHASING, REHABILITATING, AND OFFERING FOR SALE EXISTING HOUSING UNITS THAT
28 ARE IN FORECLOSURE AND ARE LOCATED THROUGHOUT THE COUNTY AS FOLLOWS:

- 29 (1) A SUBSTITUTE UNIT IS ELIGIBLE UNDER THIS OPTION IF IT:
 - 30 (I) HAS HAD MORTGAGE OR TAX FORECLOSURE PROCEEDINGS
 - 31 INITIATED;

- 1 (II) HAS NOT HAD A MORTGAGE OR TAX PAYMENT MADE FOR AT LEAST
 2 90 DAYS; AND
- 3 (III) HAS BEEN OFFERED FOR SALE BY THE OWNER TO THE PUBLIC;
- 4 (2) THE DEPARTMENT MUST APPROVE EACH SUBSTITUTE UNIT BEFORE
 5 PURCHASE BY THE DEVELOPER;
- 6 (3) THE REHABILITATION OF EACH SUBSTITUTE UNIT SHALL MEET THE
 7 DEPARTMENT'S MINIMUM STANDARDS, AS DETERMINED BY REGULATION OF
 8 THE DEPARTMENT;
- 9 (4) UPON COMPLETION OF REHABILITATION, THE DEPARTMENT MUST APPROVE
 10 EACH COMPLETED UNIT;
- 11 (5) A DEVELOPER SHALL PURCHASE AND REHABILITATE THE UNIT AND REQUEST
 12 A PRIORITY PERIOD, AS SET FORTH IN SECTION 13.404 OF THIS SUBTITLE,
 13 WITHIN ONE YEAR OF THE DEVELOPER'S INITIAL NOTIFICATION OF SALE
 14 UNDER SECTION 13.404;
- 15 (5) THE SALES PRICE FOR A SUBSTITUTE UNIT SHALL BE THE LESSER OF:
- 16 (I) THE MODERATE INCOME HOUSING UNIT PRICE DETERMINED BY THE
 17 DEPARTMENT AT THE TIME OF THE DEVELOPER'S REQUEST FOR A
 18 PRIORITY PERIOD FOR THE SUBSTITUTE UNIT; OR
- 19 (II) THE APPRAISED VALUE OF THE SUBSTITUTE UNIT, AS
 20 REHABILITATED; AND
- 21 (6) A DEVELOPER SHALL PURCHASE SUBSTITUTE UNITS OF THE FOLLOWING
 22 TYPES AND AT THE FOLLOWING RATIO:

TYPE OF REQUIRED MIHU:	TYPE OF SUBSTITUTE UNIT:	RATIO:
APARTMENT	APARTMENT	1:1
APARTMENT	SINGLE FAMILY ATTACHED	3:2
APARTMENT	SINGLE FAMILY DETACHED	2:1
SINGLE FAMILY ATTACHED	APARTMENT	2:3
SINGLE FAMILY ATTACHED	SINGLE FAMILY ATTACHED	1:1
SINGLE FAMILY ATTACHED	SINGLE FAMILY DETACHED	3:2

SINGLE FAMILY DETACHED	APARTMENT	1:2
SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED	2:3
SINGLE FAMILY DETACHED	SINGLE FAMILY DETACHED	1:1

1

2 (C) *OFFER TO LOW-INCOME PURCHASERS.* THE DEVELOPER SHALL SUBSTITUTE UNITS BY
3 OFFERING 1/3 OF THE MODERATE INCOME HOUSING UNITS REQUIRED UNDER THIS SUBTITLE
4 TO ELIGIBLE LOW-INCOME PURCHASERS WHO SHALL HAVE AN ANNUAL HOUSEHOLD
5 INCOME OF UP TO 60% OF THE MEDIAN INCOME. THE PURCHASE PRICE FOR THESE UNITS
6 SHALL BE ESTABLISHED IN THE SAME MANNER AS SET FORTH IN SECTION 13.403 OF THIS
7 SUBTITLE, EXCEPT THAT THE BASE PRICE SHALL BE AFFORDABLE TO A PURCHASER WITH A
8 HOUSEHOLD INCOME EQUAL TO THE FOLLOWING PERCENTAGES OF MEDIAN INCOME,
9 ADJUSTED BY FAMILY SIZE APPROPRIATE TO THE SIZE AND NUMBER OF BEDROOMS IN THE
10 UNIT:

- 11 (1) FIFTY-FIVE PERCENT FOR PROFFERED UNITS AND SINGLE-FAMILY HOMES;
- 12 (2) FIFTY PERCENT FOR SEMI-DETACHED (DUPLEXES) AND SINGLE-FAMILY
13 ATTACHED (TOWNHOMES); AND
- 14 (3) FORTY-FIVE PERCENT FOR APARTMENTS (CONDOMINIUMS).

