

HB0793 – FAVORABLE with Amendments

Nelda Fink

MD District 32

Training for the COC boards is absolutely needed. Remember however that the majority of these people are volunteers and putting too much burden on them will deter a community from filling the positions.

The directors seldom read their own bylaws and governing documents let alone the statutes. They instead depend on the hired help, the management agent to direct them. This is very wrong as the community does not usually have much influence in who the management agent is and has lost total control of their community expenditures because the BOD has become complacent and dependent on the hired help. This situation creates an upside down hierarchy of contractual authority as well as many of the statutes and bylaws being violated.

Directors need to be encouraged to be active and not complacent. The training will help give them the knowledge to stand up against a non-compliant agent, as well as the knowledge to better serve their community.

The only amendments I would like to see in this bill are:

1. Because of the volunteer nature of the directors the certification should be extended to a much greater length of time, 9 – 12 years. And once certification should be transferrable between counties and associations.
2. The curriculum needs to somehow get the director to read their own associations governing documents as well. This can be done technically, it is not an impossibility! But it needs to happen.
3. The curriculum needs a short segment of how to interpret statutes following the guidelines of an appellant judge. It's a simple 3 step process and once learned the individual will not really need another class nor will they need an expensive attorney to interpret for them.

With the huge number of associations in Maryland we really need some training for the directors so that the owners can enjoy ALL the property rights afforded to them by the State of Maryland!

I ask for your favorable report.

Thank you.

Nelda Fink