

HOUSE BILL 1124

N1, C1

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By: **Delegates Holmes, Glenn, Healey, Lafferty, Niemann, Sossi, and Stull**

Introduced and read first time: February 17, 2010

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Common Ownership Communities – Annual Registration**

3 FOR the purpose of requiring cooperative housing corporations, condominiums, and
4 homeowners associations to register annually with the Division of Consumer
5 Protection of the Office of the Attorney General; authorizing the Division of
6 Consumer Protection to charge a certain registration fee; requiring the
7 registration form to include certain information; requiring cooperative housing
8 corporations, condominiums, and homeowners associations to notify the
9 Division of Consumer Protection of changes in registration information under
10 certain circumstances; and generally relating to the annual registration of
11 common ownership communities.

12 BY adding to

13 Article – Corporations and Associations

14 Section 5–6B–12.1

15 Annotated Code of Maryland

16 (2007 Replacement Volume and 2009 Supplement)

17 BY adding to

18 Article – Real Property

19 Section 11–130.1 and 11B–115.1

20 Annotated Code of Maryland

21 (2003 Replacement Volume and 2009 Supplement)

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

24 **Article – Corporations and Associations**

25 **5–6B–12.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, “DIVISION” MEANS THE DIVISION OF CONSUMER**
2 **PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL.**

3 **(B) (1) EACH COOPERATIVE HOUSING CORPORATION SHALL**
4 **REGISTER BY DECEMBER 1 OF EACH YEAR WITH THE DIVISION ON THE FORM**
5 **THE DIVISION PRESCRIBES.**

6 **(2) EACH NEWLY CREATED COOPERATIVE HOUSING**
7 **CORPORATION SHALL REGISTER WITH THE DIVISION NO LATER THAN 30 DAYS**
8 **AFTER THE DATE THE ARTICLES OF INCORPORATION ARE FILED WITH THE**
9 **DEPARTMENT OF ASSESSMENTS AND TAXATION.**

10 **(C) THE DIVISION MAY CHARGE A REGISTRATION FEE NOT TO EXCEED:**

11 **(1) FOR A COOPERATIVE HOUSING CORPORATION CONSISTING OF**
12 **200 OR FEWER UNITS, \$10;**

13 **(2) FOR A COOPERATIVE HOUSING CORPORATION CONSISTING OF**
14 **201 TO 1,000 UNITS, \$30; AND**

15 **(3) FOR A COOPERATIVE HOUSING CORPORATION CONSISTING OF**
16 **MORE THAN 1,000 UNITS, \$50.**

17 **(D) THE REGISTRATION FORM SHALL INCLUDE:**

18 **(1) THE NAME, ADDRESS, AND COUNTY OF THE COOPERATIVE**
19 **HOUSING CORPORATION;**

20 **(2) THE NAME, CONTACT INFORMATION, AND POSITION OF EACH**
21 **MEMBER OF THE BOARD OF DIRECTORS OF THE COOPERATIVE HOUSING**
22 **CORPORATION;**

23 **(3) THE NAME AND CONTACT INFORMATION OF ANY COMMUNITY**
24 **MANAGER OR COMMUNITY MANAGEMENT CONTRACTOR EMPLOYED BY THE**
25 **COOPERATIVE HOUSING CORPORATION; AND**

26 **(4) ANY OTHER INFORMATION REQUIRED BY THE DIVISION.**

27 **(E) A COOPERATIVE HOUSING CORPORATION SHALL NOTIFY THE**
28 **DIVISION IN WRITING OF ANY CHANGE TO THE INFORMATION CONTAINED IN**
29 **THE REGISTRATION NOT LATER THAN 30 DAYS AFTER THE CHANGE TAKES**
30 **EFFECT.**

11-130.1.

(A) IN THIS SECTION, "DIVISION" MEANS THE DIVISION OF CONSUMER PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL.

(B) (1) EACH CONDOMINIUM SHALL REGISTER BY DECEMBER 1 OF EACH YEAR WITH THE DIVISION ON THE FORM THE DIVISION PRESCRIBES.