15 (D) *FEE-IN-LIEU.* THE DEVELOPER SHALL PAY A FEE-IN-LIEU TO THE DEPARTMENT FOR
16 EACH MODERATE INCOME HOUSING UNIT REQUIRED BY THIS SUBTITLE AS FOLLOWS:

- 17 (1) THE FEE-IN-LIEU SHALL BE CALCULATED AS THE DIFFERENCE BETWEEN THE
18 PREVAILING MARKET PRICE FOR THE SAME UNIT TYPE AND THE SALE PRICE
19 FOR THE MODERATE INCOME HOUSING UNIT;
- 20 (2) THE PREVAILING MARKET PRICE SHALL BE DETERMINED BY A SURVEY OF
21 SALES PRICES OF UNITS OF THE SAME TYPE SOLD IN THE COUNTY WITHIN
22 THE PREVIOUS 12 MONTHS;
- 23 (3) SALES OF THE FOLLOWING UNITS SHALL BE EXCLUDED FROM THE SURVEY:
 - 24 (i) TOWNHOUSES LESS THAN 1,200 SQUARE FEET AND MORE THAN
25 2,000 SQUARE FEET;
 - 26 (ii) SINGLE FAMILY DETACHED HOMES LESS THAN 1,500 SQUARE FEET
27 AND MORE THAN 2,800 SQUARE FEET;

1 (III) APARTMENTS LESS THAN 650 SQUARE FEET AND MORE THAN 1,300
2 SQUARE FEET;

3 (IV) UNITS IN POOR CONDITION OR IN NEED OF SIGNIFICANT REPAIR OR
4 RENOVATION; AND

5 (IV) THE 3 HIGHEST AND 3 LOWEST SALES PRICES; AND

6 (4) A DEVELOPER SHALL PAY THE FEE-IN-LIEU BEFORE USE AND OCCUPANCY
7 PERMITS MAY BE ISSUED FOR THE UNITS DESIGNATED AS MODERATE
8 INCOME HOUSING UNITS BY THE DEVELOPMENT'S MODERATE INCOME
9 HOUSING UNIT AGREEMENT.

10
11 **Section 13.403. Prices for moderate income housing units offered for sale; rates for**
12 **rental units.**

13 (a) *[[Initial]] BASE Prices for Moderate Income Housing Units Offered for Sale.* The *[[initial]]*
14 BASE sale price for a moderate income housing unit shall be determined by the Housing and
15 Community Development Board in accordance with this subsection.

16 (1) Twice a year, the Board shall establish the *[[initial]]* BASE sale price for
17 each type of moderate income housing unit offered for sale.

18 (2) Before establishing the *[[initial]]* BASE sale price under this subsection, the
19 Board shall *[[publish notice]]* PROVIDE INFORMATION CONCERNING *[[of]]*
20 the real property tax, insurance, and interest rate factors it proposes to use
21 in establishing the *[[initial sales]]* BASE SALE price *[[in two newspapers of*
22 *general circulation in the County]]* ON THE COUNTY'S WEBSITE .

23 (3) Before establishing the *[[initial]]* BASE sale price for moderate income
24 housing units located in planned senior communities and age-restricted
25 adult housing developments, the Board shall consult with the Office on
26 Aging.

27 (4) The Department shall provide to the Board information concerning current
28 real property tax and insurance rates.

