

# HOUSE BILL 99

N1

11r0435

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By: **Delegate Braveboy**

Introduced and read first time: January 24, 2011

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Homeowners Association Elections – Enforcement by the**  
3 **Division of Consumer Protection**

4 FOR the purpose of providing that a violation of a provision of the governing  
5 documents of a homeowners association that regulates procedures for the  
6 election of the governing body of the association is within the enforcement  
7 duties and powers of the Division of Consumer Protection of the Office of the  
8 Attorney General; and generally relating to enforcement of the election  
9 procedures of a homeowners association.

10 BY repealing and reenacting, with amendments,  
11 Article – Real Property  
12 Section 11B–115(c)  
13 Annotated Code of Maryland  
14 (2010 Replacement Volume and 2010 Supplement)

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

17 **Article – Real Property**

18 11B–115.

19 (c) (1) [To the extent that a] **A** violation [of any provision of this title  
20 affects a consumer, that violation shall be] **IS** within the scope of the enforcement  
21 duties and powers of the Division of Consumer Protection of the Office of the Attorney  
22 General, as described in Title 13 of the Commercial Law Article, **IF THE VIOLATION**  
23 **IS OF:**

24 **(I) ANY PROVISION OF THIS TITLE, TO THE EXTENT THAT**  
25 **THE VIOLATION AFFECTS A CONSUMER; OR**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(II) A PROVISION OF THE GOVERNING DOCUMENTS OF A**  
2 **HOMEOWNERS ASSOCIATION THAT REGULATES PROCEDURES FOR THE**  
3 **ELECTION OF THE GOVERNING BODY OF THE HOMEOWNERS ASSOCIATION.**

4                   (2) The provisions of this title shall otherwise be enforced by each unit  
5 of State government within the scope of the authority of the unit.

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2011.