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**To:** Members of The Environment and Transportation Committee

**From:** William A. O'Connell, Chair, Legislative Committee, Real Property Section

**Date:** February 8, 2021

**Subject:** **HB 593** – Condominiums and Homeowners Associations -  
Meeting Requirements

**Position:** **Technical Comments**

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The Maryland State Bar Association (MSBA) offers **technical comments to House Bill 593 – Condominiums and Homeowners Associations - Meeting Requirements**. This bill would amend the requirements under the Maryland Condominium Act for reconvening a condominium association membership meeting if there is an insufficient quorum at the originally scheduled meeting and would add this same procedure to the Maryland Homeowners Association for meetings of HOA members.

1. The Committee believes that the requirement in proposed §11-109(c)(8)(ii)(1)(B) and §11B-111(6)(l)(1)(B) that the initial meeting notice must include the date, time and place of the additional meeting (if such additional meeting subsequently becomes necessary) will be confusing to homeowner members and is unnecessary detail in the context of what this bill appears to be trying to accomplish. If this requirement is retained, the original meeting notice would include information as to the date, time and place of the initially scheduled meeting as well as the date, time and place for an additional meeting that may never occur. The additional meeting will only be held if there is an insufficient number of persons in attendance to constitute a quorum at the initial meeting. The Committee believes that it should be sufficient for the original notice of the initial meeting to state that an additional meeting may be held under the procedures authorized by the Act (including by further notice) if a sufficient number of persons necessary to constitute a quorum do not attend the originally scheduled meeting, without stating the date, time and place of such contingent additional meeting. The bill requires that a separate notice of the additional meeting be sent if it is necessary to convene the additional meeting, which second notice would be the appropriate one to set forth the date, time and place of the additional meeting. This suggested approach will avoid having the initial notice contain the date, time and place for two meetings and the confusion that may result from detailing in a single notice the date, time and place for two separate meetings, particularly when the additional meeting may never actually occur.

2. Proposed §11-109(c)(8)(iii)(2)(B) and §11B-111(6)(III)(B) provide a notice option for

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advertising “in a newspaper published in the county where the [condominium/homeowners association] is located.” The Committee suggests that newspaper in this context be changed to “newspaper of general circulation” consistent with other advertising notice provisions in the Code.

Thank you for your consideration. Please do not hesitate to contact me at (443) 741-4536 or [waoconnell@firstam.com](mailto:waoconnell@firstam.com).