

Chapter 101

(House Bill 126)

AN ACT concerning

Maryland Condominium Act – Right of Entry to Investigate Damage and Make Repairs

FOR the purpose of authorizing the council of unit owners of a condominium or its authorized designee to enter units to investigate damage under certain circumstances; ~~repealing a certain restriction on the right of a council of unit owners or its designee to enter a unit~~; requiring a council of unit owners to make a reasonable effort to give notice to the owner of a unit to be entered for the purpose of investigation except under certain circumstances; making stylistic changes; and generally relating to the right of a council of unit owners to enter a unit to investigate damage and make repairs.

BY repealing and reenacting, with amendments,
 Article – Real Property
 Section 11–125(e)
 Annotated Code of Maryland
 (2010 Replacement Volume and 2011 Supplement)

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

Article – Real Property

11–125.

(e) (1) The council of unit owners or its authorized designee shall have an irrevocable right and an easement to enter units to **INVESTIGATE DAMAGE OR** make repairs ~~when the **INVESTIGATION OR** repairs reasonably appear necessary for public safety or to prevent damage to other portions of the condominium~~.

(2) Except in cases involving manifest danger to public safety or property, the council of unit owners shall make a reasonable effort to give notice to the owner of any unit to be entered for the purpose of **INVESTIGATION OR** repair.

(3) If damage is inflicted on the common elements or any unit through which access is taken, the council of unit owners is liable for the prompt repair.

(4) An entry by the council of unit owners for the purposes specified in this subsection may not be considered a trespass.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2012.

Approved by the Governor, April 10, 2012.