

Testimony for HB 1072—Assisted Living Program Licensing – Notice of Applicant Located in Common Ownership Community

February 25, 2022

**The Honorable Chair Kumar P. Barve
The Honorable Vice Chairman Dana Stein, and
The Members of the Environment and Transportation Delegation
Room 251, House Office Building
Annapolis, MD 21401**

To the Chair, Vice Chair, and the esteemed members of Environment and Transportation Committee.

I present this testimony to you on behalf of the South County Homeowners Alliance (Alliance) to publicly express our support for House Bill 1072. The Alliance consists of members and leaders of (7) seven independent common ownership communities of Prince George's County; Beechtree; Hillantrae Estates; Horizon Estates; The Preserves at Piscataway; Ridges Estates; Simmons Acres; and White Hall Forest. We meet via teleconference on a weekly basis to address matters that are of relevance to each community and seek means to resolve matters of common concern. These meetings began in 2010 and discussions have occurred continuously for twelve years.

The Alliance seeks to provide a recommendation, a remedy, or a solution, from the perspective of the citizens and residents within our respective communities. Thus, we elicit the support and assistance of residents to present their concerns, and to share with legislators the impact suffered from the existing practices that are in place. As such you will hear from residents who have chosen to provide written and verbal testimony in favor of HB 1072.

Specifically, we wish to share our concerns of situations which exist within our independent communities that violate the respective Covenants, and Governing Documents that we have adopted to limit and/or restrict the business use of the homes in our existing communities. We have identified registered businesses/business owners who have been able to obtain local permits to conduct and operate an Assisted Living Facility (for-profit business registered with the state of Maryland) in common ownership communities that are zoned as rural-residential. It is unfortunate that such business entities are approved and allowed to exist without any knowledge, or notification to the governing homeowners association (HOA). The current process that is in place circumvents the authority of the governing HOA(s) and is believed to conflict with existing County zoning laws

It is important to note that the Alliance has identified two (2) of these facilities operating within our communities. It is quite likely that there may be additional such facilities/businesses in existence that remain undetected throughout Prince George's County, or even the state. If the current approval practice continues, the number of these facilities/businesses are likely to increase.

If adopted into law, HB 1072 will require the notification of the governing HOA, **prior to the approval** of an application to operate an assisted living facility within its common ownership community. This simple step would enable the governing body of the common ownership community to respond appropriately to review the matter prior to the issuance of a permit to operate. Doing so creates a proactive opportunity for the governing body (HOA) to determine whether such a facility falls within compliance of the existing covenants and governing documents that are recorded and adopted for the common ownership community.

In closing, we respectfully urge the members of the Environment and Transportation Committee to favorably consider House Bill 1072 and submit it for further consideration to become law.

Submitted by:



Darrell C. Odom, Chair
Covenant Committee of the Ridges Homeowners Association, Inc.

On the behalf of:

South County Homeowners Alliance Members listed below:

Lee Eismann, Secretary
Beechtree Community Association, Inc.

Venetia Brown, Chair
Hillantrae Estates HOA Community Improvements Committee

Michael Brown
Hillantrae Estates HOA Architectural and Environmental Control Committee

Charles Griggs, President
The Horizon Estates Association, Inc

Anthony Humphries, Board President
The Preserves at Piscataway HOA

Mark Evans, President & Warren Johnson, Vice President
Simmons Acres Homeowners Association

Andrew Holloway, President
White Hall Forest Homeowners Association