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January 27, 2020

Honorable Kumar P. Barve, Chairman
Environment and Transportation Committee
251 House Office Building
6 Bladen Street
Annapolis, MD 21401

**Re: HB-25 – Condominiums and Homeowners Associations - Amendments
to Declarations and Governing Documents**

Hearing Date: January 28, 2020

Position: Support

Dear Chairman Barve and Committee Members:

This letter is submitted on behalf of the Maryland Legislative Action Committee (“MD-LAC”) of the Community Associations Institute (“CAI”). CAI represents individuals and professionals who reside in or work with condominiums, homeowners associations, and cooperatives throughout the State of Maryland.

MD-LAC supports HB 25. In order to amend their Bylaws and Declaration, most Condominiums and Homeowners Association documents require the approval of both owners and individual unit mortgage holders. This latter approval requirement of individual unit mortgage holders can be very difficult, if not impossible to obtain, and often stymies a Condominium or Homeowners Association’s ability to amend its governing documents. Many years ago, a notice process for unit mortgage holder approval of Bylaw amendments was added to the Maryland Condominium Act, Section 11-104(e)(3). This provision has been very beneficial to Condominiums. Unfortunately, Homeowners

Associations have not had the benefit of this provision and Condominiums have not been able to use the provision for Declaration amendments.

To address these discrepancies in amending documents, HB 25 copies the exact language of Section 11-104(e)(3) and expands it to cover Condominium Declarations, as well as, the Bylaws and Declaration of Homeowners Associations. Because HB 25 is based on existing law, the MD-LAC is confident that this provision can be implemented seamlessly and will result in a significant benefit to the residents of Condominiums and Homeowners Associations in Maryland.

Accordingly, the MD-LAC respectfully requests that the Committee give HB 25 a favorable report. We are available to answer any questions the Committee Members may have. Please feel free to contact Lisa Harris Jones, lobbyist for the MD-LAC, at 410-366-1500, or by e-mail at lisa.jones@mdlobbyist.com, or Steven K. Randol, Chair of the MD-LAC, at 410-695-2183 or via email at srandol@pineyorchard.com.

Sincerely,

Julie Dymowski

Julie Dymowski, Esquire
Member, CAI MD-LAC

cc: Delegate Holmes