

HOUSE BILL 655

N1

9lr0517

By: **Delegate D.E. Davis**

Introduced and read first time: February 6, 2019

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2019

CHAPTER _____

1 AN ACT concerning

2 **Real Property – Residential Rental Licensing – Common Ownership Community**
3 **Fees**

4 FOR the purpose of requiring a person applying for a certain residential rental license to
5 ~~make a certain certification~~ certify certain information relating to common
6 ownership community fees under certain circumstances; ~~requiring a certain license~~
7 ~~to be revoked under certain circumstances~~ providing that this Act does not preclude
8 a county or municipality from adopting or enforcing requirements that are more
9 stringent than the requirements of this Act; defining certain terms; and generally
10 relating to residential rental licensing and common ownership community fees.

11 BY adding to
12 Article – Real Property
13 Section 14–133
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2018 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 **14–133.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (2) "COMMON OWNERSHIP COMMUNITY" MEANS:

4 (I) A CONDOMINIUM ORGANIZED UNDER TITLE 11 OF THIS
5 ARTICLE;

6 (II) A HOMEOWNERS ASSOCIATION ORGANIZED UNDER TITLE
7 11B OF THIS ARTICLE; OR

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

11 (3) "COMMON OWNERSHIP COMMUNITY FEE" MEANS A ~~FEE CHARGED~~
12 ~~BY A COMMON OWNERSHIP COMMUNITY;~~

13 ~~(I) IN CONNECTION WITH THE PROVISION OF SERVICES; OR~~

14 ~~(II) FOR THE BENEFIT OF COMMON AREAS IN THE COMMUNITY~~
15 ~~REGULAR PERIODIC ASSESSMENT FOR COMMON EXPENSES THAT IS LEVIED IN~~
16 ~~ACCORDANCE WITH THE REQUIREMENTS OF THE DECLARATION OR BYLAWS OF THE~~
17 ~~COMMON OWNERSHIP COMMUNITY.~~

18 (B) THIS SECTION APPLIES ONLY TO RESIDENTIAL DWELLING UNITS
19 LOCATED IN COMMON OWNERSHIP COMMUNITIES.

20 (C) A PERSON APPLYING TO A COUNTY OR MUNICIPALITY FOR A NEW OR
21 RENEWED LICENSE TO RENT A RESIDENTIAL DWELLING UNIT SHALL CERTIFY IN THE
22 APPLICATION THAT THE DWELLING UNIT IS NOT MORE THAN ~~30~~ 60 DAYS IN ARREARS
23 FOR ~~ANY~~ A COMMON OWNERSHIP COMMUNITY FEE.

24 ~~(D) A COUNTY OR MUNICIPALITY SHALL REVOKE A LICENSE IT HAS ISSUED~~
25 ~~AUTHORIZING A PERSON TO RENT A RESIDENTIAL DWELLING UNIT IF:~~

26 ~~(1) THE COUNTY OR MUNICIPAL RENTAL LICENSING AUTHORITY~~
27 ~~RECEIVES NOTICE FROM A COMMON OWNERSHIP COMMUNITY THAT THE DWELLING~~
28 ~~UNIT IS MORE THAN 30 DAYS IN ARREARS FOR A COMMON OWNERSHIP COMMUNITY~~
29 ~~FEE;~~

30 ~~(2) THE COUNTY OR MUNICIPAL RENTAL LICENSING AUTHORITY~~
31 ~~PROVIDES NOTICE TO THE LICENSE HOLDER OF THE ARREARAGE; AND~~

1 ~~(3) THE LICENSE HOLDER HAS NOT PAID THE FEE WITHIN 30 DAYS~~
2 ~~AFTER RECEIVING THE NOTICE UNDER PARAGRAPH (2) OF THIS SUBSECTION.~~

3 **(D) THIS SECTION DOES NOT PRECLUDE A COUNTY OR MUNICIPALITY FROM**
4 **ADOPTING AND ENFORCING REQUIREMENTS THAT ARE MORE STRINGENT THAN THE**
5 **REQUIREMENTS OF THIS SECTION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.