

Testimony to House Economic Matters Committee
on HB537 (Residential Owners in Common Ownership Communities - Bill of Rights)
by Alex Hekimian

I'm the President of the Holly Court Community Association in Columbia, and having previously served on our state's Task Force on Common Ownership Communities, I wholeheartedly support HB537.

Back in 2005, the General Assembly identified a clear need to upgrade Maryland's laws that govern common ownership communities and established a Task Force on Common Ownership Communities to prepare proposals for filling gaps in those laws. Your Task Force concluded that there were many serious abuses by the governing bodies of those communities, and that homeowners deserve a Bill of Rights. The General Assembly has a precedent of approving other Bill of Rights legislation, such as:

- The Property Owner's Bill of Rights
- Law Enforcement Officer's Bill of Rights
- State Correctional Officer's Bill of Rights
- Basic Rights of Patients in Comprehensive Care or Extended Care Facilities
- Rights of Individuals with Regard to Medical Care

Even the prestigious Uniform Law Commission has strongly urged states to approve a bill of rights for homeowners in common ownership communities. That national Commission includes lawyers from all of the states, whose purpose is to prepare model legislation designed for critical areas of state laws.

HB537 is similar in structure to the federal Bill of Rights and other bills of rights – intentionally prepared using just a very short statement for each right. It is meant to protect existing rights as well as to introduce some much-needed new rights. As with other bills of rights, it is traditionally merely meant to be a foundation for more detailed legislation that would later be required to actually implement each of the rights when the time is appropriate.

Since each of those rights is not actionable until follow-up legislation is passed, this Bill of Rights would have no immediate effect on the State budget, so a fiscal note for HB537 should show zero dollars. It's only when the follow-up legislation is proposed that a fiscal note's dollar amount is justified. HB537 simply identifies such rights, which is very useful to our delegates and senators because it offers a general framework for drafting future laws for common ownership communities in our state.

I have prepared amendments to HB537 to make it responsive to comments received regarding last year's similar bill. Please consider these amendments to improve HB537. I have attached below a clean copy of the amended bill and also a copy that shows the amendments that I propose.

In conclusion, for all of the above reasons, I urge you to submit a favorable report on the amended HB537.

A BILL ENTITLED

AN ACT concerning Residential Owners in Common Ownership Communities – Bill of Rights

FOR the purpose of establishing a bill of rights for unit owners of a condominium, members of a cooperative housing corporation, and lot owners of a homeowners association; and generally relating to residential owners in common ownership communities.

BY adding to

Article – Real Property

Section 1–105

Annotated Code of Maryland

Preamble

WHEREAS, The General Assembly authorized a Task Force on Common Ownership Communities, or Task Force, under Chapter 469 of the Acts of 2005 and directed that Task Force to study and prepare proposals for improving Maryland laws that relate to communities that are governed as a common ownership community, including a condominium, a cooperative housing corporation, or a homeowners association; and

WHEREAS, The Task Force concluded in 2006 that there was a marked increase in interest nationwide in addressing issues between unit owners in a condominium, members in a cooperative corporation, and lot owners in a homeowners association (hereinafter, collectively, “residential owners”) and the governing bodies of such communities, and that identifying and establishing a bill of rights for those residential owners is an important objective; and

WHEREAS, The Uniform Law Commission recognized the need for a bill of rights for residential owners and first approved a model bill of rights in 2008 for consideration by the states; and

WHEREAS, The Task Force completed its work in 2006, before the Uniform Law Commission approved its first model bill of rights, and therefore the Task Force concluded in its Final Report of December 31, 2006, that it would be prudent to wait on a final proposal for a Maryland Bill of Rights until the model Uniform Law Commission Bill of Rights was made available to the states; and

WHEREAS, The Task Force was informally reestablished during 2021 and diligently drafted an updated bill of rights from the Uniform Law Commission, the Montgomery County Commission on Common Ownership Communities, the Maryland Homeowners Association, and other relevant sources; and

WHEREAS, some proposed rights have not yet been added to the Laws of Maryland, and

WHEREAS, other proposed rights, while they may already be wholly or partially implemented and enforced by existing provisions in the Laws of Maryland and in common ownership community governing documents, they are included in the proposed rights to protect them because those provisions, like any provisions, are subject to being revoked in the future; and

WHEREAS, it is understood that any enacted bill of rights is a statement of important basic principles that would require follow-up legislation in the Maryland General Assembly to define, clarify, and provide details on how to implement and enforce each right, similar to the responsibility of the U. S. Congress to specify how to implement and enforce the rights in the U. S. Bill of Rights through appropriate clarifying legislation; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That the Laws of Maryland read as follows:

Article – Real Property

1–105

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “COMMON OWNERSHIP COMMUNITY” MEANS:

(I) A COOPERATIVE HOUSING CORPORATION AS DEFINED IN §5–6B–01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE;

(II) A CONDOMINIUM AS DEFINED IN § 11–101 OF THIS ARTICLE; OR

(III) A HOMEOWNERS ASSOCIATION AS DEFINED IN § 11B–101 OF THIS ARTICLE.

