

Testimony of

Marsha Earnest

Before the Judiciary Committee

Friday, March 25, 2011

11:00 a.m.

H.B. 6620 AN ACT CONCERNING CONDOMINIUMS AND COMMON INTEREST OWNERSHIP COMMUNITIES

My name is Marsha Earnest. I am currently serving as Secretary of the Board of Williamsburg Condominium Association, Inc. in Wethersfield, CT.

I was the owner of a single family home for many years until I purchased a condominium unit at Williamsburg Condominium in June of 2002. Up until that time, I was not completely aware of what kind of lifestyle I was buying into.

It took me about six months to become acclimated to the way things worked at my association. By that point, I had many questions about how decisions were made, where the money was being allocated, etc. I was appalled to learn that at that time, the board met only ONE time per year. Apparently, most of my fellow unit owners seemed to not be as interested in better understanding how our community functioned. Then, as it most often is now, people were content to pay their fees, close their doors and go on their merry ways.

When I discovered the Community Associations Institute, I realized that perhaps my suspicions that things were not quite right might be correct. I began calling their office to ask questions. I attended education sessions and read their magazine cover to cover. This lead to more questions. With CAI-CT I always found hope, encouragement and support for my efforts to learn more

After a few years, I attempted to obtain a seat on the board. Due some technical issues, I was removed from the board. Even after this happened, I continued my search for information. I went to the offices of the management company every single month to read the financial statements. I paid to receive copies of all the documents I wished to review further. I did this for one entire year.

I have always strongly believed that is has been my responsibility to be informed about the operations of my association. Afterall, we are a COMMUNITY association, doesn't it make sense that we should want to know how things function?

In 2010, it was apparent that our long-term anemic board had totally lost interest in governing our association. Once again, I sought a position on the board and won. I now serve as Secretary with some other new members who are slowly, but surely, coming to realize that it is up to the few of us to protect and preserve the community we call home. Our situation is far from perfect, but we are getting things done. One giant step is that we now have monthly meetings open to all residents. Yes. CIOA in action!

Although there were many moments when I thought change could never happen in our small community, those of us who cared enough to get involved and talk to our neighbors are now beginning to see small but significant improvements in our community.

If a Condominium Ombudsman were to have existed when I first realized there were serious problems in my association, my natural reaction would have been to file a complaint and hope for the best. Yet, even if an ombudsman found our board to not be properly fulfilling their responsibilities, what kind of long-term change would have taken place? Perhaps the irritation and expense of a legal proceeding and a small fine may have gotten their attention, but would their behavior have changed? Unlikely.

The purpose of self-governance is for communities to work within their own walls to take responsibility and work together and make the tough decisions. An ombudsman would take away this power and control for communities and put it into the hands of those who do not have to meet their neighbor at the mailbox every day.

I STRONGLY urge you to OPPOSE the ombudsman provisions of H.B. 6620.

I am grateful for having had the opportunity to share my story.

Sincerely,

Marsha Earnest