

# HOUSE BILL 741

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5lr2121

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By: **Delegates Hayes, Clippinger, Conaway, Lierman, and B. Robinson**

Introduced and read first time: February 13, 2015

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Cooperative Housing Corporation Act – Delinquency Period for**  
3 **Purpose of Eviction Action**

4 FOR the purpose of repealing a condition that a member of a cooperative housing  
5 corporation be delinquent in paying assessments for a certain number of months  
6 before the governing body of the cooperative housing corporation may bring an action  
7 in court to evict the member under certain circumstances; and generally relating to  
8 cooperative housing corporations.

9 BY repealing and reenacting, with amendments,  
10 Article – Corporations and Associations  
11 Section 5–6B–31  
12 Annotated Code of Maryland  
13 (2014 Replacement Volume)

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

16 **Article – Corporations and Associations**

17 5–6B–31.

18 (a) This section applies only to a cooperative project that is no longer subject to a  
19 mortgage or deed of trust.

20 (b) Notwithstanding the articles of incorporation, bylaws, or regulations of a  
21 cooperative housing corporation or the proprietary lease of any member, a governing body  
22 may not bring an action in court to evict a member based solely on the failure of the member  
23 to pay assessments owed to the cooperative housing corporation unless:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   (1)     [The member has been delinquent in paying assessments for a period  
2 of 3 months or more;

3                   (2)]    The governing body has given the member notice and an opportunity to  
4 be heard regarding the delinquency, consistent with § 5-6B-30 of this subtitle;

5                   [(3)] (2)     The governing body has given the member an opportunity to cure  
6 the delinquency; and

7                   [(4)] (3)     The member has failed to cure the delinquency.

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2015.