(3) “GOVERNING DOCUMENTS” MEANS ANY BYLAWS, COVENANTS, DECLARATIONS, OR RULES OF A COMMON OWNERSHIP COMMUNITY.

(4) “LOT” HAS THE MEANING STATED IN § 11B–101 OF THIS ARTICLE.

(5) “RESIDENTIAL OWNER” MEANS:

(I) A MEMBER AS DEFINED IN § 5–6B–01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE;

(II) A UNIT OWNER AS DEFINED IN § 11–101 OF THIS ARTICLE; OR

(III) A LOT OWNER.

(B) TO PROTECT AND TO ENHANCE THE RIGHTS IN THE PROVISIONS OF ALL APPLICABLE LAWS GOVERNING COMMON OWNERSHIP COMMUNITIES ESTABLISHED IN THE STATE, A RESIDENTIAL OWNER IN A COMMON OWNERSHIP COMMUNITY HAS THE FOLLOWING RIGHTS:

(1) THE RIGHT:

(I) TO BE DESIGNATED AS A MEMBER OF A COMMON OWNERSHIP COMMUNITY WHEN THE COMMUNITY MAKES THAT RESIDENTIAL OWNER SUBJECT TO A LIEN AND TO A MANDATORY ASSESSMENT; AND

(II) TO PARTICIPATE IN MEETINGS ON COMMUNITY ISSUES WITH OTHER MEMBERS;

(2) THE RIGHT TO HAVE THE GOVERNING BODY BE FAVORABLY RESPONSIVE TO THE VIEWS AND PRIORITIES OF MOST RESIDENTIAL OWNERS WHEN APPROVING A BUDGET AND MANAGING THE COMMUNITY’S FACILITIES AND OPEN SPACE;

(3) THE RIGHT TO AN ANNUAL BUDGET FOR THE COMMON OWNERSHIP COMMUNITY, TO BE DELIVERED TO THE RESIDENTIAL OWNER WITH THE RESIDENTIAL OWNER’S ANNUAL NOTICE OF ASSESSMENT FEES OWED TO THE COMMON OWNERSHIP COMMUNITY, THAT PRIORITIZES SUPPORT FOR THE FACILITIES AND SERVICES AVAILABLE TO THE RESIDENTIAL OWNER IN THE COMMON OWNERSHIP COMMUNITY;

(4) THE RIGHT TO USE ALL FACILITIES AND SERVICES OF THE COMMON OWNERSHIP COMMUNITY AT A REASONABLE COST, IF THERE IS A MEMBERSHIP OR USAGE FEE, THAT DOES NOT EXCEED HALF THE COST CHARGED TO ELIGIBLE USERS WHO ARE NOT RESIDENTIAL OWNERS IN THE COMMON OWNERSHIP COMMUNITY;

(5) THE RIGHT TO BE A MEMBER OF THE CLASS OF SOLE OR PRIMARY USERS OF THE COMMON OWNERSHIP COMMUNITY’S FACILITIES AND SERVICES IF THERE IS SCARCE AVAILABLE CAPACITY OF THESE FACILITIES AND SERVICES AND TO BE PROVIDED WITH

ADDITIONAL CAPACITY, TO THE EXTENT POSSIBLE, SO THAT THE CLASS IS NOT DENIED THE OPPORTUNITY TO USE THOSE FACILITIES AND SERVICES;

(6) THE RIGHT TO FAIR TREATMENT IN THE REPAYMENT OF ANY DEBT INCURRED BY THE COMMON OWNERSHIP COMMUNITY FOR MAJOR CAPITAL PROJECTS OR OPERATING EXPENSES SO THAT SUCH DEBT WOULD BE REPAYED OVER A REASONABLE PERIOD OF TIME DURING WHICH THE BURDEN OF REPAYMENT IS FAIRLY ALLOCATED AMONG THE PRESENT AND FUTURE RESIDENTIAL OWNERS;

