Presenters:
Tommy Tompsett
Kathy Howard
Lisa Harris Jones
Many Thanks to the MMHA Legislative Committee

- Kathy Kelly Howard, Regional Management (Committee Chair)
- Alfred Singer, Singer Realty
- Baron Bond, Foundation Properties
- Bruce Campbell, Wallace H. Campbell
- Chris McNalley, Bodie Law
- Christine Schifkovitz, CONNOR
- Dana Ricks, Continental Realty
- David Hoyle, Home Properties
- Eddie Lichter, Valley Management Group
- Gary Blibaum, Blibaum & Associates
- Georgia Glattly, Southern Management
- Greg Kennedy, Southern Management
- Heidi Kenny, The Law Offices of Heidi S. Kenny
- Howard Levin, Property Owner’s Exchange
- Jacqueline Guercio, Home Properties
- Jamie Lubliner, Hendersen-Webb
- Janette Booz, A&G Management
- Jeri Vigneri, Gebhart Properties
- Joe Kosloski, Southern Management
- John Martonick, Maryland Management Co.
- Jonathan Ehrenfeld, Blue Ocean Realty
- Kathie Dzbinski, A&G Management
- Kathy Vaughn, Home Properties
Many Thanks to the MMHA Legislative Committee

- Keisha Warrick, Home Properties
- Kim Ma, Apartment Services
- Lynn Lobe, Hendersen-Webb
- Mark Weinman, Resource Management Association
- Mary Jo Taylor, Capital Funding
- Mel Herzberger, Community Managers
- Michael Harmon, Bodie Law
- Michelle Pyles, For Rent
- Miki Wilson, Home Properties
- Moe Preroff, Mt. Royal Management
- Pam Newland, Hendersen-Webb
- Patrick Connor, CONNOR
- Ronald Connelly, Connelly Enterprise
- Sam Blibaum, Blibaum & Associates
- Sean Organ, Morgan Properties
- Steve Campfield, Mid-Atlantic Realty Management
- Steve Weidner, Carpet Consultants
- Stuart Sagal, Sagal, Filbert, Quasney & Betten, P.A.
- Susan Smith, Segal McCambridge Singer & Mahoney, Ltd.
- Theresa Leatherbury, The Rachuba Group
- Tiffany Balkaran, Fairfax Station Enterprises
- William J. Fleischer, Foundation Properties
Our Lobbying Team
Harris Jones & Malone

Bob Enten

Mike Gisriel
Lisa’s Overview of Annapolis

- Legislative Climate
- Influx of Freshman Legislators
- Impression of Governor Hogan
Session Overview

Over 2,200 Pieces of Legislation Introduced
- 1,292 House Bills
- 942 Senate Bills

Tracked Legislation
- 82 House Bills
- 63 Senate Bills

MMHA Actively Lobbied For/Against 41 Bills.
Legislators Who Deserve a Round of Applause

Senators: Jim Brochin, Anthony Muse, Adeline Eckhart, Justin Ready, Wayne Norman & Andrew Serafini

Delegates: Dana Stein, Kathy Szeliga, Cheryl Glenn, Cory McCray, Herb McMillan (one hand clapping), and Marvin Holmes
MMHA’s Legislative Strategy

It mostly comes down to:
Summary Ejectment Surchage Fees

Increases the filing fees on summary ejectments $3.

Arguably the most adventurous bill of the session.

Initially died on 3\textsuperscript{rd} Reader in the House through the unlikely alliance of urban democrats and republicans.

Politics then took over and this bill was jammed through.
Security Deposits

SB 408 & HB 782 make two key clarifications to the security deposit legislation enacted last year:

1. Accrual of Interest is now paid on a monthly basis, with no interest paid on amounts held for less than 6 months

2. The shift to monthly accrual of interest and the application of the new 1.5% interest rate will be applied for all interest accruing on and after January 1, 2015
It’s Raining Taxes in Maryland!
A Technical Repeal of the Rain Tax
(SB 863)

Eliminates the mandate for the 10 required jurisdictions to collect a storm water remediation fee.

