

ANNE HEALEY
Legislative District 22
Prince George's County

Chair
Rules and Executive
Nominations Committee

Environment and Transportation
Committee

Chair
Local Government and
Bi-County Issues Subcommittee



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RE: House Bill 826 – Condominiums and Homeowners- Dispute Settlement

Mr. Chairman, Vice Chair and Members of the Committee:

House Bill 826 remedies certain issues with regard to the dispute settlement procedures provided for in Section 11-113 of the Condominium Act, i.e. currently a hearing must be held whether the alleged violator wants a hearing or not. The modification in HB 826 requires an opportunity for a hearing, but does not require that one be held if it is not wanted.

The current condominium dispute settlement law requires certain procedures to be followed before a sanction may be imposed against an owner or occupant. The proposed bill does not change the safeguards and requirements contained in the current law. What the bill does for condominiums is remedy a somewhat burdensome and expensive mandatory hearing whether the alleged violator requests the hearing or not and provides for an *opportunity for a hearing* upon request. The bill also clarifies that personal service of the notice is not required, but that written notice *must* be provided.

The HOA Act currently does not have any dispute settlement procedures. The bill adds a new Section 11B-111.8 to the Homeowners Association Act to give Lot owners the opportunity for a hearing and to require the same due process safeguards as the Condominium Act and parallels the Condominium Act provision.

In the vast majority of cases where a hearing is required without request, notice of the hearing is given, the volunteer governing body is assembled but the alleged violator does not attend thereby wasting time, money and effort. If no hearing is requested, then the bill as proposed requires that the at the next meeting, the governing body deliberate as to whether the violation occurred and what sanction, if any, it will impose.

I urge a favorable report and look forward to working with the Committee on the Bill.

A handwritten signature in black ink, appearing to read 'Anne Healey', with a large, sweeping flourish at the end.