

Dear Members of the House Environment & Transportation Committee,

I appreciated the opportunity to testify to your Committee on March 1 in support of HB1060 (Residential Owners in Common Ownership Communities Bill of Rights). I was pleased with the positive response from Committee members with regard to Delegate Holmes' bill, and feel optimistic about passage of this much-needed bill.

HB1060 contains rights that are universally accepted in associations throughout this country. For that reason, as a long-time resident of Columbia, it was disturbing to hear Mr. Paul Tiburzi suggest that the Columbia Association (CA) be carved out from the bill.

His rationale was that the Bill of Rights doesn't fit in with the way CA operates. I hope that you agree that it's a weak argument. Just because CA operates that way, it doesn't make it right. The Bill of Rights has actually revealed the flaws and gaps in CA's governing documents and practices that need to be corrected to protect the rights of Columbia's residents.

Also, Mr. Tiburzi initially claimed in his testimony to the Committee that everything was fine in Columbia, and that there were no resident complaints. However, the fact is that CA has a long history of violations and abuses of residents' rights, as the many complaints through the years to the Office of the Attorney General (OAG) can attest. When Mr. Tiburzi was challenged on that point during the hearing, he then retracted it and responded that there were indeed complaints but that they were successfully handled by the OAG.

Even that response is incorrect. The complaints are seldom resolved at OAG because they are typically channeled to the Consumer Protection Division's mediation unit. And during that process, all that CA typically has to do is to refuse to admit its errors, which then causes the mediator to close the case and allow CA to walk away unscathed and allow the violations to persist.

The Bill of Rights calls for strengthening the OAG with improved staffing and enforcement authority so that resident complaints can finally be successfully resolved and further violations can be prevented. So, for residents of Columbia, the danger of carving out CA from those protections is strikingly evident.

People trust that you will protect the rights of residents of Columbia just as you protect them for the rest of Maryland. Please reject any ill-conceived attempts to exclude CA from the Bill of Rights.

Please let me know if you have any questions or need additional information.

Sincerely,

Alex Hekimian

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