

# Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

HB823/Ch. 744(2), 2024

Interim Report December 23, 2024

Approved by the full work group on December 11, 2024

Submitted by: Acting State Fire Marshal, Jason Mowbray, Work Group Chair



Wes Moore  
*Governor*

Aruna Miller  
*Lt. Governor*

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Colonel Roland L. Butler, Jr.  
*Superintendent*

Jason M. Mowbray  
*Acting State Fire Marshal*

December 23, 2024

Governor Wes Moore  
Maryland State House  
100 State Circle  
Annapolis, MD 21401

President Bill Ferguson  
Maryland State Senate  
H-107 State House  
100 State Circle  
Annapolis, MD 21401

Speaker Adrienne Jones  
Maryland House of Delegates  
H-101 State House  
100 State Circle  
Annapolis, MD 21401

RE: HB823/Ch. 744(2), 2024, MSAR# 15416 - Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings Report

Governor Moore, President Ferguson and Speaker Jones,

Please find attached the interim report of the above Work Group that reflects the progress made thus far in studying fire safety risks in high-rise apartment buildings that do not have automatic sprinkler systems or other fire safety technology; studying current strategies, practices, and technology to mitigate fire risks, maximize evacuation of occupants, and allow for greater access and more expedient responses by emergency response professionals; and developing recommendations and best practices for the improvement of fire safety in high-rise apartment buildings that do not have fire sprinkler systems and other fire safety technology.

Due to the vast amount of information and research required to conduct a proper study of tasks assigned, the Work Group has not able to complete its work in the time frame allowed. The Work Group continues to meet and study topics in accordance with the law and believes it can complete its work and submit a final report on or before June 30, 2025.

As the Chair of the Work Group, I am available should you or any member of your staff have any questions or concerns.

Regards,

Jason Mowbray  
Acting State Fire Marshal  
Chair

Encl: Interim Report, Roster, Subcommittee reports and Minutes  
Cc: Del. Lorig Charkoudian  
Sarah T. Albert, Mandated Reports Specialist, DLS

The Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings as established by HB823/CH0744(2) is charged with studying fire safety risks in high-rise apartment buildings that do not have automatic sprinkler systems or other fire safety technology; studying current strategies, practices, and technology to mitigate fire risks, maximize evacuation of occupants, and allow for greater access and more expedient responses by emergency response professionals; and developing recommendations and best practices for the improvement of fire safety in high-rise apartment buildings that do not have fire sprinkler systems and other fire safety technology.

The work group held its inaugural meeting on October 2, 2024, following the appointment of all but one of the members (one full-time resident of a high-rise building located in the State) named in the bill. The first meeting was a hybrid in-person and virtual meeting. The charter of the workgroup was reviewed and two subcommittees were created to focus on (i) identifying fire safety risks and (ii) to focus on current strategies and practices used to mitigate fire risks. Meetings schedules were developed for the subcommittees and the meeting date and time for the next full work group meeting was decided.

The work group held its second meeting on October 23, 2024, the final appointed member joined the ranks of the group. Initial findings from the subcommittees were discussed. The subcommittees were charged with continuing to refine their findings and report at the next meeting of the work group. Meeting dates and times through mid-December were agreed upon. Final roster of the work group is attached to this report.

The work group held its third meeting on November 6, 2024. Subcommittee leads presented their findings. The initial findings were discussed by the members of the full work group. It was noted that the subcommittee reports are not yet fully developed and that the subcommittees will continue their work until there is a product appropriately refined. The work group did begin to discuss other issues that will be explored in the next phase of the full work group's work; developing recommendations.

The work group held its fourth meeting on December 5, 2024. At this meeting two resignations were announced. The member designated from the Maryland State Firefighters Association and one member from a building owners and managers association. Subcommittee leads presented the most recent version of their findings. Both reflected that more refining was necessary prior to the final adoption of the reports. Phase two of the work groups focus was discussed and the work group members concluded that there is not enough time to adequately address the requirements of the work group in the remaining days of 2024. The work group voted to formulate an interim report to be submitted on or before December 31, 2024 that will include a request to extend the timeline of the work group to allow for the completion of its work.

