

**Speaking Testimony of David Kelman Regarding Senate Bill 129
An Act Establishing an Office of Condominium Ombudsman**

My name is David Kelman. I reside at 89 Shadow Lane, Unit A, West Hartford, CT. I fully support SB129 An Act Establishing an Office of Condominium Ombudsman.

I have resided at Colonial Village Condominiums in West Hartford for approximately eight years. During that time I have observed practices by our condo board that are unfair and unreasonable.

For years, our board has refused to allow condo owners to attend board meetings and does not distribute meeting minutes to owners. This past year about 70% of the board meetings were held in private. We have no published calendar of board meetings, and owners are not informed about what is going on before decisions are made. Our board has repeatedly rejected my request to review condo board records and past meeting minutes. The lack of transparency is painfully evident.

In addition, I discovered that for several years our board president was paid by our association hundreds of dollars for preparing meeting minutes. Owners were never informed of this practice.

Our bylaws require our board to bid out large contracts. I discovered that the board failed to bid out the property manager's contract 2-1/2 years ago valued at over \$20,000. The board kept this a secret from owners.

Last year, our board refused to work with the Building and Grounds Committee to resolve problems. Instead, it abolished the Committee. Not an effective way of dealing with maintenance issues.

Officers have swayed election results by going around to owners soliciting blank proxy forms so they can write themselves in for re-election. Certain board members have controlled the board for 15 to 20 years or more so even when we owners want to remove directors by trying to vote them out, it is very difficult when officers engage in unfair and deceptive election practices.

The 260+ complaints the Attorney General's office has received in the past two years represent 81 cities and towns across Connecticut. This is just the tip of the iceberg.

Approximately 50% of those complainants reside in cities and towns represented by you, the members of the General Law Committee. A list ^{of these towns, cities and towns} ~~for your review~~ is attached to my testimony.

You have a real opportunity to help the little guy like me, who is frustrated at having nowhere to turn to call for assistance with condo board matters. It is not my lack of education or desire to resolve matters with my condo board that is the problem, but rather our board's unwillingness to work with me to address issues. The system is broken. Owners have little power against powerful boards and managers.

Special interest groups may have resources to help boards and managers, but small condo unit owners don't. Please create a level playing field for owners and association boards alike to enable them to resolve their issues, and make condo boards more accountable.

I ask that all members of the General Law Committee vote in favor of SB129. Thank you.

Testimony of David Kelman
Regarding Senate Bill 129
An Act Establishing an Office of Condominium Ombudsman

The General Assembly **SHOULD** adopt Senate Bill No. 129 An Act Establishing an Office of Condominium Ombudsman because it is in the best interest of condo owners, home association owners and owners of common interest communities residing in the State of Connecticut.

I have resided at Colonial Village Condominiums in West Hartford for approximately eight years. During that time I have observed practices by our condo association board that are unfair and unreasonable to owners.

For years, our condo board has refused to allow condo owners to attend condo board meetings. This past year about 70% of the board meetings were held in private. We have no published calendar of board meetings to inform owners when board and committee meetings are going to take place or what the agenda is. Our board's lack of transparency is painfully evident and we owners have a right to know about issues affecting us, but are unable to get the information many times despite promises that the board will send the information along.

At the few open board meetings we have, owners are given no more than a few minutes to speak, there is little time for general discussion about issues owners raise because the board president cuts off the discussion and quickly adjourns the meetings. As a result, much unfinished business remains and owners never get answers. The democratic process is cut short when dialogue is restricted.

Condo board meeting minutes are not published regularly and consistently following meetings. Our auditor commented in his audit that he had no meeting minutes to review for his audit. In addition, I discovered that the board president, a volunteer, was paid by our association hundreds of dollars annually for several years for preparing meeting minutes and owners were not informed of this practice.

I sought to review past condo board records, meeting minutes and contracts. Our board has repeatedly rejected my call for this information. Finally, I was notified by the property manager one time that if I wanted to review the records, I would be charged a \$75 fee. This information should be readily available for owner review at no charge.

Our bylaws require the board to bid out large contracts. I discovered that the property manager contract 2-1/2 years ago valued at over \$20,000 was never bid out. The owners were not notified. The board acted illegally and dismisses any wrongdoing. Owners have no place to turn to address this.

I have asked for electronic versions of our association newsletter and meeting minutes. Our condo board refuses to routinely provide this information electronically.

Our Building and Grounds Committee identified dozens of maintenance problems that needed attention. The board refused to work with the Committee to resolve the problems. Instead, it abolished the Committee without discussing it first with any Committee members, or getting owner input in the decision. The board also prohibited certain owner volunteers to be on the Committee because they didn't like them.

I am also concerned that our condo board have tampered with the election process and results. Officers, who were incumbent candidates, go around soliciting blank proxies so they can write in themselves and other incumbent board members. The board will not allow voting by email or mail-in ballot. Certain board members have controlled the board for 15 to 20 years or more. There are no condo board term limits. So even when owners want to remove directors from office by trying to vote them out, it is very difficult when the officers engage in such unfair and unreasonable practices. While one may argue it is up to the association to engage in a democratic process, the fact is many condo associations have problems with election tampering, and owners have no resource to turn to when problems with election tampering arises.

(Continued)

For nearly three years, I have been volunteering in the Attorney General's Office in the Consumer Assistance Unit helping hundreds of Connecticut residents with consumer problems.

As I researched more about SB129, I learned that there are hundreds of owners throughout Connecticut like me who have very similar problems, more likely thousands because so many go unreported. The complaints the Attorney General's office has received regarding condo issues in the past two years is likely just the tip of the iceberg.

I reviewed the files in the Attorney General's office last week and discovered well over 260 complaints from condo owners in the past two years alone. These complaints represent constituents in 81 cities and towns across Connecticut. According to my research, of these 260+ owners, approximately 50% reside in cities and towns represented by you, the members of the General Law Committee.

I have attached to my testimony for your review a list of those condo owners in your communities who have complained to the Attorney General, in case you want to follow up with them directly so you gain a better understanding of the experiences your constituents face in their condominium or common interest communities.

Whether its concern over financial mismanagement by condo boards, property mismanagement, not involving or communicating with owners regarding significant costly decisions affecting owners, not following bylaws, or election fraud, I would like to have a resource I can turn to for help when I feel our condo board is acting inappropriately.

Presently, there is no check and balance in place when owners like me suffer at the hands of condo boards who abuse their authority.

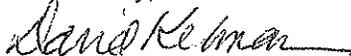
You have a real opportunity to help the little guy like me. There are thousands of little guys who own condos across our state who are just so frustrated with the actions of their condo boards, but have no resource to call for assistance, or even know how to help themselves. It is not the lack of education that is the issue, but arrogance and failure of boards to be inclusive and transparent. Owners have little power against powerful boards and managers.

Just like consumers have the consumer assistance unit at the Attorney General's Office to turn to for assistance resolving problems with businesses, this bill provided condo owners a resource to help them address problems with condo boards and managers. The CAI-CT, a special interest group, has resources to help boards and managers, but small condo unit owners don't. The issue is not about money or education, but fairness in providing a level playing field between owners and association boards. Likewise, if this bill becomes law, boards would be act more responsibly reducing the need for hiring outside legal counsel to address owner concerns.

In closing, I ask that all members of the General Law Committee to vote in favor of SB129 An Act Establishing an Office of Condominium Ombudsman.

Thank you for your favorable consideration.

