

# HOUSE BILL 502

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HB 299/25 – ENT

6lr1699

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By: **Delegate Holmes**

Introduced and read first time: January 27, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Governing Bodies of Common Ownership Communities –**  
3 **Member Training**

4 FOR the purpose of requiring certain members of a board of directors or certain officers of  
5 a council of unit owners of certain condominiums and certain members of a governing  
6 body of a homeowners association to successfully complete a certain training  
7 curriculum in a certain manner and subject to certain requirements; and generally  
8 relating to members of governing bodies of condominiums and homeowners  
9 associations.

10 BY repealing and reenacting, with amendments,  
11 Article – Real Property  
12 Section 11–109 and 11B–106.1(g)  
13 Annotated Code of Maryland  
14 (2023 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, without amendments,  
16 Article – Real Property  
17 Section 11B–106.1(a)  
18 Annotated Code of Maryland  
19 (2023 Replacement Volume and 2025 Supplement)

20 BY adding to  
21 Article – Real Property  
22 Section 11B–106.1(g)  
23 Annotated Code of Maryland  
24 (2023 Replacement Volume and 2025 Supplement)

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



## 1 Article – Real Property

2 11–109.

3 (a) The affairs of the condominium shall be governed by a council of unit owners  
4 which, even if unincorporated, is constituted a legal entity for all purposes. The council of  
5 unit owners shall be comprised of all unit owners.6 (b) The bylaws may authorize or provide for the delegation of any power of the  
7 council of unit owners to a board of directors, officers, managing agent, or other person for  
8 the purpose of carrying out the responsibilities of the council of unit owners.9 (C) (1) THIS SUBSECTION APPLIES ONLY TO A MEMBER OF A BOARD OF  
10 DIRECTORS OR AN OFFICER OF A COUNCIL OF UNIT OWNERS FOR A CONDOMINIUM  
11 THAT IS COMPOSED SOLELY OF RESIDENTIAL FOR-SALE HOUSING OR CONSUMER  
12 REALTY WHO SERVES AFTER A MEETING REQUIRED UNDER SUBSECTION (D)(16) OF  
13 THIS SECTION.14 (2) (I) EACH MEMBER OF A BOARD OF DIRECTORS OR OFFICER OF  
15 A COUNCIL OF UNIT OWNERS SHALL SUCCESSFULLY COMPLETE A TRAINING  
16 CURRICULUM ON THE RESPONSIBILITIES OF BEING A MEMBER OR AN OFFICER  
17 DEVELOPED BY:18 1. A COMMON OWNERSHIP COMMISSION RECOGNIZED  
19 BY THE STATE OR A LOCAL GOVERNMENT;20 2. AN ORGANIZATION APPROVED TO ADMINISTER THE  
21 TRAINING CURRICULUM BY A RECOGNIZED COMMON OWNERSHIP COMMISSION;22 3. AN INSTITUTION ACCREDITED BY THE MIDDLE  
23 STATES COMMISSION ON HIGHER EDUCATION;24 4. A MEMBERSHIP ORGANIZATION THAT OFFERS  
25 NATIONALLY RECOGNIZED CERTIFICATION CREDENTIALS FOR COMMUNITY  
26 MANAGERS; OR27 5. A COUNTY WITH COURSEWORK ESTABLISHED BY THE  
28 COUNTY COMMON OWNERSHIP COMMISSION.29 (II) A TRAINING CURRICULUM DEVELOPED UNDER THIS  
30 PARAGRAPH SHALL INCLUDE TRAINING ON:31 1. THE MARYLAND HOMEOWNERS ASSOCIATION ACT,  
32 THE MARYLAND CONDOMINIUM ACT, AND THE MARYLAND COOPERATIVE  
33 HOUSING CORPORATION ACT;

**(I) IS FIRST ELECTED OR APPOINTED TO THE OFFICE; OR**

22 (4) (i) THE BOARD OF DIRECTORS OR THE OFFICERS OF THE  
23 COUNCIL OF UNIT OWNERS SHALL:

4 (II) A CERTIFICATE OF COMPLETION ISSUED UNDER THIS  
5 PARAGRAPH SHALL BE VALID FOR 3 YEARS.

