

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2007 Legislative Session

Bill No. CB-15-2007

Chapter No. 27

Proposed and Presented by Council Member Dean

Introduced by Council Members Dean, Harrington, Turner, Knotts, Exum and Bland

Co-Sponsors _____

Date of Introduction October 23, 2007

BILL

1 AN ACT concerning

2 Common Ownership Communities Program

3 For the purpose of establishing a Common Ownership Communities Program to assist governing
4 bodies, owners, and residents of homeowners' associations, residential condominiums, and
5 cooperative housing corporations with education, training, and dispute mediation services in
6 matters relating to these communities.

7 BY adding:

8 SUBTITLE 13. HOUSING AND PROPERTY

9 STANDARDS.

10 DIVISION 11. COMMON OWNERSHIP

11 COMMUNITIES PROGRAM.

12 Sections 13-314, 13-315, 13-316, 13-317, and 13-318,

13 The Prince George's County Code

14 (2003 Edition, 2006 Supplement).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
16 Maryland, that Sections 13-314, 13-315, 13-316, 13-317 and 13-318 of the Prince George's
17 County Code be and the same are hereby added:

18 **SUBTITLE 13. HOUSING AND PROPERTY STANDARDS.**

19 **DIVISION 11. COMMON OWNERSHIP COMMUNITIES PROGRAM.**

20 **Sec. 13-314. Legislative findings and declaration of purpose.**

21 The County Council for Prince George's County, Maryland, hereby finds that Prince

George's County is facing significant issues with respect to the lack of management and oversight as it relates to Common Ownership Communities; that there is a lack of homeowner education with regard to the real estate process, governance, enforcement procedures, and resolution of disputes; that there exists a misunderstanding amongst homeowners of the responsibilities of the developer/builder as it relates to the establishment and direction of an efficiently operated homeowner association/Common Ownership Community; and that in order to effectively respond, the County Council for Prince George's County, Maryland hereby declares that it is the public policy of Prince George's County to establish a program to assist in addressing the needs of Common Ownership Communities by providing education, training and dispute mediation services through the Common Ownership Communities Program.

Sec. 13-315. Common Ownership Communities Program.

(a) There is hereby established a Common Ownership Communities Program. The Common Ownership Communities Program shall be administered by the Director of the Office of Community Relations.

(b) Rules and regulations, consistent with the purpose and spirit of the Common Ownership Communities Program, shall be promulgated by the County Executive, subject to County Council approval by resolution. Said rules and regulations shall govern the implementation and administration of the Common Ownership Communities Program.

Sec. 13-316. Definitions.

As used in this Division:

(a) **Common Ownership Community** means:

- (1) A condominium, as defined pursuant to state law;
- (2) A cooperative housing corporation, as defined pursuant to state law; or
- (3) A homeowners association, as defined pursuant to state law.

(b) **Director** means the Director of the Office of Community Relations.

(c) **Office** means the Office of Community Relations.

Sec. 13-317. Director; duties and responsibilities.

(a) The Director shall have operational responsibility for carrying out the duties prescribed in this Division and for enforcing the provisions of this Division.

(b) The Director is authorized to:

- (1) research, assemble, analyze and disseminate pertinent data and educational

1 materials about activities and programs which assist Common Ownership Communities; plan
 2 and conduct educational and other programs, meetings and conferences to promote the operation
 3 of Common Ownership Communities;

4 (2) maintain a master roster of Common Ownership Communities, their leadership,
 5 and their professional management companies if applicable;

6 (3) develop and maintain an information, assistance and referral system for all
 7 services in the County related directly to Common Ownership Communities, and recommend
 8 other services when needed;

9 (4) maintain a collection of Common Ownership Community association documents
 10 for use as a model and for reference;

11 (5) develop an education program for residents in a Common Ownership Community
 12 that includes but is not limited to governance of a Common Ownership Community, rights and
 13 duties of residents in a Common Ownership Community, and dispute resolution;

14 (6) develop an education program for Common Ownership Community governing
 15 bodies that includes but is not limited to adoption and enforcement of rules, transition from
 16 developer control, conduct of elections, and selection of community management and other
 17 professional services; and

18 (7) operate a dispute mediation process.

19 **Sec. 13-318. Registration.**

20 (a) A Common Ownership Community shall register with the Office on or before
 21 December 31 of each year, and identify its elected leadership and managing agents, on a form
 22 provided by the Office.

23 (b) The governing body of a homeowners' association, the council of unit owners of a
 24 condominium, and the board of directors of a cooperative housing corporation are responsible for
 25 compliance with this subsection.

26 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
 27 calendar days after it becomes law.

Adopted this 20th day of November, 2007.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Camille A. Exum
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.