

Board of Directors
Leisure World Community Corporation
3701 Rossmoor Boulevard
Silver Spring, MD 20906

**TESTIMONY OF THE LEISURE WORLD COMMUNITY CORPORATION
ON MARCH 11, 2026
BEFORE THE SENATE JUDICIAL PROCEEDINGS COMMITTEE
SB 919 – HOMEOWNERS ASSOCIATIONS – RESERVE FUNDING, MEETING NOTICES,
VOTING, AND RECORDS**

FAVORABLE WITH AMENDMENTS

Honorable Chair Senator William C. Smith, Jr., Vice-Chair Senator Jeff Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

This testimony is submitted on behalf of the Leisure World Community Corporation, a master homeowners' association. Leisure World is a senior (55+) residential community in Silver Spring, Maryland. In addition to the master homeowners' association, Leisure World includes 27 condominiums, one cooperative housing corporation, and one homeowners association. Leisure World has more than 8500 residents living in a total of 5660 units.

We understand that SB 919 would make several significant updates to Maryland's homeowners association (HOA) laws, with the goals of strengthening transparency, modernizing communication and voting, and clarifying how HOAs may fund required reserve accounts. This bill amends multiple sections of Maryland Real Property Article §11B to require large HOAs to post key records online, authorize electronic meeting notices, expand the ability to vote electronically, and authorize HOAs to use loans or lines of credit to meet reserve funding obligations. While Leisure World supports the goals of this proposed legislation in principle, we are concerned about the practical implementation of the requirements for electronic meetings.

New mandatory online posting of core HOA documents

Within 30 days of creation or receipt, the HOA must post a broad set of records on its website, portal, or app. The bill states that the following must be posted:

- The declaration and any amendments
- The bylaw and any amendments
- Approved minutes of all open meetings for the preceding five years

- Recordings of all meetings conducted by telephone or video over the preceding twelve months
- All written information provided to or used by the board at all open meetings

Leisure World already makes these documents available to our community on our website for residents except for recordings of electronic meetings, because Leisure World does not record any of its meetings. The LWCC board of directors has adopted a policy that meetings are not to be recorded but we do require minutes to be taken of all board and committee meetings. In fact, the Circuit Court of Montgomery County recently ruled that recording meetings is a violation of the Maryland Wiretap Act unless every person in the meeting consents to the recording.¹ The process of obtaining that consent is a significant challenge and is both impractical and cumbersome, if not impossible, especially when our meetings have many participants and people come and go (and might withdraw their consent).

Recognizing that web sites of homeowners associations are sometimes intended for private use of their residents and owners, 11B-112(a)(iv) should be amended to clarify that the website may be limited to just residents to read:

THE WEBSITE, ONLINE PORTAL, OR MOBILE DEVICE APPLICATION DEVELOPED UNDER PARAGRAPH (iii) OF THIS PARAGRAPH, MUST BE MADE ACCESSIBLE TO THE LOT OWNERS AND MAY BE LIMITED TO SUCH OWNERS:

Virtual meetings and recordings

This bill codifies and expands the current provisions in 11B-113.6 for virtual meetings to require the keeping of recordings of virtual meetings as official records, consistent with §11B-112 as amended.

Leisure World already follows these procedures for our meetings, with the exception of recordings as it does not record virtual meetings **or any other** meetings.

First, we are concerned because the language in the bill is not completely clear. Are HOAs required to keep recordings of electronic meetings if, and only if, they choose to record those specific meetings? Under the current “wiretap” law in Maryland, the consent of all participants is required to record a meeting or a telephone conversation. Or would HOAs be required to record all electronic meetings, regardless of whether consent is obtained from every participant, and maintain those recordings as official records? This would

¹ In the Matter of Chair, Board of Directors, Leisure World Community Corporation for Judicial Review of the Decision of the Montgomery County Office of Human Rights Case Review Board, Case No. C-15-CV-24-006672 (January 20, 2026).

represent a substantial change in existing law, under which there are criminal penalties if consent for recording is not given. The administrative burden of obtaining consent from all participants would be substantial and costly, especially for large “town meetings” on specific topics or annual meetings for all residents. Moreover, one resident could decline to consent and thus prevent the meeting from being recorded unless that resident was excluded from attending, which does not seem consistent with the spirit of good governance and community engagement. **Consequently, the legislation needs to consider Maryland’s Wire Tap laws.**

Second, our residents are notified and welcome to attend all Leisure World governance meetings (except when Maryland law requires a closed session for specified confidential matters), and agendas, minutes, and meeting materials are made available online promptly to the community. The marginal benefit of making and keeping lengthy audio or video recordings of those meetings as well does not appear to justify the substantial administrative burden and expense of doing so. Also, some residents might be unwilling to “speak up” and participate actively in our meetings if they knew the meetings were being recorded, which would diminish the effectiveness of these important meetings and impair the self-governance of our common ownership community.

Master homeowners’ association

Several provisions of the bill refer to votes or other actions by “lot owners” of HOAs. As recognized under Maryland law, a homeowners’ association may be made up of another HOA, condominium, or cooperative housing corporation. Such homeowners’ associations, like the Leisure World Community Corporation, are known as a master homeowners’ association, where the governing body may be elected from the multiple common ownership communities making up the master HOA and not by the lot owners. **In fact, there are no lot owners in a master HOA like Leisure World.**

At Leisure World, **the individual unit owners and lot owners for each of the 29** common ownership communities are not members of the Leisure World Community Corporation. Rather, it is the 29 common ownership communities as legal entities that are the governing members and owners of the master HOA. For these reasons, Leisure World requests that references to “lot owners” of a homeowners’ association in 11B-112..3 (f)(6), 11B-113.1(a)(1) and (B)(3), and 11B-113.2 (a)(2)(I) be amended to read **“lot owners OR IN THE CASE OF MASTER HOMEOWNERS’ ASSOCIATIONS CONSISTING OF MULTIPLE COMMON OWNERSHIP COMMUNITIES, THE GOVERNING BODY OF A HOMEOWNERSASSOCIATION.”**

Conclusion

For the reasons set forth above, Leisure World objects to the provisions in this bill that require recordings of virtual meetings to be made and kept as official records, and we request the bill be amended to remove those provisions. We also request that any references to lot owners of HOAs be amended to provide for master homeowners' associations.

Respectfully submitted,
Colette Collier Trohan
Chair of the Board of Directors
Leisure World Community Corporation