

## **Chapter 421**

**(House Bill 566)**

AN ACT concerning

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

**PG 419–10**

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

BY adding to

Article – Real Property

Section 14–130

Annotated Code of Maryland

(2003 Replacement Volume and 2009 Supplement)

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

#### **Article – Real Property**

**14–130.**

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

**(2) “COMMUNITY ASSOCIATION” MEANS:**

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

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

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

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

**(I) COLLECTING MONTHLY ASSESSMENTS;**

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

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

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

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

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

**(4) “OFFICE” MEANS THE PRINCE GEORGE’S COUNTY OFFICE OF COMMUNITY RELATIONS.**

**(5) "REGISTRY" MEANS THE COMMUNITY ASSOCIATION MANAGERS REGISTRY.**

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

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

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

**(E) (1) THE OFFICE SHALL:**

**(I) PROVIDE THE REGISTRATION FORM; AND**

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

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

**(F) THE REGISTRATION FORM SHALL INCLUDE:**

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

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

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

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

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

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

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

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

**Approved by the Governor, May 4, 2010.**