

11B-102.

(A) EXCEPT AS EXPRESSLY PROVIDED IN THIS TITLE, THE PROVISIONS OF THIS TITLE APPLY TO ALL HOMEOWNERS ASSOCIATIONS THAT EXIST IN THE STATE AFTER JULY 1, 1987.

(B) ~~FOR--ANY--DECLARATION-RECORDED-BEFORE-JULY-17-1987,~~ THE PROVISIONS OF §§ 11B-105 AND 11B-107 OF THIS TITLE DO NOT APPLY TO THE INITIAL SALE OF LOTS WITHIN THE DEVELOPMENT TO MEMBERS OF THE PUBLIC IF ON JULY 1, 1987:

(1) MORE THAN 50 PERCENT OF THE LOTS INCLUDED WITHIN OR TO BE INCLUDED WITHIN THE DEVELOPMENT HAVE BEEN SOLD UNDER A BONA FIDE ARM'S LENGTH TRANSACTION CONTRACT TO MEMBERS OF THE PUBLIC WHO INTEND TO OCCUPY OR RENT THE LOTS FOR RESIDENTIAL PURPOSES; AND

(2) LESS THAN 100 LOTS INCLUDED WITHIN OR TO BE INCLUDED WITHIN THE DEVELOPMENT HAVE NOT BEEN SOLD UNDER A BONA FIDE ARM'S LENGTH CONTRACT TO MEMBERS OF THE PUBLIC WHO INTEND TO OCCUPY OR RENT THE LOTS FOR RESIDENTIAL PURPOSES.

(C) THE PROVISIONS OF § 11B-109 OF THIS TITLE DO NOT APPLY TO COMMON AREA IMPROVEMENTS SUBSTANTIALLY COMPLETED BEFORE JULY 1, 1987.

(D) THE PROVISIONS OF § 11B-105 OF THIS TITLE DO NOT APPLY TO DEVELOPMENTS CONTAINING 12 OR FEWER LOTS OR IN WHICH 12 OR FEWER LOTS REMAIN TO BE SOLD AS OF JULY 1, 1987.

(E) EXCEPT AS PROVIDED IN § 11B-101(E) OF THIS TITLE, THIS TITLE DOES NOT APPLY TO ANY PROPERTY WHICH IS:

(1) PART OF A CONDOMINIUM REGIME GOVERNED BY TITLE 11 OF THIS ARTICLE;

(2) PART OF A COOPERATIVE HOUSING CORPORATION; OR

(3) TO BE OCCUPIED AND USED FOR NONRESIDENTIAL PURPOSES.

(F) FOR ANY CONTRACT FOR THE SALE OF A LOT THAT IS ENTERED INTO BEFORE JULY 1, 1987, THE PROVISIONS OF §§ 11B-105, 11B-106, AND 11B-107 OF THIS TITLE DO NOT APPLY.

11B-103.

EXCEPT AS EXPRESSLY PROVIDED IN THIS TITLE, THE PROVISIONS OF THIS TITLE MAY NOT BE VARIED BY AGREEMENT, AND RIGHTS CONFERRED BY THIS TITLE MAY NOT BE WAIVED. A DECLARANT OR VENDOR MAY NOT ACT UNDER A POWER OF ATTORNEY OR USE ANY OTHER DEVICE TO EVADE THE REQUIREMENTS, LIMITATIONS, OR PROHIBITIONS OF THIS TITLE.