

## **Written Testimony in Support of HB0955, with Recommended Amendments for Independent, Conflict-Free Elections**

Chair and members of the committee, thank you for the opportunity to submit testimony on this important legislation. My name is Michele Jackson, and I have been a unit owner for four years at the Elmont Condominium in Baltimore, Maryland. I am writing in strong support of HB0955, which clarifies that independent election requirements in condominiums and homeowners associations apply when the number of candidates exceeds the number of contested seats.

This clarification is helpful, but it also highlights a broader issue: election integrity in common ownership communities varies widely, leaving many homeowners vulnerable to inconsistent, unfair, or conflicted election practices. Maryland's common ownership communities house a significant portion of the state's residents, and ensuring fair, transparent elections is essential to maintaining trust in community governance.

Elections in condominiums and HOAs determine who will oversee budgets, enforce governing documents, manage contracts, and make decisions that directly affect homeowners' financial and housing stability. For these elections to be legitimate, they must be conducted in a manner that is transparent, impartial, and free from conflicts of interest. Unfortunately, many communities experience election disputes, allegations of interference, and concerns about fairness—often because the individuals administering the elections have personal or business ties to those seeking to retain power.

For these reasons, I respectfully recommend strengthening the legislation with the following amendments.

### **1. Require All Elections to Be Conducted by a Qualified Third Party**

Regardless of the number of candidates or contested seats, all elections should be administered by an independent third party. This ensures consistency, fairness, and public confidence in the outcome. Even uncontested elections can be vulnerable to procedural irregularities, selective notice, proxy manipulation, or perceived bias when handled internally.

A qualified third-party administrator provides:

- Neutral oversight
- Standardized procedures
- Protection against manipulation or undue influence

- Greater trust in the results

This is a simple, effective safeguard that benefits both boards and homeowners.

## 2. Require That the Third Party Have No Personal or Business Relationship With Key Stakeholders

To ensure true independence, the third-party election administrator must have no personal or business relationship with:

- Any member of the board of directors
- The property management company
- The property manager(s)
- Attorneys or law firms representing the board or the management company

When election administrators have ties to those in power, even the appearance of bias undermines trust and fuels disputes. Elections should never be overseen by individuals or companies who stand to benefit from the outcome.

## 3. Strengthen Transparency and Accountability in Election Procedures

These amendments reinforce the intent of HB0955 by ensuring that elections are not only independent when contested, but consistently fair, transparent, and free from undue influence. Homeowners deserve confidence that their votes matter and that the process is not controlled by those already in power or those financially tied to them.

## Conclusion

I support HB0955 as written, but I urge the committee to consider these amendments to ensure that all elections—contested or uncontested—are conducted by a truly independent third party with no personal or business ties to the board, management company, or their legal representatives. These changes would significantly strengthen election integrity, reduce disputes, and promote trust in the governance of Maryland's common ownership communities.

Thank you for your consideration and for your commitment to improving transparency and fairness in community association governance.