(7) THE RIGHT TO VOTE:

(I) BY SECRET BALLOT FOR ENSURING VOTER CONFIDENTIALITY, TO ELECT THE MEMBERSHIP OF THE GOVERNING BODY, BEYOND THE DEVELOPMENT CONTROL PERIOD, FOR THE COMMON OWNERSHIP COMMUNITY AND TO BE A CANDIDATE IN FAIR ELECTIONS ADMINISTERED BY NEUTRAL PARTIES, WITH RESULTS THAT CAN BE VERIFIED BY AN AUDIT ON REQUEST;

(II) TO RECALL AN INCUMBENT MEMBER OF THE GOVERNING BODY;

(III) ON CERTAIN FINANCIAL MATTERS, IF PERMITTED IN THE GOVERNING DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY; AND

(IV) ON NEW CAPITAL PROJECTS PROPOSED BY THE GOVERNING BODY, IF PERMITTED IN THE GOVERNING DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY AND BY REFERENDUM;

(8) THE RIGHT, WITH REGARD TO MEETINGS AND ACTIVITIES OF THE GOVERNING BODY FOR THE COMMON OWNERSHIP COMMUNITY OR A COMMITTEE OF THE GOVERNING BODY:

(I) TO RECEIVE REASONABLE ADVANCE NOTICE OF ANY OPEN AND CLOSED MEETINGS, INCLUDING, AT A MINIMUM, ANY PROPOSED AGENDA FOR A MEETING;

(II) TO PARTICIPATE IN PERSON AT OPEN MEETINGS;

(III) TO PARTICIPATE THROUGH REMOTE ACCESS AT OPEN MEETINGS; AND

(IV) TO A REASONABLE OPPORTUNITY TO SPEAK DURING A PERIOD NEAR THE BEGINNING OF THE MEETING AND/OR, IF ALLOWED BY THE GOVERNING BODY OR COMMITTEE, AT THE TIME WHEN MATTERS ARE DISCUSSED OR VOTED ON;

(9) THE RIGHT TO HAVE A COMMON OWNERSHIP COMMUNITY GOVERNING BODY AND COMMUNITY MANAGER THAT:

(I) ARE PROPERLY TRAINED IN AN EFFICIENT, EFFECTIVE, AND AFFORDABLE MANNER AND ALSO INDEMNIFIED;

(II) ARE STEWARDS OF THE COMMUNITY'S COMMON INTERESTS;

(III) ARE PROTECTIVE OF THE RIGHTS OF RESIDENTIAL OWNERS IN THE COMMUNITY;

(IV) PROVIDE RESIDENTIAL OWNERS DUE PROCESS AND EQUAL PROTECTION; AND

(V) COMPLY AND FUNCTION IN ACCORDANCE WITH STATE LAW AND THE GOVERNING DOCUMENTS;

(10) THE RIGHT TO RECEIVE TIMELY ACCESS TO DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY, INCLUDING THE ABILITY TO INSPECT AND COPY SUCH DOCUMENTS;

(11) THE RIGHT TO RECEIVE PROMPT AND NONDISCRIMINATORY SERVICE FROM THE STAFF AND GOVERNING BODY OF THE COMMON OWNERSHIP COMMUNITY;

(12) THE RIGHT TO INDIVIDUAL PRIVACY BY THE GOVERNANCE AND MANAGEMENT OF THE COMMON OWNERSHIP COMMUNITY;

(13) THE RIGHT TO FAIR TREATMENT IF CHARGED WITH A VIOLATION OF THE GOVERNING DOCUMENTS, INCLUDING THE OPPORTUNITY:

(I) TO BE NOTIFIED IN WRITING ABOUT THE NATURE OF THE VIOLATION;

(II) TO PRESENT EVIDENCE AND CROSS-EXAMINE WITNESSES AT A PROPER HEARING; AND

(III) TO ABATE THE VIOLATION WITHIN A REASONABLE AMOUNT OF TIME;

(14) THE RIGHT:

(I) TO BE INFORMED BY THE GOVERNING BODY OF THE COMMON OWNERSHIP COMMUNITY OF PROPOSED CHANGES TO EXISTING GOVERNING DOCUMENTS, POLICIES, GUIDELINES, OR STANDARDS; AND

