

News

Maryland Legislative Update – Common Interest Communities

May 10, 2018

The Maryland General Assembly has concluded its 2018 legislative session and there are several new laws that affect common interest communities in Maryland. Some highlights of this legislative session that may affect your community are below.

House Bill 575. Easier Amendment of Condominium Instruments to Authorize Suspension of Condominium Common Area Privileges.

- This new law will make it easier for condominium unit owner associations to amend their declarations to give themselves the power to suspend common area privileges, including parking privileges, of unit owners who are delinquent in assessment payments.
- This new law was passed in response to recent case law that provides that unless your condominium unit owners association's declaration specifically provides for suspension of privileges, then your association cannot suspend privileges.
- This new law lowers the threshold to pass an amendment for this specific purpose from 80% of all unit owners to 60% of all eligible voters.
- Any amendments pursuant to the new law must provide adequate due process (including notice and an opportunity for a hearing) to unit owners before suspending privileges.
- This new law will take effect on October 1, 2018.

Senate Bill 621. Amendment of Governing Documents to Delete Discriminatory Restrictions on Ownership.

- Some governing documents of common interest communities contain provisions that discriminate against people on the basis of race, religious belief, or national origin.
- This new law requires common interest communities to amend their governing documents to delete these provisions by September 30, 2019.
- This new law makes it easier to approve these amendments, by allowing boards of directors to delete these provisions without a vote from the membership, and avoiding the obligation to pay a fee at the courthouse when recording the amendment.
- This new law will take effect on October 1, 2018.

Continued

We have compiled a list of some of several new laws that may affect your community, including a discussion of the new laws referenced above, which you can find in our newsletter [here](#).

Please note that this newsletter does not address all new laws that may affect your community; if you have any questions about these laws or other new laws please contact:

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