(2) EACH NEWLY CREATED CONDOMINIUM SHALL REGISTER WITH THE DIVISION NO LATER THAN 30 DAYS AFTER THE DATE THE DECLARATION, BYLAWS, AND CONDOMINIUM PLAT ARE FILED IN THE LAND RECORDS OF THE COUNTY WHERE THE CONDOMINIUM IS LOCATED.

(C) THE DIVISION MAY CHARGE A REGISTRATION FEE NOT TO EXCEED:

(1) FOR A CONDOMINIUM CONSISTING OF 200 OR FEWER UNITS, \$10;

(2) FOR A CONDOMINIUM CONSISTING OF 201 TO 1,000 UNITS, \$30; AND

(3) FOR A CONDOMINIUM CONSISTING OF MORE THAN 1,000 UNITS, \$50.

(D) THE REGISTRATION FORM SHALL INCLUDE:

(1) THE NAME, ADDRESS, AND COUNTY OF THE CONDOMINIUM;

(2) THE NAME, CONTACT INFORMATION, AND POSITION OF EACH MEMBER OF THE BOARD OF DIRECTORS OF THE CONDOMINIUM;

(3) THE NAME AND CONTACT INFORMATION OF ANY PROPERTY MANAGER OR PROPERTY MANAGEMENT CONTRACTOR EMPLOYED BY THE CONDOMINIUM; AND

(4) ANY OTHER INFORMATION REQUIRED BY THE DIVISION.

(E) A CONDOMINIUM SHALL NOTIFY THE DIVISION IN WRITING OF ANY CHANGE TO THE INFORMATION CONTAINED IN THE REGISTRATION NO LATER THAN 30 DAYS AFTER THE CHANGE TAKES EFFECT.

11B-115.1.

1 **(A) IN THIS SECTION, "DIVISION" MEANS THE DIVISION OF CONSUMER**
2 **PROTECTION OF THE OFFICE OF THE ATTORNEY GENERAL.**

3 **(B) (1) EACH HOMEOWNERS ASSOCIATION SHALL REGISTER BY**
4 **DECEMBER 1 OF EACH YEAR WITH THE DIVISION ON THE FORM THE DIVISION**
5 **PRESCRIBES.**

6 **(2) EACH NEWLY CREATED HOMEOWNERS ASSOCIATION SHALL**
7 **REGISTER WITH THE DIVISION NO LATER THAN 30 DAYS AFTER THE DATE THE**
8 **DECLARATION IS FILED IN THE LAND RECORDS OF THE COUNTY WHERE THE**
9 **HOMEOWNERS ASSOCIATION IS LOCATED.**

10 **(C) THE DIVISION MAY CHARGE A REGISTRATION FEE NOT TO EXCEED:**

11 **(1) FOR A HOMEOWNERS ASSOCIATION CONSISTING OF 200 OR**
12 **FEWER LOTS, \$10;**

13 **(2) FOR A HOMEOWNERS ASSOCIATION CONSISTING OF 201 TO**
14 **1,000 LOTS, \$30; AND**

15 **(3) FOR A HOMEOWNERS ASSOCIATION CONSISTING OF MORE**
16 **THAN 1,000 LOTS, \$50.**

17 **(D) THE REGISTRATION FORM SHALL INCLUDE:**

18 **(1) THE NAME, ADDRESS, AND COUNTY OF THE HOMEOWNERS**
19 **ASSOCIATION;**

20 **(2) THE NAME, CONTACT INFORMATION, AND POSITION OF EACH**
21 **MEMBER OF THE GOVERNING BODY OF THE HOMEOWNERS ASSOCIATION;**

22 **(3) THE NAME AND CONTACT INFORMATION OF ANY COMMUNITY**
23 **MANAGER OR COMMUNITY MANAGEMENT CONTRACTOR EMPLOYED BY THE**
24 **HOMEOWNERS ASSOCIATION; AND**

25 **(4) ANY OTHER INFORMATION REQUIRED BY THE DIVISION.**

26 **(E) A HOMEOWNERS ASSOCIATION SHALL NOTIFY THE DIVISION IN**
27 **WRITING OF ANY CHANGE TO THE INFORMATION CONTAINED IN THE**
28 **REGISTRATION NO LATER THAN 30 DAYS AFTER THE CHANGE TAKES EFFECT.**

29 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
30 **October 1, 2010.**