

ENROLLED BILL

-- *Judicial Proceedings/Environmental Matters* --

Introduced by **Senators Kelley, Britt, Colburn, Conway, Dyson, Frosh, Grosfeld, Hogan, Kramer, Lawlah, Middleton, Ruben, and ~~Teitelbaum~~ Teitelbaum, and Green**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Task Force on Common Ownership Communities**

3 FOR the purpose of creating a Task Force on Common Ownership Communities;
4 providing for the composition of the Task Force; requiring the Task Force to elect
5 a chair from among its members; requiring the Department of Housing and
6 Community Development to provide staff for the Task Force; prohibiting a
7 member from receiving compensation but entitling a member to reimbursement
8 for certain expenses; providing for the duties of the Task Force; requiring the
9 Task Force to submit ~~a certain reports~~ report to the Governor and the General
10 Assembly on or before ~~a certain dates~~ date; providing for the termination of the
11 Task Force; defining a certain term; and generally relating to the Task Force on
12 Common Ownership Communities.

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That:

- 1 (a) In this Act, "common ownership community" means:
- 2 (1) a condominium, as defined in § 11-101 of the Real Property Article;
- 3 (2) a cooperative housing corporation, as defined in § 5-6B-01 of the
4 Corporations and Associations Article; and
- 5 (3) a homeowners association, as defined in § 11B-101 of the Real
6 Property Article.
- 7 ~~(a)~~ (b) There is a Task Force on Common Ownership Communities.
- 8 ~~(b)~~ (c) The Task Force consists of the following members:
- 9 (1) ~~two members~~ one member of the Senate of Maryland, appointed by
10 the President of the Senate;
- 11 (2) two members of the House of Delegates, appointed by the Speaker of
12 the House;
- 13 (3) the Secretary of Housing and Community Development, or the
14 Secretary's designee;
- 15 (4) the Secretary of Labor, Licensing, and Regulation, or the Secretary's
16 designee;
- 17 (5) one representative of the Consumer Protection Division of the
18 Attorney General's Office;
- 19 (6) one representative from the field of alternative dispute resolution,
20 appointed by the Chief Judge of the Maryland Court of Appeals; ~~and~~
- 21 ~~(7) five sixteen representatives of the general public, appointed by the~~
22 ~~Governor;~~
- 23 (i) ~~three of whom are members of a common ownership community~~
24 ~~board; and~~
- 25 (ii) ~~two eight of whom:~~
- 26 (7) eight representatives of the general public, appointed by the President
27 of the Senate and the Speaker of the House:
- 28 (i) four of whom are members of a board of directors of a large
29 common ownership community; and
- 30 (ii) four of whom are members of a board of directors of a medium or
31 small common ownership community; and
- 32 (8) eight representatives of the general public, appointed by the Governor;

- 1 (i) ~~three of whom:~~
- 2 1. own a home or dwelling unit in a common ownership
3 community; and
- 4 2. are not members of a board of directors of a common
5 ownership community ~~board;~~
- 6 ~~(iii)~~ (ii) one of whom is an attorney with experience representing
7 common ownership communities;
- 8 ~~(iv)~~ (iii) one of whom is an insurance agent or broker with
9 experience serving common ownership communities;
- 10 ~~(v)~~ (iv) one of whom is a certified public accountant with
11 experience serving common ownership communities;
- 12 ~~(vi)~~ (v) one of whom is a manager of a common ownership
13 community; and
- 14 ~~(vii)~~ (vi) one of whom is a representative of the Maryland State
15 Builders Association.
- 16 (↵) (d) The Task Force shall elect a chair from among its members.
- 17 (↵) (e) The Department of Housing and Community Development shall
18 provide staff for the Task Force.
- 19 (↵) (f) A member of the Task Force:
- 20 (1) may not receive compensation; but
- 21 (2) is entitled to reimbursement for expenses under the Standard State
22 Travel Regulations, as provided in the State budget.
- 23 (↵) (g) The Task Force shall study:
- 24 (1) the education and training needs of common ownership community
25 boards and new and prospective owners of homes and dwelling units in common
26 ownership communities;
- 27 (2) ~~the advisability of creating a permanent Commission on Common~~
28 ~~Ownership Communities;~~
- 29 (3) ~~the feasibility of establishing~~ alternative dispute resolution services
30 for common ownership communities ~~comparable to those available in Montgomery~~
31 ~~County and all other counties in the State; and~~
- 32 (4) (3) the ~~feasibility~~ desirability of adopting provisions of the Uniform
33 Common Interest Ownership Act (1994), ~~as prepared~~ promulgated by the National
34 Conference of Commissioners on Uniform State Laws;

1 (4) issues facing aging common ownership communities; ~~and~~

2 (5) issues relating to the collection of assessments; and

3 (6) issues relating to the resale by owners of homes located in common
4 ownership communities, including:

5 (i) the time frames for the delivery of documents and statements to
6 sellers and to buyers;

7 (ii) the content of documents and statements that sellers must
8 provide to buyers;

9 (iii) the consequences when time frames for the delivery of documents
10 and statements to sellers and to buyers are not satisfied;

11 (iv) the time period within which a buyer may rescind a sales
12 contract without any liability; and

13 (v) the resale of homes that are subject to multiple common
14 ownership regimes and the coordination of the preparation of the documents and
15 statements for the resale process.

16 ~~(g)~~ (h) The Task Force shall submit ~~an interim report on its findings and~~
17 ~~recommendations on or before June 30, 2006, and~~ a final report on or before
18 December 31, 2006, to the Governor and, subject to § 2-1246 of the State Government
19 Article, the General Assembly.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 June 1, 2005. It shall remain effective for a period of 1 year and 7 months and, at the
22 end of December 31, 2006, with no further action required by the General Assembly,
23 this Act shall be abrogated and of no further force and effect.