

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1452 (Howard County Delegation)
Environment and Transportation

Columbia Association - Lease Requirements and Governing Documents
Ho. Co. 4-24

This bill establishes specified requirements for landlords of real property in Howard County that require tenants to pay all (or a part) of an “annual charge” as a part of the rent. “Annual charge” means the charge assessed by the Columbia Association on residential or commercial real property in Howard County that is subject to Columbia Association covenants.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State operations or finances.

Local Effect: The bill is not anticipated to materially affect Howard County operations or finances.

Small Business Effect: Minimal.

Analysis

Bill Summary: If a landlord requires a tenant to pay all or part of an annual charge as a part of the rent, the landlord must use a written lease that includes (1) notice of the amount of the annual charge that is included in the rent and (2) a description of how the annual charge is calculated.

A landlord must use a written lease that includes a description of, or instructions on where to find a description of, the rights and privileges afforded to (1) for a residential lease, the tenant as a resident of real property that is subject to Columbia Association covenants and

governing documents or (2) for a commercial lease, the tenant's employees assigned to the site that is subject to Columbia Association covenants and governing documents.

When a tenant signs a lease, the landlord must provide the tenant with a copy of (1) the Columbia Association covenants and governing documents and (2) if the lease is for residential property, the governing documents of the village association or town center, as appropriate. A landlord may satisfy this requirement by providing a physical copy, digital copy, or a permanent link to a digital copy of the covenants and governing documents.

These requirements only apply to leases for residential and commercial real property in Howard County that are subject to Columbia Association covenants.

Current Law: Statute does not specifically address the provision of the documentation as required by the bill. Generally, under current law, *purchasers* of property within a homeowners association must be provided certain documents during the initial sale or resale of the property, including a copy of the declaration and all recorded covenants, as specified. This requirement, however, is not extended to tenants.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 1146 (Howard County Senators) - Rules.

Information Source(s): Office of the Attorney General (Consumer Protection Division); Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2024
rh/jkb

Analysis by: Donovan A. Ham

Direct Inquiries to:
(410) 946-5510
(301) 970-5510