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**By: Delegate Bozman**

Introduced and read first time: January 29, 1996

Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Condominium Law - Inspection by Council of Unit Owners**

3 FOR the purpose of providing that the council of unit owners may enter units to inspect  
4 for water leaks and to determine that the temperature in the unit is above a certain  
5 level; and generally relating to inspection of condominium units by the council of  
6 unit owners.

7 BY repealing and reenacting, with amendments,

8 Article - Real Property  
9 Section 11-125(e)  
10 Annotated Code of Maryland  
11 (1996 Replacement Volume)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Real Property**

15 11-125.

16 (e) The council of unit owners or its authorized designee shall have an irrevocable  
17 right and an easement to enter units to INSPECT FOR WATER LEAKS, TO DETERMINE  
18 THAT THE TEMPERATURE IN THE UNIT IS ABOVE 35 DEGREES FAHRENHEIT, AND TO  
19 make repairs when the INSPECTION OR repairs reasonably appear necessary for public  
20 safety or to prevent damage to other portions of the condominium. Except in cases  
21 involving manifest danger to public safety or property, the council of unit owners shall  
22 make a reasonable effort to give notice to the owner of any unit to be entered for the  
23 purpose of INSPECTION OR repair. If damage is inflicted on the common elements or any  
24 unit through which access is taken, the council of unit owners is liable for the prompt  
25 repair. An entry by the council of unit owners for the purposes specified in this subsection  
26 may not be considered a trespass.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 1996.