6 (III) AN INDIVIDUAL WHO REMAINS A MEMBER OF THE BOARD OF  
7 DIRECTORS OR AN OFFICER OF THE COUNCIL OF UNIT OWNERS AT THE TIME THE  
8 CERTIFICATE EXPIRES SHALL RENEW THE CERTIFICATION BY SUCCESSFULLY  
9 COMPLETING THE TRAINING REQUIRED UNDER THIS SUBSECTION.

**(I) REMOVE THE INDIVIDUAL FROM THE OFFICE; OR**

**(II) INVALIDATE A VOTE OF THE INDIVIDUAL.**

16        [(c)] (D) (1) A meeting of the council of unit owners or board of directors may  
17 not be held on less notice than required by this section.

24 (4) A regular or special meeting of the council of unit owners may not be  
25 held on less than 10 nor more than 90 days':

26 (i) Written notice delivered or mailed to each unit owner at the  
27 address shown on the roster on the date of the notice; or

(ii) Notice sent to each unit owner by electronic transmission, if the requirements of § 11–139.1 of this title are met.

30 (5) Notice of special meetings of the board of directors shall be given:

31 (i) As provided in the bylaws; or

(ii) If the requirements of § 11-139.1 of this title are met, by electronic transmission.

(6) Except as provided in § 11-109.1 of this title, a meeting of a governing body shall be open and held at a time and location as provided in the notice or bylaws.

5 (7) (i) This paragraph does not apply to any meeting of the governing  
6 body that occurs at any time before the meeting at which the unit owners elect officers or a  
7 board of directors in accordance with paragraph (16) of this subsection.

(ii) Subject to subparagraph (iii) of this paragraph and to reasonable rules adopted by the governing body under § 11–111 of this title, a governing body shall provide a designated period of time during a meeting to allow unit owners an opportunity to comment on any matter relating to the condominium.

15 (iv) The governing body shall convene at least one meeting each year  
16 at which the agenda is open to any matter relating to the condominium.

21 (ii) If the number of persons present in person or by proxy at a  
22 properly called meeting of the council of unit owners is insufficient to constitute a quorum,  
23 an additional meeting of the council of unit owners may be called for the same purpose if:

24 1. The notice of the initial properly called meeting stated:

27 B. The date, time, and place of the additional meeting; and

28                           2. A majority of the unit owners present vote in person or by  
29 proxy to call for the additional meeting.

30 (iii) 1. An additional meeting called under subparagraph (ii) of  
31 this paragraph shall occur not less than 15 days after the initial properly called meeting.

10 (iv) 1. At the additional meeting, the unit owners present in  
11 person or by proxy constitute a quorum.

14 A. May approve or authorize the proposed action at the  
15 additional meeting; and

25 (10) Any proxy may be revoked at any time at the pleasure of the unit owner  
26 or unit owners executing the proxy.

(14) Election materials prepared with funds of the council of unit owners shall list candidates in alphabetical order and may not indicate a candidate preference.

10 (15) Unless otherwise provided in this title, and subject to provisions in the  
11 bylaws requiring a different majority, decisions of the council of unit owners shall be made  
12 on a majority of votes of the unit owners listed on the current roster present and voting.

22 (ii) 1. Before the date of the meeting held under subparagraph  
23 (i) of this paragraph, the developer shall deliver to each unit owner notice that the  
24 requirements of subparagraph (i) of this paragraph have been met.

30 (iv) Within 30 days from the date of the meeting held under  
31 subparagraph (i) of this paragraph, the developer shall deliver to the officers or board of  
32 directors for the council of unit owners, as provided in the condominium declaration or  
33 bylaws, at the developer's expense:

34 1. The documents specified in § 11–132 of this title;

3. The tangible property of the condominium; and

4. A roster of current unit owners, including mailing numbers, and unit numbers, if known.

4 (v) The replacement reserves delivered under subparagraph (iv)2 of  
5 this paragraph for a residential condominium shall be equal to at least the reserve funding  
6 amount recommended in the reserve study completed under § 11-109.4 of this title as of  
7 the date of the meeting.

8 (vi) 1. This subparagraph does not apply to a contract entered  
9 into before October 1, 2009.

2. A. In this subparagraph, "contract" means an agreement by a company or individual to handle financial matters, maintenance, or other services for another company or individual.

