

2026 Delaware Legislative Session Report



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Community Associations Institute (CAI) members, partners, and staff spent the 2026 legislative session advocating on behalf of [approximately 101,000 Delawareans who live in 41,000 homes in fewer than 1,500 community associations](#) across the Diamond State.

Legislative Overview

The 2026 Regular Session of the Delaware General Assembly convened on January 13 and adjourned on June 30. In Delaware, the legislative session operates on a two-year cycle tied to representative elections. Unfinished bills introduced in the first year (2025) carry over to the second year (2026). Because 2026 marks the end of the two-year General Assembly, any carryover bills not passed by the final adjournment die completely. [Learn more about how laws are created in Delaware.](#)

CAI supports legislation that aligns with [CAI's public policy positions](#) and monitor legislation with the potential to impact those living and working in community associations, as well as legislation that may indirectly or unintentionally impact community associations.

This session, CAI tracked over 20 bills in Delaware with the potential to impact people living and working in community associations. Below is a brief overview:

SB 352 - AN ACT TO AMEND TITLE 25 OF THE DELAWARE CODE RELATING TO THE DELAWARE UNIFORM COMMON INTEREST OWNERSHIP ACT

CAI [monitored](#) this legislation, which would have impacted building inspection and community association reserves. This bill was introduced less than a week before the legislature adjourned for 2026, decreasing opportunities for stakeholder input or advocacy, but is likely to be re-introduced in 2027.

The bill sought to require an association to obtain a façade inspection for all buildings that are 4 stories or taller. For any building less than 4 stories tall, the association would have

been required to obtain façade inspections for all balconies and decks on the second and third stories of that building. Unless subject to a county or municipal requirement that establishes the timing for a façade inspection, an association would have been required to obtain an initial façade inspection within 5 years of the date that the building was issued a certificate of occupancy or within 60 days after any observable damage to the façade. Buildings issued certificates of occupancy before this legislation would have had to conduct this inspection within 2 years of its passage. Associations would have also been required to obtain subsequent façade inspections at least once every 5 years. [CAI supports laws](#) that provide for ongoing inspections of the structure and façades of a building whose deterioration could have a negative impact on the safety and stability of the structure and endanger the life safety of the occupants of a common interest residential building or a mixed-use building that is, wholly or in part, a common interest residential building.

Under this legislation, community associations would have been required to update reserve studies annually, when material changes were made to the common elements, every 3 years, or at completion of construction, before control passes to the association. [CAI supports policy](#) that requires reserve studies to be prepared in compliance with the most current edition of the Reserve Study Standards. CAI supports mandated reserve studies and funding for new and existing community associations as well as periodic reserve study updates be performed.

CAI **opposed** one aspect of this otherwise positive legislation, which would have shifted enforcement of the Delaware Uniform Common Interest Ownership Act to The Consumer Protection Unit of the Department of Justice

Status: Bill died after being introduced during last week of session.

HB 89 - AN ACT TO AMEND TITLES 19 AND 29 RELATING TO HOME IMPROVEMENT DISPUTE RESOLUTION

CAI **monitored** this legislation, which clarifies that communications made as part of the Home Improvement Dispute Resolution Process may be admitted as evidence for limited purposes in the discretion of the court in subsequent civil litigation, and further clarifies that they may only be admitted in a criminal case where there is a prosecution for perjury or giving a false statement or where the statement is being introduced as a prior inconsistent statement of a testifying defendant that may be used for the limited purpose of impeaching the defendant's credibility if it has been disclosed to the defense in discovery. Alternative Dispute Resolution ("ADR") is statutorily required in many states, including Delaware. Even in jurisdictions where ADR is not required by law, [CAI strongly recommends](#) the adoption of policies within communities to offer ADR as an option to address disputes between

individual unit owners and between owners and the association, and in certain cases between associations and external entities, such as developers.

Status: Passed both chambers of the legislature.

HB 469 - AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE IN REGARD TO THE OFFICE OF THE COMMON INTEREST COMMUNITY OMBUDSPERSON

CAI [monitored](#) this legislation, which would have established positions for three Deputy Ombudspersons to assist the Common Interest Community Ombudsperson by serving as the main point of contact in each of the three counties in the state. These Deputy Ombudspersons would have been permitted to assist with investigations of alleged violations and would have had powers and duties as delegated by the Ombudsperson. The bill would also have established a Common Interest Community Ombudsperson Fund, to be funded by appropriations made by the General Assembly, grants and contributions from other sources, and fees collected for various forms of alternative dispute resolution. These funds would have been used to support the infrastructure of the office, fund the salary of the Deputy Ombudspersons, and cover various other costs. [CAI advocates](#) for communities to adopt policies that offer resolutions for disputes between individual homeowners and the association. [Learn more about the Delaware Common Interest Community Ombudsman.](#)

Status: Bill died.

Get Involved in CAI's Advocacy Work Through Your Local Chapter!

CAI has two chapters in Delaware. The Chesapeake Region Chapter supports members in Maryland (excluding suburban DC) and Southern Delaware, and the Keystone Chapter supports members in Pennsylvania, Southern New Jersey, and Northern Delaware. CAI chapters administer a variety of programs and services such as professional development programming, community association board member education, networking opportunities, educational publications and other services to meet the needs of their members.

Not a member yet? Join a growing global network of more than 51,000 community managers, management company executives, homeowner leaders, and business partners, and open up a world of opportunities for professional growth, networking and industry knowledge.

Learn more and find a chapter at: <https://www.caionline.org/find-a-chapter/>

Track DE Legislation

CAI tracks legislation throughout the year, so you can stay informed. You can check the legislation that CAI is monitoring around the clock [here](#).

[CAI Delaware Legislative Resources](#)

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CAI depends on professional lobbyists funded by community associations, businesses, and individuals to create the best public policy for the community association industry in Delaware. [Learn More & Donate Today](#) by Selecting "Issues Advancement Fund."

CAI's 2026 Congressional Advocacy Summit on Sept. 24 in Washington D.C.

This exclusive members-only event brings together industry leaders and advocates to engage directly with members of Congress and their staff. As the premier advocacy event of the year for the community association housing model, CAI's Advocacy Summit offers a unique opportunity to meet face-to-face with federal lawmakers and help shape public policy impacting the industry.

[Register today!](#)

Review CAI's Public Policy Positions



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www.caionline.org/Ambassadors