The work group held its fifth meeting on December 11, 2024. Final subcommittee reports were presented and adopted by the full work group. Reports are attached. The members of the workgroup adopted the interim report and selected dates and time for next meetings in anticipation of the requested for an extension being accepted by the appropriate authorities and a final report of the work group being submitted on or before June 30, 2025. Minutes from each of the work group meetings are attached.

**Workgroup to Develop Fire Safety Best Practices for Pre-1974 High-Rise Apartment Buildings (HB823)**

Name	Organization
Senator Sara Love	Member of the Senate of Maryland
Delegate Mary Lehman	Member of the House of Delegates
Acting Fire Marshal Jason Mowbray	State Fire Marshal or designee
Edward S. "Ted" Tochterman, Jr.	Chair of the State Fire Prevention Commission
Bob Phillips	President Maryland Fire Chiefs Association or designee
Designated member resigned 11/22/24	President Maryland State Firemen's Association or designee
Chief Michael Rudasill	Representative of the Professional Fire Fighters of MD
Terin Hopkins, National Fire Sprinkler Association	Fire Sprinkler Trade Association representative
Jeanne Schmager Tebera, PE, CFPS, Member Automatic Fire Alarm Association	Fire Alarm Trade Association representative
Abiodun "Babs" Shonaiya	Licensed Architect
Dr. Jamie McAllister	Fire Protection Engineer
Bradley Patrick, Sr.	Building Owners and Managers Association Representative
Appointed member resigned 12/4/24	Building Owners and Managers Association Representative
Mark D. Dopkin	Full Time Resident of High-Rise located in Maryland
Catherine A. Kelly	Workgroup Staff

## Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

October 2, 2024

Meeting location: Maryland Fire and Rescue Institute, University of Maryland, 4500 Campus Drive, Classroom 3, College Park, Maryland. Virtual option: [meet.google.com/uem/ajqi-jxn](https://meet.google.com/uem/ajqi-jxn) or phone +1 -301-969-5253, PIN: 778 740 499#

The meeting was called to order by the Chair, Acting Fire Marshal Jason Mowbray at 10:09 am.

Present in person were workgroup members: Acting Fire Marshal Jason Mowbray, Edwards S. "Ted" Tochterman, Jr., Robbie Blackiston, Chief Michael Rudasill, Terin Hopkins, Jeanne Schmager Tebera, Abiodun "Babs" Shonaiya, Bradley Patrick, Sr. and Yasia Daniels. Attending virtually, member Dr. Jamie McAllister. Absent workgroup members: Senator Sara Love, Delegate Mary Lehman and Bob Phillips. Members of the public in attendance: Ashley Powell, and Hugo Canto. Staff in attendance: Tom Elder DLS, Penny Doty MSP, Ken Bush MSP and Tom Williams MSP. Workgroup staff: Catherine Kelly MSP.

Roll call was completed by workgroup staff. Staff confirmed there was a majority present. After which the charter of the workgroup was reviewed which included the background, mission and purpose, objective, structure, and operating procedures.

Dr. McAllister asked how the term "other fire safety technology" is defined. Ken Bush responded at the Chair's request that both active and passive systems define the reference in question.

Ms. Tebera asked about the reporting requirement timeline and asked if the report is truly due December 31, 2024. It was confirmed that the report is in fact due on that date. Which opened discussion regarding the will of the group to the best approach to reach the objectives outlined in the law. It was determined by the group that subcommittees should be created to address the fire safety risks and the current strategies and technologies that mitigate fire risks. Ms. Tebera also asked if there was an existing list of this class of buildings. Terin Hopkins shared that a group he is associated with has an informal list that contains a good portion of the buildings in Maryland included in this class. Mr. Hopkins agreed to share the information with the workgroup members.

