

HOUSE BILL 1529

N1, L1

6lr3531

By: ~~Delegates Ross and Holmes~~ Baltimore County Delegation and Delegate Holmes

Introduced and read first time: February 13, 2026

Assigned to: Economic Matters

Committee Report: Favorable

House action: Adopted with floor amendments

Read second time: March 10, 2026

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Local Commission on Common Ownership Communities**

3 FOR the purpose of establishing requirements for a local commission on common ownership
4 communities established by local law in Baltimore County; requiring a Baltimore
5 County common ownership community to register annually with the local
6 commission; requiring the local commission to provide certain services and
7 assistance for common ownership communities in Baltimore County; ~~authorizing the~~
8 ~~local commission to collect certain fees~~; and generally relating to the local
9 commission on common ownership communities in Baltimore County.

10 BY adding to

11 Article – Real Property

12 Section 11C–101 through ~~11C–114~~ 11C–107 to be under the new title “Title 11C.
13 Common Ownership Communities – Local Provisions”

14 Annotated Code of Maryland

15 (2023 Replacement Volume and 2025 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Real Property**

19 **TITLE 11C. COMMON OWNERSHIP COMMUNITIES – LOCAL PROVISIONS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **11C-101.**

2 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "COMMON ELEMENT" MEANS:

5 (1) ANY PORTION OF A COMMON OWNERSHIP COMMUNITY OTHER
6 THAN THE UNITS OF A CONDOMINIUM OR COOPERATIVE; AND

7 (2) PROPERTY THAT IS OWNED OR LEASED BY A HOMEOWNERS
8 ASSOCIATION.

9 (C) (1) "COMMON OWNERSHIP COMMUNITY" MEANS:

10 (I) A CONDOMINIUM AS DEFINED IN § 11-101 OF THIS ARTICLE
11 THAT IS USED FOR RESIDENTIAL PURPOSES;

12 (II) A COOPERATIVE HOUSING CORPORATION AS DEFINED IN §
13 5-6B-01 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE; AND

14 (III) A HOMEOWNERS ASSOCIATION AS DEFINED IN § 11B-101 OF
15 THIS ARTICLE.

16 (2) "COMMON OWNERSHIP COMMUNITY" DOES NOT INCLUDE A
17 TIME-SHARE PROJECT AS DEFINED IN § 11A-101 OF THIS ARTICLE.

18 (D) (1) "DISPUTE" MEANS A DISAGREEMENT BETWEEN AT LEAST TWO
19 PARTIES THAT INVOLVES:

20 (I) THE AUTHORITY OF A GOVERNING BODY OF A COMMON
21 OWNERSHIP COMMUNITY TO:

22 1. REQUIRE OR PROHIBIT ANY ACTION INVOLVING A
23 UNIT OR COMMON ELEMENT;

24 2. REQUIRE ANY PERSON TO PAY A FEE, A FINE, OR AN
25 ASSESSMENT;

26 3. SPEND COMMON OWNERSHIP COMMUNITY FUNDS; OR

27 4. ALTER OR ADD TO A COMMON ELEMENT; OR

1 **(II) THE FAILURE OF A GOVERNING BODY OF A COMMON**
2 **OWNERSHIP COMMUNITY TO:**

- 3 1. **PROPERLY CONDUCT AN ELECTION;**
- 4 2. **GIVE ADEQUATE NOTICE OF A MEETING OR ANY**
5 **OTHER ACTION;**
- 6 3. **PROPERLY CONDUCT A MEETING;**
- 7 4. **PROPERLY ADOPT A BUDGET OR RULES;**
- 8 5. **MAINTAIN OR AUDIT BOOKS AND RECORDS;**
- 9 6. **ALLOW INSPECTION OF BOOKS AND RECORDS;**
- 10 7. **MAINTAIN OR REPAIR A COMMON ELEMENT IF THE**
11 **FAILURE RESULTS IN SIGNIFICANT PERSONAL INJURY OR PROPERTY DAMAGE; OR**
- 12 8. **EXERCISE ITS JUDGMENT IN GOOD FAITH**
13 **CONCERNING THE ENFORCEMENT OF THE GOVERNING DOCUMENTS AGAINST ANY**
14 **PERSON THAT IS SUBJECT TO THOSE DOCUMENTS.**