Sincerely,



David Kelman
89 Shadow Lane, Unit A
West Hartford, CT 06110

Approx. # of Condo
Complaints
Attorney General's
Office received in
past two years

Town

Total: 264 complaints

81 Connecticut cities and towns represented

Newington	2	
Newtown	1	
North Branford	1	
North Haven	2	
Norwalk	3	
Norwich	3	
Old Saybrook	3	
Orange	1	
Plainville	1	
Plantsville	2	
Ridgefield	1	
Rocky Hill	1	
Shelton	8	<-- among top 12 cities and towns with most condo complaints
South Windsor	1	
Southbury	1	
Southington	1	
Stamford	13	<-- among top 12 cities and towns with most condo complaints
Storrs	1	
Stratford	4	
Suffield	4	
Thomaston	1	
Torrington	2	
Trumbull	2	
Uncasville	1	
Unidentified	2	
Unionville	2	
Vernon	3	
Wallingford	6	<-- among top 12 cities and towns with most condo complaints
Waterbury	15	<-- among top 12 cities and towns with most condo complaints
Waterford	2	
Weatogue	1	
West Hartford	5	
West Haven	2	
Westbrook	1	
Wethersfield	2	
Willimantic	2	
Wilton	1	
Winchester	1	
Windsor	2	
 Total:	 264	

Approx. # of Condo
Complaints
Attorney General's
Office received in
past two years

Town

Total: 264 complaints

81 Connecticut cities and towns represented

Avon	1	
Bethel	1	
Bloomfield	1	
Branford	16	<-- among top 12 cities and towns with most condo complaints
Bridgeport	19	<-- among top 12 cities and towns with most condo complaints
Bristol	3	
Broad Brook	2	
Cheshire	1	
Clinton	1	
Columbia	1	
Cromwell	3	
Danbury	3	
Derby	3	
Durham	2	
East Hampton	1	
East Hartford	2	
East Haven	7	<-- among top 12 cities and towns with most condo complaints
East Windsor	2	
Enfield	9	<-- among top 12 cities and towns with most condo complaints
Fairfield	3	
Farmington	3	
Gales Ferry	2	
Greenwich	1	
Groton	4	
Hamden	3	
Hartford	11	<-- among top 12 cities and towns with most condo complaints
Hebron	1	
Ivoryton	1	
Kent	1	
Madison	1	
Manchester	5	
Meriden	8	<-- among top 12 cities and towns with most condo complaints
Middletown	8	<-- among top 12 cities and towns with most condo complaints
Milford	7	<-- among top 12 cities and towns with most condo complaints
Monroe	2	
Montville	4	
Mystic	1	
Naugatuck	1	
New Britain	1	
New Canaan	1	
New Fairfield	1	
New Haven	5	
New London	1	
New Milford	3	

(continued)

<Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicastro" <Frank.Nicastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>
Sent: Monday, February 15, 2010 12:50:20 PM GMT -05:00 US/Canada Eastern
Subject: SB 129 Creation of Ombudsman Office Hearing, February 16, 2010

2/15/2010

Subject: SB 129 Creation of Ombudsman Office

Dear General Law Committee Member,

I am writing this as a condominium unit owner and it reflects my personal position, regardless of any organizations in which I may participate or belong to which have different views.

I urge you to support the subject bill.

Below are outlined my observations regarding the situation in Connecticut:

1. Enforcement: Currently there is no agency in the State of Connecticut responsible for enforcing the condominium statutes. The need for such an office is clearly indicated. As reported by the Connecticut Attorney General's office, hundreds of complaints were received from condominium unit owners in the past two years alone.

Enforcement of common interest association state statutes and bylaws is now left entirely to litigation in the courts and can create situations where resolution may take many years and involve expenditure of funds well outside the range of many unit owners.

Association interests already have a representation in the form of the CAI-CT but there is no such powerful organization representing individual unit owners. This bill attempts to address situations where associations do not respect the legitimate needs and rights of individual unit owners.

Although the state CIOA statutes enacted in 2009 go a long way towards improving governance and financial management issues at the local condominium level, there is still no enforcement provision in that law. In addition, a statute enacted several years ago which "suggests" condominium board members take an educational course in condominium law and management, it also is not enforceable.

2. Litigation: At present, an individual unit owner must file a lawsuit for any serious violation of the state statutes or bylaws by their association or condominium manager. Not only is this a great expense for a single unit owner, it is very difficult to find a lawyer who may take the case even if it has merit. If an association has contacted any legal firm regarding possible consultation at any time in the past, that firm will refuse to handle any lawsuit because they are hoping to obtain business from the association in the future even though they do not presently have an ongoing business relationship.

3. Precedent: Several other states, including Florida have, out of necessity, created the position of Ombudsman to address these issues. The main criticism of these established offices in those states seems to be that some ombudsman offices haven't been given enough power, not that they aren't needed.

4. Official Opposition: The CAI-CT is opposed to the proposed legislation. Below is their stated position. I have inserted opposing arguments for each point:

"CAI-CT's Position:

CAI-CT OPPOSES the provisions of S.B. 129 which call for the creation of an Office of Condominium Ombudsman for the following reasons:"

All parties were better educated about the rights and responsibilities of boards and owners.

[True, however, there is no enforceable requirement for education of boards/unit owners. The current situation is not working. Past behavior has shown a serious lack of education which has not been resolved under the current statutes. The current statute addressing education is voluntary and therefore not enforceable. I personally know of members on condominium boards who have held office for over one year and still have not taken any governance courses although they have been advised of the statute and been provided with times and dates of several courses in the local area. Some associations may not even be aware of the law.]

"2. S.B. 129 would create an imbalance, as boards would not be given the opportunity to file a grievance against an abusive unit owner. Under the proposed bill, all boards would be required to pay a fee to defend a grievance filed by a unit owner."

[There is currently an imbalance in the other direction. Boards and associations already have the power to fine an abusive unit owner via their Rules and Regulations document as well as Bylaws violations. There is no recourse in the reverse case of an abusive board or one which is simply not following the current statutes or exercising due process. An Ombudsman Office would have the power to determine if the complaint has merit and proceed or not as indicated by that judgment, thereby saving everyone money and eliminating unjustified litigation. One assumes the primary focus of the Ombudsman Office would be to mediate the dispute and to avoid entanglement in the court system.]

"3. Associations will incur increased expenses due to their likely need to hire legal counsel to defend against a grievance. Also, property managers will be forced to pass onto their clients the increased costs for time allocated to defend complaints."

[This argument is of questionable merit. In an ideal world, if the statutes were followed and boards were living up to their educational, fiduciary and governance obligations as set forth in the statutes and bylaws, there would be no need for legal counsel hired by unit owners. The CAI statement does not reflect reality. The argument also presupposes unit owners claims are without justification. Certainly, property managers will pass on the cost; therefore, avoidance of confrontational litigation is important. Presumably it will cost less to use the Ombudsman Office rather than enter independent litigation in the courts. In either case, it should be mentioned, property managers would have to pass the costs onto their clients.]

"4. Association boards are democratically elected. Unit owners are responsible for electing or removing board members. State government should not be acting in a supervisory capacity with respect to associations".

[As in the previous position statement, this statement confuses the absolute with the relative, a common problem. The statement is definitely correct in absolute terms. It does not take into account the reality of the situation as attested to by the Connecticut Attorney General's office, for instance.]

"5. In these times of dire deficits, Connecticut cannot afford the \$500,000+ cost of creating an Office of the Ombudsman."

[This argument is commonly used in an attempt to derail any new legislation one opposes. It attempts to deflect attention from the primary causes for the legislation creating an Ombudsman office by pointing to a current temporary financial situation. It is a matter of priorities. This is sort of like the anti-smoking billboards which state "I'm going to stop smoking when the price of cigarettes reaches _____." That is, if not now, when?]

Respectfully submitted,

John L. Smith

25B Harbour Village

Branford, CT 06405

esposito <Lou.esposito@cga.ct.gov>, Giannaros@senators.ct.gov, John A Nisset <John.A.Nisset@cga.ct.gov>, John Mazurek <John.Mazurek@cga.ct.gov>, Sandy Nais <Sandy.Nais@cga.ct.gov>, Frank Nicastro <Frank.Nicastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>
Cc: "Rep. Giannaros, Demetrios" <Demetrios.Giannaros@cga.ct.gov>, "Raymond 'Harasymiw'" <Raymond.Harasymiw@cga.ct.gov>, "Sen. Harris, Jonathan" <Jonathan.Harris@cga.ct.gov>
Sent: Saturday, February 13, 2010 3:20:56 PM GMT -05:00 US/Canada Eastern
Subject: S.B. 129

As a condominium association homeowner living in Farmington, I am writing in support of SB No. 129, a bill to establish an Office of Condominium Ombudsman. I have lived for 13 years in a association called Talcott Glen, a 128-unit condominium community. We are under the control of a sanctimonious and arrogant Board of Directors and a managing agent that rules through intimidation and fear tactics. Among the list of abusive practices our unit owners as well as myself have endured over the last several years includes the following:

