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February 6, 2024

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Senator William C. Smith, Jr., Chair  
Senator Jeff Waldstreicher, Vice-Chair  
Judicial Proceedings Committee  
2 East  
Miller Senate Office Building  
Annapolis, Maryland 21401

**Re: Senate Bill 383**  
**Baltimore County – Nuisance Actions – Community Association**  
**Hearing Date: February 8, 2024**  
**Position: Support with Amendment**

Dear Chairman Smith, Vice-Chair Waldstreicher, and Members of the Judicial Proceedings Committee:

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 community associations (condominiums, homeowners’ associations, and cooperatives) throughout the State of Maryland.

We write on behalf of the Maryland residents statewide who reside in common ownership communities to offer our support for the above-referenced legislation, which is scheduled for a hearing before your Committee on February 8, 2024.

**Page 2, Senate Bill 383**  
**Community Associations Institute**

The volunteer members of the boards of directors of community associations located in Baltimore County—and throughout the State of Maryland for that matter—are frequently confronted with the challenge of addressing nuisances perpetrated within their communities. The fact is that the remedies available to our constituents are limited and often ineffective. By making judicial relief available to community associations, the proposed legislation enlarges the scope of enforcement options, which will enable them to address the concerns of their constituent homeowners and residents.

However, the proposed legislation creates a new definition for community association which includes the requirement that the association be an incorporated entity in good standing. The issue there is that condominium associations are not otherwise required by Maryland law to be incorporated, whereas that requirement does exist with respect to cooperative housing and homeowners associations.

Because condominium associations are not otherwise required to be incorporated, they should not be disqualified from taking advantage of the relief afforded by the proposed legislation merely because they choose to remain unincorporated. Therefore, we suggest that Section 14-125(a)(2)(I)(4) be revised to read as follows:

**“4. Incorporated, if otherwise required pursuant to Maryland law; and, if so, in good standing with the State Department of Assessments and Taxation.”**

Provided that revision is made, we request a **favorable** recommendation by this Committee. Thank you for your time and attention to this important legislation.

We are available to answer any questions the Committee Members may have. Please feel free to contact Lisa Harris Jones, lobbyist for the MD-LAC, at 410-366-1500, or by e-mail at [lisa.jones@mdlobbyist.com](mailto:lisa.jones@mdlobbyist.com), or Scott Silverman, of the MD-LAC, at [301-251-1414](tel:301-251-1414), or by e-mail at [ssilverman@schildlaw.com](mailto:ssilverman@schildlaw.com).

Sincerely,

*Scott J. Silverman*

Scott J. Silverman, Esq.  
Member, CAI MD-LAC

*Vickie Caine*

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Chair, CAI MD-LAC