



HOMEOWNERS
OF AMERICA
UNITED

January 31, 2025

My name is Steve Horvath. *Homeowners of America (HOA) United* is a nonprofit organization funded entirely by member donations that connects homeowners to provide advocacy, collaboration, education, empowerment, and inspiration to create positive, transformative impacts for common interest communities. A number of our members are Maryland COC homeowners.

Thank you for considering testimony from *HOA United*.

Sincerely,

Steve Horvath
Co-Founder, HOA United

Testimony for [HB295](#)

Condominiums and HOAs - Governing Bodies and Annual Meetings

HOA United recommends a favorable report on this bill with one adjustment: the right for owners to comment on matters impacting their association must be at least 90 seconds in duration and must come before the board deliberates or votes on such matters.

Testimony for [HB299](#)

Governing Bodies of Common Ownership Communities - Member Training

HOA United recommends a favorable report on this bill with three adjustments:

1. The legislature should prescribe a minimum amount of training such as 4 hours. This would align with an education and training requirement enacted by Florida (reference [I](#), [II](#), [III](#))
2. Directors and officers who fail to complete and certify completion of the required training should be automatically removed or suspended from their position. Providing the Board discretion to remove individuals who fail to comply has proven to be a woefully inadequate remedy.
3. As is required in [Florida](#) and [New Mexico](#), the legislature should require certification from Board members that they have read the governing documents, will uphold the governing documents, and will faithfully discharge their duties. The remedy for failure to certify these items results in suspension from Board service. Also reference requirements from [Montgomery County OCOC](#) and training from [Prince George's County OCOC](#).

Testimony for [HB303](#)

Regulation of Common Ownership Community Managers

HOA United recommends a favorable report on this bill. While [Florida, Nevada, and Virginia](#) are the best examples of community manager and management licensing in the United States, Ontario Canada's [CMRAO](#) is the best example of governmental oversight in the world.

Homeowner volunteers are ill prepared to compensate for the shortcomings of an unregulated business industry that profits from the controlled chaos that often besets community associations.

Testimony for [HB306](#)

Ombudsman Unit, Governing Document Database, and Local Commissions

HOA United recommends a careful consideration of this bill. Maryland's existing state law allows for AG enforcement that the AG refuses to take. That's probably the best place to start.

The Senate *Judicial Proceedings Committee* [heard testimony from Karen Strong of the Maryland Attorney General's Office of Consumer Protection](#) on February 14, 2024 stating:

The Office of the Attorney General does NOT represent individuals...

Quite simply, the Maryland AG Office of Consumer Protection refuses to enforce the provisions of [§11-130](#) and [§11B-115](#) for the overwhelming majority of circumstances and especially when concerns are raised by an individual COC owner. Here's the pertinent excerpt from the two aforementioned sections (with emphasis):

In this section, "consumer" means an actual or prospective purchaser, lessee, assignee, or recipient of a condominium unit or lot in a development.

To the extent that a violation of ANY provision of this title affects a consumer, that violation SHALL be within the scope of the enforcement duties and powers of the Division of Consumer Protection of the Office of the Attorney General, as described in Title 13 of the Commercial Law Article.

If Maryland continues to allow its AG to disregard enforcement authority prescribed by state law, it only seems prudent that the legislature should adopt additional, binding consumer protections; however, this bill does not provide binding enforcement authority to an ombudsman unit. State agencies in Colorado, Delaware, Florida, Illinois, Nevada, South Carolina and Virginia all collect complaint statistics. CAI has [disfavorably reported](#) on ombuds programs for years, in part due to the non-binding nature of many such programs. To the contrary, the leaders of these programs believe they can and do provide positive results:

"In many cases, the threat of public accountability is enough to get condo boards to respond to complaints..." – [Heather Gillespie](#) has served as the Virginia State community association Ombudsman since 2018.

That said, governmental oversight can have shortcomings. [Watch the 11/14/23 testimony](#) from Florida's Senate Committee on Regulated Industries (start at minute 15):

"I think it's quite confusing to have a 120 page condominium act filled with laws that there is no enforcement for. I can't tell you how many, probably thousands of times condominium owners throughout the state would call me and say "My association is clearly violating this law. Who do I call? Who do I go to? What do I do?"

“And so many times I would have to tell those people: I’m sorry, there is a law and you’re right, they’re probably violating it based on what you’re telling me, but there’s no one to enforce this, so hire a lawyer, good luck. I hope you have \$200,000 to spend because that’s what it’s going to take to enforce this law.” — Spencer Hennings, former Florida Condominium Ombudsman

The [Condominium Authority of Ontario \(CAO\) Condominium Authority Tribunal \(CAT\)](#) is perhaps the best example of efficient, effective, low-cost, high-functioning binding government oversight.