Requires the jurisdictions to establish a funding mechanism to pay for efforts to reach the federally mandated storm water remediation goals.

Changes reporting requirements to increase accountability.

Imposes stiff fines for failing to meet funding requirements.
Shielding & Expungement of Criminal Records

IT'S ALWAYS WITNESS PROTECTION PROGRAMS — HOW COME THEY NEVER HAVE CRIMINAL PROTECTION PROGRAMS?
The Maryland 2\textsuperscript{nd} Chance Act, which passed, allows for the shielding of the following misdemeanor convictions:

- Disorderly Conduct
- Disturbing the Peace
- Failure to Obey
- CDS Possession
- Possession of Paraphernalia
- Malicious Destruction of Property
- Trespassing on Posted Property
- Driving Without a License
- Driving While Revoked
- Driving While Suspended
- Driving Uninsured
- Prostitution
Expungements

Legislation failed that attempted to expunge the following crimes:

- Robbery
- 1\textsuperscript{st} Degree Burglary
- 3\textsuperscript{rd} Degree Burglary
- Armed Robbery
- Carjacking
- Embezzlement
- Felony Theft
- Solicitation to Commit Murder
Commission on Rent Stabilization

SB 480 was brought to you by Senator Victor Ramirez of P.G. County, who also proposed full fledge rent control last session. Sen. Ramirez simply took last year’s bill and dumped it into a study

Echoing Adam Skolnik’s testimony before the Judicial Proceedings Committee:

“Rent control is about as Un-American as it gets!”
HB 824 never received a vote and hopefully will not get one in the future.

The “highlights”:
- Makes the concept of a tenant holding over a nullity.
- Duration, an essential term of any contract, is eliminated from residential leases.
- Requires that evictions be based on “substantial” breach of leases.
- Makes rent increases an arguable form of constructive eviction, thus sneaking rent control in to the bill.
- Prohibits lease provisions requiring residents to carry renter’s insurance naming the housing provider as a beneficiary.
Freshman Delegate Jimmy Tarlau in HB 373 felt that “private residential areas” should be open to candidates and their volunteers to distribute campaign materials & generally discuss their platforms. Thankfully, this bill failed.
LLC’s & Company Representatives

Under HB 351, every limited liability company (LLC) in Maryland would have to have a “company representative.” The company representative would:

- have to be an employee or member of the LLC;
  and
- have authority to communicate with the public for the LLC

The company representative requirement would have been in addition to resident agent requirement already in place for LLCs.

When the bill stated to lose traction, the economic matters subcommittee tried to apply this bill to residential property owners only.
Electric Car Charging Stations

SB 762 did not receive a vote, but this will be back in the future.

The bill mandated that a landlord approve a tenant’s written request to install an electric vehicle recharging station.

Expense of installation fell on the tenant, but liability was weakly addressed in this legislation.
Thanks to our legislative committees’ keen eyes, MMHA was able to get a major amendment to this bill that prevented a simple water line repair or sewer line repair from becoming major undertaking.

Under this law, tracer wires need to be placed on water supply & sewer systems. This applies to complete replacements and **NOT** a partial repair or replacement of piping.
Employment Related Issues

Sometimes I feel that I have the worst job in the world!

Ya...right!
Internships & Employment Discrimination

HB 229 is another bill that passed with very valuable amendments attached to it.

MMHA supported the intent of the bill, but not the civil cause of action created in it. With help from the Retailers Association, NFIB, & ABC, we were able to carve that language from the bill.
Mandatory Paid Sick Leave

Neither the assigned Senate Committee nor the assigned House Committee held a vote on this bill.

Essentially, employers with 10 or more employees must provide sick and safe leave at 1 hour for every hour worked up to 56 (1 week).