15 **(2) “DISPUTE” DOES NOT INCLUDE A DISAGREEMENT THAT**
16 **INVOLVES:**

- 17 **(I) TITLE TO ANY UNIT OR COMMON ELEMENT;**
- 18 **(II) THE PERCENTAGE INTEREST OR VOTE ALLOCABLE TO A**
19 **UNIT;**
- 20 **(III) THE INTERPRETATION OR ENFORCEMENT OF ANY**
21 **WARRANTY;**
- 22 **(IV) THE COLLECTION OF AN ASSESSMENT VALIDLY LEVIED**
23 **AGAINST A PARTY; OR**
- 24 **(V) THE EXERCISE OF THE JUDGMENT OR DISCRETION OF A**
25 **COMMON OWNERSHIP COMMUNITY REGARDING ANY LEGALLY AUTHORIZED ACTION.**

26 **(E) “GOVERNING BODY OF A COMMON OWNERSHIP COMMUNITY” MEANS:**

- 27 **(1) THE COUNCIL OF UNIT OWNERS OF A CONDOMINIUM;**

1 **(2) THE BOARD OF DIRECTORS OF A COOPERATIVE HOUSING**
2 **CORPORATION;**

3 **(3) A HOMEOWNERS ASSOCIATION, BOARD OF DIRECTORS, OR ANY**
4 **OTHER ENTITY ESTABLISHED TO GOVERN A PROPERTY SUBJECT TO AN INSTRUMENT**
5 **THAT IMPOSES ON LOTS, OR ON THE OWNERS OR OCCUPANTS OF LOTS, ANY**
6 **MANDATORY FEE IN CONNECTION WITH THE PROVISION OF SERVICES OR**
7 **OTHERWISE FOR THE BENEFIT OF SOME OR ALL OF THE LOTS; OR**

8 **(4) ANY OTHER BODY AUTHORIZED TO ADOPT RULES OR**
9 **REGULATIONS GOVERNING A CONDOMINIUM, COOPERATIVE HOUSING**
10 **CORPORATION, OR HOMEOWNERS ASSOCIATION.**

11 **(F) (1) "GOVERNING DOCUMENT" MEANS:**

12 **(I) THE MASTER DEED, DECLARATION, INCORPORATION**
13 **DOCUMENT, BYLAWS, OR RULES OF ANY COMMON OWNERSHIP COMMUNITY;**

14 **(II) A WRITTEN PRIVATE AGREEMENT BETWEEN PARTIES**
15 **CONCERNING THE OPERATION OF THE COMMUNITY OR MAINTENANCE OR CONTROL**
16 **OF COMMON OR LIMITED COMMON PROPERTY; OR**

17 **(III) A DOCUMENT CONCERNING THE OPERATION OR**
18 **GOVERNANCE OF A COMMON OWNERSHIP COMMUNITY.**

19 **(2) "GOVERNING DOCUMENT" DOES NOT INCLUDE A LEASE UNLESS**
20 **THE LEASE PROVIDES THAT IT MAY BE ENFORCED UNDER THIS TITLE.**

21 **(G) "LOCAL COMMISSION" MEANS A LOCAL COMMISSION ON COMMON**
22 **OWNERSHIP COMMUNITIES.**

23 **(H) "OWNER" MEANS:**

24 **(1) A UNIT OWNER IN A CONDOMINIUM;**

25 **(2) A MEMBER OF A COOPERATIVE HOUSING CORPORATION; OR**

26 **(3) A LOT OWNER IN A HOMEOWNERS ASSOCIATION.**

27 **11C-102.**

28 **THIS SUBTITLE APPLIES ONLY IN BALTIMORE COUNTY.**

1 11C-103.

2 (A) A LOCAL COMMISSION ESTABLISHED BY THE COUNTY GOVERNMENT
3 SHALL COMPLY WITH THE REQUIREMENTS OF THIS SUBTITLE.

4 (B) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE
5 LOCAL COMMISSION SHALL INCLUDE MEMBERS WHO:

6 1. ARE OWNERS IN A COMMON OWNERSHIP COMMUNITY;
7 AND

8 2. REPRESENT PROFESSIONS ASSOCIATED WITH
9 COMMON OWNERSHIP COMMUNITIES, INCLUDING INDIVIDUALS INVOLVED IN
10 HOUSING DEVELOPMENT OR REAL ESTATE SALES, DEVELOPERS, OR ATTORNEYS
11 WHO REPRESENT COMMON OWNERSHIP COMMUNITIES, INCLUDING AT LEAST ONE
12 MEMBER WHO IS A LICENSED COMMON OWNERSHIP COMMUNITY MANAGER.