B. "Contract" does not include an agreement relating to the  
use or communication systems.

3. Until all members of the board of directors of the  
l by the unit owners at a transitional meeting as specified in  
paragraph, a contract entered into by the officers or board of  
ium may be terminated, at the discretion of the board of directors  
he termination, not later than 30 days after notice.

If the developer fails to comply with the requirements of this unit owner may submit the dispute to the Division of Consumer Protection of the Attorney General under § 11-130(c) of this title.

Elections, including the collection and counting of ballots and the officers or members of the governing body other than the full list of unit owners shall be conducted by independent parties who:

1 Are not candidates in the election; and

2. Do not have a conflict of interest regarding any candidate

(ii) A unit owner is an independent party if the unit owner:

1. Complies with the requirements of this section;

2. Does not electioneer for any candidate; and

3. Is not subject to an objection by more than 25 percent of  
the eligible voting members of the council of unit owners.

(18) The governing body may retain a third-party vendor or employ a commercial technology platform to conduct an election.

8 (19) Individuals conducting an election shall make reasonable efforts to  
9 ensure that the election is fair and that there is accountability for the process and the  
10 results of the election.

11 (20) A unit owner designated to conduct an election who acts in good faith  
12 is not personally liable in connection with the conduct of the election.

(22) Provisions of the governing documents, rules, or regulations of a condominium relating to the conduct of elections that are inconsistent with the requirements of this section are unenforceable and void

22        **(d) (E)**    The council of unit owners may be either incorporated as a nonstock  
23 corporation or unincorporated and it is subject to those provisions of Title 5, Subtitle 2 of  
24 the Corporations and Associations Article which are not inconsistent with this title. The  
25 council of unit owners has, subject to any provision of this title, and except as provided in  
26 item (22) of this subsection, the declaration, and bylaws, the following powers:

(1) To have perpetual existence, subject to the right of the unit owners to terminate the condominium regime as provided in § 11–123 of this title:

29 (2) To adopt and amend reasonable rules and regulations;

30 (3) To adopt and amend budgets for revenues, expenditures, and reserves  
31 and collect assessments for common expenses from unit owners;

32 (4) To sue and be sued, complain and defend, or intervene in litigation or  
33 administrative proceedings in its own name on behalf of itself or two or more unit owners  
34 on matters affecting the condominium;

(5) To transact its business, carry on its operations and exercise the powers provided in this subsection in any state, territory, district, or possession of the United States and in any foreign country;

(7) To issue bonds, notes, and other obligations and secure the same by  
mortgage or deed of trust of any part of its property, franchises, and income;

12 (9) To hire and terminate managing agents and other employees, agents,  
13 and independent contractors;

22 (12) To regulate the use, maintenance, repair, replacement, and  
23 modification of common elements;

24 (13) To cause additional improvements to be made as a part of the general  
25 common elements;

26 (14) To grant easements, rights-of-way, licenses, leases in excess of 1 year,  
27 or similar interests through or over the common elements in accordance with § 11-125(f)  
28 of this title;

29 (15) To impose and receive any payments, fees, or charges for the use, rental,  
30 or operation of the common elements other than limited common elements;

31 (16) To impose charges for late payment of assessments and, after notice  
32 and an opportunity to be heard, levy reasonable fines for violations of the declaration,  
33 bylaws, and rules and regulations of the council of unit owners, under § 11–113 of this title;

4 (18) To provide for the indemnification of and maintain liability insurance  
5 for officers, directors, and any managing agent or other employee charged with the  
6 operation or maintenance of the condominium;

(19) To enforce the implied warranties made to the council of unit owners by the developer under § 11–131 of this title;

(20) To enforce the provisions of this title, the declaration, bylaws, and rules and regulations of the council of unit owners against any unit owner or occupant;

15 (22) To designate parking for individuals with disabilities, notwithstanding  
16 any provision in the declaration, bylaws, or rules and regulations.

17        **(e) (F)**      A unit owner may not have any right, title, or interest in any property  
18 owned by the council of unit owners other than as holder of a percentage interest in common  
19 expenses and common profits appurtenant to his unit.

20        **[(f)] (G)**      A unit owner's rights as holder of a percentage interest in common  
21 expenses and common profits are such that:

22 (1) A unit owner's right to possess, use, or enjoy property of the council of  
23 unit owners shall be as provided in the bylaws; and

24 (2) A unit owner's interest in the property is not assignable or attachable  
25 separate from his unit except as provided in §§ 11-107(d) and 11-112(g) of this title.