Two subcommittees were created. Subcommittee (i) will focus on studying the fire safety risks in high-rise building that do not have automatic sprinkler systems or other fire safety technology. Members who volunteered to serve are: Dr. McAllister, Edward S. Tochterman, Jr., Jeanne Schmager Tebera and Terin Hopkins. Dr. McAllister agreed to lead the group.

Dr. McAllister asked if the focus of the workgroup is the whole class of high-rise buildings constructed prior to 1974 rather than individual buildings in the class. It was confirmed her assumption was correct.

Subcommittee (ii) will focus on studying current strategies, practices, and technology to mitigate fire risks, maximize evacuation of occupants, and allow for greater access and more expedient responses by emergency response professionals. Members who volunteered to serve are: Abiodun "Babs" Shonaiya, Robbie Blackiston, Terin Hopkins, Bradley Patrick, Chief Mike Rudasill, Dr. McAllister and Yasia Daniels. Yasia Daniels agreed to lead the group.

Meeting schedules were discussed and the following meeting dates and times were agreed upon:

Subcommittee (i) will meet on October 9, 2024 from 0900 to 1100, and on October 17, 2024 from 0900 to 1000.

Subcommittee (ii) will meet on October 10, 2024 from 0900 to 1100, and on October 16 from 1100 to 1300.

The full workgroup will meet on October 23, 2024 from 0900 to 1100 and on November 6 from 0900 to 1100.

All meetings of both subcommittees and the full workgroup will be held virtually, as agreed upon by the members.

Chair Mowbray asked the leads of the subcommittees for any guidance to the members of their groups. Each provided that they will assess the tasks and discuss roles and assignments at the upcoming meetings.

At this time each workgroup member introduced themselves and provided their background and interests in the subject at hand. Workgroup staff reiterated the scheduled meeting dates and times and confirmed all meetings will be virtual.

Chair Mowbray asked if there was any additional business the group members wished to address, hearing none the meeting was adjourned at 11:32am.

These minutes are respectfully submitted by Catherine A. Kelly.

Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

October 23, 2024

Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

Wednesday, October 23 · 9:00 – 11:00am

Google Meet joining info

Video call link: <https://meet.google.com/zin-xbyx-sah>

Or dial: (US) +1 470-705-3469 PIN: 660 037 346#

The meeting was called to order by the Chair, Acting Fire Marshal Jason Mowbray at 09:05 am.

Present virtually were workgroup members: Acting Fire Marshal Jason Mowbray, Senator Sara Love, Robbie Blackiston, Chief Michael Rudasill, Bob Phillips, Terin Hopkins, Jeanne Schmager Tebera, Abiodun “Babs” Shonaiya, Bradley Patrick, Sr., Dr. Jamie McAllister and Mark Dopkin. Absent workgroup members: Edwards S. “Ted” Tochterman, Jr., Yasia Daniels, and Delegate Mary Lehman and. Members of the public in attendance: Chief Josh Bunting, Brian Anleu, David Mandell, Ashley Clark, Bill Castelli and John Fiastro. Staff in attendance: Ken Bush MSP. Workgroup staff: Catherine Kelly MSP.

Roll call was completed by workgroup staff. Staff confirmed there was a majority present.

The minutes from the October 2, 2024 meeting of the work group were approved by unanimous vote.

Chair Mowbray asked the lead of Subcommittee (i), Dr. McAllister, to present the groups findings. During the review of the raw information that included the objectives and goals of current fire safety risks in high-rise apartment buildings that do not have automatic sprinkler systems or other fire safety technology; the estimated number of pre-1974 high-rise apartment buildings in the State of Maryland that are not fully sprinklered (119); a review of several case studies, most out of state; and a summary of next steps of the subcommittee.

Following Dr. McAllister’s presentation of information, a question regarding the focus of the workgroup was asked relative to ownership of the units in the pre-1974 high-rise buildings. The question will be posed to the Environment and Transportation Committee staff who worked on the bill and the response will be shared with workgroup members upon receipt.