13 (II) THE COUNTY EXECUTIVE SHALL DETERMINE THE TOTAL
14 NUMBER OF MEMBERS OF THE LOCAL COMMISSION.

15 (2) THE FOLLOWING INDIVIDUALS SHALL SERVE AS NONVOTING
16 MEMBERS OF THE LOCAL COMMISSION:

17 (I) A DESIGNEE OF THE COUNTY EXECUTIVE;

18 (II) A DESIGNEE OF THE COUNTY COUNCIL; AND

19 (III) A DESIGNEE OF A COUNTY AGENCY DEALING WITH:

20 1. PLANNING;

21 2. ENVIRONMENT;

22 3. PERMITTING;

23 4. TRANSPORTATION; OR

24 5. HOUSING AND COMMUNITY AFFAIRS.

25 (C) THE CHAIR AND VICE CHAIR OF THE LOCAL COMMISSION SHALL BE
26 ELECTED FROM AMONG THE VOTING MEMBERSHIP OF THE LOCAL COMMISSION.

1 **(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COUNTY**
2 **EXECUTIVE SHALL ADOPT PROCEDURES FOR THE APPOINTMENT AND TERMS OF**
3 **MEMBERS OF THE LOCAL COMMISSION.**

4 **(2) A MEMBER OF THE LOCAL COMMISSION MAY NOT SERVE MORE**
5 **THAN TWO CONSECUTIVE TERMS.**

6 **11C-104.**

7 **(A) A MAJORITY OF THE TOTAL MEMBERSHIP OF THE LOCAL COMMISSION**
8 **SHALL CONSTITUTE A QUORUM.**

9 **(B) THE LOCAL COMMISSION SHALL MEET AT LEAST MONTHLY AND**
10 **DETERMINE THE TIMES AND PLACES OF ITS MEETINGS.**

11 **(C) A MEMBER OF THE LOCAL COMMISSION:**

12 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE LOCAL**
13 **COMMISSION; BUT**

14 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
15 **STANDARD COUNTY TRAVEL REGULATIONS.**

16 **(D) (1) THE LOCAL COMMISSION SHALL:**

17 **(I) ADOPT RULES OF PROFESSIONAL CONDUCT AS**
18 **APPROPRIATE FOR MEMBERS AND STAFF;**

19 **(II) KEEP A RECORD OF ITS PROCEEDINGS;**

20 **(III) EXAMINE THE NEEDS OF COMMON OWNERSHIP**
21 **COMMUNITIES IN THE COUNTY;**

22 **(IV) ADVISE THE COUNTY COUNCIL, THE COUNTY EXECUTIVE**
23 **AND APPROPRIATE STATE AND COUNTY AGENCIES ON MATTERS RELATING TO**
24 **COMMON OWNERSHIP COMMUNITIES; AND**

25 **(V) PROVIDE TRAINING ON THE RESPONSIBILITIES OF THE**
26 **LOCAL COMMISSION'S MEMBERS TO THE GOVERNING BODY OF A COMMON**
27 **OWNERSHIP COMMUNITY BY:**

28 **1. DEVELOPING AN EDUCATIONAL CURRICULUM FOR**
29 **NEW MEMBERS; AND**

1 **2. APPROVING AN ALTERNATIVE EDUCATIONAL**
2 **CURRICULUM FOR NEW MEMBERS.**

3 **(2) THE LOCAL COMMISSION MAY:**

4 **(I) EMPLOY STAFF AS AUTHORIZED BY THE COUNTY;**

5 **(II) ESTABLISH A PROCESS FOR RESOLVING DISCIPLINARY**
6 **MATTERS PENDING BEFORE THE LOCAL COMMISSION THROUGH NONJUDICIAL**
7 **DISPUTE RESOLUTION PROCESSES;**

8 **(III) DEVELOP EDUCATIONAL AND TRAINING OPPORTUNITIES**
9 **FOR GOVERNING BODIES;**

10 **(IV) ADOPT ADDITIONAL BYLAWS NECESSARY TO CARRY OUT**
11 **THE BUSINESS OF THE LOCAL COMMISSION; AND**

12 **(V) ADOPT ANY ADDITIONAL REGULATIONS, PROCEDURES, OR**
13 **STANDARDS CONSISTENT WITH THE MISSION OF THE LOCAL COMMISSION TO CARRY**
14 **OUT THE REQUIREMENTS OF THIS TITLE.**

