

HOUSE BILL 537

N1
HB 557/25 – ENT

6lr1696

By: **Delegate Holmes**

Introduced and read first time: January 27, 2026

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Residential Owners in Common Ownership Communities – Bill of Rights**

3 FOR the purpose of establishing a bill of rights for unit owners of a condominium, members
4 of a cooperative housing corporation, and lot owners of a homeowners association;
5 and generally relating to residential owners in common ownership communities.

6 BY adding to

7 Article – Real Property

8 Section 1–105

9 Annotated Code of Maryland

10 (2023 Replacement Volume and 2025 Supplement)

11 Preamble

12 WHEREAS, The General Assembly authorized a Task Force on Common Ownership
13 Communities, or Task Force, under Chapter 469 of the Acts of 2005 and directed that Task
14 Force to study and prepare proposals for improving Maryland laws that relate to
15 communities that are governed as a common ownership community, including a
16 condominium, a cooperative housing corporation, or a homeowners association; and

17 WHEREAS, The Task Force concluded in 2006 that there was a marked increase in
18 interest nationwide in addressing issues between unit owners in a condominium, members
19 in a cooperative housing corporation, and lot owners in a homeowners association
20 (hereinafter, collectively, “residential owners”) and the governing bodies of such
21 communities, and that identifying and establishing a bill of rights for those residential
22 owners is an important objective; and

23 WHEREAS, The Uniform Law Commission recognized the need for a bill of rights
24 for residential owners and first approved a model bill of rights in 2008 for consideration by
25 the states; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The Task Force completed its work in 2006, before the Uniform Law
2 Commission approved its first model bill of rights, and therefore the Task Force concluded
3 in its Final Report of December 31, 2006, that it would be prudent to wait on a final proposal
4 for a Maryland Bill of Rights until the model Uniform Law Commission Bill of Rights was
5 made available to the states; and

6 WHEREAS, The Task Force was informally reestablished during 2021 and diligently
7 drafted an updated bill of rights from the Uniform Law Commission, the Montgomery
8 County Commission on Common Ownership Communities, the Maryland Homeowners
9 Association, and other relevant sources; now, therefore,

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

Article – Real Property

13 1-105.

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

(2) "COMMON OWNERSHIP COMMUNITY" MEANS:

25 (4) "LOT" HAS THE MEANING STATED IN § 11B-101 OF THIS ARTICLE.

26 (5) "RESIDENTIAL OWNER" MEANS:

(III) A LOT OWNER.

5 (1) THE RIGHT TO:

6 (I) BE DESIGNATED AS A MEMBER OF A COMMON OWNERSHIP
7 COMMUNITY WHEN THE COMMUNITY MAKES THAT RESIDENTIAL OWNER SUBJECT
8 TO A LIEN AND TO A MANDATORY ASSESSMENT; AND

9 (II) PARTICIPATE IN MEETINGS ON COMMUNITY ISSUES WITH
10 OTHER MEMBERS;

1 SUCH DEBT;

2 (7) THE RIGHT TO VOTE:

3 (I) BY SECRET BALLOT TO ELECT THE MEMBERSHIP OF THE
4 GOVERNING BODY FOR THE COMMON OWNERSHIP COMMUNITY AND TO BE A
5 CANDIDATE IN FAIR ELECTIONS ADMINISTERED BY NEUTRAL PARTIES, WITH
6 RESULTS THAT CAN BE VERIFIED BY AN AUDIT ON REQUEST;

7 (II) TO RECALL AN INCUMBENT MEMBER OF THE GOVERNING
8 BODY;

9 (III) ON CERTAIN FINANCIAL MATTERS, IF PERMITTED IN THE
10 GOVERNING DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY; AND

11 (IV) ON NEW CAPITAL PROJECTS PROPOSED BY THE GOVERNING
12 BODY, IF PERMITTED IN THE GOVERNING DOCUMENTS OF THE COMMON OWNERSHIP
13 COMMUNITY AND BY REFERENDUM;

14 (8) THE RIGHT, WITH REGARD TO MEETINGS AND ACTIVITIES OF THE
15 GOVERNING BODY FOR THE COMMON OWNERSHIP COMMUNITY OR A COMMITTEE OF
16 THE GOVERNING BODY, TO:

17 (I) RECEIVE REASONABLE ADVANCE NOTICE OF ANY OPEN AND
18 CLOSED MEETINGS, INCLUDING ANY AGENDA FOR A MEETING AND ANY SUPPORTING
19 INFORMATION;

20 (II) PARTICIPATE, EITHER IN PERSON OR THROUGH REMOTE
21 ACCESS, IN OPEN MEETINGS THAT ARE EASILY ACCESSIBLE TO THE RESIDENTIAL
22 OWNERS; AND

23 (III) A REASONABLE OPPORTUNITY TO SPEAK DURING A TIMELY
24 PERIOD WHEN MATTERS ARE DISCUSSED OR VOTED ON BY THE GOVERNING BODY
25 OR COMMITTEE;

26 (9) THE RIGHT TO HAVE A COMMON OWNERSHIP COMMUNITY
27 GOVERNING BODY AND COMMUNITY MANAGER THAT:

28 (I) ARE PROPERLY TRAINED AND INDEMNIFIED;

29 (II) ARE STEWARDS OF THE COMMUNITY'S COMMON
30 INTERESTS;

5 (v) COMPLY AND FUNCTION IN ACCORDANCE WITH STATE LAW
6 AND THE GOVERNING DOCUMENTS;

17 (I) BE NOTIFIED IN WRITING ABOUT THE NATURE OF THE
18 VIOLATION;

19 (II) PRESENT EVIDENCE AND CROSS-EXAMINE WITNESSES AT A
20 PROPER HEARING; AND

23 (14) THE RIGHT TO:

(15) THE RIGHT TO HAVE THE CONSUMER PROTECTION DIVISION OF

1 THE MARYLAND OFFICE OF THE ATTORNEY GENERAL:

2 (I) REVIEW ALLEGED VIOLATIONS OF STATE LAWS THAT
3 GOVERN COMMON OWNERSHIP COMMUNITIES; AND4 (II) TAKE DIRECT ENFORCEMENT ACTIONS ON BEHALF OF A
5 RESIDENTIAL OWNER, INCLUDING BY ACTING TO RECEIVE AN ADJUDICATION OF
6 THE MATTER BEFORE A COURT OR THE IMPOSITION OF PENALTIES BY THE
7 MARYLAND OFFICE OF THE ATTORNEY GENERAL.8 (C) THE LISTING OF RIGHTS IN SUBSECTION (B) OF THIS SECTION MAY NOT
9 BE CONSTRUED TO DENY OR DETRACT FROM OTHER RIGHTS THAT MAY BE RETAINED
10 BY RESIDENTIAL OWNERS IN A COMMON OWNERSHIP COMMUNITY.11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2026.