

HB955 / SB955 (2026 Session)

Real Property - Condominiums and Homeowners Associations - Elections

UNFAVORABLE

This one-sentence bill would leave directors and members **unprepared for nominations from the floor**, a right under many governing documents that is permitted under Real Property Article **11-109(c)(13)**. That subsection states,

“Nominations may be made from the floor at the meeting at which the election to the board is held.”

Even under Section 11-139.3(d), the law does not in any way **prohibit** nominations from the floor, but if HB 955 passes it will be abused in that way. Interested parties will say “too late” when nominations from the floor and/or **write-in votes** are attempted.

Even when there are fewer candidates than seats, an independent count is important to have integrity in determining who gets a normal length term and who gets a short term due to a vacancy.

Please vote unfavorable so that all candidates are guaranteed opportunity for voter consideration and fair staggering. Democracy barely survives on its citizens’ muscle memory of the process; this bill would tell citizens to put down their barbells and expect the muscle memory to continue with only occasional exercise. If you believe in **election integrity**, requiring democratic norms only *occasionally* is **irresponsible**.

It is very disappointing how quickly this bill was introduced by usually keen legislators, in this instance responsive only to a big lobbying organization’s request without thinking through the practical harms and effects. That lobby sacrificed homeowners in 1992, when it restructured to eliminate their veto power in the organization. Business interests of managers and service providers have taken over. Now they want to control our elections. **This bill should be defeated unanimously or withdrawn by the sponsors.**

Thank you.

Additional comment for written testimony

The legislation proposes the following exemption from election law:

11-109(c)(17)

THIS PARAGRAPH APPLIES ONLY TO AN ELECTION IN A RESIDENTIAL CONDOMINIUM IN WHICH THE NUMBER OF CANDIDATES EXCEEDS THE NUMBER OF CONTESTED SEATS.

Section 11-139.3(d) states that “nominations from the floor at the meeting are not required if at least one candidate has been nominated to fill each open board position.” Boards, managers, and attorneys pretend as if “not required” means “prohibited.” That law merely provides protection in the event that, if no one remembers to call for additional nominations in an electronic meeting, no homeowner objecting after the fact can have a meritorious claim of illegality.

Considering that many communities do not fully comply with state notice requirements (using email even when not authorized by the owner for that purpose), this bill would make it too easy to rig elections by playing games with notices and deadlines to force fewer candidates and prevent a contest. When there are convenient “mistakes” in the notices, not every party will be informed of the mistake, meaning only parties who are friendly with those in power will have additional time created for them. This bill re-opens too many possibilities for abuse.

It’s bad enough that boards and managers can easily abuse their powers by using false accusations and frivolous fines to disqualify voters fully paid on assessments. This bill would allow collection and counting of ballots by parties that have an interest in the outcome. Managers often want the old board to remain for life, to preserve renewals for a lucrative decades-running non-competitive management contract.

The lobbyist cover story reason for this bill is the expense, self-created to avoid the simple alternative using at least one unpaid unit owner. The real reason is control, not money. The big lobby is not headquartered in Maryland. Though claimed to be based in Virginia, that state has no charter on file. The lobby is believed to be headquartered in Dubai.