- L The Board of Directors at Talcott Glen without explanation, communication or transparency, have taken a four year roofing project and turned it into an ten year project costing unit owners an additional \$1.1M. The BOD (board of directors) never went out to bid since changing contractors twice at the recommendation of the managing agent. Additionally, our unit owners incurred an additional estimated \$250,000 in damages caused by the defective workmanship. In both instances of changing contractors, the managing agent (Enhanced Management Services- Granby, CT) has a personal relationship with each of these contractors.
- L Not since the managing agent took over at Talcott Glen in 2000, have we ever gone out to a formal or equitable bidding process for major capital expenditures over \$100,000. The contractors doing business in our community are all a network of personal friends who would be the most expensive option. The workmanship has proven to be inadequate in some instances causing the HOA to spend more funds to fix their mistakes.
- L On the same roofing project, the BOD never disclosed any detailed accounting as to the costs overrun and where the monies went.
- L Favoritism and preferential treatment exists in my HOA community. A case in point was back in 2002, my condominium suffered substantial water damage as a result of the (association owned) boiler and furnace malfunctioning. The damage cost us over \$18,000 and when approaching the BOD and managing agent, we were refused to be heard on the matter and forced to go through our insurance company for reimbursement and not through the associations own insurance policy- which was the process up to this point. At the same time, a sitting BOD member had a similar issue whereby his condo was empty (living in another home) and his pipes froze causing water damage. The President of the BOD, repaired and replaced this condo at the associations' expense tying up staff resources and funds for over a week. Our by-laws call for unit owners to be responsible for maintaining units for frozen pipes- especially when with unoccupied units.
- L The Talcott Glen BOD had refused any services or repairs to any unit owners who have expressed dissenting concerns or questions relating to association matters. The BOD and Managing Agent are notorious for instilling intimidation and fear to quell all inquiries on major expenditures.
- L As an owner, I had been paying a premium in fees and assessments for a additional designated real property storage space over 10 years. For the same period of time, I was never granted possession to this space after writing the various sitting BOD's and current managing agent, informing them of the situation. Through hiring an attorney, it was uncovered that the association, through a previous managing agent, had arbitrarily and illegally transferred rights to one former unit owner- permitting him to take unlawful possession of several (17) storage spaces for business use. Again, this was without permission or knowledge of the owners on record paying for this property. To this date, I have not been reimbursed for the amount of money that I paid for this space, but unable to access for use.
- L The Talcott Glen BOD's aggressively pursued to changing the by-laws for the past 6 years with offering capricious explanations that it would allow the association to finance the current window/siding assessment and allow unit owners a majority vote in major expenditures and passage of annual budgets. We never did go through outside financing as the BOD indicated they would on a current \$1.5M project. What it really accomplished was extending to the board, absolute power of decision making without going out to the community for a vote on major projects such as paving, snow removal, landscaping and windows and siding. Additionally, it took away the communities right to a majority rule on such matters.
- L The Board has held meetings without unit owner notice, and abused the use of Executive Sessions to exclude unit owners from learning details of topics which would be considered "controversial" or details of the progress and status of meetings and agreements. The meeting minutes are not properly maintained or are a true and accurate representation of the meeting events.
- L The current BOD has members that have sat on the board in some cases for 10 years playing the *proxy game* to keep the same people together and keep out any newcomers who have voiced opinions or difference of opinions. Despite the by-law requirement that at least 30% of the Board must be replaced each year, the Board was successful at the annual meeting in June to obtaining enough votes to successfully reelect themselves to new 3-year terms. While the BOD claim they run unopposed, several unit owners have submitted written procedural requests to be placed on the ballot to run for a position on the board. In two instances, the managing agent "misplaced" the documentation of an association member submitting such request.

As the number of condominium units continues to increase in Connecticut, particularly those built for active communities, it is time for the State legislature to establish an office which provides the forum and power to investigate and resolve condominium unit owner's complaints that would otherwise be in the hands of unregulated and retributive boards. I further feel that many Managing Agents operating in our state are not governed or regulated and held accountable for their actions, just as we do for other areas of real estate related concerns. Now is the time to act on behalf of a constituency that needs your leadership in consideration and passing SB No. 129.

Please feel free to contact me to discuss this matter. Thank you for your attention in this matter.

Respectfully,

William P. Ballot
10-F Talcott Glen Road, Farmington, CT 06032
wballot@comcast.net
(860) 573-3319

From: russ barnes <rbatthebeach@yahoo.com>

Subject: SB NO. 129, AN ACT ESTABLISHING AN OFFICE OF CONDOMINIUM OMBUDSMAN

To: Colapietro@senatedems.ct.gov, Jim.Shapiro@cga.ct.gov, Maynard@senatedems.ct.gov,
Joseph.Taborsak@cga.ct.gov, Kevin.Witkos@cga.ct.gov, Penny.Bacchiochi@housegop.ct.gov,
Emil.Altobello@cga.ct.gov, Bill.Aman@cga.ct.gov, Anthony.DAmelio@housegop.ct.gov,
Lou.Esposito@cga.ct.gov, Gomes@senatedems.ct.gov, John.A.Kissel@cga.ct.gov,
John.Mazurek@cga.ct.gov, Sandy.Nafis@cga.ct.gov, Frank.Nicastro@cga.ct.gov, Lonnie.Reed@cga.ct.gov,
Hector.Robles@cga.ct.gov, William.Tong@cga.ct.gov

Cc: rbatthebeach@yahoo.com

Date: Monday, February 15, 2010, 12:46 PM

REQUEST YOU SUPPORT THIS DESPERATELY NEEDED BILL.

WE HAVE EXPERIENCED AND ARE EXPERIENCING VIOLATIONS BY THE DEVELOPER INCLUDING APPARENT ILLEGALITIES, TOWN ORDINANCE VIOLATIONS WHICH I HAVE TWICE REPORTED TO THE TOWN TO NO AVAIL.

I AND THE 3000+ OWNERS IN OUR DEVELOPMENT HAVE BEEN LEFT WITH NO RECOURSE OTHER THAN TO USE OUR MEAGER RETIREMENT SAVINGS TO HIRE COUNSEL AND PURSUE MATTERS THROUGH COURTS; AN OPTION THAT IS NOT POSSIBLE FOR ME/US.

THE DEVELOPER HAS ALSO FAILED TO LET GO OF CONTROL OF THE BOARD IN ACCORDANCE WITH THE BYLAWS, AND IGNORED AND VIOLATED BYLAW PROVISIONS AS IT WILL, DESPITE HAVING WRITTEN AND ENACTED THE BYLAWS YEARS AGO. THE DEVELOPER HAS NOT ALLOWED AN INDEPENDENT AUDIT OF THE ASSOCIATION.

WE HAVE NOWHERE TO TURN, EXCEPT TO YOU. PLEASE SUPPORT SB NO. 129.

GIVE US PROTECTION.

Respectfully submitted,

Russell M. Barnes

----- Forwarded Message -----

From: LCarpenos@aol.com

To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicastro" <Frank.Nicastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>

Cc: Kashwoman@hotmail.com, davidk1233@comcast.net

Sent: Wednesday, February 10, 2010 12:22:33 PM GMT -05:00 US/Canada Eastern

Subject: RE: Bill SB129

TO: General Law Committee Members

I am a condominium owner and resident. Please support Bill SB129, establishing an Office of the Condominium Ombudsman.

I understand that a public hearing may be called as early as next week.

Thank you so much,

Lori

Lori Carpenos
89 B Shadow Lane
West Hartford, CT 06110
(860) 561-1919

To: 'Colapietro@senatedems.ct.gov'; 'Jim.Shapiro@cga.ct.gov'; 'Maynard@senatedems.ct.gov';
'Joseph.Taborsak@cga.ct.gov'; 'Kevin.Witkos@cga.ct.gov'; 'Penny.Bacchiochi@housegop.ct.gov';
'Emil.Altobello@cga.ct.gov'; 'Bill.Aman@cga.ct.gov'; 'Anthony.DAmelio@housegop.ct.gov';
'Lou.Esposito@cga.ct.gov'; 'Gomes@senatedems.ct.gov'; 'John.A.Kissel@cga.ct.gov'; 'John.Mazurek@cga.ct.gov';
'Sandy.Nafis@cga.ct.gov'; 'Frank.Nicastro@cga.ct.gov'; 'Lonnie.Reed@cga.ct.gov'; 'Hector.Robles@cga.ct.gov';
'William.Tong@cga.ct.gov'

Subject: Please Support SB129

To Whom It May Concern:

My name is Kristine Cormier and I am a condominium owner in Cromwell. I'm a first time home owner who purchased my condo in April 2009. Here it is, February 2010 and I'm already looking to put my condo on the market and possibly move back into an apartment. Let me give you a little insight as to some of the problems that the unit owners are facing living in Cromwell Hills in Cromwell.

Little did I know that the condo association where I live had been mismanaging funds for some years now. In an association meeting in December, we were informed that the association broke a contract that they had with the landscapers, and thus the landscapers turned around and filed an intent to sue the association. Due to the association having to retain legal counsel, they had to spend roughly \$15,000 to work out the problem. Consequently, there wasn't any money in the reserves fund, so as of January 1, 2010, the unit owners had to pay a \$1,000 special assessment fee. In addition, the association also raised our regular monthly condo fee.

