

HB216- SUPPORT

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Condominiums - Common Elements - Clean Energy Equipment Environment and Transportation Committee

It was a beautiful day last November when our Delegate Lorig Charkoudian and Congressperson Rep. Jamie Raskin joined us on the roof of Eastern Village Cohousing in Silver Spring to dedicate our new 96 kw solar project.

Celebrating new solar projects on condominium buildings in Maryland shouldn't be such a rare occurrence, but so long as the current language of the Condo Act remains unchanged, the law will continue to kill many promising solar projects on buildings like mine.

My own community's solar project was almost derailed by the current law.

Our volunteer solar committee received several Power Purchase Agreement proposals through which developers would put up solar on our roof at no cost to us and sell us the power at a discount. Cohousing operates by consensus decision-making, so we also undertook the labor of love of educating all 55 households about how solar financing works, of reassuring our neighbors they could still enjoy the other half of the roof. Over five months, our committee of volunteers had hundreds of conversations with our neighbors to address every question and concern. It was such an inspiring and hopeful moment last May the Membership Circle came to consensus and authorized a task force to select a solar developer and recommend a contract to the board.

Only days later though, we were warned about the requirements of the Maryland Condo Act, that perhaps our Eastern Village board wouldn't have the authority to sign the Power Purchase Agreement themselves. Rather, we might need every residential owner and **every mortgage holder** of every unit in our building to be notified and then we would need two-thirds to affirmatively approve it.

Even for our fearless and motivated volunteer committee, this was pretty devastating. My heart sank.

We're an owner-occupied building, know all our neighbors, and had already come to consensus, so having the residential owners all notified about the contract would have been more doable for us than many others.

But figuring out who held every mortgage of every unit in the building, figuring out how to notify those mortgage-holders in writing, and then securing two-thirds affirmative approval was going to be a bear.

As a very tired volunteer solar committee member who had by now been trying to help my building go solar for months and months, I can see why this requirement has killed solar projects in other Montgomery County condominiums.

Eventually, after hours of expensive legal advice and additional discussions, we prevailed. Our board signed a solar Power Purchase Agreement contract, and the panels went live on the Summer Solstice, June 21st 2023. But our beautiful solar panel project nearly came to a screeching halt for no good reason.

Maryland has ambitious climate goals and a strong commitment to climate action, and our elected leaders should be in the business of making clean energy easier, not harder, for all of us in Maryland. Without this bill, which I'm testing for a second year in a row, promising condo solar projects across the state will continue to be scuttled by requirements of the Condo Act that were never intended to interfere with solar leasing.

I request your favorable support for HB 216.