

Chapter 219

(Senate Bill 428)

AN ACT concerning

**Southern Maryland – Homeowners Association Commission – Alternative
Dispute Resolution Authority**

FOR the purpose of expanding the authority of certain homeowners association commissions in ~~Calvert County, Charles County, and St. Mary’s County~~ the code home rule counties of the Southern Maryland class to hear and resolve through alternative dispute resolution certain issues between a homeowners association and a homeowner regarding certain documents; defining a certain term; and generally relating to homeowners associations in Southern Maryland.

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11B–104(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11B–116(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Real Property

11B–104.

(c) (1) IN THIS SUBSECTION, “GOVERNING DOCUMENT” HAS THE MEANING STATED IN § 11B–116(A) OF THIS SUBTITLE.

(2) Subject to the provisions of this title, a code home rule county located in the Southern Maryland class, as identified in § 9–302 of the Local Government Article, may establish a homeowners association commission with the authority to hear and resolve disputes between a homeowners association and a homeowner regarding the enforcement of the [recorded covenants or restrictions] **GOVERNING DOCUMENTS** of the homeowners association by providing alternative dispute resolution services, including binding arbitration.

11B-116.

(a) (1) In this section the following words have the meanings indicated.

(2) “Governing document” includes:

(i) A declaration;

(ii) Bylaws;

(iii) A deed and agreement; and

(iv) Recorded covenants and restrictions.

(3) “In good standing” means not being more than 90 days in arrears in the payment of any assessment or charge due to the homeowners association.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.