

SENATE BILL 488

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2000 Regular Session
0lr1870
CF 0lr2033

By: **Senator Della**

Introduced and read first time: February 4, 2000

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property - Maryland Condominium Act - Availability of Records**

3 FOR the purpose of requiring that condominium records be made available by the
4 council of unit owners to any unit owner, the unit owner's mortgagee, and their
5 respective duly authorized agents or attorneys by first class mail or by facsimile
6 (fax) transmission; authorizing the council of unit owners to impose a reasonable
7 copy or charge on the person desiring to review the records; and generally
8 relating to the Maryland Condominium Act.

9 BY repealing and reenacting, with amendments,
10 Article - Real Property
11 Section 11-116
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1999 Supplement)

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

16 **Article - Real Property**

17 11-116.

18 (a) The council of unit owners shall keep books and records in accordance with
19 good accounting practices on a consistent basis.

20 (b) On the request of the unit owners of at least 5 percent of the units, the
21 council of unit owners shall cause an audit of the books and records to be made by an
22 independent certified public accountant, provided an audit shall be made not more
23 than once in any consecutive 12-month period. The cost of the audit shall be a
24 common expense.

25 (c) Every record, including insurance policies, kept by the council of unit
26 owners shall be maintained in Maryland or within 50 miles of its borders and shall be
27 available TO ANY UNIT OWNER, THE UNIT OWNER'S MORTGAGEE, AND THE

1 RESPECTIVE DULY AUTHORIZED AGENTS OR ATTORNEYS OF THE UNIT OWNER AND
2 THE UNIT OWNER'S MORTGAGEE:

3 (1) [at] AT some place designated by the council of unit owners within
4 the county where the condominium is located for examination and copying [by any
5 unit owner, his mortgagee, and their respective duly authorized agents or attorneys],
6 during normal business hours, and after reasonable notice;

7 (2) BY FIRST CLASS MAIL; OR

8 (3) BY FACSIMILE (FAX) TRANSMISSION.

9 (D) THE COUNCIL OF UNIT OWNERS MAY IMPOSE A REASONABLE CHARGE
10 FOR COPIES OR FACSIMILE TRANSMISSIONS ON A PERSON DESIRING TO REVIEW THE
11 RECORDS.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2000.