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**Commonly Interested Newsletter**

Montgomery County, Maryland  
Commission on Common Ownership Communities  
240-777-0311  
CCOC@MontgomeryCountyMD.gov

Commission on Common Ownership Communities  
Montgomery County, MD

DHCA

November 2023

## Did You Know...



The commission on common ownership meets on a monthly basis, typically on the first Wednesday of every month at 7pm and it is open to the public. For the December 6, 2023, meeting, the commission will host an in-person meeting and will provide a brief presentation and a summary of its activities

and accomplishments for 2023. The commission is represented by fifteen appointed members of the community together with a group of panel chair volunteers, committee members, county staff and counsel.

The commission has reserved a meeting space at the **Montgomery College - Rockville Campus located at 51 Mannakee Street Rockville, MD 20850 located in the lecture room SW-301 at the Science Center West Building - the nearest parking lots are Lots 11 and 12.** The doors will begin to open starting at 6:30pm. The agenda for this meeting will be posted on the [commission's website](#). In order to prepare accordingly, we respectfully ask that you register for this meeting, although not required. Do not miss this opportunity to meet the commissioners, volunteers and staff, to share your thoughts, ideas and suggestions on ways to preserve the health, safety and harmony within our common ownership communities. We look forward to seeing you!



Please click [here](#) to register for the upcoming commissions meeting or send to others by using the link below!

<https://www.eventbrite.com/e/montgomery-county-commission-on-common-ownership-communities-public-meeting-tickets-758957481257?aff=oddtcreator>

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## Landlords in Common Ownership Communities

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HOAs and Condominiums require all their members, including non-owner residents, to follow their bylaws and comply with their regulations. Such bylaws and regulations impact the residents' daily life in the community in big and small ways. Many communities have parking restrictions, pet restrictions and prohibitions on certain activities within the community grounds. The bylaws also define specifically what are the boundaries of the residence and which physical portions of the community are common elements or limited common elements which in turn determines the usage of these elements and who is responsible for the maintenance of these elements.

If you are an investor and you consider purchasing a residential real estate property within a common ownership community, be sure to check the association's governing documents for any provisions that govern rental properties. Some associations impose a rental cap and limit the number of rental properties within their community. These associations typically require board approval prior to leasing a unit.

Most associations reject short-term rentals (such as Airbnb) and would only allow long-term (minimum twelve months) rentals to limit the turnover and

create more stability within their communities.

If you own a property in a common ownership community (HOA or Condominium) and you are permitted to lease it to others, here are some points for your consideration:

- First and foremost, be familiar with your association's rental requirements, procedures, and restrictions. If you own properties in more than one community, be sure to familiarize yourself with the specifics of each community. The requirements and procedures may vary greatly from community to community.
- Inform your prospect tenants that the property they are considering is subject to rules and regulations of a common ownership community. Consider the specific community rules (parking and pets are among the critical ones) that your prospective tenants should be aware of **prior** to making their decision and discuss these prohibitions with them. You certainly must give your tenants a copy of the bylaws and rules once a lease is signed.
- As a homeowner and a landlord, you are responsible for your tenants' actions. If your tenants violate the community's rules, it is up to you to enforce the rules. If you are unable to enforce the rules, you may be cited and even fined.
- If your association cites you for exterior maintenance issues, such as repairing your window trims or painting your front door, it is not the tenant's responsibility to bring your property into compliance. Landlords in common ownership communities are fully responsible to maintain their properties in accordance with the community's rules even though they do not reside in the community.
- The lease agreement<sup>[1]</sup> provided by The Montgomery County office of Landlord Tenant includes an article about Common Ownership Communities that stipulates the tenant's commitment to the rules of the community in which the rental property is in. The tenant(s) must initialize this article. If you use a different lease, be sure to include this article.
- Your association may require you to submit a copy of your lease and every subsequent extension to their community manager. At minimum, all associations require landlords to provide their tenants' contact information to their managing agent.
- You are responsible for paying the association's dues. When the

association raises the assessment, landlords may raise the monthly rent to cover the additional dues.

