

March 6, 2023

The Honorable William C. Smith Jr.
Senate Judicial Proceedings Committee
Miller Senate Office Building,
2 East Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: Letter of Support with Amendments SB0593 Condominiums – Common Elements – Clean Energy Equipment

Dear Chairman Smith:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB0593 Condominiums – Common Elements – Clean Energy Equipment**. MBIA **supports** the Act in its current version with amendments.

This bill authorizes certain governing bodies of a condominium to grant an interest affecting the common elements of the condominium for the installation and use of leased clean energy equipment. MBIA supports this measure with amendments. Our industry is concerned by some of the language written on page 2 of the bill. The language in lines 18-27 removes mortgagee approval and doesn't even give them notice if they are going to grant easements, leases in excess of 1 year, etc. We feel that mortgagee approval has never been an impediment on anything that a condominium association wants to do, and it is necessary for them to be aware of activity in the association as they are a large stakeholder. On page 4, lines 12-14, we believe the definition of clean energy equipment is very broad, and we are unsure of the costs of everything listed.

Therefore, MBIA requests the language to be narrowed to specify that that "Clean Energy Equipment" only applies to Electric Vehicle Recharging Equipment, Solar Energy Equipment, and Energy Storage systems. MBIA support this bill with this change.

For these reasons, MBIA respectfully requests the Committee give this measure a **favorable** report with these amendments.. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee