

Approved May 29, 1990.

---

CHAPTER 519

(Senate Bill 878)

AN ACT concerning

**Condominiums – Leasehold Estates**

FOR the purpose of specifying that a leasehold estate for residential purposes may be subjected to a condominium regime if the State is the owner of the reversionary fee simple estate; and generally relating to the establishment of condominium regimes in the State.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11-102  
Annotated Code of Maryland  
(1988 Replacement Volume and 1989 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Real Property**

11-102.

(a) (1) The fee simple owner or lessee under a lease that exceeds 60 years of any property in the State may subject the property to a condominium regime by recording among the land records of the county where the property is located, a declaration, bylaws, and condominium plat that comply with the requirements specified in this title.

(2) [However] NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION, a leasehold estate may not be subjected to a condominium regime if it is used for residential purposes UNLESS THE STATE IS THE OWNER OF THE REVERSIONARY FEE SIMPLE ESTATE.

(b) If any property lying partly in one county and partly in any other county is subjected to a condominium regime, the declaration, bylaws, and condominium plat shall be recorded in all counties where any portion of the property is located. Subsequent instruments affecting the title to a unit which is physically located entirely within a single county shall be recorded only in that county, notwithstanding the fact that the common elements are not physically located entirely within that county.

(c) All instruments affecting title to units shall be recorded and taxed as in other real property transactions. However, no State or local tax may be imposed by reason of the execution or recordation of the declaration, bylaws, condominium plat, or