15 **11C-105.**

16 **(A) THE LOCAL LAW ESTABLISHING THE LOCAL COMMISSION SHALL**
17 **REQUIRE COMMON OWNERSHIP COMMUNITIES IN THE COUNTY TO REGISTER WITH**
18 **THE LOCAL COMMISSION ANNUALLY ON A FORM THAT IDENTIFIES:**

19 **(1) THE ELECTED LEADERSHIP OF THE COMMON OWNERSHIP**
20 **COMMUNITY; AND**

21 **(2) THE MANAGING AGENTS OF THE COMMON OWNERSHIP**
22 **COMMUNITY.**

23 **(B) A COMMON OWNERSHIP COMMUNITY THAT FAILS TO REGISTER OR**
24 **MAKES A FALSE STATEMENT ON A REGISTRATION FORM IS INELIGIBLE TO FILE A**
25 **DISPUTE.**

26 **11C-106.**

27 ~~**(A) LOCAL LAW ESTABLISHING THE LOCAL COMMISSION MAY AUTHORIZE**~~
28 ~~**THE COLLECTION OF A REASONABLE FEE FOR SERVICES PROVIDED BY THE LOCAL**~~
29 ~~**COMMISSION.**~~

~~(B) ANY AUTHORIZED FEE SHALL BE USED TO COVER THE COST OF MAINTAINING THE LOCAL COMMISSION AND MAY INCLUDE:~~

~~(1) A PER UNIT ANNUAL CHARGE TO COMMON OWNERSHIP COMMUNITIES TO RENEW REGISTRATION;~~

~~(2) FEES FOR DISPUTE RESOLUTION UNDER § 11C 110 OF THIS SUBTITLE, SERVICE, AND TECHNICAL ASSISTANCE; AND~~

~~(3) A PER UNIT CHARGE TO DEVELOPERS FOR THE RECORDATION OF DOCUMENTS.~~

~~(C) IF THE COLLECTION OF A FEE BY THE LOCAL COMMISSION IS AUTHORIZED UNDER THIS SECTION, THE LOCAL COMMISSION SHALL PUBLISH THE FEE SCHEDULE.~~

~~11C 107.~~

IF THE LOCAL GOVERNMENT ESTABLISHES A LOCAL COMMISSION, THE COUNTY EXECUTIVE SHALL DESIGNATE AN AGENCY OR AN OFFICE TO:

(1) DISSEMINATE EDUCATIONAL MATERIALS REGARDING PROGRAMS THAT ASSIST COMMON OWNERSHIP COMMUNITIES;

(2) CONDUCT EDUCATIONAL PROGRAMS TO PROMOTE THE OPERATION OF COMMON OWNERSHIP COMMUNITIES;

(3) MAINTAIN A LIST OF:

(i) COMMON OWNERSHIP COMMUNITIES IN THE COUNTY, INCLUDING THE LEADERSHIP OF EACH COMMON OWNERSHIP COMMUNITY; AND

(ii) PROFESSIONAL MANAGEMENT COMPANIES THAT PROVIDE SERVICES TO COMMON OWNERSHIP COMMUNITIES IN THE COUNTY;

(4) MAINTAIN INFORMATION AND A REFERRAL SYSTEM FOR ALL COUNTY SERVICES RELATED TO COMMON OWNERSHIP COMMUNITIES;

(5) MAINTAIN A COLLECTION OF GOVERNING DOCUMENTS;

(6) PROVIDE TECHNICAL ASSISTANCE TO GOVERNING BODIES ON MATTERS INCLUDING:

1 (I) LEADERSHIP TRANSITION;

2 (II) ELECTIONS;

3 (III) ADOPTION OF RULES;

4 (IV) ENFORCEMENT OF RULES;

5 (V) SELECTION OF ASSOCIATION MANAGERS; AND

6 (VI) STORMWATER MANAGEMENT;

7 (7) MAINTAIN AN OPERATIONS MANUAL TO GUIDE COMMON
8 OWNERSHIP COMMUNITY LEADERSHIP;

9 (8) ADVISE COMMON OWNERSHIP COMMUNITIES AND PROFESSIONAL
10 ASSOCIATION MANAGERS OF CHANGES IN THE LAWS AND REGULATIONS THAT
11 AFFECT THEIR COMMUNITIES OR OPERATIONS; AND

12 (9) OPERATE A DISPUTE RESOLUTION PROCESS TO FURNISH
13 MEDIATION AND ADMINISTRATIVE HEARINGS.

