

CITIZEN-DRAFTED BILL AH-401

Requested: August 24, 2024

Suggested assignment to: Environment and Transportation

AN ACT concerning

Condominiums and HOA – Priority of Residents over Monetization of Outside Users

FOR the purpose of ensuring that owners and renters who are residents of condominiums are not unfairly burdened by use of facilities by outside users, and to ensure that monetization of resources does not run counter to the interests and access of residents to those resources.

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.

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

Article – Real Property

11-108

(e) TO THE EXTENT THAT THE GOVERNING BODY ALLOWS THE USE OF CONDOMINIUM FACILITIES AND SERVICES OF THE COMMON ELEMENTS BY PERSONS WHO ARE NOT OWNERS OR RENTERS OF THE CONDOMINIUM, THE CORRESPONDING FEES FOR USE OF FACILITIES AND SERVICES OF THE COMMON ELEMENTS BY THOSE PERSONS SHALL BE DOUBLE THE REASONABLE AMOUNT CHARGED TO AN OWNER, RENTER, OR LEASEHOLD ESTATE OF THE CONDOMINIUM.

11B-112.2

(g) The adoption of a budget does not impair the authority of the homeowners association to obligate the homeowners association for expenditures for any purpose consistent with any provision of this title.

(h) TO THE EXTENT THAT THE GOVERNING BODY ALLOWS THE USE OF COMMUNITY FACILITIES AND SERVICES OF THE COMMON ELEMENTS BY PERSONS WHO ARE NOT OWNERS OR RENTERS OF THE COMMON ELEMENTS, THE CORRESPONDING FEES FOR USE OF FACILITIES AND SERVICES OF THE COMMON ELEMENTS BY THOSE PERSONS SHALL BE DOUBLE THE REASONABLE AMOUNT CHARGED TO AN OWNER, RENTER, OR LEASEHOLD ESTATE IN THE COMMUNITY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.