



# **Montgomery County** **Office of** **Intergovernmental Relations**

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**BILL NO: HB1117**

**DATE: February 27, 2025**

**SUBMITTED BY: Montgomery County Delegation**

**CONTACT PERSON: Leslie Frey**

**ASSIGNED TO: Environment and Transportation Committee**

**POSITION: County Executive: FAVORABLE AS AMENDED    County Council: HOLD**

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## **Montgomery County - Common Ownership Communities - Disputes, Payments, and Election (MC 11-25)**

This bill requires that cooperative housing corporations (co-ops), condominiums, and homeowners' associations (HOAs) in Montgomery County comply with uniform mandates to provide members/owners with information and payment methods, conduct relevant elections by utilizing independent parties, and, in a dispute with a member/owner, prohibits actions against the member/owner if conditions enumerated in the bill are met. Specifically, co-ops, condominiums, and HOAs must: 1) on request, promptly provide members/owners with agendas, background materials and minutes of meetings of the governing body; 2) conduct elections for officers, committee members, or other members of the governing body by independent parties who are not candidates in the election, do not have a conflict of interest regarding any candidate in the election, and are not representatives of the property's management entity; 3) not discriminate against or unreasonably restrict forms of payment from members/owners and provide written receipts and annual statements of payments and remaining debts; 4) during a dispute, not restrict access to amenities available to all other members/owners, charge additional fees or fines, reassign or accelerate payments remitted by the members/owners for regular dues and fees, or charge interest on fees or fines that are claimed to have accrued as the result of the dispute if the members/owners have continued to remit all dues and fees regularly required of all members under the governing documents; and 5) not require members/owners to pay for any attorney's fees, costs, or expenses related to a dispute unless awarded to a co-op, condominium, or HOA under the bill. Finally, in addition to any attorney's fees, the entity conducting dispute resolution may award to a member/owner who is a prevailing party injunctive relief, reasonable costs and expenses relating to the dispute, compensatory damages, and, for willful or intentional violations by a co-op, condominium, or HOA, treble damages.

Because the bill would afford members/owners in Montgomery County additional protections and access to information, the Montgomery County Executive supports HB1117 as amended by the Montgomery County House Delegation and urges the committee to issue a favorable report.

The Montgomery County Council is taking a Hold position on the bill pending more information.

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