- If your tenant has a valid complaint against the association, it must be submitted by you to the management agent. It is in everyone's best interest to resolve the tenant's complaint with the association. However, if the complaint is unresolved, the tenant has the right to submit a complaint to the CCOC.
- Some associations allow renters to attend their open meetings, however you cannot pass your voting rights to your tenant.

- **By Galia Steinbach**

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[1] [Single Family Dwelling Lease \(montgomerycountymd.gov\)](http://montgomerycountymd.gov) or [Apartment and Condominium Lease \(montgomerycountymd.gov\)](http://montgomerycountymd.gov)

## Out With the Old... In With the New!



**LEAF BLOWER LEGISLATION**

**Bill 18-22 Noise Control: Leaf Blower Removal Equipment**  
Handheld, backpack, and walk behind gas powered leaf blowers and leaf vacuums:

- **Sale prohibited July 1, 2024**
- **Use prohibited July 1, 2025**

**Proyecto de Ley 18-22 Control de Ruido: Eliminación de Sopladores de Hojas**  
Sopladores y aspiradores de hojas a gasolina, portátiles, de mochila y con operador a pie:

- **Venta prohibida el 1 de julio de 2024**
- **Uso prohibido el 1 de julio de 2025**

  **DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
MONTGOMERY COUNTY • MARYLAND

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There is a little doubt that leaf blowers are powerful and effective at cleaning

leaves and debris from our neighborhoods. However, there have been concerns about health and environmental effects of the gas-powered leaf blowers on the communities. In February 2021 thousands of Montgomery County residents signed a petition asking county officials for a total ban on using gas-powered leaf blowers citing nuisance, emissions, and disruptions.[\[1\]](#)

The Montgomery County Council recently enacted legislation[\[2\]](#) in the County's Noise Control law that will prohibit selling and using handheld, backpack, and walk-behind gas-powered leaf blowers and leaf vacuums. Sales are prohibited beginning on July 1<sup>st</sup>, 2024, and use is prohibited beginning on July 1<sup>st</sup>, 2025. The County thus is taking a step forward in fighting climate change and transitioning to green energy by encouraging the use of battery powered leaf blowers.[\[3\]](#)

What does it mean for your community association? Community associations should start thinking about transitioning to electric leaf blowers and plan to exclusively utilize electric powered leaf blowers by July 1<sup>st</sup> 2025. Community associations must ensure that their contracted landscapers and residents comply with the law.

The Montgomery County Department of Environmental Protection is responsible for education and enforcement of the Noise Law. More information will be developed in the coming months. For questions about transitioning your operations now, or questions about the law phasing out gas leaf blowers, contact [mary.travaglini@montgomerycountymd.gov](mailto:mary.travaglini@montgomerycountymd.gov)

Members are asked to send this survey to your landscapers to help the County in development of a rebate program for electric leaf blowers:

Landscapers in Montgomery County, MD—we want your opinions/experience on using electric leaf blowers! Montgomery County has passed a law prohibiting the use of gas-powered leaf blowers starting July 1, 2025. This 5-minute survey will gather your perspective on a possible gas to an electric leaf blower exchange and rebate program to help offset any financial burden of making the transition. Please complete this quick survey and share these links with others, especially with solo landscapers and small businesses! <https://www.surveymonkey.com/r/KWKQLBJ>

Compañías de jardinería en el Condado de Montgomery, MD: ¿Nos gustaría saber su opinión o experiencia acerca del uso de sopladores de hojas

eléctricos! El Condado de Montgomery ha aprobado una ley que prohíbe el uso de los sopladores de hojas que utilizan gasolina a partir del 1 de julio de 2025. Esta encuesta de 5 minutos recopilará su perspectiva sobre un posible programa de intercambio de sopladores de hojas que utilizan gasolina a sopladores de hojas eléctricos y reembolso que ayudaría a compensar cualquier carga financiera al realizar el cambio. Por favor, complete la encuesta y comparta estos enlaces con otros, especialmente con trabajadores de jardinería independientes y compañías pequeñas. <https://es.surveymonkey.com/r/7C8BY22>

- **By Iman Hasanvand & Mary Travaglini**
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## Pay Attention To Your Community Rules

The secret to being a good neighbor in a common ownership community is adhering to the rules and regulations in the governing documents. The collective group of community ordinances are put in place to ensure harmonious living. Each association has its own unique community rules and regulations, but three of the most common are pets, parking, and architectural guidelines.

