

CITIZEN-DRAFTED BILL CB-620

Requested: February 26, 2026

Suggested assignment to: Economic Matters

AN ACT concerning

Common ownership – Repair of damaged elements

FOR the purpose of removing an association's legal obligation to interfere with repairs that are often of questionable, debatable, or unclear fault between unit owners.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Bold indicates matters for general awareness, usually existing law that provides key context for the bill.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Real Property

11-114

(a) Commencing not later than the time of the first conveyance of a unit to a person other than the developer, the council of unit owners shall maintain, to the extent reasonably available:

(1) Property insurance against risks of direct physical loss commonly insured against in amounts determined by the council of unit owners, but not less than any amounts specified in the declaration or bylaws:

(i) For attached units, multifamily dwelling units, or detached units located within a condominium not composed entirely of similar detached units, on the common elements and units, exclusive of improvements and betterments installed in units by unit owners other than the developer; and

(ii) For detached units located within a condominium composed entirely of similar detached units, on the common elements; and

(2) Comprehensive general liability insurance, including medical payments insurance, in an amount determined by the council of unit owners, but not less than any amount specified in the declaration or bylaws, covering occurrences commonly insured against for death, bodily injury, and property damage arising out of or in connection with the use, ownership, or maintenance of the common elements.

...

(e) (1) An insurance policy issued to the council of unit owners does not prevent a unit owner from obtaining insurance for his own benefit.

(2) Unless a council of unit owners exercises the authority under paragraph (3) of this subsection, an owner of a residential, detached unit located within a condominium composed entirely of similar detached units, shall carry homeowners insurance coverage on the entirety of the unit.

(3) A council of unit owners may carry homeowners insurance on the entirety of all detached units located within a condominium composed entirely of similar detached units.

...

(g) (1) Subject to the applicable coverage specified under subsection (a)(1) of this section, any portion of the ~~GENERAL OR LIMITED common elements~~ **[and the units, exclusive of improvements and betterments installed in the units by unit owners other than the developer,] damaged or destroyed shall be repaired or replaced promptly** by the council of unit owners unless:

(i) The condominium is terminated;

(ii) Repair or replacement would be illegal under any State or local health or safety statute or ordinance; or

(iii) 80 percent of the unit owners, including every owner of a unit or assigned limited common element which will not be rebuilt, vote not to rebuild.

(2) SUBJECT TO THE APPLICABLE COVERAGE SPECIFIED UNDER SUBSECTION (a)(1) OF THIS SECTION, FOR ANY PORTION OF THE UNITS DAMAGED OR DESTROYED, THE GOVERNING BODY OF THE CONDOMINIUM SHALL MAINTAIN AS PART OF THE BOOKS AND RECORDS PROMPTLY AVAILABLE TO UNIT OWNERS:

(i) A SEMI-ANNUALLY UPDATED LIST OF MAINTENANCE COMPANIES TO ASSIST WITH REPAIR OR REPLACEMENT; AND

(ii) AN ANNUALLY UPDATED LIST OF INSURANCE COMPANIES; AND

(iii) AN ANNUALLY DISTRIBUTED ADVISORY LETTER TO ALL UNIT OWNERS REGARDING MINIMUM RECOMMENDED INSURANCE COVERAGES FOR:

1. PROPERTY INSURANCE;
2. PERSONAL PROPERTY OR THE CONTENTS OF THE UNIT;
3. LOSS OF USE;
4. PERSONAL LIABILITY;
5. LOSS ASSESSMENT;
6. DWELLING OR BUILDING PROPERTY ALTERATIONS, ADDITIONS, BETTERMENTS, AND UPGRADES