

HB0417-SB0383 – UNFAVORABLE UNCONSTITUTIONAL

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This bill really has problems and creates authority where authority does not belong either statutorily or constitutionally.

The bill wording deceptively refers to community associations giving the reader the impression it is referring to common ownership communities. Reading the wording closely however what is being referred to is any group of people coming together with a common interest regardless whether that common interest is real property or not. That group of people can create a corporate, LLC or even a sole proprietorship and now call themselves a community association. Now with that simple approximately \$350 investment to establish the so called community association, this group of people can go around and take others in the community to court because they don't like that the codes are being violated and not addressed. Sounds like organized crime to me, get your posse and your mob going right here in Baltimore County!

So this bill allows for a mob to be formed to address the violations that the county should be addressing.

The purpose of the bill according to the sponsors is to bring standing to concerned neighborhood residents when they pursue court actions against other non-compliant neighbors for nuisance violations. So the attorney's should be able to see the error in this bill right with this stated purpose. Just because something is legislated, doesn't give the court petitioner any additional standing. The real reason the other residents do not have standing even in the current legislation is that they are not presenting monetary damages for the effects of the nuisances of the defendant. This is difficult to do in any situation regardless of it being Baltimore City or Baltimore County.

This bill fails to show where the new legislation will overcome the lack of damages or lack of standing and therefore doesn't solve anything, but allows for mobs to be created so that the mafia can now legally rule in Baltimore County.

Basically as others opposing this bill have stated, this bill removes the ownership rights of the people being targeted by this mob style type of rule in the neighborhood, making it unconstitutional.

100% OPPOSE this bill.

Thank you.

Nelda Fink