29 (5) The *[[initial]]* BASE sale prices for moderate income housing units shall be
30 based upon:

31 (i) A base size unit of the following types:

Type	Number of Bedrooms	Moderate Income Units-- Base Size (sq. ft.)
Single-family detached	2	1,540
	3	1,680
	4	1,820
Semi-detached (duplex) and single-family attached (townhouse)	2	1,500
	3	1,640
	4	1,780
Back-to-back single-family attached (townhouse)	2	1,400
	3	1,540
Apartments	1	750
	2	950
	3	1,100

- 1 (ii) Factors established [[twice a year]] ANNUALLY by the Board, for:
- 2 a. Real property taxes; AND
- 3 b. Insurance rates; [[and]]
- 4 (III) FACTORS ESTABLISHED TWICE A YEAR BY THE BOARD FOR
- 5 [[c.] A. Interest rates on FHA 30-year mortgages; and
- 6 B. FHA MORTGAGE INSURANCE PREMIUMS, AS DETERMINED BY
- 7 THE UNITED STATES DEPARTMENT OF HOUSING AND
- 8 URBAN DEVELOPMENT; AND
- 9 [[(iii)] (IV) An average of the homeowners' association fees or condo fees
- 10 charged for similar units in the market, [[as determined by the
- 11 Department]] BASED ON AN ANNUAL SURVEY OF FEES.
- 12 (6) The Department shall provide to the Board the price at which an eligible
- 13 purchaser with a household income equal to the following percentages of
- 14 median income, adjusted by family size appropriate to the size and number
- 15 of bedrooms in the dwelling unit, can afford to purchase a dwelling unit:
- 16 (i) Seventy percent for proffered units and single-family homes;

- 1 (ii) Sixty-five percent for semi-detached (duplexes) and single-family
2 attached (townhomes); and
3 (iii) Fifty percent for apartments (condominiums).
- 4 (7) For the purposes of this subsection:
- 5 (i) A purchaser can afford to purchase a dwelling unit if the
6 purchaser's monthly income would qualify the purchaser to obtain
7 a 30-year fixed rate mortgage at the prevailing interest rate in an
8 amount sufficient to pay 97 percent of the purchase price of the
9 unit;
- 10 (ii) A purchaser's monthly income qualifies for a mortgage if the
11 monthly payment required to pay (1) the monthly principal and
12 interest of the mortgage loan, plus (2) the monthly payment of
13 taxes and insurance on the property, calculated in accordance with
14 the factors established by the Department under subsection (a) of
15 this section, plus (3) the monthly payment of homeowners or
16 condominium association fees, PLUS (4) THE MONTHLY PAYMENT
17 OF THE FHA MORTGAGE INSURANCE PREMIUM, does not exceed 28
18 percent of the purchaser's monthly income; and
- 19 (iii) The prevailing interest rate is the prevailing mortgage interest rate
20 for FHA-insured 30-year fixed-rate mortgages in the Baltimore
21 Metropolitan Area WITH ZERO POINTS. [[; as published periodically
22 by the Federal National Mortgage Association or other comparable
23 publication as determined by the Department.]] THE DEPARTMENT
24 SHALL CALCULATE THE PREVAILING INTEREST RATE BY SURVEYING,
25 TWICE A YEAR, AT LEAST THREE MORTGAGE LENDERS AND TWO
26 BANKS FOR AT LEAST THREE CONSECUTIVE BUSINESS DAYS.
- 27 (8) The Board shall determine the prevailing interest rate as of December
28 1[[5]] and June 1[[5]] of each year.
- 29 (9) As determined by the regulations of the Department and subject to
30 paragraph (11) of this subsection, an increase in the base sales price of a
31 moderate income housing unit may be made for the following upgrades in

1 size, design, or amenities provided that the Board determines that they are
2 necessary to ensure the compatibility of the moderate income housing unit
3 with the development's market rate units:

- 4 (i) Single-family attached (townhouse) units that are larger than the
5 base size established by this section;
- 6 (ii) Additional bathrooms or powder rooms;
- 7 (iii) Finished basements;
- 8 (iv) Garages in single-family attached (townhouse) units; and
- 9 (v) Other upgrades in design or amenities that are necessary to ensure
10 architectural compatibility with the development's market rate
11 units.

12 (10) As determined by regulations of the Department and subject to paragraph
13 (11) of this subsection, an increase in the base sales price of a moderate
14 income housing unit may be made if the homeowners' association or
15 condominium association fees applicable to the unit are less than the
16 average of the homeowners' association fees or condominium fees charged
17 for similar units in the market, as determined by the Department.