The Cromwell Hills Condominiums are comprised of 1 bedroom, 2 bedroom and 3 bedroom units. We all pay different monthly condo fees. For instance, I live alone in a three bedroom unit, and I currently pay \$389 a month. Yet I do not receive any other amenities that the 1 or 2 bedroom units receive. In addition, all unit owners are responsible for pretty much everything in the condo, for example, windows, sliding glass doors, storm doors, heating and air conditioning units, all appliances, etc. In addition to the \$389 monthly fee, I also have to pay the \$100 special assessment fee, bringing me to a grand total of \$489 a month to the condo association. Having to pay almost \$500 a month on top of my mortgage is putting me into bankruptcy.

I did speak to the condo association president about the fees. She has only been president since October 2009, and claims to understand my concerns, however she basically tells me that not much can be done to change the condo documents so I'm pretty much stuck.

Starting in January 2011, the association will be implementing yet another special assessment for siding and decks. That assessment will cost me an additional \$100 a month. I'd like to sell my condo, but at this point, who will buy it knowing what the monthly fees and assessments are? The 3 bedroom condo next door to me has been on the market since August 2009. It's updated inside and in very good condition. The elderly people who owned it were original owners and therefore the condo was paid off in full many years ago. Now that they have both passed away, their family is trying to sell it, and have even lowered the selling price CONSIDERABLY...even willing to take as low as \$127,000 for it along with paying the first 4 months of condo fees at the closing. Many people come to look at it, but once they find out how much the fees and assessments are, they walk away.

I have worked very hard for years to keep an excellent credit score and always pay my bills on time. Now because of all these outrageous condo fees and special assessments, I'm getting behind on my bills and sometimes can't even afford to buy groceries.

As a condo owner, I would greatly like to see the SB129, An Act Establishing an Office of Condominium Ombudsman passed into Legislation. We need some kind of protection against these condo associations. Please support the SB129.

If I can be of any assistance or answer any questions, please feel free to contact me. Thank you for your time and consideration with this matter.

Sincerely-

Kristine Cormier
20 Pine Court
Cromwell, CT 06416
(860) 788-6977
Kristine127@yahoo.com

----- Forwarded Message -----

From: Valerie M. Cosgrove <valam30@hotmail.com>

To: timeshareowner@snet.net

Sent: Mon, February 15, 2010 10:04:31 AM

Subject: RE: Waters Edge Owners SB 129 Establish and office of ombudsman for condominiums

10 February 2010

19-40 Prospect Ridge

Ridgefield, Ct. 06877

Dear Members of the General Law Committee:

While I cannot attend the meeting that will be held on the 16 February concerning Bill SB 129,

I strongly advocate that you pass a bill that will establish an office of ambudsman for condominiums. This is especially important for me because as "the little guy", I feel that the establishment of such a committee would give me a strong voice if I had a grievance.

Very truly yours,

Valerie M. Cosgrove

203 438.7996

----- Forwarded Message -----

From: "Fred Biamonte" <biamonte.fred@gmail.com>

To: davidk1233@comcast.net

Sent: Friday, February 12, 2010 11:06:29 AM GMT -05:00 US/Canada Eastern

Subject: SB129

I sent an Email to your list asking tghem to vote in favor of SB129, An Act Establishing an Office of the Condominium Ombudsman.

Fred Biamonte

----- Forwarded Message -----

From: "rosebottinick" <rosebottinick@comcast.net>

To: "David K" <davidk1233@comcast.net>

Sent: Monday, February 15, 2010 11:18:39 AM GMT -05:00 US/Canada Eastern

Subject: Re: SB129 Condo bill: Attorney General press conference, Feb. 16, 10am

in my past experience with testifying i have been told that i must sign in by 10 am to be placed on the list to testify-

i would like very much to testify at the press conference but with the talk about snow for tonite and tomorrow am i will probably not be coming—

i hope the legislators take the time to read the owners complaints—

my question is- would you allow individuals without fiscal experience or expertise to assess, collect and spend your money??? that is exactly what happens- no fiscal expertise required—

rose

----- Forwarded Message -----

From: "Florence Michaud" <shoreline22@sbcglobal.net>
To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicaastro" <Frank.Nicaastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>
Cc: shoreline22@sbcglobal.net, davidk1233@comcast.net, "MARGARET C GRAY" <margaret_c_gray@sbcglobal.net>
Sent: Monday, February 15, 2010 11:18:27 AM GMT -05:00 US/Canada Eastern
Subject: SB129

Dear Committee members,

Please vote in favor of SB129 an act establishing an Condominium Ombudsman. As a Unit owner for 20 years you have no idea how important this is to all the hundreds and thousands of Unit owners in the State.

The Condo Boards are way out of control and they do not represent the Unit owners. It seems they have a feeling of power to do whatever they choose that benefits them personally.

Our First Selectman in Branford has been well aware of all the problems we have experienced and yet his hands are tied to intervene. This is why we must have a State Ombudsman to check into these problems.

I should also state that the Ct. Attorney General has also been made aware of problems through phone calls, letters and e-mails.

PLEASE vote in favor of a Condominium Ombudsman....we need your help now.

Thank You,

Florence Michaud
194 Turtle Bay Drive
Branford, Ct. 06405

Tele: Cell: 203-641-0633

----- Forwarded Message -----

From: "a p diamond" <a.p.diamond@att.net>

To: "David K" <davidk1233@comcast.net>

Sent: Friday, February 12, 2010 12:13:42 PM GMT -05:00 US/Canada Eastern

Subject: Re: Followup on Your Condo Complaint to Attorney General: Support Condo Legislation

Below is a copy of the letter I just sent to the Courant. I signed it "Anonymous from New Haven," because I have enough trouble with my condo already. I also would appreciate it, if you would keep my name confidential. Thank you, Ann

I've lived in a condominium for nearly 30 years. In that time I have experienced enough conflict and incompetence in management to feel strongly that we need the legislation being proposed in the current SB129, An Act Establishing an Office of Condominium Ombudsman. I urge support for this bill.

Many of us who bought into condos did so, because we thought they would be more convenient and less trouble than maintaining a house. What we didn't know is that there are currently no agencies that regulate this form of housing.

Yes, there are Bylaws and laws that oversee the sale and purchase of condos; but once you buy in you are at the mercy of the condo board. In ideal circumstances each condo board that oversees the governing of its condo is competent, efficient, honest and responsive. In reality these boards are often run by other owners who see this as an opportunity to bully their neighbors, to abuse their power and in some cases to manipulate the resources and priorities of the entire community to their benefit and self-interest.

Given that condos are a relatively new form of community living and like anything new have taken a while to evolve, it is understandable that we are just now beginning to realize the need for oversight and regulation. Without any outside arbitrator too many condos have become havens of conflict and strife which now threaten the viability of our investments in this form of real estate and our happiness in this potentially wonderful life-style.

SB129—for the first time—provides a mechanism for sorting out conflicts and for prosecuting those found to have violated the law. It will cultivate a much-needed standard of professionalism among members of condo boards, and it will provide owners with a process by which a balance in control and accountability can be established between them and their boards/ management companies. Without it condos will remain the last frontier of lawlessness which cannot be good for our greater communities and the State at large.

----- Original Message -----

From: Chris Ehlert

To: Colapietro@senatedems.ct.gov ; Jim.Shapiro@cga.ct.gov ; Maynard@senatedems.ct.gov ;
Joseph.Taborsak@cga.ct.gov ; Kevin.Witkos@cga.ct.gov ; Penny.Bacchiochi@housegop.ct.gov ;
Emil.Altobello@cga.ct.gov ; Bill.Aman@cga.ct.gov ; Anthony.DAmelio@housegop.ct.gov ;
Lou.Esposito@cga.ct.gov ; Gomes@senatedems.ct.gov ; John.A.Kissel@cga.ct.gov ;
John.Mazurek@cga.ct.gov ; Sandy.Nafis@cga.ct.gov ; Frank.Nicastro@cga.ct.gov ;
Lonnire.Reed@cga.ct.gov ; Hector.Robles@cga.ct.gov ; William.Tong@cga.ct.gov

Sent: Monday, February 15, 2010 11:08 AM

Subject: Support SB129 An Act Establishing an Office of Condominium Ombudsman

Distinguished Members of the General Law Committee,

I write to you today for your support of Attorney General Blumenthal's proposed bill SB 129 - An Act Establishing an Office of Condominium Ombudsman. My wife, Melissa and I along with our 2 young children purchased a timeshare at the Water's Edge in Westbrook. Like many other CT residents we did so because of the beautiful amenities the location promised to our family through our purchase. Recently, the Water' Edge Ownership and Board of Directors (many of whom own the facility) are looking to eliminate our access to the property. This has been done even though numerous timeshare owners have voiced their opposition.

