



MARYLAND
FAMILY
NETWORK

LIVING WITH FAMILY CHILD CARE

A guide for family child care providers to make the case for their business to landlords, HOAs, and lawmakers.





INTRODUCTION

Operating a family child care home is a rewarding career. Sometimes, however, restrictions in leases, Home Owners Associations (HOA) covenants, and local zoning laws have forced family child care providers to close or move to communities without restrictions. This is bad for the provider's business, and it significantly limits families' access to child care in their own neighborhoods.

These restrictions are often based on misunderstandings about what family child care is. When speaking with landlords, HOAs, or others about your business, you may find they are unaware of the benefits family child care adds to a community. This information will help you make the most of those conversations and answer some difficult questions.

Maryland Family Network has prepared this guide as a starting place to help family child care providers persuade and inform landlords, HOAs, local zoning boards and others about the benefits of family child care. Your local [Child Care Resource Center](#) is available to answer other questions and to offer additional support.



WHAT IS FAMILY CHILD CARE?

WHAT DOES FAMILY CHILD CARE LOOK LIKE?

Family child care is an early childhood education program that operates in the provider's home. Parents may prefer this setting for numerous reasons:

1. The group size is small, and siblings can be in the same mixed-age group;
2. Children benefit from learning in mixed age settings;
3. Children can have one consistent caregiver from infancy through elementary school and develop long term bonds and a sense of family;
4. Curriculum can be tailored to a child's individual needs;
5. A family child care home may offer curriculum in the child's home language or serve meals that are similar to those served at home;
6. Because they own the business, family providers can be more flexible when it comes to hours, days, and cost;
7. Providers and parents can work as a team around educational and developmental goals; and
8. Family child care homes are often close to where families live.

FAMILY CHILD CARE IS GOOD FOR EVERYONE

Child care is an important community asset:

- It allows parents the support needed to work and provide for their families;
- Employers benefit from family child care because their employees are more dependable and productive when not worrying about the safety and well-being of their children;
- Research proves that children who have access to quality care and education during the first five years, are more likely to be healthy and productive adults; and
- We all stand to gain from the strong economy and reduced social spending which results from children having access to high quality child care.



Here are a few more benefits of family child care homes that your landlord or HOA may not have thought of:

A BENEFIT TO RESIDENTS AND PROPERTY OWNERS

For families with young children, having child care located in the same apartment complex is a huge benefit. Here's why:

- Potential renters will be more willing to sign a lease knowing they do not need to extend their daily commute to access child care.
- Child care providers and landlords can work together to co-market this benefit to potential renters.

NEIGHBORHOOD WATCH

A family child care business uses public spaces frequently throughout the day. This provides another set of eyes to spot suspicious activity and deter potential trespassers.

A STEADY INCOME

Family child care providers live where they work so they have a large stake in making sure their business succeeds. This translates to a reliable renter and neighbor.

A STRONG ECONOMY

Child care is the engine of our economy. When parents have access to quality care in their neighborhood, it's easier for them to work and earn a paycheck. When landlords and HOAs support these businesses, they're helping to strengthen the economy which benefits us all.

CHILD CARE BUILDS STRONG FAMILIES AND COMMUNITIES

When landlords and HOAs welcome family child care homes into their communities they're helping to ensure that the families who live there are stronger and remain that way for generations to come.



FAMILY CHILD CARE HOME Q&A

When picturing child care, many people imagine a commercial child care center, with a large staff, dozens of families, a bright neon sign, and sprawling playgrounds. When it comes to family child care, people often don't know very much about it or even realize that they may pass these programs every day. You should be prepared to dispel myths about your business or correct misconceptions about family child.

Here are some frequently asked questions that you may be asked during these discussions:

WHY DOES CHILD CARE NEED TO BE IN A HOME?

Child care should be where it is most accessible to families. A family child care home is first and foremost a residence, and therefore, by definition, exists in residential locations. When we provide a variety of options for child care, parents can choose the care that's best for their family's unique needs.

WILL THERE BE A LOT OF CHILDREN IN YOUR CARE?

Family child care is small. In Maryland family child care homes are licensed for up to eight children, while large family child care homes are licensed for up to 12 children with an additional staff person.

WILL THE PROGRAM TAKE UP A LOT OF PARKING SPACES IN OUR PARKING LOT OR ON THE STREET?

Parking is one of the concerns that are usually at the top of a landlord's or HOA's list.

- A family child care home may mean a few extra cars in the neighborhood, but these are typically staggered at the beginning and end of the work day and only for a short term;
- In many cases, parents who use family child care programs already live in the neighborhood and therefore add no additional traffic congestion at all;
- You can state clearly in your policies that parents can only use designated parking spots or areas.



