

House Bill 557 – Residential Owners in Common Ownership Communities –

Bill of Rights

SUPPORT WITH AMMENDMENT:

This is an excellent enumeration of rights of homeowners and other residents of Common Ownership Communities.

1. It provides guidance and a framework for the drafting of specific legislation to support and protect these rights.
2. Right number (15) provides for the protection of both rights and safety, by allowing a party to bring a complaint of violations of law directly to The Office of the Attorney General who has the authority to take direct enforcement action and/or act on behalf of an owner in court.

SUGGESTED AMENDMENT:

Add a Definition: 1-105(A)(5) “Residential Owner” means:

- (I) (member of a co-op)
- (II) (unit owner in a condo)
- (III) (lot owner in an HOA)
- (IV).A.Resident.Tenant.who.holds.a.lease.on.a.residential.property.in.a.
Common.Ownership.Community;

TESTIMONY: The definition of Residential Owner includes the three definitions that are used in the three acts governing Common Ownership Communities in Maryland. A fourth definition should be added to include Resident Tenants of these communities.

There are 35,000 tenants living in Columbia Association assessed property, one third of the population of Columbia. In the governing documents of Columbia, an “Owner” is either a property owner or a tenant with a lease, and tenants pay the CA assessment on the property they lease. Unless they are added to the definition in the Bill of Rights, tenants continue to be denied the protection of the fire and safety laws, and the civil rights laws. They have no avenue of complaint.

The Howard County Office of Consumer Protection **will not accept a complaint** against a Homeowners Association, including the Columbia Association and all ten villages.

RESPECTFULLY SUBMITTED BY: Katharine C Rathbun, MD, MPH.

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I live in Wilde Lake Village in Columbia, Howard County. Wilde Lake Village is one of the 10 HOAs that comprise the Columbia Association. The Columbia Association is also incorporated as an HOA.

I am a retired Preventive Medicine Physician, with experience in Code Enforcement, and I recently served as a Village Board Member in Columbia. Prior to moving to Columbia, I lived in a large high-rise condominium in Baltimore City.