(II) TO VOTE TO APPROVE ANY CHANGES BEYOND THE DEVELOPMENT CONTROL PERIOD OF THE TYPE IDENTIFIED IN ITEM (I) OF THIS ITEM AND HAVE THOSE CHANGES PROPERLY ADOPTED AND PUBLISHED; AND

(15) THE RIGHT TO HAVE THE CONSUMER PROTECTION DIVISION OF THE MARYLAND OFFICE OF THE ATTORNEY GENERAL:

(I) REVIEW COMPLAINTS BY ONE OR MORE RESIDENTIAL OWNERS OF ALLEGED VIOLATIONS OF STATE LAWS THAT GOVERN COMMON OWNERSHIP COMMUNITIES; AND

(II) REPORT TO THE AFFECTED PARTIES IN WRITING THE FINDINGS OF THE REVIEW; AND

(III) UPON A FINDING OF A VIOLATION, TAKE DIRECT ENFORCEMENT ACTIONS, INCLUDING A CEASE AND DESIST ORDER AND OTHER AVAILABLE ENFORCEMENT ACTIONS.

(C) ANY CONDOMINIUM, HOMEOWNERS ASSOCIATION, OR COOPERATIVE HOUSING CORPORATION MAY EXTEND ANY OF THE ABOVE MENTIONED RIGHTS TO RENTERS, TENANTS, AND/OR COMMERCIAL PROPERTY OWNERS WITHIN ITS COMMUNITY, IF REQUIRED BY ITS GOVERNING DOCUMENTS.

(D) THE LISTING OF RIGHTS IN SUBSECTION (B) OF THIS SECTION MAY NOT BE CONSTRUED TO DENY OR DETRACT FROM OTHER RIGHTS THAT MAY BE RETAINED BY RESIDENTIAL OWNERS IN A COMMON OWNERSHIP COMMUNITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026

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WHEREAS, The Task Force concluded in 2006 that there was a marked increase in interest nationwide in addressing issues between unit owners in a condominium, members in a cooperative corporation, and lot owners in a homeowners association (hereinafter, collectively, “residential owners”) and the governing bodies of such communities, and that identifying and establishing a bill of rights for those residential owners is an important objective; and

WHEREAS, The Uniform Law Commission recognized the need for a bill of rights for residential owners and first approved a model bill of rights in 2008 for consideration by the states; and

WHEREAS, The Task Force completed its work in 2006, before the Uniform Law Commission approved its first model bill of rights, and therefore the Task Force concluded in its Final Report of December 31, 2006, that it would be prudent to wait on a final proposal for a Maryland Bill of Rights until the model Uniform Law Commission Bill of Rights was made available to the states; and

WHEREAS, The Task Force was informally reestablished during 2021 and diligently drafted an updated bill of rights from the Uniform Law Commission, the Montgomery County Commission on Common Ownership Communities, the Maryland Homeowners Association, and other relevant sources; [now, therefore,] and

WHEREAS, some proposed rights have not yet been added to the Laws of Maryland, and

WHEREAS, other proposed rights, while they may already be wholly or partially implemented and enforced by existing provisions in the Laws of Maryland and in common ownership community governing documents, they are included in the proposed rights to protect them because those provisions, like any provisions, are subject to being revoked in the future; and

WHEREAS, it is understood that any enacted bill of rights is a statement of important basic principles that would require follow-up legislation in the Maryland General Assembly to define, clarify, and provide details on how to implement and enforce each right, similar to the responsibility of the U. S. Congress to specify how to implement and enforce the rights in the U. S. Bill of Rights through appropriate clarifying legislation; now, therefore,

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(B) **TO PROTECT AND TO ENHANCE THE RIGHTS IN** [SUBJECT TO] THE PROVISIONS OF ALL APPLICABLE LAWS GOVERNING COMMON OWNERSHIP COMMUNITIES ESTABLISHED IN THE STATE, A RESIDENTIAL OWNER IN A COMMON OWNERSHIP COMMUNITY HAS THE FOLLOWING RIGHTS:

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(I) TO BE DESIGNATED AS A MEMBER OF A COMMON OWNERSHIP COMMUNITY WHEN THE COMMUNITY MAKES THAT RESIDENTIAL OWNER SUBJECT TO A LIEN AND TO A MANDATORY ASSESSMENT; AND

(II) TO PARTICIPATE IN MEETINGS ON COMMUNITY ISSUES WITH OTHER MEMBERS;