Chair Mowbray asked for Subcommittee (ii) to present their findings. In the absence of the lead, Abiodun “Babs” Shonaiya presented current mitigation strategies, practices and technologies to maximize evacuation of occupants and allow for greater access and expedient responses by first responders. The review included current practices that are included in national model codes, current practices in HUD regulations, and a review of the approach used in Ocean City, Maryland.

Following the presentation of information, discussion regarding Baltimore City and the code they have adopted was had.

Chair Mowbray, directed the Subcommittee leads to finalize the information presented and each lead to prepare a document for the Work Groups review in preparation for the next meeting of the group on November 6, 2024. Dr. McAllister noted that the information provided by Subcommittee (i) may change in format but the content will not effectively change.

The Work Group members agreed to be prepared to fully discuss the findings of the subcommittees and to begin discussions on potential recommendations to proffer in the final report to the General Assembly.

Next meetings were discussed. The Chair asked that the duration of the November 6, 2024 meeting be changed to three hours. December meetings were scheduled; the second meeting scheduled in case the work is not completed at the first meeting in December.

Meetings in December were scheduled for:

December 5, 2024 from 0900 to 1200

December 11, 2024 from 0900 to 1200 (if needed)

Chair Mowbray asked if there was any new business or if any workgroup members had any further comments; hearing none the meeting was adjourned at 1045.

These meeting minutes are respectfully submitted by Catherine A. Kelly.

## Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

November 6, 2024 Meeting Minutes

Video call link: <https://meet.google.com/egb-scah-vhh>

Or dial: (US) +1 413-276-7139 PIN: 670 242 544#

The meeting was called to order by the Chair, Acting Fire Marshal Jason Mowbray at 0902 am.

Present in person were workgroup members: Acting Fire Marshal Jason Mowbray, Edward S. "Ted" Tochtermann, Jr., Chief Michael Rudasill, Terin Hopkins, Jeanne Schmager Tebera, Abiodun "Babs" Shonaiya, Bradley Patrick, Sr., Bob Phillips, Yasia Daniels, Senator Sara Love, Mark Dopkin and Jamie McAllister. Absent workgroup members: Delegate Mary Lehman, and Robbie Blackiston. Members of the public in attendance: Ashley Clark, Matt Pipkin, Joshua Bunting and Brian Anleu. Staff in attendance: Tom Elder DLS, and Ken Bush MSP. Workgroup staff: Catherine Kelly MSP.

Roll call was completed by workgroup staff. Staff confirmed there was a majority present.

Minutes from the October 23, 2024 meeting of the workgroup were reviewed and approved unanimously by the workgroup members.

Dr. McAllister, Subcommittee (i) lead, shared that the final report was not yet finalized. Subcommittee member Terin Hopkins presented the Maryland High-Rise Fire Data report information from the National Fire Sprinkler Association that looked at high-rise fires in the state of Maryland for the period of 2001-2022 using data submitted by fire departments to the National Fire Incident Reporting System. Mr. Hopkins noted that the report only includes fires in buildings that were reported on the 7th story or above as the 7<sup>th</sup> floor is often assumed to be the height at which a building meets the definition of a high-rise.

Discussion ensued about the occurrences of fires and the correlation of the number of fires and the number of non-sprinklered buildings in those counties.

Dr. McAllister went on to ask the work group members about how to format the subcommittee report taking in to account the information collected and how to best make it readable. It was decided that full reports and reference documents will be incorporated by reference and attached as appendices to the report.

Mr. Dopkins opened dialogue about partial sprinkler and other mitigation systems and how they being considered. Workgroup members discussed the lack of data available to report on the efficacy of partial systems.

Ms. Daniels, Subcommittee (ii) lead, reported that the report is not yet finalized. The Chair asked if the subcommittees felt they could have their work products prepared by November 22, 2024 for dissemination to the workgroup members. The date was agreed to.

The subcommittees scheduled internal meetings to finalize their reports.

Workgroup members discussed other issues like tap fees and funding for improvements that were tabled to be discussed once the subcommittees present their reports and the workgroup moves into the formulation of recommendations stage of their work.

