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March 09, 2021

kumar.barve@house.state.md.us

Delegate Kumar P. Barve, Chair
Environment and Transportation Committee
Room 251, House Office Building
Annapolis, Maryland 21401

Re: House Bill 1347

Real Property - Impermissible Restrictions on Use - Portable Basketball Apparatuses

Hearing Date: March 11, 2021

Position: Support

Dear Delegate Barve and Environment and Transportation Committee Members:

This letter is submitted on behalf of the Maryland Legislative Action Committee ("MD-LAC") of the Community Associations Institute ("CAI"). CAI represents individuals and professionals who reside in or work with community associations (condominiums, homeowners' associations, and cooperatives) throughout the State of Maryland.

House Bill 1347 seeks to prohibit unreasonable restrictions in a community association (condominium or homeowners association) to allow homeowners the right to keep and use a portable basketball hoop (apparatus) on private property. MD-LAC supports this legislation and appreciates the sponsor's understanding of the importance of limiting liability to the owner of the basketball apparatus.

MD-LAC was concerned initially that because use of a portable basketball apparatus very often can spill over from private property onto a community association's common area (including roadways) that use of these apparatuses would increase liability to associations whose responsibility it is to insure the common areas against claims involving bodily injury and

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property damage. HB1347 will allow homeowners and their children the “right to play” without placing an additional liability exposure on associations that have no control over the portable basketball apparatus and the injuries and property damage that can result from their use.

By recognizing the owner of the apparatus as the party solely responsible for injuries, property damage, or events that can result, MD-LAC can support HB 1347, which will allow families greater flexibility of use of private property without placing an undue liability burden on the community associations in which they are a member.

We are available to answer any questions the Committee Members may have. Please feel free to contact Lisa Harris Jones, lobbyist for the MD-LAC, at 410-366-1500, or by e-mail at lisa.jones@mdlobbyist.com, or Steven Randol, Chair of the MD-LAC, 410-279-8054, or by e-mail at srandol@pineorchard.com, or Robin C. Manougian, Member, of the MD-LAC, at 240-401-0855, or by e-mail at rmanougian@manougianinsurance.com.

Sincerely,

Robin C. Manougian

Robin C. Manougian
Member, Insurance Chair, CAI MD-LAC

Steven Randol

Steven Randol
Chair, CAI MD-LAC