(2) THE RIGHT TO [BE REPRESENTED BY THE GOVERNING BODY OF THE COMMON OWNERSHIP COMMUNITY AND TO] HAVE THE GOVERNING BODY **BE FAVORABLY RESPONSIVE TO THE VIEWS AND PRIORITIES OF MOST RESIDENTIAL OWNERS** [CONSIDER THE PRIORITIES OF ALL RESIDENTIAL OWNERS] WHEN APPROVING A BUDGET AND MANAGING THE COMMUNITY’S FACILITIES AND OPEN SPACE;

(3) THE RIGHT TO AN ANNUAL BUDGET FOR THE COMMON OWNERSHIP COMMUNITY, TO BE DELIVERED TO THE RESIDENTIAL OWNER WITH THE RESIDENTIAL OWNER’S ANNUAL NOTICE OF ASSESSMENT FEES OWED TO THE COMMON OWNERSHIP COMMUNITY, THAT PRIORITIZES SUPPORT FOR THE FACILITIES AND SERVICES AVAILABLE TO THE RESIDENTIAL OWNER IN THE COMMON OWNERSHIP COMMUNITY;

(4) THE RIGHT TO USE ALL FACILITIES AND SERVICES OF THE COMMON OWNERSHIP COMMUNITY AT A REASONABLE COST, **IF THERE IS A MEMBERSHIP OR USAGE FEE**, THAT DOES NOT EXCEED HALF THE COST CHARGED TO ELIGIBLE USERS WHO ARE NOT RESIDENTIAL OWNERS IN THE COMMON OWNERSHIP COMMUNITY;

(5) THE RIGHT TO BE A MEMBER OF THE CLASS OF SOLE OR PRIMARY USERS OF THE COMMON OWNERSHIP COMMUNITY'S FACILITIES AND SERVICES IF THERE IS SCARCE AVAILABLE CAPACITY OF THESE FACILITIES AND SERVICES AND TO BE PROVIDED WITH ADDITIONAL CAPACITY, TO THE EXTENT POSSIBLE, SO THAT THE CLASS IS NOT DENIED THE OPPORTUNITY TO USE THOSE FACILITIES AND SERVICES;

(6) THE RIGHT TO FAIR TREATMENT IN THE REPAYMENT OF ANY DEBT INCURRED BY THE COMMON OWNERSHIP COMMUNITY FOR MAJOR CAPITAL PROJECTS OR OPERATING EXPENSES SO THAT **SUCH DEBT WOULD BE REPAYED OVER A REASONABLE PERIOD OF TIME DURING WHICH THE BURDEN OF REPAYMENT IS FAIRLY ALLOCATED AMONG THE PRESENT AND FUTURE RESIDENTIAL OWNERS**[PRESENT AND FUTURE RESIDENTIAL OWNERS HAVE A RELATIVELY EQUAL SHARE IN THE RESPONSIBILITY TO REPAY SUCH DEBT];

(7) THE RIGHT TO VOTE:

(I) BY SECRET BALLOT **FOR ENSURING VOTER CONFIDENTIALITY**, TO ELECT THE MEMBERSHIP OF THE GOVERNING BODY, **BEYOND THE DEVELOPMENT CONTROL PERIOD**, FOR THE COMMON OWNERSHIP COMMUNITY AND TO BE A CANDIDATE IN FAIR ELECTIONS ADMINISTERED BY NEUTRAL PARTIES, WITH RESULTS THAT CAN BE VERIFIED BY AN AUDIT ON REQUEST;

(II) TO RECALL AN INCUMBENT MEMBER OF THE GOVERNING BODY;

(III) ON CERTAIN FINANCIAL MATTERS, IF PERMITTED IN THE GOVERNING DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY; AND

(IV) ON NEW CAPITAL PROJECTS PROPOSED BY THE GOVERNING BODY, IF PERMITTED IN THE GOVERNING DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY AND BY REFERENDUM;

(8) THE RIGHT, WITH REGARD TO MEETINGS AND ACTIVITIES OF THE GOVERNING BODY FOR THE COMMON OWNERSHIP COMMUNITY OR A COMMITTEE OF THE GOVERNING BODY:

(I) TO RECEIVE REASONABLE ADVANCE NOTICE OF ANY OPEN AND CLOSED MEETINGS, INCLUDING, **AT A MINIMUM**, ANY **PROPOSED** AGENDA FOR A MEETING[AND ANY SUPPORTING INFORMATION];

(II) TO **PARTICIPATE**[, EITHER] IN PERSON **AT OPEN MEETINGS**;