Chair Mowbray asked if there was any additional business the group members wished to address, hearing none the meeting was adjourned at 10:01am.

Staff reminded the group of the next scheduled meetings: December 5, 2024 at 0900 and December 11, 2024 at 0900, both are virtual only.

These minutes are respectfully submitted by Catherine A. Kelly.

Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

December 5, 2024

Meeting Minutes

Video call link: <https://meet.google.com/aes-raou-cut>

Or dial: (US) +1 636-324-2339 PIN: 294 438 018# VIRTUAL ONLY

The meeting was called to order by the Chair, Acting Fire Marshal Jason Mowbray at 0904 am.

Present were workgroup members: Acting Fire Marshal Jason Mowbray, Edward S. "Ted" Tochtermann, Jr., Chief Michael Rudasill, Terin Hopkins, Jeanne Schmager Tebera, Abiodun "Babs" Shonaiya, Bradley Patrick, Sr., Bob Phillips, Mark Dopkin and Jamie McAllister. Absent workgroup members: Senator Sara Love, Delegate Mary Lehman, Yasia Daniels and Robbie Blackiston. Members of the public in attendance: Joshua Bunting, Katie Nash, W. Caste, Hugo Cantu, Guy "J" Guzzone, Josie Friedli, Bob (no last name) and Brian Anleu. Staff in attendance: Tom Elder DLS, and Ken Bush MSP. Workgroup staff: Catherine Kelly MSP.

Roll call was completed by workgroup staff. Staff confirmed there was a quorum present.

Chair Mowbray shared that work group member Robbie Blackiston, the President of the Maryland State Firefighters Association's designee, has resigned. Chair Mowbray also shared that Yasia Daniels, appointed by the Governor as a Building Owners and Managers Association Representative also resigned. Chair Mowbray acknowledged the work both members performed.

Minutes from the November 6, 2024 meeting of the workgroup were reviewed and approved unanimously.

Dr. McAllister, Subcommittee (i) lead, presented the committee's draft report including the objectives and goals of the subcommittee, the estimated number of non-sprinklered high-rise apartment buildings, the data from the National Incident Reporting System reporting the high-rise fires in Maryland (2001-2022), information relative to inspection, testing and maintenance of existing systems and cases studies.

Abiodun "Babs" Shonaiya, the newly designated Subcommittee (ii) lead, presented the committee's draft report including the objectives and goals, review of current strategies in the national model codes, NFPA 101 (2024), NFPA 1 (2024), HUD regulations and Ocean City Maryland's standards.

At the conclusion of the presentations discussion regarding the presentations began. First Dr. McAllister noted that the draft reported require more refining prior to final adoption. Mr. Shonaiya stated that both reports need to be refined. That determination was followed by points raised by work group members including the complexities of engineering solutions for these buildings, local jurisdictional requirements and how they vary, the financial impact of current and potential future proposed solutions.

Chair Mowbray recognized the uniqueness of the buildings focused on by the work group and how difficult given that consideration it is to come up with a across the board per square foot cost or per unit cost for fire protection systems. He then invited the members to start discussions on the next phase of the work group focus.

Incentives, what other jurisdictions require and offer for incentives for retrofits, the lack of uniformity among local jurisdictions were the topic of discussion among the group. At 10:42 am a break was taken.

The meeting resumed at 10:50am. The Chair asked for the group to refine what recommendations are the will of the group. The consensus after considering some named alternatives was that more information relative to costs, incentives, what happens when the prescriptive requirements can not be met need to be researched more and discussed before recommendations can be crafted and reported from the group.

The Chair opened discussion on the path forward and what the will of the work group is. At the conclusion of the discussion Dr. McAllister made the following motion: The Work Group will formulate an interim report including the subcommittee reports to be submitted by December 31, 2024 which will include a request to extend the timeline of the work group to complete its work and submit its final report on or before June 20, 2025. Bob Phillips seconded the motion. Chair Mowbray called for a vote; the motion passed with 9 in the affirmative and 1, Mr. Tochtermann in the negative.