Today timeshare and condominium owners in CT do not have a voice when it comes to dealing with its property owners or Board of Directors. Bill SB 129 will provide CT residents the opportunity to be heard through the Office of Condominium Ombudsman.

Please vote in support of bill SB129.

Thank you for your time and we hope you will support this important bill.

If you have any questions please feel free to contact me.

Chris and Melissa Ehlert
96 Kenrose Terrace
Westbrook, CT 06498
860-399-6653

----- Forwarded Message -----

From: kmgetek@cox.net

To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Exposito" <Lou.Exposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicaastro" <Frank.Nicaastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, HectorRobles@cga.gov, "William Tong" <William.Tong@cga.ct.gov>

Cc: davidk1233@comcast.net

Sent: Monday, February 15, 2010 5:53:37 PM GMT -05:00 US/Canada Eastern

Subject: SB129

I am writing to ask your support and to ask for your vote in favor of SB129, An Act Establishing an Office of Condominium Ombudsman. I am an owner of a time share at Water's Edge in Westbrook, CT and passage of this bill will give me and other owners a resource to help protect condo owners when we have problems with condo boards and property managers.

I thank you in advance for your support - Karen Getek

Date: Thu, 4 Feb 2010 10:40:55 -0500

Dear Committee Member,

My name is Jyll A. Kashmann. My father, Joseph Robert Kashmann, is the owner of one condominium unit where I currently reside which is located at 11A Robin Road in West Hartford Connecticut. I have been legally named as the proxy holder for him and it is in this capacity in which I write.

I am writing to urge you to support An Act Establishing an Office of Condominium Obudsman. The reason I strongly urge you to establish the act is because ever since I moved in to my current condominium residence, I have come up against problems with the association and the people, (all male) who run it.

From day one, I was treated with disrespect by the maintenance person and was harassed for issues with my garage door and yet given no guidance regarding the rules or expectations in this matter. No one ever gave me a personal orientation of any sort about how things were done in the residence and though I moved in in the month of December, there was no association meeting held until the following October.

For the approximately 5 years in which I have lived at 11A Robin Road, we have only had one association meeting per year and most of the agenda has always been pre-determined so that it was nearly impossible to get a new issue onto the agenda for discussion. Just last year, they finally agreed to have an extra meeting in which it was decided that we would elect two new board members to add to the three that had been running the board for many years.

The election process involved writing your name on your ballot, so it was not even secret and two more men were elected to the board, when the majority of residents are women. These men are all of a similar background and tend to agree on most all decisions which means that many owners have stopped even attending the meetings feeling that they actually have no say at all. When issues do come up, they are often brushed under the table or dismissed with some excuse. Those who dissent are either not taken seriously or treated disrespectfully.

Over the years, I and some of the other residents have experienced problems that were either not resolved or resolved very slowly when action could have been taken much more quickly. Some of the other problems that I have come up against have included, noise pollution from oversized lawn mowers being used early in the morning, residue from mowers and leaf blowers coming into my windows all summer because the mowing and blowing was done nearly every day at random times. Lighting issues have also been problematic and either slowly resolved or in some cases unresolved.

I had a major problem with my electricity wires having being hooked up to the wrong meter and it took me over one year to prove it to the president of the association and get his help in resolving the problem with the CL&P. I was actually being billed for my upstairs neighbor's use of electricity, rather than my own. This ultimately resulted in a large refund for me, once I was able to prove the problem, but that took two years to complete. The problem had been caused by the person who had lived in my unit before me.

Also, in my first year in this condo I had a bad situation with a large number of ants coming in and was told that it was just normal. Eventually, I was able to prove that they were coming in from the basement because there was an opening in my kitchen floor that had been left by a previous owner who had done some of his own handywork. Once the area was caulked properly, by the maintenance man, whom I had to beg to do it, the problem was resolved, but it took months for this situation to get properly diagnosed. First they just sent in an exterminator and then I had loads of dead ants.

I could go on and mention many other issues both small and larger. Most got resolved only after I figured out what to do and after I nagged someone in charge until they paid attention. Even now, I have a problem with scaldingly hot water in my kitchen sink and a lack of heat in my unit except at 3-6 am, when it is unbelievably hot. They completely refuse to do anything about this because, they say, no one else has complained about this.

These are just some of the problems that have been part of my experience with living here and mostly it is the anxiety and disrespect that has taken a toll on my tolerance level. I know that in some other condo situations, problems are resolved and dealt with differently. Thus, I do think that having a place to turn with a grievance would not only help individual owners, but would keep associations abreast of peoples' legal rights and they would not be as likely to target someone who does not just go along with the way things have always been done. I hope you will strongly consider how important this issue is for condo owners. You should realize that some people are just too intimidated to even ask for help for fear of retribution. Thank you for your consideration in this matter.

Sincerely,

Jyll Kashman

<John.A.Kissel@ega.ct.gov>, Anthony L'Amore <Anthony.L'Amore@house.gov>, Lou Esposito <Lou.Esposito@ega.ct.gov>, Ombudsman@condos.ct.gov, John A. Kissel <John.A.Kissel@ega.ct.gov>, "John Mazurek" <John.Mazurek@ega.ct.gov>, "Sandy Nafis" <Sandy.Nafis@ega.ct.gov>, "Frank Nicastr" <Frank.Nicastr@ega.ct.gov>, "Lonnie Reed" <Lonnie.Reed@ega.ct.gov>, "Hector Robles" <Hector.Robles@ega.ct.gov>, "William Tong" <William.Tong@ega.ct.gov>
Cc: "Sen. Jonathan Harris" <Harris@senatedems.ct.gov>, "Rep. David McCluskey" <David.McCluskey@ega.ct.gov>

Sent: Saturday, January 30, 2010 3:16:09 PM GMT -05:00 US/Canada Eastern

Subject: Support An Act Establishing an Office of the Condominium Ombudsman

To: General Law Committee, State of Connecticut

Dear Sen. Colapietro, Co-Chair, Rep. Shapiro, Co-Chair, Sen. Maynard, Vice Chair, Rep. Taborsak, Vice Chair,
Sen. Witkos, Ranking Member, Rep. Bacchiochi, Ranking Member, Rep. Altobello, Rep. Aman, Rep. D'Amelio, Rep. Esposito, Sen.
Gomes, Sen. Kissel, Rep. Mazurek, Sen. Musto, Rep. Nafis, Rep. Nicastr, Rep. Reed, Rep. Robles, Rep. Tong

I understand the Connecticut Attorney General's Office has proposed an Act Establishing an Office of the Condominium Ombudsman. I feel it is important legislation that deserves legislative support. I ask that the General Law Committee vote in favor of this bill so it can move to the General Assembly for a vote.

I have resided at Colonial Village Condominiums in West Hartford for approximately eight years. During that time I have witnessed unreasonable and unfair behavior by our condominium association board of directors.

Below are a few examples of problems I have had with my condo board. I cannot afford to hire an attorney to address these matters, but feel that if there were an Office of the Condominium Ombudsman, I would be able to seek relief by having a resource to help address such problems.

For years, our condo board has refused to allow condo owners to attend condo board meetings. During the past 12 months they have "loosened" up somewhat and allow owners to now attend about one third of the board meetings annually. They do not publish a calendar of meeting dates, times and locations so owners have no official way of knowing what transpires at board meetings and what business is discussed if they have an interest in knowing.

For nearly two years, beginning in 2007, our condo board did not publish board meeting minutes. There were no written records of what was discussed. As recently as last year the outside auditor commented in his audit that he had no meeting minutes to review for his audit. To me, this reflects poor condo association management.

To add insult to injury, I discovered quite by accident that the person in charge of preparing the meeting minutes was compensated hundreds of dollars annually by the board to do prepare minutes without owners being notified. I have been unable to review records of the association. It took two years to get back copies of meeting minutes. As of this writing, I am still awaiting copies of board meeting minutes from 2009, including minutes from the June, September, November and December meetings. I am being denied access to information that I am entitled to.

At another time I was told by the property manager if I wanted to review records maintained at the manager's office, I would be charged a fee for taking time to review association records. Our condo board is required to bid out contracts for amounts over \$5,000 or so. I discovered that the property manager contract 2-1/2 years ago valued at over \$20,000 was never bid out.

I have asked for electronic copies of our newsletter and meeting minutes. For two years I was denied. The condo board eliminated our Building and Grounds Committee because so many problems with the facility were identified and the board did not want to take prompt action. The board prohibited certain owners from being on committees because they didn't like them.

