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Judicial Proceedings Committee

Parliamentarian
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony Regarding SB 247
Baltimore County- Nuisance Actions – Community Association Standings
For the Judicial Proceedings Committee Hearing
February 4, 2020

Good afternoon Mr. Chair, Vice Chair and Committee,

Over the years Baltimore County has been plagued by vacant properties that have fallen into a state of disrepair. Most are in violation of Baltimore County codes. SB 247 helps to address these nuisance properties plaguing our communities.

Through prior legislation, we made it very difficult and costly for community associations to take action against the property owner(s) that have not maintained their property in accordance with Baltimore County's Code. Indeed, our laws currently deny community associations legal standing to seek judicial relief for nuisance abatement in Baltimore County.

This bill alters the definition of "community associations" and "local code violations" for the purpose of authorizing a community association in Baltimore County to seek injunctive and other equitable relief in the Circuit Court for Baltimore County for nuisance abatement. This bill defines "community association" as a Maryland nonprofit association, corporation, or other organization that is composed of residents of a community defined by specific geographic boundaries in the bylaws or charter of the community association and within which a nuisance is located. It is operated primarily for the promotion of social welfare and general neighborhood improvement and enhancement; and is exempt from taxation under specified sections of the Internal Revenue Code; as well as incorporated and in good standing with the State Department of Assessments and Taxation. This bill also repeals the requirement that the circuit court determine the amount and conditions of a specified bond to be filed by a community association that is seeking relief. These changes will make it easier for a community to take legal action against owners of derelict property, helping to make Baltimore County communities safer, more pleasant places to live.

I applaud community associations that are willing to undertake the expense of taking judicial action when local code enforcement efforts have come up short and have failed to abate nuisance properties. I am asking for a favorable vote on SB 247.