14 ~~11C-108.~~ 11C-107.

15 (A) THE LOCAL COMMISSION MAY HEAR ANY DISPUTE BETWEEN PARTIES.

16 (B) A PARTY MAY NOT FILE A DISPUTE WITH THE LOCAL COMMISSION
17 UNTIL:

18 ~~(1) THE~~ (1) THE PARTY HAS MADE A GOOD FAITH EFFORT TO EXHAUST
19 ALL PROCEDURES AND REMEDIES PROVIDED BY THE GOVERNING DOCUMENTS OF
20 THE COMMON OWNERSHIP COMMUNITY; ~~AND~~

21 ~~(2) AT LEAST 60 DAYS AFTER ANY PROCEDURE OR REMEDY HAS BEEN~~
22 ~~INITIATED WITH THE GOVERNING BODY OF A COMMON OWNERSHIP COMMUNITY.~~

23 (C) ~~(1)~~ IF THE GOVERNING BODY OF A COMMON OWNERSHIP COMMUNITY
24 DETERMINES THAT A DISPUTE EXISTS, THE GOVERNING BODY OF THE COMMON
25 OWNERSHIP COMMUNITY SHALL NOTIFY THE OTHER PARTIES OF THE OPTION TO
26 FILE THE DISPUTE WITH THE LOCAL COMMISSION.

1 ~~(2) THE GOVERNING BODY OF A COMMON OWNERSHIP COMMUNITY~~
2 ~~MAY NOT TAKE ACTION TO ENFORCE OR IMPLEMENT THE DECISION OF THE~~
3 ~~GOVERNING BODY FOR 14 DAYS FOLLOWING NOTIFICATION OF ALL OTHER PARTIES.~~

4 ~~(D) EXCEPT AS PROVIDED IN § 11C 109 OF THIS TITLE, ON THE FILING OF~~
5 ~~A DISPUTE WITH THE LOCAL COMMISSION, THE DECISION OF THE GOVERNING BODY~~
6 ~~OF A COMMON OWNERSHIP COMMUNITY SHALL BE STAYED AND MAY NOT BE~~
7 ~~ENFORCED OR IMPLEMENTED, OTHER THAN BY FILING A CIVIL ACTION, UNTIL THE~~
8 ~~COMPLETION OF THE DISPUTE PROCESS.~~

9 ~~11C 109.~~

10 ~~(A) (1) AT ANY TIME AFTER A DISPUTE IS FILED, THE GOVERNING BODY~~
11 ~~OF A COMMON OWNERSHIP COMMUNITY MAY SUBMIT A REQUEST TO LIFT AN~~
12 ~~AUTOMATIC STAY UNDER § 11C 108 OF THIS TITLE.~~

13 ~~(2) IF A HEARING PANEL HAS NOT BEEN APPOINTED UNDER §~~
14 ~~11C 112 OF THIS TITLE, THE LOCAL COMMISSION SHALL AUTHORIZE A SPECIAL~~
15 ~~STANDING PANEL TO CONSIDER REQUESTS FOR RELIEF FROM STAYS.~~

16 ~~(3) THE SPECIAL PANEL SHALL INCLUDE:~~

17 ~~(I) THREE VOTING MEMBERS OF THE LOCAL COMMISSION~~
18 ~~DESIGNATED BY THE CHAIR; AND~~

19 ~~(II) AT LEAST ONE MEMBER DESCRIBED UNDER §~~
20 ~~11C 103(B)(1)(I)1 OF THIS TITLE AND AT LEAST ONE MEMBER DESCRIBED UNDER §~~
21 ~~11C 103(B)(1)(I)2 OF THIS TITLE.~~

22 ~~(B) (1) A GOVERNING BODY OF A COMMON OWNERSHIP COMMUNITY~~
23 ~~THAT REQUESTS RELIEF FROM A STAY SHALL SERVE A COPY OF ITS REQUEST ON ANY~~
24 ~~PARTY NAMED IN THE DISPUTE BY CERTIFIED MAIL OR PERSONAL SERVICE.~~

25 ~~(2) A CERTIFICATE OF SERVICE SHALL ACCOMPANY ANY REQUEST~~
26 ~~SUBMITTED UNDER THIS SECTION.~~

27 ~~(3) A PARTY SERVED WITH A COPY OF THE REQUEST SHALL FILE ANY~~
28 ~~OPPOSITION TO THE REQUEST WITHIN 10 DAYS AFTER RECEIVING SERVICE.~~