I am concerned that our condo board has tampered with election results. Officers have gone around to owners soliciting blank proxies so they can write in incumbent candidates year after year for the board, essentially blocking new candidates from getting on the board. They refuse to allow voting by email or mail-in ballot. Certain board members have controlled the board for 15 to 20 years. So even when we want to remove directors from off by voting them out, we can't because they rig the elections.

I can attest there is corruption in condo management and owners have few places to turn other than court, which is cost prohibitive for many. The Office of the Condominium Ombudsman would go along way in helping to protect condo owners' interests.

As a reference, the following link provides information regarding Florida's Office of the Condominium Ombudsman:
<http://www.myflorida.com/condos/>. Florida is useful as a model since it has some of the clearest common interest statutes and most educated legislators in the country on these issues. I urge you to speak with the Florida's Interim Condominium Ombudsman, Colleen A. Donahue, if you have further questions how this office might operate. Her email address is: Ombudsman@dbpr.state.fl.us.

There are approximately 200,000 condo units in Connecticut and thousands of condo owners who don't know where to turn for help when they have problems with their boards.

I would appreciate being kept informed how this bill is moving through your Committee, and when a public hearing will be held.

Please support this bill and vote yes.

Sincerely,

David Kelman
89 Shadow Lane. Unit A. West Hartford. CT 06110

From: "Beau- Vue Heights" <beauvueheights@yahoo.com>
To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicastro" <Frank.Nicastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>
Cc: davidk1233@comcast.net
Sent: Monday, February 15, 2010 8:29:33 PM GMT -05:00 US/Canada Eastern
Subject: SB129 An Act Establishing an Office of Condominium Ombudsman

Please support SB129 An Act Establishing an Office of Condominium Ombudsman.
I have been in contact with Attorney General Blumenthal over the last two years to get this bill written and passed. it is long overdue and will greatly help condo owners in the state of Connecticut.

Thank you

Joseph Laskowski
President and Treasurer
Beau-Vue Heights Condominium Association Inc
Derby CT

From: "gary levine" <garyslevine@hotmail.com>

To: davidk1233@comcast.net

Sent: Thursday, February 11, 2010 5:29:14 PM GMT -05:00 US/Canada Eastern

Subject: RE: Followup on Your Condo Complaint to Attorney General: Support Condo Legislation

I sent a request to support SB129. I live in Norwich

July 12, 2009

Richard Blumenthal, Attorney General
 Office of The Attorney General
 State of Connecticut
 55 Elm Street
 P.O. Box 120
 Hartford, CT 06141-0120

Dear Sir: Any additions or corrections are indicated by this font, size, bold, italicized, any underlined!

February 16, 2010

There seems to be some confusion: I'm not questioning the nature of the *Sheffield Ridge Condominium Association's* Rules and Regulations they're OK and work as they should (for so I believe). What I'm questioning is the recent (March '09) annual election of Board members not how it's supposed to operate but the fact that the election was "misappropriated" (I felt) by Jerry McCarthy, owner of McCarthy Associates, Property Management and here's how, it is my believe, he "managed" that.

BTW the Annual meeting was supposed to have officially met in January '09 but was postponed by McCarthy because he (suddenly) had the flu. Incidentally, there wasn't going to be an election in January, instead he mailed out letters to owners strongly suggesting that we keep two current board members on for another term. I called McCarthy telling him that this approach was not in keeping with Rules and Regulations. He agreed and, even, apologized. The next day he said he had the flu and cancelled the January Annual meeting. (BTW canceling a board meeting is up to the board, specifically, the President of the Board, Alex Pepler, her phone # 203-299-1863)

Ballots were sent out to all Condo Owners in preparation for the re-scheduled Annual Meeting (March '09) with a list of the prospective candidates for the board, who then selected their choices and mailed back in a provided S.A.S.E. sealed envelopes which were marked "BALLOTS." (BTW these ballots should be sealed, opened by two people chosen at random and then counted and which is done at the beginning of the meeting) At the Annual meeting the "BALLOTS" are supposed to be opened and counted by TWO or more condo owners to ensure a correct and honest count. McCarthy is then given the figures wherein he announces the winners (Actually the Board President announces the winners, their vote count, and the runners up (to be next in line if any board members quit or drop out before the next election))

But that's not what happened during this Annual meeting. Jerry McCarthy, instead, claiming that the meeting was running out of time that he would simply announce the winners who BTW were the very same people he had strongly recommended in January! A ms. Amie Soo, was "assigned" to be the third board member by Jerry McCarthy and Mark Walker another board member (Amie Soo did not fill out any ballot nor was she asked to) and she was sitting with the current board member even before McCarthy spoke of the balloting. No count or any kind of validation!! [a bit fishy I would say—my feeling is that he wanted "his" people on the board because he could "control" them.]. I felt that there was enough time left and, if there wasn't, they could have easily been counted at a nearby diner, or returned to Sheffield Ridge condos themselves and used one of its three lobbies, or done the counting the following day (Tuesday, March 10th). Also if the time was running out, the Library people are generally flexible and generous enough to allow a 10 or 15 minute extension – at the very least some one could have spoken to them about our predicament. "Assigning" people to the board without any reference to due process, from what I could discern, is not that uncommon in Sheffield Ridge – a ms. Schmidt of Apt 2G in the Prospect building was one who comes to mind who is a fine person (and a friend) and what kind of board member she became is irrelevant!

Respectfully, Mike Lehr, CC: Senator Bob Duff

Make second copy of my application – add some stuff such as what I've done, with Norwalk Citizen "Condominium Living..." affixed to it.

----- Forwarded Message -----

From: WILLIAM MOOZA SR. <billmooza@sbcglobal.net>

To: colapietro@senatedems.ct.gov

Cc: jim.shapiro@cga.ct.gov; maynard@senatedems.ct.gov; joseph.taborsak@cga.ct.gov;
kevin.witkos@cga.ct.gov; penny.bacchiochi@housegop.ct.gov; emil.altobello@cga.ct.gov;
bill.aman@cga.ct.gov; anthony.damelio@housegop.ct.gov

Sent: Mon, February 15, 2010 1:01:27 PM

Subject: SB129 - Condominium Ombudsman

Dear Legislators:

I am a resident of a condominium community in Columbia, CT. I have previously filed a complaint with the office of our Attorney General regarding the actions of the Board of Directors that governs our condominium community. There are issues that I feel are violations of both fundamental ethics and the tax code. The Attorney General's office responded by advising me that his office does not have oversight of condominium communities. If he does not, WHO DOES? Is it right that unscrupulous individuals would be free to abuse the rights of this rapidly growing segment of Connecticut's population without being held accountable?

Please support SB129 and bring our state into the 21st century.

William R. Mooza (860) 228-1640

----- Forwarded Message -----

From: "Deborah Nixon" <debnixon@optonline.net>
To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>,
Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>,
"Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi"
<Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>,
"Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio"
<Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>,
Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John
Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>,
"Frank Nicaastro" <Frank.Nicaastro@cga.ct.gov>, "Lonnie Reed"
<Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William
Tong" <William.Tong@cga.ct.gov>
Cc: "David K" <davidk1233@comcast.net>
Sent: Monday, February 15, 2010 8:51:04 AM GMT -05:00 US/Canada Eastern
Subject: SB129 An Act Establishing an Office of Condominium Ombudsman

Dear Committee Members,

Please vote in favor of SB129.

It is important to have this resource to help protect condominium owners when they have problems with condominium boards and property managers.

Thank you,

Deborah Nixon

----- Forwarded Message -----

From: "Allen Palmer" <AllenP123@worldnet.att.net>

To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicastrò" <Frank.Nicastrò@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>

Sent: Saturday, February 13, 2010 9:59:41 AM GMT -05:00 US/Canada Eastern

Subject: Support for SB No. 129 - Condo Ombudsman

Dear General Law Committee Members:

I am writing in support of SB No. 129, a bill to establish an Office of Condominium Ombudsman. I live in a 22-unit "active adult" condominium complex which is under the control of an over-zealous and arrogant Board of Directors. Among the list of abusive practices our unit owners have endured over the last 21 months includes the following:

