

## Testimony on HB29 (Residential Owners in Common Ownership Communities Bill of Rights)

by Alex Hekimian

I'm a long-time resident of Columbia who has served on our state's Task Force on Common Ownership Communities, and I wholeheartedly support HB29.

Back in 2005, the General Assembly saw a clear need to upgrade Maryland's laws that govern common ownership communities and established a Task Force to prepare proposals for protecting existing rights and improving and filling gaps in those laws. Your Task Force concluded that residential owners in such communities are in need of and deserve a Bill of Rights. As you know, the General Assembly has a precedent of approving other Bill of Rights legislation, such as the ones for property owners, law enforcement officers, state correctional officers, patients in comprehensive care and extended care facilities, and patients receiving medical care.

Even the prestigious national Uniform Law Commission strongly urged states to approve a Bill of Rights for owners in common ownership communities. The Uniform Law Commission includes lawyers from all of the states, whose purpose is to recommend legislation designed for important areas of state laws.

Once approved by the General Assembly, it will serve as a very useful foundation for more detailed laws to actually implement each right.

This bill is comprehensive and very well-constructed. The only amendment to the bill that I support is an additional right that states: *“Any homeowners association, condominium, or cooperative housing corporation may extend any of the above mentioned rights to renters, tenants, and/or commercial property owners within their community, if required by its governing documents.”* This addition would account for some rights offered to others by the governing documents of some common ownership communities in our state.

And finally, please reject any amendments that would allow certain associations to be exempt from these rights. HB29 contains basic rights that are generally accepted all over this country. No community in Maryland should be singled out as not worthy of all of these rights.

If an association claims that the Bill of Rights doesn't fit in with their governing documents and the way they do things, it's that much more important to protect the residents of that association from some of the most flawed components of their association's governing documents and practices.

An association also may claim that it's too big, it's too unique, and the rights are unnecessary. If bigness is so important, then why, for example, does the federal Bill of Rights apply to all states, from the smallest to the largest? Please don't accept a flawed system of unequal rights based on size.

And, while some rights in HB29 are currently mentioned in State laws and in association governing documents, it's vital to have a Bill of Rights statute because without it, those rights can later more easily be removed or ignored. Therefore, I respectfully request that you reject any attempts to exclude any association from the Bill of Rights and to approve HB29 for all of Maryland.