

HOUSE BILL 566

N1, L1

0lr0868

By: **Prince George's County Delegation**

Introduced and read first time: February 3, 2010

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2010

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Community Association Property Management**
3 **Services – Registration**

4 **PG 419–10**

5 FOR the purpose of requiring, in Prince George's County, that the Office of
6 Community Relations establish a certain registry of entities providing certain
7 community association management services for condominiums, homeowners
8 associations, or cooperative housing corporations located in the county;
9 requiring certain entities to register with the registry; requiring an entity to
10 register annually by a certain date and pay a certain fee; requiring the Office to
11 provide the registration form and collect a certain fee; requiring the annual fee
12 to be a certain amount; requiring certain information to be included in the
13 registration form; authorizing the Office to make certain information available
14 to the public under certain conditions; making a willful violation of this Act a
15 misdemeanor subject on conviction to a certain penalty; defining certain terms;
16 providing for the application of this Act; and generally relating to the
17 registration of entities providing community association property management
18 services in Prince George's County.

19 BY adding to
20 Article – Real Property
21 Section 14–130
22 Annotated Code of Maryland
23 (2003 Replacement Volume and 2009 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Real Property**

4 **14-130.**

5 (A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE
6 MEANINGS INDICATED.

7 (2) “COMMUNITY ASSOCIATION” MEANS:

8 (I) A CONDOMINIUM COUNCIL OF UNIT OWNERS
9 ORGANIZED UNDER TITLE 11, SUBTITLE 1 OF THIS ARTICLE;

10 (II) A HOMEOWNERS ASSOCIATION ORGANIZED UNDER
11 TITLE 11B OF THIS ARTICLE; OR

12 (III) A COOPERATIVE HOUSING CORPORATION ORGANIZED
13 UNDER TITLE 5, SUBTITLE 6B OF THE CORPORATIONS AND ASSOCIATIONS
14 ARTICLE.

15 (3) “COMMUNITY ASSOCIATION MANAGEMENT” MEANS TO
16 MANAGE THE COMMON PROPERTY AND SERVICES OF A COMMUNITY
17 ASSOCIATION WITH THE AUTHORITY OF THE COMMUNITY ASSOCIATION IN ITS
18 BUSINESS, LEGAL, FINANCIAL, OR OTHER TRANSACTIONS WITH ASSOCIATION
19 MEMBERS AND NONMEMBERS FOR A FEE, COMMISSION, OR OTHER VALUABLE
20 CONSIDERATION, INCLUDING:

21 (I) COLLECTING MONTHLY ASSESSMENTS;

22 (II) PREPARING BUDGETS, FINANCIAL STATEMENTS, OR
23 OTHER FINANCIAL REPORTS;

24 (III) NEGOTIATING CONTRACTS OR OTHERWISE
25 COORDINATING OR ARRANGING FOR SERVICES OR THE PURCHASE OF
26 PROPERTY OR GOODS FOR OR ON BEHALF OF A COMMUNITY ASSOCIATION;

27 (IV) EXECUTING THE RESOLUTIONS AND DECISIONS OF A
28 COMMUNITY ASSOCIATION AND ASSISTING THE GOVERNING BODY OF A
29 COMMUNITY ASSOCIATION AND ASSOCIATION MEMBERS IN COMPLYING WITH
30 LAWS, CONTRACTS, COVENANTS, RULES, AND BYLAWS;

1 (V) MANAGING THE OPERATION AND MAINTENANCE OF
2 COMMUNITY-OWNED PROPERTIES, INCLUDING COMMUNITY CENTERS, POOLS,
3 GOLF COURSES, AND PARKING AREAS; AND

4 (VI) ARRANGING, CONDUCTING, OR COORDINATING
5 MEETINGS OF A COMMUNITY ASSOCIATION OR THE GOVERNING BODY OF AN
6 ASSOCIATION.

7 (4) "OFFICE" MEANS THE PRINCE GEORGE'S COUNTY OFFICE OF
8 COMMUNITY RELATIONS.

9 (5) "REGISTRY" MEANS THE COMMUNITY ASSOCIATION
10 MANAGERS REGISTRY.

11 (B) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

12 (C) ON OR AFTER JANUARY 1, 2011, THE OFFICE SHALL ESTABLISH A
13 REGISTRY.

14 (D) ANY ENTITY, INCLUDING A SOLE PROPRIETORSHIP, THAT PROVIDES
15 COMMUNITY ASSOCIATION MANAGEMENT SERVICES FOR COMMUNITY
16 ASSOCIATIONS LOCATED IN THE COUNTY SHALL REGISTER WITH THE REGISTRY
17 AND RENEW ITS REGISTRATION BY JANUARY 31 OF EACH YEAR.

18 (E) (1) THE OFFICE SHALL:

19 (I) PROVIDE THE REGISTRATION FORM; AND

20 (II) COLLECT A ~~REASONABLE~~ FEE FROM EACH ENTITY THAT
21 REGISTERS UNDER THIS SECTION.

22 (2) THE ANNUAL FEE CHARGED SHALL BE SET ~~TO PRODUCE~~
23 ~~FUNDS TO APPROXIMATE THE COST OF MAINTAINING THE REGISTRY, BUT MAY~~
24 ~~NOT BE LESS THAN~~ AT \$100.

25 (F) THE REGISTRATION FORM SHALL INCLUDE:

26 (1) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF THE
27 ENTITY PROVIDING COMMUNITY ASSOCIATION MANAGEMENT SERVICES;

28 (2) THE NAMES, TITLES, AND BUSINESS TELEPHONE NUMBERS OF
29 THE PRINCIPAL OFFICERS OF THE ENTITY;

1 **(3) THE DESIGNATED CONTACT PERSON OF THE ENTITY,**
2 **INCLUDING NAME, ADDRESS, TITLE, TELEPHONE NUMBER, AND ELECTRONIC**
3 **MAIL ADDRESS;**

4 **(4) THE LENGTH OF TIME THE ENTITY HAS BEEN IN EXISTENCE**
5 **AND THE LENGTH OF TIME THE ENTITY HAS PROVIDED COMMUNITY**
6 **ASSOCIATION MANAGEMENT SERVICES; AND**

7 **(5) A LISTING OF ALL COMMUNITY ASSOCIATIONS IN THE COUNTY**
8 **AS OF DECEMBER 31 OF THE PREVIOUS YEAR FOR WHICH THE ENTITY**
9 **PROVIDED COMMUNITY ASSOCIATION MANAGEMENT SERVICES.**

10 **(G) THE OFFICE MAY MAKE ANY INFORMATION RECEIVED UNDER THIS**
11 **SECTION AVAILABLE TO THE PUBLIC, SUBJECT TO THE PROVISIONS OF THE**
12 **MARYLAND PUBLIC INFORMATION ACT.**

13 **(H) A PERSON WHO COMMITS A WILLFUL VIOLATION OF THIS SECTION**
14 **OR WHO CAUSES A PERSON TO COMMIT A WILLFUL VIOLATION OF THIS SECTION**
15 **IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT**
16 **EXCEEDING \$1,000.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2010.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.