- The Board of Directors, without notifying all the owners or obtaining a vote of approval from the owners, filed a lawsuit against the developer, the builder, and the Building Department of the Town of Old Saybrook. The Board has spent in excess of \$250,000 preparing for this lawsuit, which has not yet gone to trial.
- The Board, without obtaining a vote of approval from the owners, rejected a CY2009 \$24,000 contribution from the developer which would have reduced each unit owners monthly Common Area Maintenance (CAM) fee by \$91/month.
- As a non-participant in the lawsuit, I and other non-participating unit owners are being discriminated against when requesting unit owner services routinely granted to other who did choose to participate in the lawsuit.
- The Board has failed to respond (twice) to written questions concerning the CY2009 Budget, including how significant operating cost deficits and an under-funded Town of Old Saybrook mandated WPCA escarole account will be made up.
- The Board failed to present a realistic CY2010 Budget to the unit owners for approval. The CY2010 Budget was "backed into" by adjusting the line item costs so the CY2010 CAM would be unchanged from CY2009, in order to gain unit owner support. As a result another annual deficit will almost be certain in CY2010.
- The Board has held meetings without unit owner notice, and abused the use of Executive Sessions to exclude unit owners from learning details of topics which would be considered "controversial" or details of the progress and status of meetings, agreements, or concessions with the defendants in the lawsuit. The published meeting minutes are not a true and accurate report of the meeting events.
- The Board has limited the right of unit owners to speak at meetings to the first 15-minutes of each meeting. The unit owners are not allowed to express their opinions during the discussion of the line items on the meeting agenda.
- The Board has the autonomous power to change the by-laws. The latest change would (legally) allow them to hold unannounced meetings and executive sessions, and allow them to exclude unit owners from attending.
- The Board has obtained blank proxy forms from three non-resident unit owners which remain in effect for 11 months. These proxies have allowed the Board to control a majority vote at the annual meetings.
- Despite the by-law requirement that at least 1/3 of the Board must be replaced each year, the Board was successful at the annual meeting in December to obtaining enough votes to successfully reelect (all of) themselves to new 1, 2, and 3-year terms.

Our community of 22 units is presently split 10 to 12 (including the three blank proxies) by this Board. Aside from hiring a lawyer and filing another lawsuit, we have no recourse in ending these abuses of our Board. It has already been proven that this Board has "very deep pockets" when it comes to lawsuits. If we had an abusive landlord, we would have recourse either through our local or state government agencies. However, as condominium owners we are not afforded those same services. As the number of condominium units continues to increase in Connecticut, particularly those built for retiring seniors, it is time for the State legislature establishes an office which had the power to investigate and resolve condominium unit owner's complaints. Please feel free to contact me to discuss this matter. Thank you for your consideration in advancing SB No. 128.

Sincerely,
Allen Palmer
Eden Harbour Condominiums
175 Ferry Road, Unit 32
Old Saybrook, CT 06475
(860) 510-0870
AllenP123@att.net

----- Forwarded Message -----

From: "Lise Perody" <lise_robertkoury@sbcglobal.net>

To: "David K" <davidk1233@comcast.net>

Sent: Monday, February 15, 2010 9:34:14 AM GMT -05:00 US/Canada Eastern

Subject: Re: 2nd Request: Support Proposed Atty. General Condo Bill

David,

I sent in my request of Support to the General Law Committee and also Sen. Musto. Good luck with your quest and thank you for your energy. I didn't find much satisfaction with my problems - had to go to court, but I won.

Lise M. Perody

----- Original Message -----

From: "Bev Pugliese" <bevbug@cox.net>

To: colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicastro" <Frank.Nicastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>

Cc: davidk1233@comcast.net

Sent: Monday, February 15, 2010 9:02:09 AM GMT -05:00 US/Canada Eastern

Subject: SB129

I am writing to you today to request that you PLEASE support SB129.

I have been a Waters Edge time share owner since its inception in 1986. I attend as many of the annual owners meetings as I can. These meetings are a joke! The board does what it wants to do, and the owners have nobody that can help them.

Thanks in advance!

Bev Pugliese

*
----- Forwarded Message -----

From: jjromero@snet.net

To: "David K" <davidk1233@comcast.net>

Sent: Friday, February 12, 2010 9:01:58 AM GMT -05:00 US/Canada Eastern

Subject: Re: Followup on Your Condo Complaint to Attorney General: Support Condo Legislation

David:

I cannot attend the public hearing. However, I will email the committee members asking them to support SB129 - An Act Establishing an Office of the Condominium Ombudsman.

For your information I live in the Broad Brook section of East Windsor.

John Romero

----- Forwarded Message -----

From: frubin5@comcast.net

To: davidk1233@comcast.net

Sent: Thursday, February 11, 2010 8:16:41 PM GMT -05:00 US/Canada Eastern

Subject: coy of email sent

To Whom it May Concern:

Unfortunately, I will be out of town during the hearing on Tuesday, but wanted to express my thoughts.

I am writing in support of support SB129 - An Act Establishing an Office of the Condominium Ombudsman: I have lived in condominiums for the past 13 years and recently have been discusted of how the owners are treated by the boards and management companies. It seems that whatever they want they get.

Anytime fees there is a proposal to increase fees the board gets what they want because of not having a certain percentage of the unit owners present or not having enough proxies. They take advantage of the apathy knowing it will automatically pass. Even when major decisions and huge projects like paving or roofing projects the same procedures exist. Their friends are hired and terrible situations results.

One paving project was completed at my East Hampton Condo and immediately, cracks existed. The last nightmare project was roofing. and during this process the rules (and ultimately, the amout of money that owners were responsible for changed). The roofing company was suppose to replace skylights that needed them. Mine was excluded although most of the others were replaced. After the roofs were done, my skylight leaked and my walls caved in. the association took care of repairs and replaced my skylight. After all was over, the association changed there mind and said that the skylights replacement was the responsibility of the owner. This was on top of the roofing assessment. Thjs has been a nightmare. When I contacted the Attorney General, they said there was nothing they could do. I have not received the extra bill yet but expect to soon.

I strongly urge you to pass this legislation so that we have someone to turn to. The management company and boards need to be held accountable and cannot change the rules after certain promises and contracts were made. Something is wrong with the politics of the condominium system in this state and someone needs to oversee it. I am sure management companies are not pleased, but we owners need someone on our side.

Thank you for listening.

Sincerely,

Faye Rubin
East Hampton, CT

----- Forwarded Message -----

From: "dorothy smulley" <francesca04@gmail.com>

To: "David K" <davidk1233@comcast.net>

Sent: Thursday, February 11, 2010 9:49:24 PM GMT -05:00 US/Canada Eastern

Subject: Re: Followup on Your Condo Complaint to Attorney General: Support Condo Legislation

Thank you for the info. My husband, James Costello and me plan to attend the hearing on Tuesday, 2/16. I have had many issues with my condo assoc board and the property management company. My husband is the president of a condo assoc and had experienced problems of misappropriated funds from three property managers. If there is an opportunity to speak to the Committee, I would appreciate the opportunity to do so.

Dorothy Smulley

408 Bar Harbour Road

Stratford CT 06614

203 386 0171

francesca04@gmail.com

----- Forwarded Message -----

From: "Tom Savoca" <tsavoca@comcast.net>
To: Colapietro@senatedems.ct.gov, "Jim Shapiro" <Jim.Shapiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurek" <John.Mazurek@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicaastro" <Frank.Nicaastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>, "William Tong" <William.Tong@cga.ct.gov>
Cc: "David K" <davidk1233@comcast.net>
Sent: Monday, February 15, 2010 2:23:29 PM GMT -05:00 US/Canada Eastern
Subject: re support for SB129 An Act Establishing an Office of Condominium Ombudsman.

I wholeheartedly support SB129, the act to establish an Office of Condominium Ombudsman. This act is needed to enable the efficient and accountable management of related associations. Please, pass SB129.

Thank you,

Tom Savoca
18 Meadowbrook Road
Madison, CT 06443

Tom Savoca
Premise Services, LLC

Telephone: (203) 318-0182
tsavoca@comcast.net

----- Forwarded Message -----

From: "JOHN SOUSOULAS" <parthenon@snet.net>

To: davidk1233@comcast.net

Sent: Sunday, January 31, 2010 10:01:17 AM GMT -05:00 US/Canada Eastern

Subject: condo legislation

My Name is John Sousoulas and I own a comdo at Turtle Bay in Branford, CT.

Mr. Ralph Inorio emailed me about upcoming legislation to protece our rights.