Q&A CONTINUED

WHAT IF THERE'S DAMAGE TO AN APARTMENT OR HOUSE?

A landlord or HOA may have concerns about the wear and tear on a child care provider's home. It's important to remember that state regulations require a provider's home be held to a high standard of cleanliness, maintenance, and safety. They should be aware that:

- Child care homes are required to be free of all health and safety hazards including loose carpets, damaged electrical units or appliances, peeling paint, or other wear and tear that would not pass inspection by the state; and
- Child care providers have a financial incentive to keep their property looking good so it's appealing to potential and existing customers.

WILL IT BE TOO NOISY?

Landlords and HOAs often say that a child care program will create a great deal of noise and disturb the other tenants or neighbors. Here are some preemptive steps you can take:

- Remind them that family child care homes are limited to the number of children in care so the noise level won't be louder than a large family;
- Let parents know they should keep noise levels at a minimum when picking up or dropping off children;
- Plan outdoor playtime when most residents are already awake or at work.

WILL YOUR BUSINESS INCREASE OUR SHARED UTILITIES & EXPENSES?

Landlords may voice concerns about increased costs to utilities like water, power, or additional garbage collections generated by the family child care home. You can put their concerns to rest by reminding them that:

- Providers do not bathe children or wash their clothes, so water usage won't be higher than other residents;
- Energy efficient appliances will generate the same amount of power as other renters;
- The addition of a bag or two of trash shouldn't raise collection rates.



LIABILITY AND INSURANCE

I DON'T WANT TO BE LIABLE IF SOMETHING GOES WRONG.

Liability concerns are usually high on the list of worries that a landlord or HOA has about a family child care. They may be concerned about lawsuits if there is an accident or complaint from a parent. However, family child care homes are typically safer and better maintained than most other units. Here's why:

- Maryland is one of the strictest states in the country when it comes to child care regulations. Providers must comply with state licensing laws to be able to operate a home-based program. That's why they are held to a higher standard than even a child's own parent when it comes to safety and overall supervision of children in their home;
- Child care providers are required to be certified in first aid and CPR, have working fire extinguishers and smoke detectors, and even have a written emergency plan in place;
- Child care homes are subject to frequent inspections including surprise visits;
- Child care providers are required to undergo criminal background checks.

WILL YOUR INSURANCE BE ENOUGH IF SOMETHING HAPPENS?

Standard homeowners or renters insurance is not enough to protect you or your landlord from claims that may arise from your family child care business. Additional liability insurance is available, and required by law, for regulated child care providers in Maryland. Liability Insurance typically covers property damage, personal injury, and physical injury.

If you own your home, by state law, an insurer who issues a homeowner's liability policy must offer to provide at least \$300,000 to providers for liability resulting from bodily injury, property damage, or personal injury arising out of one's activities as a family child care provider.

Details about required insurance for child care providers and cost estimates are available from the [Maryland Insurance Administration](#). If you have additional questions, please contact your local [Child Care Resource Center](#) for more help.



ZONING, COVENANTS, & LEASES

ARE WE ZONED FOR A BUSINESS?

Zoning is a set of local laws or regulations that govern how property can be used in certain geographic areas. These regulations vary depending upon the city, county or other jurisdiction where a business operates. Be certain that you know if your area allows child care homes to operate before opening your program as it may be prohibited. If you are unsure who to contact about zoning regulations in your community or if you are unclear as to whether a certain regulation applies to family child care homes, your local Child Care Resource Center can help.

YOUR LEASE/COMMUNITY COVENANT DOES NOT ALLOW BUSINESSES

Landlords may specify in leases that businesses cannot operate out of rental units. HOAs may have similar rules in community covenants but these do not apply to family child care programs unless members specifically vote to exclude them. Often the authors of these policies did not have child care in mind when they were written. They may not understand how child care homes are different from other businesses and are beneficial to the entire community. This publication will help you explain those differences, but ultimately the landlords or HOAs will have the final say, so read these agreements carefully before signing.

YOU CAN HELP CHANGE THE LAWS

Families should be able to access child care wherever they live. We must protect family child care from restrictive zoning legislation and from restrictive covenants and leases. These restrictions that prohibit or place limitations on family child care weaken the profession by driving child care providers out of the field. That leaves parents with options they can't afford and may even force them to choose unsafe care for their children.

We hope you will let your representatives know that expanded access to child care for all families is a benefit for all Marylanders. This guide will help you answer their questions but please [contact us](#) if you need more help. You can also learn about MFN's public policy efforts and sign up for our public policy alerts at marylandfamilynetwork.org.



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