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March 21, 2024

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Karen S. Straughn
Consumer Protection Division

Re: House Bill 705 – Real Property – Cooperative Housing Corporations, Condominiums,
and Homeowner Associations – Virtual Meetings (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of House Bill 705 submitted by Delegate Jen Terrasa. This bill is intended to clarify that, when virtual meetings are held by a common ownership community association, participants should be given reasonable access to verbally participate in the meeting and equal access to participate via the chat function. The bill further gives the ability to the person conducting the meeting to mute a participant after a warning if that individual becomes disruptive.

Throughout the pandemic, the Consumer Protection Division received many calls and concerns from boards of directors, property managers and attorneys concerning the process for conducting a virtual meeting and seeking guidance. Generally, associations have advised the Division that virtual meetings have been helpful, and many associations have reportedly been able to increase attendance at meetings by conducting them virtually.

However, the Division has also received calls and concerns from residents that some associations have muted all participants throughout the meeting and/or disabled the chat function for participants other than the members of the board. The Division has even been made aware of meetings in which the organizer has randomly removed members from the meeting after the meeting began. This bill would seek to protect the rights of members to attend a virtual meeting conducted in a manner comparable to that of an in-person meeting. This bill further promotes reasonable participation by members while providing safeguards in the event the meeting becomes monopolized by a disruptive member.

For these reasons, we ask that the Judicial Proceedings Committee return a favorable report on this bill.

cc: The Honorable Jen Terrasa
Members, Judicial Proceedings Committee