Please keep me informed

John Sousoulas

----- Forwarded Message -----

From: "Richard Sullo" <richardsullo@att.net>

To: "David K" <davidk1233@comcast.net>

Sent: Monday, February 15, 2010 10:32:37 AM GMT -05:00 US/Canada Eastern

Subject: Re: 2nd Request: Support Proposed Atty. General Condo Bill

I have emailed all of the names in your email

Richard Sullo

--- On Mon, 2/15/10, David K <davidk1233@comcast.net> wrote:

Subject: 2nd Request: Support Proposed Atty. General Condo Bill

To:

Date: Monday, February 15, 2010, 8:08 AM

Colapietro@senatedems.ct.gov, Jim.Shapiro@cga.ct.gov,
Maynard@senatedems.ct.gov, Joseph.Taborsak@cga.ct.gov,
Kevin.Witkos@cga.ct.gov, Penny.Bacchiochi@housegop.ct.gov,
Emil.Altobello@cga.ct.gov, Bill.Aman@cga.ct.gov, Anthony.DAmelio@housegop.ct.gov,
Lou.Esposito@cga.ct.gov, Gomes@senatedems.ct.gov, John.A.Kissel@cga.ct.gov,
John.Mazurek@cga.ct.gov, Sandy.Nafis@cga.ct.gov, Frank.Nicastro@cga.ct.gov,
Lonnie.Reed@cga.ct.gov, Hector.Robles@cga.ct.gov, William.Tong@cga.ct.gov

To include Sen. Musto, please contact his through his website:

<http://www.senatedems.ct.gov/Musto-mailform.html>,

----- Original Message -----

From: "Barbara Wagner" <barbct@att.net>

To: "William Tong" <William.Tong@cga.ct.gov>, davidk1233@comcast.net

Cc: Colapietro@senatedems.ct.gov, "Jim Shipiro" <Jim.Shipiro@cga.ct.gov>, Maynard@senatedems.ct.gov, "Joseph Taborsak" <Joseph.Taborsak@cga.ct.gov>, "Kevin Witkos" <Kevin.Witkos@cga.ct.gov>, "Penny Bacchiochi" <Penny.Bacchiochi@housegop.ct.gov>, "Emil Altobello" <Emil.Altobello@cga.ct.gov>, "Bill Aman" <Bill.Aman@cga.ct.gov>, "Anthony DAmelio" <Anthony.DAmelio@housegop.ct.gov>, "Lou Esposito" <Lou.Esposito@cga.ct.gov>, Gomes@senatedems.ct.gov, "John A Kissel" <John.A.Kissel@cga.ct.gov>, "John Mazurck" <John.Mazurck@cga.ct.gov>, "Sandy Nafis" <Sandy.Nafis@cga.ct.gov>, "Frank Nicastro" <Frank.Nicastro@cga.ct.gov>, "Lonnie Reed" <Lonnie.Reed@cga.ct.gov>, "Hector Robles" <Hector.Robles@cga.ct.gov>

Sent: Friday, February 12, 2010 3:56:51 PM GMT -05:00 US/Canada Eastern

Subject: Bill SB129

Dear Legislators,

Will you please pass the subject Bill SB129. Our condominium went through almost 3 years where we elected a Board of Directors who elected a President of the Board that became a tyrant.

She took out a \$2 million dollar loan. She did improvements that weren't needed and didn't do those that were needed. She wouldn't listen to anyone unless they agreed with her. She wouldn't use any of the contractors that had done work on the condos before, and wouldn't let anyone suggest contractors. Instead she would go on the internet and get all of her information. Our manager had a stroke right after she took office and she proceeded to hire all of our staff. The ones she hired couldn't do anything unless she told them. She paid a contractor in full up front and he never showed up. I told her at an Owners meeting that you paid as worked proceeded and always withheld 10% to 20% until the job was satisfactorily completed. She fired members of the Board that didn't agree with her and replaced them with people that would. We were finally able to elect a new Board member that was able to get enough votes to vote her off. It took hiring a lawyer and asking a policeman to attend the meeting. At the next Annual meeting, when to owners went down to the Meeting room there was a large dead fish propped up at the door. Needless to say this could have ended earlier if there was an Office of the Condominium Ombudsman. Now we have owners who are elderly and wondering how they are going to be able to pay their share of the \$2 million loan that they were assessed along with their common charges and in some cases mortgage.

Please vote in favor of SB129. Thank you.

Barbara D. Wagner, Oenoke Condominium Association, New Canaan, CT

----- Forwarded Message -----

From: "John Smith" <johnsmith@comcast.net>

To: "David K" <davidk1233@comcast.net>

Sent: Monday, February 15, 2010 5:12:31 PM GMT -05:00 US/Canada Eastern

Subject: Sates with Ombudsman Offices

David,

You might find this interesting. Something I prepared for my committee back in July. I have not updated it since then.

State Condominium Ombudsman Offices

Online Survey by John Smith July, 2009

Established:

Florida: <http://www.myflorida.com/condos/>

<http://www.miamiherald.com/business/real-estate/story/1069267.html>

http://condolaw.blogspot.com/2006_10_01_archive.html

Nevada: <http://red.state.nv.us/CIC/Events/HOAOutreach-calendar.pdf>

Hawai: Has a condo dispute resolution program

<http://www.state.hi.us/auditor/Reports/2005/05-10.pdf>

Virginia http://www.dpor.virginia.gov/dporweb/cic_lias.cfm

Considering:

Connecticut: <http://www.cga.ct.gov/2009/BA/2009SB-01119-R000696-BA.htm>

Michigan: A bill was introduced in 2007 but unable to find any follow-up

Maryland: <http://www.topix.com/forum/city/annapolis-md/TH4CIT1IP6AMAN44N>

Illinois: <http://www.cai-illinois.org/The-Illinois-Legislative-Action-Committee-Bills~4423~264.htm>

(Legislation was introduced in 2009, not sure of the status)

Lucille J. Garofalo A Timeshare Owner

424 Coleman Road
Middletown, CT 06457

Email: timeshareowner@snet.net
Phone: 860 346-9000
Cell Phone: 860 707-3323

Tuesday, February 16, 2010

Concerning: SB 129 BILL TO ESTABLISH AN OFFICE OF CONDOMINIUM OMBUDSMAN

Mr. Chairman, members of the committee, and guests. I am Lucille J, Garofalo from Middletown. I am a timeshare owner of a Common Interest Community Called Waters Edge Resort in Westbrook. I whole heartily support Bill SB 129 Establishing an office of condominium ombudsman it provides us with the same protection under the law as all of the other consumer agencies' under the Attorney General.

It is of the utmost importance to us that this bill is passed, as we are mostly retired timeshare owners. We are at a loss to fight with attorneys, because of the cost and the size of our group. We are only a small group due to the fact that management will not allow us to have access to the registry list of names and addresses. Even though the declarations, the by-laws and the articles of incorporation state timeshare owners can have the registry list, management will not let me obtain a copy. I have managed to acquire some names and addresses from the town clerks office and was able to inform other timeshare owners. Many timeshare owners are left unaware of the violations in state statutes. Currently there are over 3,000 deeds in the town clerks office, 2,600 of which are consumers from the state of Connecticut and I only have approximately 90 email addresses.

Our rights as consumers have been completely violated from the right to be notified to the right to vote, we have no control of our own association. Management is running rampant with state statute violations. As, it has become a matter of do whatever he wants management knows we do not have the resources to fight in court. He is in the process of building additional units far beyond any master plan and has not taken into consideration the numerous concerns that many of the timeshare owners and residents have including compromised water views and decreased property values , the need for additional parking areas (especially handicap parking), the potential of further overcrowding in the beach/ pool areas, common expenses, the possible strains on the existing septic system, concerns for the environment and the potential of another large building mass marring the aesthetics of this picturesque resort area. Not only are these all true but he has bypassed state statutes and went directly to the Zoning Board to get approval to build. Did not exercise development rights, did not get the vote of the owners, which also includes changing the master plan. Because the building proposal was four times the size of the building on the plan management needed a unanimous vote from the owners as he increased the boundaries in land slated not to be developed. If you attend an annual meeting you can get some information all others are not even aware that building is being planned.

There are additional problems with the following but there is limited time to speak:

- Transition,
- Voting for the board and proxy problems
- Voting in association
- Budget/Financial/Reserve Fund
- Maintenance Fees
- Notification
- Meetings
- Foreclosures

Lucille J. Garofalo A Timeshare Owner

424 Coleman Road
Middletown, CT 06457

Email: timeshareowner@snet.net
Phone: 860 346-9000
Cell Phone: 860 707-3323

Tuesday, February 16, 2010

Concerning: **SB 129 BILL TO ESTABLISH AN OFFICE OF CONDOMINIUM OMBUDSMAN**

I know we need corporate America without them we can not survive and grow but I am so tired of being not rich enough to fight back, not powerful enough to make a difference and that I have to take a back seat to what is right just because of these down falls. Please consider the Ombudsman Bill, we need your intervention, we need your help to right a very serious wrong. Please vote YES to establish a Connecticut Community Association Ombudsman with authority to review and enforce condominium association violations of state condominium laws.

This is only one Common Interest Community how many others are suffering at the hands of violators of the laws.

I would be happy to meet with anyone and discuss what is really happening in the real world.

Sincerely a Concerned Timeshare Owner,

Lucille J. Garofalo

Lucille J. Garofalo