



March 10, 2026

The Honorable, Melissa Wells, Chair  
House Government, Labor and Elections Committee  
145 Lowe House Office Building  
Annapolis, Maryland 21401

**Oppose: HB 305 Baltimore County Nuisance Actions – Community Association Standing**

Dear Chair, Wells and Committee Members:

The NAIOP Maryland Chapters represent more than 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate including some of the largest commercial property owners in Baltimore County.

HB 305 lowers the conditions community groups must meet to qualify for standing to seek injunctive relief in the Circuit Court of Baltimore County. The bill also broadens the scope of activities that these groups can petition the court beyond nuisances to include grading and building permits. Building permits are not currently appealable under the Baltimore County Code and we do not see a public policy reason to include them in the scope of a bill focused on nuisance abatement.

NAIOP's opposition is based on the following rationale:

- **The scope of activities that Community Associations can enforce through the Circuit Court is expanded beyond Article 13, Title 7, Nuisances** of the Baltimore County Code, to include the entirety of Article 35, Building and Housing. Article 35 includes requirements related to the issuance and enforcement of building permits by the Department of Permits, Approvals, and Inspections. We recommend that Article 35 Title 2, Subtitle 3 be removed from the scope of the bill.
- **The definition of a qualifying community association is made overly broad** by removing existing requirements that a community association achieves minimum household membership levels and demonstrates local support in the form of annual dues payments. The bill also repeals the requirement that an association be in existence for at least one year before it qualifies for standing to seek court intervention. By lowering the requirements to qualify for standing, the bill would open the door for entities to be formed for the sole purpose of initiating litigation. These requirements should be retained.
- **Without minimum membership levels, community associations are permitted to self-define the areas they represent by establishing geographic boundaries in their bylaws.** The bill also grants standing to umbrella organizations or an "association of associations." This sets the stage for more than one organization to claim representation of the same geographic area and grants standing to regional organizations. Umbrella associations should be removed from the bill.
- **The bill allows a community association to take court action even if the enforcement agency decides court action or other enforcement is not warranted.** We believe enforcement should be led by the appropriate county agencies.

Enacting HB 305 would require accepting the notion that code enforcement and nuisance abatement by Baltimore County government is grossly ineffective and that citizen suits are the best solution. Our members do not accept either premise and believe improvements to code enforcement should take place within the framework established in the Baltimore County Code and be implemented by the appropriate county agencies rather than petitioning the Circuit Court to intervene.

Thank you for considering NAIOP's point of view.

Sincerely,

A handwritten signature in blue ink that reads "Tom Ballentine".

Tom Ballentine, Vice President for Policy  
NAIOP Maryland Chapters -*The Association for Commercial Real Estate*

cc: Government, Labor and Elections Committee Members  
Nick Manis, Manis Canning Associates