

## What's Happening in Annapolis

We encourage you to access the Maryland General Assembly Home Page (Google Maryland General Assembly) click on Maryland General Assembly Home Page, then click on Bill Information and Status. Type in the bill number in the box provided, e.g. SB212, and the synopsis and bill status will come up. To get a copy of the bill, click on the highlighted bill number at the top of the synopsis and status page or go down to Documents and click on the appropriate "Reading" of the bill. To contact a legislator, go to the Maryland General Assembly Home Page and click on Contact (or find) a Legislator. The rest is self explanatory.

The following list of bills is NOT necessarily all inclusive of matters that pertain a common interest ownership association ("CIA"), e.g. condominiums, homeowners associations, community associations and co-operatives, but highlights some key bills that will have a substantial impact of CIAs.

- \* **HB 842 (Hearing 3/4 @ 1 p.m. - Environmental Matters)**  
**THE RESIDENTIAL ASSOCIATION SUSTAINABILITY ACT OF 2010**  
**[LIEN PRIORITY]**

Providing that a specified portion of a lien on a condominium unit or on a lot in a homeowners association, including specified late fees, interest, and any attorney's fees and costs for establishing the lien, has priority over a first mortgage or deed of trust under specified circumstances.

- \* **HB 29 (Hearing 3/4 @ 1 p.m. - Environmental Matters)**  
**[LIEN PRIORITY]**

Establishing that, in a foreclosure sale of a condominium unit or a lot in a homeowners association, a portion of a contract lien consisting of not more than 6 months of specified unpaid assessments, including attorney's fees or specified costs, has priority over the claim of the holder of a first mortgage or deed of trust recorded against the unit or lot after October 1, 2010 under specified circumstances;

- \* **SB 800 (Hearing 3/4 @ 1 p.m. - Judicial Proceedings)**  
**[FIDELITY INSURANCE]**

Limiting the applicability of a specified requirement that the governing body of a cooperative housing corporation, a condominium, or a homeowners association purchase **fidelity insurance** by **exempting** the governing body of a cooperative housing corporation, condominium, or homeowners association containing **fewer than four units**, or lot owners, and with less than a specified amount of common charges, assessments, or fees.

- \* **HB 702 (Hearing 2/25 @ 1 p.m. Environmental Matters)**  
**[FIDELITY BOND]**

Authorizing specified governing bodies of a cooperative housing corporation, a condominium, or a homeowners association to satisfy the requirement of purchasing fidelity insurance by purchasing a fidelity bond.

- \* **SB 212** (Favorable Report from Judicial Proceedings, if passes the Senate 3/1 and will be sent to the House for public hearing)

**[FREE SPEECH]**

Providing that, except under specified circumstances, homeowners in a common ownership community and residential tenants may not be prohibited from displaying noncommercial signs, posters, flags, or banners on their premises, peacefully assembling on their property or contacting their neighbors, engaging in constitutionally protected activity relating to an election or vote, or restricted from using common property based on protected beliefs, expression, or activities; etc.

- \* **HB 763** (Hearing 3/4 @ 1 p.m. - Environmental Matters)

**SB 224** (Favorable Report from Judicial Proceedings)

**[RIGHT TO DRY - CLOTHESLINE]**

**Authorizing a homeowner or tenant to use a clothesline** or other similar laundry drying device on specified property notwithstanding the terms of any contract or other document concerning use of clotheslines; authorizing the governing body of a condominium, homeowners association, or housing cooperative or a landlord to adopt reasonable rules and regulations regarding clotheslines and other similar laundry drying devices under specified circumstances.

- \* **HB 1300** (Hearing 3/17 @ 1 p.m. Economic Matters)

**SB 931** (Hearing 3/24 @ 1 p.m. Judicial Proceedings)

**[MANAGER LICENSING]**

Creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of officers, size of a Board quorum, and for meetings of the Board; authorizing the Board to sue in the name of the State, with the approval of the Attorney General, to enjoin specified conduct; etc.

- \* **HB 566** (First Reading 2/3 Environmental Matters)

**[PRINCE GEORGE'S COUNTY CIA REGISTRATION]**

Requiring, in Prince George's County, that the Office of Community Relations establish a registry of entities providing specified community association management services for condominiums, homeowners associations, or cooperative housing corporations located in the county; requiring the entities to register annually with the Office and pay a specified fee;

requiring specified information to be included in the registration; authorizing the Office to collect an annual registration fee; etc.