Chair Mowbray reiterated that the next meeting the work group will review the refined versions of the Subcommittee (i) and Subcommittee (ii) and the draft interim report to be submitted. Subcommittee leads confirmed they can make the deadline. The next meeting of the work group is scheduled for December 11, 2024 at 09:00 am.

A request to share any further discussion was made by the Chair. Hearing none; a motion to adjourn was considered and was unanimously passed. The meeting adjourned at 11:38am.

These minutes are respectfully submitted by Catherine A. Kelly.

Workgroup to Develop Fire Safety Best Practices for Pre-1974 High Rise Apartment Buildings

December 11, 2024

Meeting Minutes

Video call link: <https://meet.google.com/gpu-tphu-wip>

Or dial: (US) +1 424-371-6012 PIN: 201 720 738#

The meeting was called to order by the Chair, Acting Fire Marshal Jason Mowbray at 0903 am.

Present were workgroup members: Acting Fire Marshal Jason Mowbray, Senator Sara Love, Edward S. "Ted" Tochtermann, Jr., Terin Hopkins, Jeanne Schmager Tebera, Abiodun "Babs" Shonaiya, Bradley Patrick, Sr., Bob Phillips, Mark Dopkin and Jamie McAllister. Absent workgroup members: Delegate Mary Lehman, and Chief Michael Rudasill. Members of the public in attendance: Joshua Bunting, W. Caste, Hugo Cantu, Barin Nag, Greg von Lehmen, Ashley Clark, and Brian Anleu. Staff in attendance: Ingeborg Ritchie MSP. Workgroup staff: Catherine Kelly MSP.

Roll call was completed by workgroup staff. Staff confirmed there was a quorum present.

Minutes from the December 5, 2024 meeting of the workgroup were reviewed and approved unanimously.

Dr. McAllister, Subcommittee (i) lead, presented the updates made to the committee's report highlighting some additional information and formatting changes. Abiodun "Babs" Shonaiya, Subcommittee (ii) lead, presented the updates made to the committee's report highlighting additional information and formatting changes.

Motions were made and seconded to adopt both subcommittee reports in the form presented. Each motion passed unanimously.

Chair Mowbray then asked if work group members had reviewed a letter shared by Senator Love from two of her constituents. Sen. Love presented the concerns delineated in the letter. Discussion followed. Chair Mowbray referred to a letter sent to the work group from a collective including: Apartment and Office Building Association of Metropolitan Washington, Maryland Multi-Housing Association, Inc., The Elizabeth Condominium, Grosvenor Park III Condominium, Mica Condominium, Promenade Towers Mutual Housing Corp and Willoughby Condominium. As Mr. Brian Anleu of AOBA was in attendance, Chair Mowbray recognized him and asked that he share comments. Mr. Anleu noted that the letter mirrored the concerns raised by Sen. Love's constituents and thanked the group for the opportunity to address them.

Discussion followed the presentation of the letters. Much of the discussion center around alternative systems. At which time a reference was made to a report, the "Jensen Hughes Report". Mr. Hopkins asked that the report be shared with the Work Group members. Mr. Anleu agreed to provide to Work Group staff for dissemination to the members. The Chair noted that many of the concerns raised will be incorporated in the review process of the next phase of the Work Groups efforts.

Senator Love made a motion to adopt that draft interim report for submission, the motion was seconded and the Chair called for discussion. After full discussion the vote was called and the motion was adopted unanimously.

Chair Mowbray asked the Work Group members how they would like to proceed with next phase of the work. It was decided the full group would meet to address the remainder of the charge created by law. Meetings will be every other Monday beginning on January 13, 2025, held virtually and will be scheduled at 10:30am for 1 hour duration. The goals set at this meeting for the first meeting in 2025 were for Work Group members to review all provided resources and consider input from those documents.

A request to hear any new business was made by the Chair, hearing none a motion to adjourn was entertained and passed unanimously. The meeting was adjourned at 11:12am.

These minutes are respectfully submitted by Catherine A. Kelly.