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Delegate Brian J. Feldman  
Delegate Cheryl C. Kagan  
Education, Energy and the Environment Committee Chair  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: SB 0891 – Land Use and Real Property - Accessory Dwelling Units - Requirements  
and Prohibitions**  
**Hearing: February 25, 2025 Position: Oppose**

Dear Chair Feldman, Vice Chair Kagan 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 condominiums, homeowners associations and cooperatives throughout the State of Maryland.

MD-LAC is writing today to voice our opposition for SB 0891 which requires all local jurisdictions, on or before October 1, 2026, to adopt a law that authorizes the development of accessory dwelling units on land zoned for single-family residential use without the inclusion of subjective criteria including neighborhood compatibility and/or adverse impacts, and further prohibits a community association from enforcing existing covenants within its governing documents that prohibit or restrict the development of accessory dwelling units.

While the MC-LAC appreciates the need for increased housing within the state of Maryland, SB 0891 does not account for jurisdictions and/or individual communities that already experience issues from density, including traffic congestion, severely limited parking, and damaged roads due to overuse. As communities were developed with a specific density in mind, the potential doubling of the number of residents within a community will increase concerns pertaining to overcrowding, access to life safety services and deterioration of infrastructure and common use amenities. The bill as proposed is simply unsafe for many applicable jurisdictions.

In addition, this bill unfairly overrides prohibitions or restrictions on the development of accessory dwelling units within existing Declaration and Bylaws for community associations, resulting in the elimination of assurances with respect to crowding, setbacks, aesthetics, and parking that property owners may have relied upon in purchasing their lots within a specific community. While the state may wish to encourage the development of additional housing in future communities, it should not interfere in existing contractual relationships between a property owner and its community association.

Accordingly, the MD-LAC respectfully request that the Committee does not give SB 0891 a favorable report.

We are available to answer any questions which you may have. Please feel free to contact any of the individuals listed: Lisa Harris Jones, CAI MD-LAC lobbyist, at 410-366-1500 or by email at [lisa.jones@mdlobbyist.com](mailto:lisa.jones@mdlobbyist.com); Hillary Collins, Esq., member by email at [hcollins@reesbroome.com](mailto:hcollins@reesbroome.com); or Vicki Caine, Chair 215-806-9143, or [MDLacChair1@gmail.com](mailto:MDLacChair1@gmail.com).

Sincerely,

*Vicki Caine*

Vicki Caine  
Chair, CAI MD-LAC

*Hillary Collins*

Hillary Collins, Esq.  
Member, CAI MD-LAC

CAI is a national organization dedicated to fostering vibrant, competent, harmonious community associations for more than thirty years. Its members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to common interest associations. As part of its mission, CAI advocates for legislative and regulatory policies that support responsible governance and effective management. As part of this purpose state Legislative Action Committees represent CAI members before state legislatures and agencies on issues such as governance, assessments collection, insurance and construction defects.