



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Chairman
Derrick Leon Davis
Council Member, District 6

MAR 28 2017

The Hon. Bobby A. Zirkin, Chair
Senate Judicial Proceedings
2 East Miller Senate Office Building
Annapolis, Maryland 21401-1991

The Hon. Kumar P. Barve, Chair
House Environment and Transportation
Lowe House Office Building, Room 251
Annapolis, Maryland 21401-1991

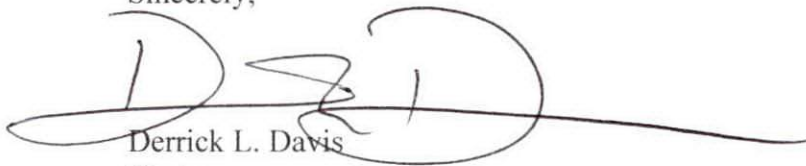
Re: **Bill Position** – SB 809/HB 1369 – Condominiums and Homeowners Associations
– Sales of Common Elements and Common Areas – **SUPPORT AS AMENDED**

Dear Senator Zirkin & Delegate Barve:

It is my pleasure, on behalf of the Prince George's County Council, to transmit our position on SB 809 – Condominiums and Homeowners Associations – Sales of Common Elements and Common Areas, which is before you this 2017 General Assembly Session. The Council met on March 28, 2017. The enclosed statement reflects our position as the bill is currently drafted.

The Council appreciates the opportunity to work together with you and your colleagues to address issues important to Maryland citizens and the operation of Prince George's County. Should you have any questions or need additional information please do not hesitate to contact me. For your convenience my office phone number is (301) 952-3426. Thanks again, for favorable consideration of the Council's position.

Sincerely,



Derrick L. Davis
Chair

Enclosure

cc:
Hon. C. Anthony Muse, District 26
Hon. Susie Proctor, District 27A
Hon. Rushern L. Baker, III, County Executive

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THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700
County Council

POSITION STATEMENT

(SB 809/HB 1369)
Senator Muse
Delegate Proctor

Condominiums and Homeowners Associations – Sales
of Common Elements and Common Areas

POSITION:

SUPPORT AS AMENDED

SB 809 – Condominiums and Homeowners Associations – Sales of Common Elements and Common Areas requires the governing body of a condominium or homeowners association, or, if the developer has not transitioned control to the unit or lot owners, the declarant, to provide notice to all unit or lot owners (1) before the sale of any common area owned by the condominium or homeowners association at a tax sale and (2) when a tax lien is imposed on any common area owned by the condominium or homeowners association.

The County Council supports this bill as it will protect homeowners against the sale of common ownership properties. Under current law, unit owners of a condominium or the lot owners of an HOA of a tax lien imposed on common elements or common areas are not notified of a tax sale of those common elements or common areas.

Recently, this Council learned that one of its communities lost 3 parcels of common area property, comprising more than 22 acres of land, at a tax sale. The total purchase price for all 3 parcels was less than \$1400. Neither the Developer nor the Association provided notice of the tax lien or the notice of the impending sale to the lot owners. This is unacceptable. This lack of notification denied these interested community members an opportunity to intervene to prevent the sale to a 3rd party.

Notification of a potential loss of common property to all parties that have an interest is critical to keeping communities intact and ensuring that a community's value is not diminished.

Therefore, the Prince George's County Council appreciates the opportunity to offer its **SUPPORT** for SB 809 **as it is currently amended**. We respectfully request your favorable consideration of our position.

Prepared by: Tony Perez
LA Perez Consulting
Maurice Simpson
On behalf of Prince George's County Council