

MBIA Testimony SB 686.pdf

Uploaded by: Graf, Lori

Position: FAV

February 24, 2021

The Honorable William C. Smith Jr.
Senate Judicial Proceedings Committee
Miller Senate Office Building,
2 East Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: Support SB 686(Real Property – Condominiums, Homeowners Associations, and Cooperative Housing Corporations – Virtual Meetings)

Dear Chairman Smith:

The Maryland Building Industry Association, representing 1,100 member firms statewide, appreciates the opportunity to participate in the discussion surrounding SB 686 Real Property – Condominiums, Homeowners Associations, and Cooperative Housing Corporations – Virtual Meetings. MBIA Supports the Act in its current version.

This bill would allow the governing body of a condominium, homeowners association, or cooperative housing corporation to hold meetings electronically. MBIA supports this measure. Allowing meetings to be held electronically would make meeting easier to organize and more widely available and convenient for members to attend. Additionally, during the current pandemic limiting gatherings of people for meetings that can easily be conducted electronically is a matter of public safety.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Judicial Proceedings Committee

sb 686 Support Letter 2021.pdf

Uploaded by: Straughn, Karen

Position: FAV

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Chief
Consumer Protection Division



STATE OF MARYLAND
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CONSUMER PROTECTION DIVISION

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February 24, 2021

To: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

From: Karen S. Straughn
Consumer Protection Division

Re: Senate Bill 686 – Real Property – Condominiums, Homeowner Associations, and
Cooperative Housing Corporations – Virtual Meetings (SUPPORT)

The Consumer Protection Division of the Office of the Attorney General submits the following written testimony in support of Senate Bill 686 submitted by Senator William C. Smith, Jr. This bill is intended to clarify that common ownership communities may hold meetings virtually, regardless of whether a pandemic exists.

Specifically, the bill permits a common ownership community to hold a virtual meeting as long as the association is complying with the community's governing documents. The bill clarifies that a vote of the community is not needed to enable the association to hold the meeting virtually and further provides standards by which a virtual election may be held.

When the pandemic began, the Consumer Protection Division received many calls and concerns from boards of directors, property managers and attorneys questioning the ability of an association to have a virtual meeting and seeking guidance. This bill would clarify that regardless of whether a pandemic exists, a virtual meeting may be held as long as certain parameters are met. Proper notice must be given which includes information on how to access the meeting. The bill clarifies that the association does not need a vote of the community to conduct its meeting virtually. The bill further clarifies procedures for voting in a virtual meeting and sets standards to ensure consistency in elections. The Consumer Protection Division has heard from many associations that virtual meetings have been helpful and some associations have reportedly been able to increase attendance at meetings by conducting them virtually.

The Honorable William C. Smith, Jr.
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For these reasons, we ask that the Judicial Proceedings Committee return a favorable report on this bill.

cc: Members, Judicial Proceedings Committee

SB686_MD_LAC_Virtual_Meeting_Testimony.PDF

Uploaded by: Dymowski, Julie

Position: FWA



Maryland Legislative Action Committee
The Legislative Voice of Maryland Community Association Homeowners

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Susan Saltsman, CMCA, AMS, Member
Scott Silverman, Esq., Member
John Taylor, Member
Aimee Winegar, CMCA, LSM, PCAM, Member

February 22, 2021

Hon. Senator William C. Smith, Jr., Chairman
Judicial Proceedings Committee
2 East
Miller Office Building
Annapolis, MD 21401

Re: SB 686 Real Property – Condominiums, Homeowners Association, and Cooperative Housing Corporations – Virtual Meetings

Hearing: February 24, 2021

**Position: Support with Amendment making it
Emergency Legislation**

Dear Chairman Smith and Committee Members:

This letter is submitted on behalf of the Maryland Legislative Action Committee (“MD-LAC”) of the Community Associations Institute (“CAI”). CAI represents individuals and professionals who reside in or work with condominiums, homeowners associations and cooperatives throughout the State of Maryland.

I am writing today on behalf of the MD-LAC to voice our support for SB 686 with an amendment making it emergency legislation effective upon signature by Governor Hogan.

During the Covid-19 pandemic, most condominiums, homeowners associations and cooperatives have conducted their meetings virtually through Zoom and other similar platforms in order to comply with governmental restrictions on large gatherings and social distancing. What started as a forced action has turned into a real positive for these community associations. Specifically, community associations have experienced increased member participation in meetings, reduced

Maryland Legislative Action Committee
Post Office Box 6636
Annapolis, Maryland 21401

costs of conducting meetings, and flexibility in scheduling and sharing materials during the meetings.

Right now, there are still some associations that are holding off conducting their annual meetings and elections due to the pandemic restrictions. These associations are looking for guidance and would greatly benefit from having the virtual meeting process prescribed by law. This is the goal of SB 686. For this reason, the MD-LAC requests an amendment to SB 686 to make it emergency legislation effective as soon as possible.

Notwithstanding the urgency surrounding this issue, the MD-LAC views SB 686 as more than a temporary law. While it is anticipated that governmental restrictions will require continued use of virtual meetings by community associations for the next several months, there will be an end to the emergency at some point. Even when the pandemic is over, community associations will continue to benefit from being authorized to hold virtual meetings. The way business is conducted has changed in the past year and the MD-LAC urges Maryland to be in the forefront in recognizing this fact and permanently amending the laws impacting community associations to allow for virtual meetings. Both Virginia and the District of Columbia have already adopted emergency legislation allowing virtual meetings for condominiums and other community associations during the pandemic. Maryland would be the first to make this type of legislation permanent.

We are available to answer any questions which you may have. Please feel free to contact any of the individuals listed: Lisa Harris Jones, CAI MD-LAC lobbyist, at 410-366-1500 or by email at lisa.jones@mdlobbyist.com; or Charlene Morazzani Hood, PCAM®, Executive Vice President/Community Manager/Vice Chair CAI MD-LAC, at 410-654-4444 or by email at cmorazzani@residential-realty.com; or Steven Randol, Chair 410-695-2183, or srandol@pineyorchard.com

Sincerely,



Julianne E. Dymowski

Member MD-LAC

Community Associations Institute

CAI is a national organization dedicated to fostering vibrant, competent, harmonious community associations for more than thirty years. Its members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to common interest associations. As part of its mission, CAI advocates for legislative and regulatory policies that support responsible governance and effective management. As part of this purpose state Legislative Action Committees represent CAI members before state legislatures and agencies on issues such as governance, assessments collection, insurance and construction defects.

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Uploaded by: Tompsett, Thomas

Position: FWA



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The Legislative Voice of Maryland Community Association Homeowners

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Aimee Winegar, CMCA, LSM, PCAM, Member

February 18, 2021

Hon. Senator William C. Smith, Jr., Chairman
Judicial Proceedings Committee
2 East
Miller Office Building
Annapolis, MD 21401

Re: SB 686 Real Property – Condominiums, Homeowners Association, and Cooperative Housing Corporations – Virtual Meetings

Hearing: February 24, 2021

Position: Support with Amendment making it Emergency Legislation

Dear Chairman Smith and Committee Members:

This letter is submitted on behalf of the Maryland Legislative Action Committee (“MD-LAC”) of the Community Associations Institute (“CAI”). CAI represents individuals and professionals who reside in or work with condominiums, homeowners associations and cooperatives throughout the State of Maryland.

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Sincerely,

Julianne Dymowski, Esquire
Member MD-LAC
Community Associations Institute

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