18 (11) Any increase in the base sales price of a moderate income housing unit
19 may not exceed:

- 20 (i) Fifty percent of the base sales price for apartment (condominium)
21 units;
- 22 (ii) Twenty percent of the base sales price for semi-detached (duplex)
23 and single-family attached (townhouse) units; and
- 24 (iii) Ten percent of the base sales price for single-family detached and
25 proffered units.

26 (12) As determined by regulations of the Department, a reduction in the base
27 sales price of a moderate income housing unit shall be made:

- 28 (i) For units that are smaller than the base size established by this
29 section;

- 1 (ii) For single-family detached units, semi-detached (duplex) units,
2 and single-family attached (townhouse) units without basements;
3 or
4 (iii) If the homeowners' association or condominium association fees
5 applicable to the unit are more than the average of the
6 homeowners' association fees or condominium fees charged for
7 similar units in the market, as determined by the Department.
8

9 **Section 13.404. Sale of moderate income housing unit.**

10 (a) *Initial Sale of Moderate Income Housing Unit--Priority Period.*

- 11 (1) (i) Except as provided in section 13.407 of this subtitle, the seller of a
12 moderate income housing unit offered for sale shall offer the unit
13 for initial sale for a 120-day priority period through the
14 Department to an eligible purchaser.
15 (ii) During the priority period, the price for the moderate income
16 housing unit shall not exceed the initial SALE price established for
17 the unit under section 13.403 of this subtitle.
18 (2) (i) A seller shall notify the Department of the proposed offering and
19 the proposed date on which the priority period will begin.
20 (ii) The notice shall set forth the number of units offered, the location
21 of each unit, a description of the amenities offered in each unit, the
22 sales price and information regarding any mortgage financing
23 available to buyers.
24 (iii) The seller shall also provide a vicinity map of the offering, a copy
25 of the approved subdivision or site development plan, and such
26 other information as required by the Department.
27 (iv) If the Department determines that the notice is incomplete, the
28 Department shall notify the seller within five business days of
29 receipt of the notice. The seller shall submit a complete notice
30 before the priority period begins.

- 1 (3) Within the priority period, the Department shall provide the seller with the
2 name of an eligible purchaser for each unit.
- 3 (4) The seller shall make a good faith effort to enter into a contract with the
4 eligible purchaser within the priority period. The contract shall allow the
5 purchaser at least 60 days from the date of the notice provided in
6 paragraph (3) of this subsection to obtain a financing commitment. The
7 contract shall require the seller to make a good faith effort to complete
8 construction of the moderate income housing unit within the time set forth
9 in the purchaser's financing commitment.
- 10 (5) If the seller fails to make a good faith effort under paragraph (4) of this
11 subsection, the settlement date shall be extended until ten days after the
12 date construction is actually completed.
- 13 (6) If the eligible purchaser fails to comply with the conditions of the
14 commitment for mortgage financing or fails to enter into a purchase
15 contract, the Department may substitute another eligible purchaser.
- 16 (7) ANY EARNEST MONEY COLLECTED FROM AN ELIGIBLE PURCHASER MAY NOT
17 EXCEED \$500.
- 18

19 **Section 13.405. Rental of moderate income housing units.**

20 (a) *Duration of Rental Restrictions.* Except as provided in subsection (f) of this section,
21 the restrictions on the rental of moderate income housing units set forth in this subtitle
22 shall apply to each rental moderate income housing unit development in perpetuity
23 beginning on the date of initial offering as set forth in subsection (c) of this section.

24 (b) *Application of Rental Restrictions:*

25 (1) The owner of any rental development subject to this subtitle shall ensure
26 that the number of moderate income housing units required under the
27 approved final plan or site development plan are rented or available for
28 rent as moderately priced dwelling units to [[holders of a certificate of
29 eligibility]] PERSONS DETERMINED TO BE ELIGIBLE under section 13.406 of
30 this subtitle.

1 (2) The owner is not required to permanently designate particular units as
2 moderate income housing units in order to meet this requirement.

