## CHAPTER 587

### (House Bill 1139)

AN ACT concerning

### Real Property – Condominiums – Amendment of Bylaws

FOR the purpose of permitting the bylaws of a condominium to be amended, notwithstanding a provision in the bylaws that action on the proposed amendment is required by the mortgagees of the unit owners, holders of mortgages or deeds of trust on units in the condominium if the unit owners comply with the provisions of this Act; providing that if a copy of the proposed amendment to the bylaws of a condominium is delivered to a mortgagee of a unit owner under certain circumstances, and the mortgagee does not respond to the proposal in a certain manner, within a certain time, the mortgagee shall be deemed to have consented to the adoption of the amendment; providing for certain exceptions to the application of this Act; and generally relating to the amendment of the bylaws of a condominium.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 11–104(e)

Annotated Code of Maryland

(1988 Replacement Volume and 1992 Supplement)

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

### Article – Real Property

11–104.

(e) (1) Unless a higher percentage is required in the bylaws, the bylaws may be amended by the affirmative vote of unit owners having at least 66 2/3 percent of the votes in the council of unit owners.

(2) (I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, IF THE DECLARATION OR BYLAWS CONTAIN A PROVISION REQUIRING ANY ACTION ON THE PART OF THE MORTGAGEE OF THE UNIT OWNERS HOLDER OF A MORTGAGE OR DEED OF TRUST ON A UNIT IN ORDER TO AMEND THE BYLAWS, THAT PROVISION SHALL BE DEEMED SATISFIED IF THE PROCEDURES UNDER THIS PARAGRAPH ARE SATISFIED.

(II) IF THE DECLARATION OR BYLAWS CONTAIN A PROVISION DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE COUNCIL OF UNIT OWNERS SHALL CAUSE TO BE DELIVERED TO EACH MORTGAGEE HOLDER OF A MORTGAGE OR DEED OF TRUST ENTITLED TO NOTICE, A COPY OF THE PROPOSED AMENDMENT TO THE BYLAWS.