### Pets



Community associations may ban all pets or certain types of pets. If pets are allowed, most associations limit the number of pets allowed per household with some allowing only up to 1 or 2. There can also be restrictions on the breed of dog allowed in the community. In addition, some associations may impose a size restriction on pets. Condominium associations may enforce a maximum size of about 25 to 30 pounds. An association may have Registration requirements for pets in the community.

Dog owners may register their pets with the association and show proof that the pet is compliant with any local government's ordinance.

## **Parking**



If the family has multiple drivers, and frequent guests parking rules should be carefully reviewed. The governing documents may include information about visitor parking policies, vehicle registration, and penalties for parking violations. An Association may restrict inoperable or unauthorized vehicles including vehicles that have flat tires, expired license plates, or signage. Some associations may require the vehicle to be licensed in the State of Maryland. Associations may have parking restrictions for commercial vehicles. Loss of parking privileges may also be a penalty for outstanding assessments.

## **Architectural Guidelines**

Architectural Guidelines may determine the design, color, landscaping, and general appearance of a residential home within a common ownership community. Architectural Guidelines establish an association's policies and procedures for alterations, modifications, and improvements to an owners' property. It protects you against your neighbor storing waste in his yard, building an unauthorized fence, or any other visual "monstrosities" that can reduce the value and marketability of your home, as well as your pride in the appearance of the neighborhood.

When buying into a common ownership community, you are also agreeing to comply with the rules and regulations governed by the community and that will be the expectation of your neighbors. Make sure to familiarize yourself with these rules and reach out to the board of directors if you have



any questions.

- **By Peter Atta**
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## Annual Registration Information



**The leadership of each common ownership community must register annually as a requirement as stated in Chapter 10B of the Montgomery County Code.**

The Licensing & Registration Unit requires completion of the following:

- The completion of the [CCOC Registration Form](#).
- The completion and current copy of the governing documents.
- A list of the rental units in the community.
- A payment of the annual registration fees (which are calculated based upon the number of units in the common ownership community).

It is the responsibility of each common ownership community to ensure compliance with this requirement.

Please feel free to contact the Licensing & Registration Department at [ccocregistration@montgomerycountymd.gov](mailto:ccocregistration@montgomerycountymd.gov) with questions and/or concerns you may have.

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## Mandatory Board Training



In July 2023, [amendments to the county code](#) continue to require all Board of Directors for common ownership communities to successfully complete the Commission's Board Training program, also known as Community Governance Fundamentals. The new provision requires Board members to recertify every *three (3) years*. Therefore, if you have not completed the training after July 3, 2020, you are required to fulfill this requirement. Information on the free training program and [schedule](#) may be found on the website or [click here](#).

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### **COC Links and Shortcuts**

[Office of Common Ownership Communities | DHCA \(montgomerycountymd.gov\)](#)- General information and resources for common ownership communities and homeowners.

[Common > “Community Governance Fundamentals” Training Program | DHCA \(montgomerycountymd.gov\)](#)- Mandatory training on Community Governance Fundamentals.

[Common > Registration of Common Ownership Communities | DHCA \(montgomerycountymd.gov\)](#) – Mandatory annual registration of common ownership communities.

[Calendar | DHCA \(montgomerycountymd.gov\)](#) – Calendar of Events.

[Common > Community Information | DHCA \(montgomerycountymd.gov\)](#) – FAQ's

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### **Office of Common Ownership Communities**

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Rockville, MD 20852

[Email](#) or call 311 (240) 777-0311



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