

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
(Northern Division)

WILLOWBROOK APARTMENT
ASSOCIATES, LLC, *et al.*

Plaintiffs,

vs.

MAYOR & CITY COUNCIL OF BALTIMORE,
et al.

Defendants.

Civil Action No. 1:20-cv-01818

**PLAINTIFFS' MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs, Willowbrook Apartment Associates, LLC, Mt. Washington, LLC, The College Gardens Corporation, Tilbury Limited Partnership, Stratford Apartments, LLLP, Salisbury Alliance Realty, LLC, Tide Mill Realty, LLC, Adams Housing, LLC, Apple Partnership, LLP, Chandler Rentals, LLC, GNI, LLC, L & S Properties, LLP, RCP, LLC, Rainbow Partnership, LLP, RSWL Associates, LLP, RSWL-Two Associates, LLP, Chandler Trusts, LLP, HE, LLC, A&J Rentals, LLC, March Mor, LLC, Columbia Choice Apartments, LLC, Columbia Stonehaven Associates, LLC, and Oceans Alliance Realty, LLC (collectively "Plaintiffs"), by and through their undersigned attorneys Nelson Mullins Riley & Scarborough, LLP, hereby move for: (1) a temporary restraining order under Federal Rule of Civil Procedure 65(b); and (2) a preliminary injunction under Federal Rule of Civil Procedure 65(a). In support of their Motion, Plaintiffs state the following:

1. On Monday, June 15, 2020, Plaintiffs filed a Complaint against Defendants, Mayor and City Council of Baltimore ("Baltimore City"), and Howard County, Maryland ("Howard

County”), and the City of Salisbury (“Salisbury”) (collectively “Defendants”), challenging the constitutionality of recently enacted legislation:

a. In Baltimore City, the Rent Increase Protection Act (Council Bill No. 20-0526), enacted on May 19, 2020 (the “Baltimore City Act”);

b. In Howard County, the Rental Protection and Stability Act (Council Bill No. 33-2020), enacted on May 23, 2020 (the “Howard County Act”); and

c. In Salisbury, an Ordinance of the City of Salisbury to Amend Chapter 15.26 Rental of Residential Premises of the Salisbury City Code by Adding Subsection 15.26.035 Rent Increases Barred During States of Emergency and Authorizing the Mayor to Issue Such Executive Orders as Are Necessary to Protect Tenants from Abuse (Ordinance No. 2599), enacted on June 1, 2020 (the “Salisbury Act”).

2. Pursuant to Local Rule 105.1, Plaintiffs adopt and incorporate, as if set forth fully herein, the attached Memorandum of Law in Support of Plaintiffs’ Motion for Temporary Restraining Order and Preliminary Injunction.

3. Pursuant to Local Rule 105.6, Plaintiffs respectfully request a hearing on their Motion for Temporary Restraining Order and Preliminary Injunction.

WHEREFORE, Plaintiffs’ respectfully request that this Honorable Court:

(1) Issue a temporary restraining order: (a) enjoining Defendant Mayor and City Council of Baltimore from implementing or enforcing the Rent Increase Protection Act, pending a preliminary injunction order; (b) enjoining Defendant Howard County, Maryland from implementing or enforcing the Rental Protection and Stability Act, pending a preliminary injunction order; and (c) enjoining Defendant the City of Salisbury from implementing and enforcing an Ordinance of the City of Salisbury to Amend Chapter 15.26 Rental of Residential

Premises of the Salisbury City Code by Adding Subsection 15.26.035 Rent Increases Barred During States of Emergency and Authorizing the Mayor to Issue Such Executive Orders as Are Necessary to Protect Tenants from Abuse, pending a preliminary injunction order;

(2) Issue a preliminary injunction order: (a) enjoining Defendant Mayor and City Council of Baltimore from implementing or enforcing the Rent Increase Protection Act; (b) enjoining Defendant Howard County, Maryland from implementing or enforcing the Rental Protection and Stability Act; and (c) enjoining Defendant the City of Salisbury from implementing and enforcing an Ordinance of the City of Salisbury to Amend Chapter 15.26 Rental of Residential Premises of the Salisbury City Code by Adding Subsection 15.26.035 Rent Increases Barred During States of Emergency and Authorizing the Mayor to Issue Such Executive Orders as Are Necessary to Protect Tenants from Abuse.

(3) Excuse Plaintiffs from posting a bond; and

(3) Award Plaintiffs any such other and further relief that the Court deems appropriate under the circumstances.

/s/

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