

Support for
SB 247 Baltimore County – Nuisance Actions – Community Association Standing
February 4, 2020

Dear members of the Judicial Proceedings Committee:

I have been requested to offer testimony by Senator Sydnor. My name is Kristine Dunkerton, and I am the Executive Director of Community Law Center, Inc., a nonprofit organization that provides free legal services to community associations and other nonprofit organizations in Maryland.

SB 247 amends the definition of community associations eligible to file Circuit Court actions under Real Property §14-125. It removes superfluous requirements such as membership dues, a minimum household percentage, and being listed in the Baltimore County Public Library’s “Directory of Organizations in Baltimore County.” Instead, SB 247 requires that a community association be:

1. composed of residents of a community defined by specific geographic boundaries that encompass the nuisance property;
2. operated primarily for the promotion of social welfare and general neighborhood improvement and enhancement;
3. exempt from federal taxation as a charitable, civic or homeowners association under §501(c)(3), (4) or 528; and
4. incorporated and in good standing with the State Department of Assessments and Taxation.

This definition is unambiguous and concise. The new requirement that the organization must be tax-exempt **AND** incorporated and in good standing is stricter than the “or” provisions in a similar definition of “community association” under Real Property §14-123 “Nuisance Actions within Baltimore City.”

The proposed amendments to §14-125 establish a more clear and concrete definition that will help to make this statute a potentially useful tool for neighborhood stabilization at no cost to the county.

I am available to discuss our support for this bill or our experience with Baltimore City’s version of this statute at 410-366-0922 x 117 or kristined@communitylaw.org.

Thank you.