

HB1060 – Residential Owners in Common Ownership Communities Bill of Rights

Testimony March 1, 2022

A Bill of Rights is needed for the State of Maryland now more than ever to protect Homeowners that live in HOA and Condo communities. The CCOC in Montgomery County already has a Bill of Rights for their Homeowners. Why not make it Statewide so that all Homeowners living in these communities are protected? As it relates to HOA and Condo communities, if the governing documents for that community are not referenced as part of the Maryland Homeowner Association Acts, the Office of the Attorney General has no enforcement. A Homeowner is forced to hire an Attorney on their behalf to correct some of the unjust and unfair actions of the Board and Management company. This can cost a Homeowner thousands of dollars, in some cases and possibly lead to the Homeowner losing their property. Too many times there have been situations in HOA and Condo communities involving:

1. Non-transparency of HOA financial records, meetings or minutes for those meetings
2. Improper elections or appointments of Board Members.
3. Decisions being made by Management companies and Board Members who are uneducated about their own governing documents.
4. Decisions being made by unlicensed Property Management companies or untrained Board Members for their own personal or financial gains. Many times resulting in misappropriation of funds for that community.
5. Board and Management companies not allowing Homeowners to participate in important business decisions that affect the community as a whole, when their governing documents state otherwise.
6. Retaliation by Property Management companies and Board Members to Homeowners, resulting in unfair and unwarranted fines given without a proper hearing, with some escalating to unjustified liens being put on Homeowner properties.
7. Selective enforcement whereas, certain Homeowners have to abide by the governing documents for that community, while other Homeowners do not.

These are just a few of the issues with HOA and Condo communities in the State of Maryland not having a Bill of Rights to protect Homeowners living in those communities. I urge you to pass this bill to hold Property Management companies and Board Members accountable for their behavior and their decisions made on behalf of an HOA or Condo community. I am a strong component of this bill because I have experienced and witnessed all that I have shared in my testimony.