29 ~~(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A REQUEST~~
30 ~~FOR RELIEF FROM A STAY MAY BE GRANTED ONLY IF THE ASSIGNED PANEL FINDS~~
31 ~~THAT:~~

1 ~~(1) ENFORCING THE STAY WOULD RESULT IN UNDUE HARM TO THE~~
2 ~~COMMON OWNERSHIP COMMUNITY; AND~~

3 ~~(2) LIFTING THE STAY WILL NOT RESULT IN UNDUE HARM TO THE~~
4 ~~RIGHTS OR INTERESTS OF ANY OPPOSING PARTY.~~

5 ~~(D) IF A REQUEST FOR RELIEF FROM A STAY STATING FACTS SUFFICIENT TO~~
6 ~~SHOW A NEED FOR IMMEDIATE ACTION IS NOT GRANTED OR DENIED WITHIN 20 DAYS~~
7 ~~AFTER THE REQUEST WAS FILED, THE REQUEST SHALL BE DEEMED GRANTED.~~

8 ~~11C 110.~~

9 ~~(A) (1) FOLLOWING THE FILING OF A DISPUTE WITH THE LOCAL~~
10 ~~COMMISSION, AN AGENCY DESIGNATED BY THE COUNTY UNDER §~~
11 ~~11C 107 OF THIS TITLE MAY INVESTIGATE FACTS AND ASSEMBLE DOCUMENTS~~
12 ~~RELEVANT TO THE DISPUTE AND MAY PREPARE A SUMMARY OF THE ISSUES IN THE~~
13 ~~DISPUTE FOR USE BY THE LOCAL COMMISSION.~~

14 ~~(2) THE DESIGNATED AGENCY OR OFFICE MAY NOTIFY A PARTY IF~~
15 ~~THE DESIGNATED AGENCY OR OFFICE FINDS THAT A DISPUTE WAS NOT PROPERLY~~
16 ~~FILED.~~

17 ~~(3) THE DESIGNATED AGENCY OR OFFICE MAY NOTIFY EACH PARTY~~
18 ~~OF THE DISPUTE REGARDING POSSIBLE SANCTIONS UNDER § 11C 112 OF THIS~~
19 ~~TITLE.~~

20 ~~(B) IF THE DESIGNATED AGENCY OR OFFICE FINDS THAT, ASSUMING ALL~~
21 ~~FACTS ALLEGED BY THE PARTY THAT FILED THE DISPUTE ARE TRUE, THERE ARE NO~~
22 ~~REASONABLE GROUNDS TO CONCLUDE THAT A VIOLATION OF APPLICABLE LAW OR~~
23 ~~ANY GOVERNING DOCUMENT HAS OCCURRED, THE DESIGNATED AGENCY OR OFFICE~~
24 ~~SHALL INFORM THE LOCAL COMMISSION.~~

25 ~~(C) ON RECEIPT OF THE RESULTS OF AN INVESTIGATION BY A DESIGNATED~~
26 ~~AGENCY OR OFFICE, THE LOCAL COMMISSION MAY:~~

27 ~~(1) IF IT FINDS THAT THERE ARE NO REASONABLE GROUNDS TO~~
28 ~~CONCLUDE THAT A VIOLATION OF APPLICABLE LAW OR ANY GOVERNING DOCUMENT~~
29 ~~HAS OCCURRED, DISMISS THE DISPUTE;~~

30 ~~(2) REQUEST ADDITIONAL INVESTIGATION BY THE DESIGNATED~~
31 ~~AGENCY OR OFFICE; OR~~

32 ~~(3) SCHEDULE A HEARING ON THE DISPUTE.~~

1 ~~(D) THE LOCAL COMMISSION MAY RECONSIDER THE DISMISSAL OF A~~
2 ~~DISPUTE IF ANY PARTY FILES A MOTION TO RECONSIDER WITHIN 30 DAYS AFTER~~
3 ~~THE DISPUTE IS DISMISSED, DEMONSTRATING THAT:~~