Vary expansive reasons on how an employee may use this sick or safe leave time.

This will be back and may be used as a wedge issue between the governor and the working class.
Equal Pay for Equal Work

The law of unintended consequences.

This bill put the onus on employers to show why two employees with seemingly similar jobs earn different salaries. This will lead to litigation, which will lead to offsetting costs through lower salaries and less positions.

Set a 75-mile radius for position comparison purposes.

Mandated employers to allow employees to discuss their wages despite this issue being preempted by federal law.
Fair Scheduling Act

This impracticable and inequitable bill was voted down in committee.

Employers must post an employee’s schedule 3 weeks in advance and repost any changes to the schedule within 24 hours.

Employers would be limited on how they may change an employee’s schedule.

Extensive records must be kept with regards to scheduling and schedule changes.
Fair Employment Preservation Act

Sought to ignore a Supreme Court decision and instead codify the case’s dissenting opinion.

For the purpose of Title VII of the Civil Rights Act of 1964, SB 527/HB 42 expanded the definition of vicarious liability by making employers liable for the actions of **all** their employees and not simply the supervisors.
Limited Lead Frees

HB 1158 was sponsored by Dana Stein

Supported by the Maryland Department of the Environment

Passed the House 137–2

Moved to Senate Judicial Proceedings Committee where it was...
HB 1158 – Limited Lead Frees

Modified the years between inspections of limited lead free properties from 2 years to 5 years. The owner had to:

1. perform yearly visual inspections to confirm that the exterior was free of chipping, flaking, or peeling paint; and

2. maintain an affidavit documenting said exterior inspection.
Condo Certificate Fees

HB 1007 sought to cap condo and HOA resale certificate fees at $250.

As the bill gained momentum, we sought out a compromise and so we asked to have the cap lowered in exchange for language that would insulate the council of unit owners and their management companies from the liability that attaches to such certificates.

The compromise lasted until the liability language was struck from the bill in the Senate.

Though the bill passed both houses, it passed in different forms (1 with the liability language & the other without). No conference was called to reconcile the bills and so it died.
The purpose of HB 951 was to clarify the long standing intent of Maryland’s Collection Agency Licensing law that its scope does NOT extend to debt owners who *collect on their own debts* themselves or through a person acting on their behalf.

Maryland’s Collection Agency Licensing law regulates the required licensing of debt collection agencies. The objective of the law is to regulate the activities and practices of Debt Collection Agencies who *purchase debts for collection from non-related businesses* (AKA “3rd party debt collectors” or “purchased debt collectors”)

Maryland Collection Agency Act
Our goal was to clarify the law so that Landlords, Condominium Associations, and Home Owner Associations and persons acting on behalf of them (such as a rent court agent or an attorney) collecting from tenants, unit owners, or home owners who have defaulted on the terms of their leases or association obligations are allowed to do so without being deemed to be an “Collection Agency” subject to the regulatory requirements and fee structure of this statute.
Maryland Collection Agency Act (continued)

This bill brought all the proponents out of the woodwork.

The E & T Real Property Subcommittee indicated an unfavorable vote was imminent so the bill was pulled to keep it from getting negative legislative history.

MMHA will be drafting a white paper on this issue to help guide our members through this minefield.
Political Action Committee (PAC)

• When our lobbying efforts are coupled with meaningful PAC contributions, it puts MMHA on the map.
Business Exchange

Business Exchange 2015
Political Fundraisers
A September to Remember

September 8th
Hendersen Webb, with MMHA’s support, will host a fundraiser for Sen. Brochin.

• Also in September, MMHA and AOBA will jointly sponsor a fundraiser for Governor Hogan.
QUESTION & ANSWER
Contact Information

Tommy Tompsett, MMHA:
• ttompsett@mmhaonline.org
• (443) 322-1104

Kathy Howard, Regional Management, Inc.:
• khoward@regionalmgmt.com
• (410) 539-4784