\* **HB 1124** (Hearing 3/4 @ 1 p.m. - Environmental Matters)  
**[ASSOCIATION REGISTRATION]**

Requiring cooperative housing corporations, condominiums, and homeowners associations to register annually with the Division of Consumer Protection of the Office of the Attorney General; authorizing the Division of Consumer Protection to charge a specified registration fee; requiring the registration form to include specified information; etc.

\* **SB 945** (EMERGENCY BILL - Hearing 3/25 @ 1 p.m. Judicial Proceedings)  
**[INVALIDATING RENTAL RESTRICTIONS UNTIL JUNE 30, 2010]**

Establishing that a provision in a specified governing document of a condominium or a homeowners association that restricts the right of a unit owner in a condominium or a homeowner in a homeowners association from renting their residential property is null and void until June 30, 2013; stating the intent of the General Assembly; providing for the termination of the Act; and making the Act an emergency measure.

\* **SB 597** (Hearing 2/23 @ 1 p.m. Judicial Proceedings)  
**HB620** (Hearing 2/25 @ 1 p.m. Environmental Matters)

**[CONSTRUCTION WARRANTIES]**

Requiring the description of the common elements in a condominium declaration that is recorded on or after October 1, 2010, to include specified improvements; altering the duration of a specified implied warranty on the common elements of a condominium; altering the duration of a specified implied warranty on the common areas of a homeowners association; etc

\* **HB 460** (Hearing 2/18 @ 1 p.m. Environmental Matters)  
**[SURCHARGES ON ASSESSMENTS FOR NON OWNER OCCUPIED]**

Authorizing condominium bylaws to include a provision establishing a 10% surcharge on each assessment for common expenses payable by the owner of a condominium unit that is not owner-occupied or a unit that is vacant under specified conditions; and limiting the applicability of the surcharge to multiple-unit condominium buildings and **not townhouse condominiums**.

\* **SB 416** (Hearing 2/16 @ 1 p.m. Judicial Proceedings)  
**[BUDGET NOTICE]**

Requiring notice of a vote on the proposed budget to be included in a notice of a council of condominium unit owners meeting; requiring notice of a vote on the proposed budget to be included in a notice of a homeowners association meeting; and requiring the board of directors or other governing body of a homeowners association to prepare and submit to all members of the homeowners association a proposed annual budget at least 30 days before its adoption.

\* **HB 695** (Hearing 2/25 @ 1 p.m. Environmental Matters)

**[BUDGET NOTICE HOMEOWNERS' ASSOCIATION]**

Requiring a homeowners association to prepare and submit an annual proposed budget to the lot owners at least 30 days before its adoption; requiring the budget to include specified items; requiring the budget to be adopted at an open meeting of the homeowners association or other body to which the homeowners association has delegated responsibilities for preparing and adopting a budget; etc.

\* **HB 1118** (Hearing 2/25 @ 1 p.m. Environmental Matters)

**[FORECLOSURE MEDIATION]**

Requiring specified documents to accompany a notice of intent to foreclose a mortgage or deed of trust on residential property; requiring an order to docket or a complaint to foreclose a mortgage or deed of trust on residential property to include payment of a \$100 filing fee and be accompanied by either a final loss mitigation affidavit or a preliminary loss mitigation affidavit; altering the contents of a specified notice that must accompany an order to docket or complaint to foreclose; etc.

\* **HB 472** (EMERGENCY BILL - Hearing 2/16 @ 1 p.m. Environmental Matters)

**SB 276** (EMERGENCY BILL - Hearing 2/16 @ 1 p.m. Judicial Proceedings)

**[FORECLOSURE MEDIATION]**

Requiring an order to docket or complaint to foreclose on residential property to be accompanied by a loss mitigation affidavit and specified forms; requiring the clerk of the court to schedule a case for foreclosure mediation if the defendant files a completed request for foreclosure mediation and affidavit within a specified time; authorizing the defendant to file a motion to stay the sale if the parties fail to reach an agreement in the mediation; altering the time after which a foreclosure sale may occur; etc.

\* **HB 455** (Hearing 2/18 @ 1 p.m. - UNFAVORABLE REPORT Environmental Matters)

**[FORECLOSURE TASK FORCE]**

Establishing the Task Force to Study the Residential Property Foreclosure Process; providing for the membership of the Task Force and the designation of the chair; providing for the duties of the Task Force, including the duty to recommend legislative, regulatory, and judicial procedural changes to streamline the foreclosure process while protecting the interests of all parties; requiring the Task Force to report to the Governor and the General Assembly on or before December 1, 2011; etc.

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