4 ~~(1) THE LOCAL COMMISSION ERRONEOUSLY INTERPRETED OR~~
5 ~~APPLIED APPLICABLE LAW OR A GOVERNING DOCUMENT; OR~~

6 ~~(2) MATERIAL ISSUES OF FACT THAT ARE NECESSARY TO A FAIR~~
7 ~~RESOLUTION OF THE DISPUTE REMAIN UNRESOLVED.~~

8 ~~11C-111.~~

9 ~~(A) (1) ANY PARTY IN A DISPUTE MAY REQUEST MEDIATION.~~

10 ~~(2) IF A PARTY REQUESTS MEDIATION, THE LOCAL COMMISSION~~
11 ~~SHALL NOTIFY ALL PARTIES OF THE REQUEST AND OF THE MEDIATION SESSION.~~

12 ~~(3) THE LOCAL COMMISSION SHALL PROVIDE A QUALIFIED~~
13 ~~MEDIATOR TO MEET WITH THE PARTIES WITHIN 30 DAYS AFTER A PARTY REQUESTS~~
14 ~~MEDIATION TO ATTEMPT TO SETTLE THE DISPUTE.~~

15 ~~(B) IF A PARTY REFUSES TO ATTEND A MEDIATION SESSION, OR IF~~
16 ~~MEDIATION DOES NOT SUCCESSFULLY RESOLVE THE DISPUTE WITHIN 10 DAYS~~
17 ~~AFTER THE FIRST MEDIATION SESSION IS HELD, THE LOCAL COMMISSION SHALL~~
18 ~~PROMPTLY SCHEDULE A HEARING.~~

19 ~~11C-112.~~

20 ~~(A) (1) IF A HEARING IS SCHEDULED, THE CHAIR OF THE LOCAL~~
21 ~~COMMISSION SHALL CONVENE A PANEL TO HEAR THE DISPUTE.~~

22 ~~(2) THE CHAIR SHALL SELECT AT LEAST ONE MEMBER DESCRIBED~~
23 ~~UNDER § 11C-103(B)(1)(I)1 OF THIS TITLE AND AT LEAST ONE MEMBER DESCRIBED~~
24 ~~UNDER § 11C-103(B)(1)(I)2 OF THIS TITLE.~~

25 ~~(3) THE LOCAL COMMISSION MEMBERS SELECTED BY THE CHAIR~~
26 ~~SHALL DESIGNATE A THIRD MEMBER OF THE PANEL FROM A LIST OF VOLUNTEER~~
27 ~~ARBITRATORS TRAINED OR EXPERIENCED IN COMMON OWNERSHIP COMMUNITY~~
28 ~~ISSUES MAINTAINED BY THE LOCAL COMMISSION.~~

29 ~~(4) IF A SUITABLE ARBITRATOR IS NOT AVAILABLE, THE CHAIR OF~~
30 ~~THE LOCAL COMMISSION SHALL DESIGNATE:~~

1 ~~(I) A THIRD PANELIST FROM AMONG THE VOTING MEMBERS OF~~
2 ~~THE LOCAL COMMISSION; AND~~

3 ~~(II) THE CHAIR OF THE PANEL.~~

4 ~~(B) A PANELIST MAY NOT HAVE AN INTEREST IN THE DISPUTE TO BE HEARD.~~

5 ~~(C) A HEARING PANEL SHALL HOLD A HEARING ON EACH DISPUTE THAT IS~~
6 ~~NOT RESOLVED THROUGH MEDIATION UNDER § 11C 111 OF THIS TITLE UNLESS THE~~
7 ~~LOCAL COMMISSION DETERMINES THAT THE DISPUTE IS:~~

8 ~~(1) IDENTICAL TO ANOTHER DISPUTE BETWEEN THE SAME PARTIES~~
9 ~~ON WHICH A HEARING HAS ALREADY BEEN HELD UNDER THIS SECTION; OR~~

10 ~~(2) CLEARLY NOT WITHIN THE JURISDICTION OF THE LOCAL~~
11 ~~COMMISSION.~~

12 ~~(D) THE LOCAL COMMISSION SHALL PROVIDE NOTICE OF A HEARING TO ALL~~
13 ~~PARTIES NOT LESS THAN 30 DAYS BEFORE A HEARING, UNLESS THE LOCAL~~
14 ~~COMMISSION DETERMINES THAT AN EXPEDITED HEARING IS NECESSARY, IN WHICH~~
15 ~~CASE NOTICE SHALL BE PROVIDED TO ALL PARTIES AT LEAST 15 DAYS BEFORE A~~
16 ~~HEARING.~~

17 ~~(E) A PARTY OR WITNESS MAY BE ADVISED BY COUNSEL AT A HEARING.~~

18 ~~(F) IF A PARTY, AFTER PROPER NOTICE, DOES NOT APPEAR AT THE~~
19 ~~SCHEDULED HEARING, THE HEARING PANEL MAY ORDER ANY RELIEF FOR ANOTHER~~
20 ~~PARTY THAT THE FACTS ON RECORD WARRANT.~~

