

BILL OF RIGHTS AND RESPONSIBILITIES

FOR OWNERS IN

COMMON OWNERSHIP COMMUNITIES

This Bill of Rights and Responsibilities outlines twelve principles or ‘best practices’ founded on Maryland law and often included in most association bylaws and covenants. Common ownership communities (such as condominium and homeowners associations) play a valuable role in Montgomery County, Maryland, and generally operate amicably through the voluntary efforts of a board of directors, who are authorized to act in the best interests of the community. The Commission on Common Ownership Communities hopes this Bill of Rights and Responsibilities will assist residents and boards of directors to improve the quality of life and the conduct of self-governance in common ownership communities in Montgomery County and elsewhere.

- 1. You have the right to be informed before buying a home in a common ownership community of the community's governing documents, financial condition, assessments and fees, and its rules and regulations. *You have the duty to ask for this information from the seller, to read and understand it, and to obey the rules if you buy the home.***
- 2. You have the right to be treated with respect by your neighbors and by the directors and managers of your community. *You have the duty to treat your neighbors, directors and managers with respect.***
- 3. You have the right to privacy consistent with the law and the reasonable rules of the community. *You (and your tenants, if any) have the duty to respect the rights of your neighbors to enjoy their privacy.***
- 4. You have the right to prompt and effective service from your association’s directors or management. *You have the duty to pay your assessments on time.***
- 5. You have the right to vote in elections, on the adoption of new rules, and on the assessments, when permitted by law or community rules. *You have the duty to inform yourself of the issues, and to vote on them.***
- 6. You have the right to fair elections and to run for office. *You have the duty to make sure that elections are fair and that candidates for whom you vote are qualified.***
- 7. You have the right to honest and reasonable government from your elected board and the managers it chooses. *You have the duty to participate in the affairs of the community by volunteering your time and talent as needed and by informing yourself of the board's activities.***
- 8. You have the right to be informed of your community's acts and financial condition, and to inspect its books and records. *You have the duty to know and understand its rules, and to provide to the community any information required by the rules.***

9. You have the right to meet with your fellow owners to discuss the community's and the board's conduct. *You have the duty to obtain the information necessary to form a fair and balanced opinion, and to promote positive solutions for the good of the community.*

10. You have the right to fair treatment if you are charged with a violation of the community rules. This includes the right to know what rule is involved and to a fair hearing. *You have the duty to respond to any such claim promptly and honestly, and to cooperate in good faith and without resorting to personal verbal attacks in an effort to resolve the dispute.*

11. If you are unable to resolve disputes directly with your community, you may have the right to bring your dispute to the Commission on Common Ownership Communities where it can be resolved without the need for expensive litigation. *You have the duty first to bring your dispute to the attention of the community's board of directors and to allow the board a fair opportunity to respond, and to use whatever dispute resolution procedures your community requires; if you bring your dispute to the Commission you have the duty to cooperate in the Commission's complaint process and to treat other parties with respect.*

12. You have the right to architectural and other rules (such as parking or pets) that are properly adopted and published, that are clear and reasonable, and that are fairly and consistently enforced. You have the right to seek changes to any rules that you believe are obsolete or inappropriate. *You (and your tenants, if any) have the duty to obey the rules, to follow the proper procedures to obtain permission for the modifications you wish to make, and to keep your home clean, attractive, safe, and free of trash, pests, and other nuisances.*

Adopted September 5, 2007 by the Montgomery County

Commission on Common Ownership Communities