26 11B-106.1.

27 (a) A meeting of the members of the homeowners association to elect a governing  
28 body of the homeowners association shall be held within:

32 (2) If a lesser percentage is specified in the governing documents of the  
33 homeowners association, 60 days from the date the specified lesser percentage of the total

1 number of lots in the development after all phases are complete are sold to members of the  
2 public for residential purposes.

3 (G) (1) THIS SUBSECTION APPLIES ONLY TO A MEMBER OF THE  
4 GOVERNING BODY OF A HOMEOWNERS ASSOCIATION THAT CONSISTS SOLELY OF  
5 RESIDENTIAL FOR-SALE HOUSING WHO SERVES AFTER THE MEETING REQUIRED  
6 UNDER SUBSECTION (A) OF THIS SECTION.

7 (2) (I) EACH MEMBER OF THE GOVERNING BODY SHALL  
8 SUCCESSFULLY COMPLETE A TRAINING CURRICULUM ON THE RESPONSIBILITIES OF  
9 A MEMBER OF THE GOVERNING BODY DEVELOPED BY:

10 1. A COMMON OWNERSHIP COMMISSION RECOGNIZED  
11 BY THE STATE OR A LOCAL GOVERNMENT;

12 2. AN ORGANIZATION APPROVED TO ADMINISTER THE  
13 TRAINING CURRICULUM BY A RECOGNIZED COMMON OWNERSHIP COMMISSION;

14 3. AN INSTITUTION ACCREDITED BY THE MIDDLE  
15 STATES COMMISSION ON HIGHER EDUCATION;

16 4. A MEMBERSHIP ORGANIZATION THAT OFFERS  
17 NATIONALLY RECOGNIZED CERTIFICATION CREDENTIALS FOR COMMUNITY  
18 MANAGERS; OR

19 5. A COUNTY WITH COURSEWORK ESTABLISHED BY THE  
20 COUNTY COMMON OWNERSHIP COMMISSION.

21 (II) A TRAINING CURRICULUM DEVELOPED UNDER THIS  
22 PARAGRAPH SHALL INCLUDE TRAINING ON:

23 1. THE MARYLAND HOMEOWNERS ASSOCIATION ACT,  
24 THE MARYLAND CONDOMINIUM ACT, AND THE MARYLAND COOPERATIVE  
25 HOUSING CORPORATION ACT;

26 2. ROLES AND RESPONSIBILITIES OF COMMON  
27 OWNERSHIP COMMUNITY GOVERNING BODIES;

28 3. FIDUCIARY DUTY;

29 4. RESPONSIBLE GOVERNANCE POLICIES;

30 5. LEGAL STRUCTURES AND GUIDELINES;

31 6. RESERVES AND AUDITS;

- 7. MEETING PROCEDURES AND REQUIREMENTS;**
- 8. HANDLING OF DISPUTES;**
- 9. INSURANCE AND BONDING;**
- 10. COMMUNITY MAINTENANCE;**
- 11. RECORD KEEPING; AND**
- 12. STATE AND LOCAL RESOURCES FOR GOVERNING**

11 (I) IS FIRST ELECTED OR APPOINTED TO THE GOVERNING  
12 BODY; OR

15 (4) (I) THE GOVERNING BODY SHALL:

23 (II) A CERTIFICATE OF COMPLETION ISSUED UNDER THIS  
24 PARAGRAPH SHALL BE VALID FOR 3 YEARS.

25 (III) IF A MEMBER OF THE GOVERNING BODY REMAINS A  
26 MEMBER OF THE GOVERNING BODY AT THE TIME THE CERTIFICATE EXPIRES, THE  
27 MEMBER SHALL RENEW THE CERTIFICATION BY SUCCESSFULLY COMPLETING THE  
28 TRAINING REQUIRED UNDER THIS SUBSECTION.

**(I) REMOVE THE MEMBER FROM THE GOVERNING BODY; OR**

5 (II) INVALIDATE A VOTE OF THE MEMBER.

6        [(g)] (H)      If the declarant fails to comply with the requirements of this section, an  
7 aggrieved lot owner may submit the dispute to the Division of Consumer Protection of the  
8 Office of the Attorney General under § 11B-115(c) of this title.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2026.