

HOUSE BILL 669

N1

8lr2338

By: **Delegate Beidle**

Introduced and read first time: January 31, 2018

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Homeowners Associations – Definition of Lot**

3 FOR the purpose of altering the definition of “lot” in the Maryland Homeowners Association
4 Act; providing for the application of this Act; and generally relating to homeowners
5 associations.

6 BY repealing and reenacting, without amendments,
7 Article – Real Property
8 Section 11B–101(a), (c), (d), (f), and (i)
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2017 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Real Property
13 Section 11B–101(j)
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2017 Supplement)

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

18 **Article – Real Property**

19 11B–101.

20 (a) In this title the following words have the meanings indicated, unless the
21 context requires otherwise.

22 (c) “Declarant” means any person who subjects property to a declaration.

23 (d) (1) “Declaration” means an instrument, however denominated, recorded

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 among the land records of the county in which the property of the declarant is located, that
2 creates the authority for a homeowners association to impose on lots, or on the owners or
3 occupants of lots, or on another homeowners association, condominium, or cooperative
4 housing corporation any mandatory fee in connection with the provision of services or
5 otherwise for the benefit of some or all of the lots, the owners or occupants of lots, or the
6 common areas.

7 (2) "Declaration" includes any amendment or supplement to the
8 instruments described in paragraph (1) of this subsection.

9 (3) "Declaration" does not include a private right-of-way or similar
10 agreement unless it requires a mandatory fee payable annually or at more frequent
11 intervals.

12 (f) (1) "Development" means property subject to a declaration.

13 (2) "Development" includes property comprising a condominium or
14 cooperative housing corporation to the extent that the property is part of a development.

15 (3) "Development" does not include a cooperative housing corporation or a
16 condominium.

17 (i) (1) "Homeowners association" means a person having the authority to
18 enforce the provisions of a declaration.

19 (2) "Homeowners association" includes an incorporated or unincorporated
20 association.

21 (j) (1) "Lot" means any **LEGALLY SUBDIVIDED** plot or parcel of land on which
22 a dwelling is located or will be located within a development.

23 (2) "Lot" includes a unit within a condominium or cooperative housing
24 corporation if the condominium or cooperative housing corporation is part of a development.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to
26 apply retroactively and shall be applied to and interpreted to affect any development for
27 which a declaration was recorded before the effective date of this Act.

28 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 October 1, 2018.