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The Legislative Voice of Maryland Community Association Homeowners

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March 17, 2023

will.smith@senate.state.md.us
jeff.waldstreicher@senate.state.md.us

Senator William Smith, Chair
Senator Jeff Waldstreicher, Vice Chair
Judicial Proceedings Committee
Miller Senate Office Building
Annapolis, Maryland 21401

Re: HB 462
Cooperative Housing Corporations - Dispute Settlement
Position: SUPPORT
Hearing Date: March 23, 2023

Dear Chairman Smith, Vice Chair Waldstreicher, and 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.

MD-LAC supports HB 462. The Bill mirrors the current dispute settlement provisions of both the Maryland Condominium Act and the Maryland Homeowners Association Act and brings the Maryland Cooperative law into parity with those two acts with regard to the procedures for dispute settlement.

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Post Office Box 6636
Annapolis, Maryland 21401

The bill remedies certain issues with regard to the dispute settlement procedure in general, by **providing an alleged violator with an opportunity for a hearing before the governing body, upon request, but not requiring a hearing for each alleged violation in circumstances where the alleged violator does not want, nor will attend the hearing.** Once requested by the alleged violator, the bill requires that the hearing be held upon not less than 10 days' additional notice. In the vast majority of cases where a hearing is required without request, notice of the hearing is served, the volunteer governing body made up of members of the Cooperative 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 governing body deliberate as to whether the violation occurred and what sanction, if any, to impose, at the next meeting.

We respectfully request that the Committee give HB 462 a favorable report. 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, Steven Randol, Chair of the MD-LAC, 410-279-8054, or by e-mail at MDLACChair@gmail.com, or Kathleen M. Elmore, Esquire, emeritus member, MD-LAC for Community Associations Institute at 410-544-6644, or by E-mail at kelfmore@el-grp.com.

Sincerely,

Kathleen M. Elmore
Kathleen Elmore, Esquire
Emeritus Member, CAI MD-LAC

Steven Randol
Steven Randol
Chair, CAI MD-LAC