(III) **TO PARTICIPATE**[OR] THROUGH REMOTE ACCESS **AT OPEN MEETINGS**; AND

(IV[III]) TO A REASONABLE OPPORTUNITY TO SPEAK DURING A [TIMELY] PERIOD **NEAR THE BEGINNING OF THE MEETING AND/OR, IF ALLOWED BY THE GOVERNING BODY OR COMMITTEE, AT THE TIME** WHEN MATTERS ARE DISCUSSED OR VOTED ON [BY THE GOVERNING BODY OR COMMITTEE];

(9) THE RIGHT TO HAVE A COMMON OWNERSHIP COMMUNITY GOVERNING BODY AND COMMUNITY MANAGER THAT:

(I) ARE PROPERLY TRAINED **IN AN EFFICIENT, EFFECTIVE, AND AFFORDABLE MANNER** AND **ALSO** INDEMNIFIED;

(II) ARE STEWARDS OF THE COMMUNITY'S COMMON INTERESTS;

(III) ARE PROTECTIVE OF THE RIGHTS OF RESIDENTIAL OWNERS IN THE COMMUNITY;

(IV) PROVIDE RESIDENTIAL OWNERS DUE PROCESS AND EQUAL PROTECTION;
AND

(V) COMPLY AND FUNCTION IN ACCORDANCE WITH STATE LAW AND THE GOVERNING DOCUMENTS;

(10) THE RIGHT TO RECEIVE TIMELY ACCESS TO DOCUMENTS OF THE COMMON OWNERSHIP COMMUNITY, INCLUDING THE ABILITY TO INSPECT AND COPY SUCH DOCUMENTS;

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(13) THE RIGHT TO FAIR TREATMENT IF CHARGED WITH A VIOLATION OF THE GOVERNING DOCUMENTS, INCLUDING THE OPPORTUNITY:

(I) TO BE NOTIFIED IN WRITING ABOUT THE NATURE OF THE VIOLATION;

(II) TO PRESENT EVIDENCE AND CROSS-EXAMINE WITNESSES AT A PROPER HEARING; AND

(III) TO ABATE THE VIOLATION WITHIN A REASONABLE AMOUNT OF TIME;

(14) THE RIGHT:

(I) TO BE INFORMED BY THE GOVERNING BODY OF THE COMMON OWNERSHIP COMMUNITY OF PROPOSED CHANGES TO EXISTING GOVERNING DOCUMENTS, [OR] **POLICIES, [;] GUIDELINES, OR STANDARDS;** AND

(II) TO VOTE TO APPROVE ANY CHANGES **BEYOND THE DEVELOPMENT CONTROL PERIOD** OF THE TYPE IDENTIFIED IN ITEM (I) OF THIS ITEM AND HAVE THOSE CHANGES PROPERLY ADOPTED AND PUBLISHED; AND

(15) THE RIGHT TO HAVE THE CONSUMER PROTECTION DIVISION OF THE MARYLAND OFFICE OF THE ATTORNEY GENERAL:

(I) REVIEW **COMPLAINTS BY ONE OR MORE RESIDENTIAL OWNERS OF** ALLEGED VIOLATIONS OF STATE LAWS THAT GOVERN COMMON OWNERSHIP COMMUNITIES; AND

(II) **REPORT TO THE AFFECTED PARTIES IN WRITING THE FINDINGS OF THE REVIEW; AND**

(III) **UPON A FINDING OF A VIOLATION, TAKE DIRECT ENFORCEMENT ACTIONS [ON BEHALF OF A RESIDENTIAL OWNER], INCLUDING A CEASE AND DESIST ORDER AND OTHER AVAILABLE ENFORCEMENT ACTIONS.**

(C) ANY CONDOMINIUM, HOMEOWNERS ASSOCIATION, OR COOPERATIVE HOUSING CORPORATION MAY EXTEND ANY OF THE ABOVE MENTIONED RIGHTS TO RENTERS, TENANTS, AND/OR COMMERCIAL PROPERTY OWNERS WITHIN ITS COMMUNITY, IF REQUIRED BY ITS GOVERNING DOCUMENTS.

(D[C]) THE LISTING OF RIGHTS IN SUBSECTION (B) OF THIS SECTION MAY NOT BE CONSTRUED TO DENY OR DETRACT FROM OTHER RIGHTS THAT MAY BE RETAINED BY RESIDENTIAL OWNERS IN A COMMON OWNERSHIP COMMUNITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026[5]