21 ~~(G) (1) THE HEARING PANEL SHALL APPLY STATE AND COUNTY LAWS~~
22 ~~AND ALL RELEVANT CASE LAW TO THE FACTS OF THE DISPUTE.~~

23 ~~(2) A DECISION OF THE HEARING PANEL IS BINDING ON THE PARTIES.~~

24 ~~(H) (1) THE LOCAL COMMISSION MAY ENFORCE A DECISION OF THE~~
25 ~~HEARING PANEL BY APPROPRIATE LEGAL ACTION.~~

26 ~~(2) IN ADDITION TO ANY OTHER ENFORCEMENT ACTION, THE LOCAL~~
27 ~~COMMISSION MAY:~~

28 ~~(I) FILE FOR INJUNCTIVE RELIEF TO ENFORCE OR CORRECT~~
29 ~~ANY VIOLATION OF THIS TITLE; AND~~

1 ~~(H) FILE TO RECOVER DAMAGES FOR A LOSS SUSTAINED AS A~~
2 ~~RESULT OF A VIOLATION OF THIS TITLE.~~

3 ~~(I) A HEARING PANEL MAY AWARD COSTS, INCLUDING REASONABLE~~
4 ~~ATTORNEY'S FEES, TO ANY PARTY IF ANY OTHER PARTY:~~

5 ~~(1) FILED OR MAINTAINED A FRIVOLOUS DISPUTE, OR FILED OR~~
6 ~~MAINTAINED A DISPUTE IN BAD FAITH;~~

7 ~~(2) REFUSED TO PARTICIPATE IN MEDIATION OF A DISPUTE; OR~~

8 ~~(3) SUBSTANTIALLY DELAYED OR HINDERED THE DISPUTE~~
9 ~~RESOLUTION PROCESS WITHOUT GOOD CAUSE.~~

10 ~~(J) A HEARING PANEL MAY REQUIRE A LOSING PARTY IN A DISPUTE TO PAY~~
11 ~~ALL OR PART OF ANY FILING FEE.~~

12 ~~(K) THE LOCAL GOVERNMENT MAY:~~

13 ~~(1) ESTABLISH ADDITIONAL HEARING PROCEDURES; AND~~

14 ~~(2) ADOPT ADDITIONAL REQUIREMENTS RELATING TO WITNESSES~~
15 ~~AND EVIDENCE FOR A HEARING.~~

16 ~~11C 113.~~

17 ~~(A) A PARTY MAY APPEAL A DECISION OF A HEARING PANEL TO A COURT OF~~
18 ~~COMPETENT JURISDICTION.~~

19 ~~(B) AN APPEAL OF A DECISION SHALL BE CONSOLIDATED WITH ANY CASE~~
20 ~~THAT ARISES OUT OF THE SAME FACTS.~~

21 ~~(C) THE COURT HEARING AN APPEAL SHALL SUSTAIN THE DECISION OF THE~~
22 ~~HEARING PANEL UNLESS THE DECISION IS:~~

23 ~~(1) INCONSISTENT WITH APPLICABLE LAW;~~

24 ~~(2) LACKING SUBSTANTIAL EVIDENCE; OR~~

25 ~~(3) ARBITRARY AND CAPRICIOUS.~~

26 ~~11C 114.~~

1 ~~(A) A PARTY MAY FILE A CIVIL ACTION ARISING OUT OF A GOVERNING~~
2 ~~DOCUMENT OR A LAW REGULATING THE POWERS OF A GOVERNING BODY OF A~~
3 ~~COMMON OWNERSHIP COMMUNITY.~~

4 ~~(B) IF THE COURT IS NOTIFIED THAT A DISPUTE HAS BEEN FILED WITH THE~~
5 ~~LOCAL COMMISSION IN ACCORDANCE WITH THIS TITLE, THE COURT MAY POSTPONE~~
6 ~~A PROCEEDING FOR AT LEAST 90 DAYS.~~

7 ~~(C) THE COURT MAY HEAR THE ACTION DE NOVO IF A HEARING PANEL~~
8 ~~ASSIGNED TO THE DISPUTE HAS NOT ISSUED A DECISION UNDER § 11C-112 OF THIS~~
9 ~~TITLE.~~

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.