3 (c) *Rental During Priority Period:*

4 (1) A moderate income housing unit offered for rent must first be offered for a
5 60-day priority period to [[a holder of a certificate of eligibility]] AN
6 ELIGIBLE APPLICANT or to a designee. During the priority period, the
7 moderate income housing unit shall be offered at a rent not to exceed the
8 rent established for the unit under section 13.403 of this subtitle.

9 (2) (i) Before offering a moderate income housing unit for rent, the owner
10 must notify the Department of the proposed offering and the
11 proposed date on which the priority period will begin.

12 (ii) The notice must set forth the number of units offered, the location
13 of each unit, the unit type, bedroom size and floor area of each
14 unit, a description of the amenities offered in each unit and the
15 rental rate.

16 (iii) The owner shall also provide a vicinity map of the offering, a copy
17 of the approved subdivision or site development plan, and such
18 other information as the Department finds necessary.

19 (iv) If the Department determines that the notice is incomplete, the
20 Department shall notify the owner within five business days of
21 receipt of the notice. The owner shall submit a complete notice
22 before the priority period may begin.

23 (3) The owner shall make a good faith effort to enter into a lease with [[a
24 holder of a certificate of eligibility]] AN ELIGIBLE APPLICANT within the
25 priority period.

26 (d) *Rental after Priority Period:*

27 (1) After the priority period expires, a unit in the development may be offered
28 for rent to the general public without restriction as to rent if:

29 (i) [[A holder of a certificate of eligibility]] AN ELIGIBLE APPLICANT
30 has not signed a lease agreement for the unit; and

1 (ii) As provided in the moderate income housing unit agreement, the
2 required number of units in the development are rented or, at the
3 time the priority period expired, were available for rent as
4 moderate income housing units.

5 (2) If, because an owner rents one or more units under paragraph (1) of this
6 subsection, the number of units in the development that are rented as
7 moderate income housing units is below the number required in the
8 moderate income housing unit agreement. The owner shall offer to rent the
9 next available unit to a holder of a certificate of eligibility, and shall
10 continue to do so until:

11 (i) The number of rental units equals the number required under the
12 agreement; or

13 (ii) The Department cannot provide the owner with the name of [[a
14 holder of a certificate of eligibility]] AN ELIGIBLE APPLICANT to
15 rent the unit.

16 (e) *Reports:*

17 (1) The owner or rental units shall submit a report to the Department, in a
18 form prescribed by the Department, listing the occupants of moderate
19 income housing units in the development and the rental rates charged, and
20 certifying that the occupants [[initially held certificates of eligibility]] ARE
21 ELIGIBLE UNDER SECTION 13.406.

22 (2) A report under this subsection shall be submitted monthly until the
23 required number of moderate income housing units are occupied and
24 annually thereafter.

25
26 **Section 13.406. [[Certificate of eligibility]] ELIGIBILITY TO PURCHASE OR RENT.**

27 (a) [[*Certificate*]] *APPLICATION Required.* Unless the Department assigns authority
28 under subsection 13.405(g) of this subtitle, to be eligible to purchase or rent a moderate
29 income housing unit, an individual shall apply to the Department [[for a certificate of
30 eligibility]].

1 (b) *Qualifications.* An individual shall [[receive a certificate of eligibility]] BE ELIGIBLE
2 TO PURCHASE OR RENT A MODERATE INCOME HOUSING UNIT if the individual has a
3 verifiable source of income, agrees to occupy the moderate income housing unit as the
4 principal place of residence, and:

5 (1) Has applied to purchase a moderate income housing unit and has an
6 annual household income equal to or less than 80 percent of the median
7 income; OR

8 (2) Has applied to rent a moderate income housing unit and has an annual
9 household income equal to or less than 60 percent of the median income
10 [[; or

11 (3) In a planned senior community or age-restricted adult housing
12 development, has at least one household member who is 62 years of age or
13 older]].

14

15 *Section 2. And Be It Further Enacted* by the County Council of Howard County,
16 Maryland, that this Act shall apply to any moderate income housing unit for which a
17 priority period is in effect on or after the effective date of this Act.

18

19 *Section 3. And Be It Further Enacted* by the County Council of Howard County,
20 Maryland, that this Act shall become effective 61 days after its enactment.