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March 30, 2026

Senator William C Smith, Jr., Chair
Senator Jeff Waldstreicher, Vice Chair
2 East Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

Re: **House Bill 1362 Condominiums and Homeowners Associations – Meetings –
Recording Requirements**

Hearing Date: March 31, 2026 at 1:00 pm
Position: Oppose

Dear Chair Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

This letter is submitted on behalf of the Maryland Legislative Action Committee (MD-LAC) of the Community Associations Institute (CAI). CAI represents individuals and professionals who reside in or work with community associations (condominiums, homeowners' associations, and cooperatives) throughout the State of Maryland.

The MD-LAC opposes HB1362 which would require that all condominium and homeowner association meetings be recorded, either by video with audio, or audio only, which creates multiple issues that can affect associations.

Our testimony outlines several key points, including:

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- 1) Maryland is an “all party consent” state for recording. A meeting recording requirement may violate that law because board members may not be able to obtain consent from everyone in attendance, and potential volunteers who want to be involved within their community association committee member or even just an interested owner may not wish to be recorded. This could hinder owners who want to be involved in association governance and organization when it is already a challenge to find owners who want to volunteer within their community.
- 2) No other industry, including public boards of directors, is required to record their meetings, and corporations are not required to record their meetings because of the two-party consent statute.
- 3) Periodically, meetings can include outbursts or sensitive information from a meeting attendee which is more appropriately handled in executive session. Once such behavior or sensitive information is recorded, private or sensitive information has now become public information and is part of the public record, which can create potential legal problems for the association since private, sensitive information related to homeowners within the community will now be considered public.
- 4) Depending upon the size, complexity, and/or the financial standing, some associations are professionally managed by management companies, and some are self-managed. For those that are professionally managed, in some instances when an association changes management companies, not all board records are turned over to the new management companies and recordings could be lost creating liability to the association. Even in a self-managed association, MD-LAC questions who might be responsible for storing the recordings of the meetings as community association board and committee members are volunteers who may not seek re-election, may move out of the association, or may not maintain records as diligently as might be required. The burden of storing this information is on the association and they are responsible for maintaining the records, but HB1362 is not clear on who should store the recordings, where they need to be stored, how they need to be stored, or for how long they should be stored. Board members have term limits and when they resign from the board the information, they were responsible for storing could potentially be lost when they resign. If that were to happen, the board of directors would be held liable for the lost recordings, making them vulnerable to lawsuits from members of the association.
- 5) Self-managed associations typically do not have the financial means to hire a management company and will have to carry the financial burden of storing these recorded meetings. Associations managed by a management company may incur additional fees if they hire someone to record the meetings, as well as fees for storing the physical and digital records and additional technology fees. These additional fees may cause additional financial strain for already strapped boards.

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6) Artificial Intelligence (AI) is a relatively new technological trend with very limited regulation and legal control. AI manipulation is on the rise and crimes involving voice and identity theft will put board members more at risk for these types of crimes. This will lead to requiring each association to add additional cyber liability insurance to protect these recorded meetings and ensure that the names and likenesses of the board and meeting participants are not stolen or manipulated, which is an added expense not considered in this bill.

7) The bill does not consider technical difficulties that can commonly occur in any recorded meeting, but particularly those that are run by volunteers or attended virtually by board and resident members who may have technical or operational difficulty with meetings, including zoom meetings. In such cases, if meeting equipment malfunctions, is the meeting itself considered invalid and adjournment and postponement required. Such forced postponement may run into conflict with the meeting requirement outlined in an association's governing documents, once again jeopardizing the liability of the board of directors.

Maryland LAC does not believe that HB1362 is in the best interest of community associations and could have expensive unintended consequences for Maryland's communities. For the foregoing reasons, we ask the Committee for an **unfavorable** report on this bill. Thank you for your time and consideration.

We respectfully request that the Committee give HB1362 an **unfavorable report**. We are available to answer any questions the Committee Members may have. Please feel free to contact Lisa Harris Jones, lobbyist for the MD-LAC, at 410-366-1500, or by e-mail at lisa.jones@mdlobbyist.com, Igor Conev, Chair of the MD-LAC at 443 614 2787, or by e-mail at to igor@ocmannproperties.com, or Angela Vazquez, Member CAI MD-LAC at 410-674-4351, or by e-mail at angela@rivetermanagement.com.

Sincerely,

Angela Vazquez
Member, CAI MD-LAC

Igor Conev
Chair, CAI MD-LAC

CAI is a national organization dedicated to fostering vibrant, competent, harmonious community associations for more than fifty years. Its members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to common interest associations. As part of its mission, CAI advocates for legislative and regulatory policies that support responsible governance and effective management. As part of this purpose state Legislative Action Committees represent CAI members before state legislatures and agencies on issues such as governance, assessments collection, insurance and construction defects.

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