

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Jodeh

1 Amend the Transportation, Housing, and Local Government Committee
2 Report, dated March 20, 2024, page 1, strike line 1 and substitute:
3 "Amend printed bill, page 3, line 3, strike "(1)(c)" and substitute "(1)(c);
4 and **add** (1)(f)".

5 Page 3 of the bill, line 4, strike "(I)".".

6 Page 1 of the report, line 5, after "EXCEED" insert "FIVE THOUSAND
7 DOLLARS OR".

8 Page 1 of the report, line 8, strike "(1)(a);." and substitute "(1)(a),
9 WHICHEVER IS LESS;".".

10 Page 1 of the report, line 18, after "EXCEED" insert "FIVE THOUSAND
11 DOLLARS OR".

12 Page 2 of the report, line 2, strike "COMPLY." and substitute "COMPLY,
13 WHICHEVER IS LESS." .".

14 Page 2 of the report, after line 4 insert:

15 "Page 5 of the bill, line 3, after "EXCESS OF" insert "FIVE THOUSAND
16 DOLLARS OR".

17 Page 5 of the bill, line 6, strike "REGULATIONS." and substitute
18 "REGULATIONS, WHICHEVER IS LESS.

19 (f) IN DETERMINING REASONABLE ATTORNEY FEES PURSUANT TO
20 THIS SUBSECTION (1) RELATING TO AN ASSOCIATION'S FORECLOSURE OF A
21 LIEN AGAINST A UNIT OWNER FOR UNPAID ASSESSMENTS, THE COURT
22 SHALL GIVE CONSIDERATION TO ALL RELEVANT FACTORS, INCLUDING:

23 (I) THE AMOUNT OF THE UNPAID ASSESSMENTS;

24 (II) WHETHER THE AMOUNT OF THE ATTORNEY FEES REQUESTED
25 EXCEEDS THE AMOUNT OF THE UNPAID ASSESSMENTS;

26 (III) WHETHER THE AMOUNT OF TIME SPENT OR FEES INCURRED BY
27 THE ATTORNEY ARE DISPROPORTIONATE TO THE NEEDS OF THE CASE,
28 CONSIDERING THE COMPLEXITY OF THE CASE OR THE EFFORTS REQUIRED
29 TO OBTAIN THE UNPAID ASSESSMENTS;

30 (IV) WHETHER THE FORECLOSURE ACTION WAS CONTESTED OR
31 REQUIRED THE ASSOCIATION TO RESPOND TO UNMERITORIOUS DEFENSES;
32 AND

33 (V) OTHER FACTORS TYPICALLY CONSIDERED IN DETERMINING AN
34 AWARD OF ATTORNEY FEES." .".

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