

For Judiciary Committee Public Hearing March 25, 2011
IN FAVOR OF HB6620, HB1205 and HB1208 Condo Bills

Good morning Mr. Chairman and members of the committee. My name is Kerry Gray and I live in Stratford and I am here in support of Condo Bills HB 6620, HB 1205 and HB 1208. I have never before felt so passionate about a subject that I took a day off from work to come to Hartford to speak at a public forum, specifically, on the condominium laws in the state of Connecticut.

I am a member of the Connecticut Condo Owners Coalition, a grassroots condo owner advocacy group founded in 2010. Our group was established to help protect condo owner rights statewide by ensuring that condo legislation passed by the Connecticut General Assembly is enforceable without owners first having to take their associations, boards, property managers or developers to court.

I have been a condo owner for only a few years, but what I quickly learned was that the Connecticut Attorney General and the Connecticut Dept. of Consumer Protection have no authority to enforce condo laws. Enforcement and accountability of Connecticut Condo laws lies solely with unit owners, rather than a state agency. As a result, too many condo owners simply accept violations of condominium by-laws and state laws because of the time and expense of enforcing their rights in court.

Let me briefly share one of my experiences, which helps explain why I am so passionate about the need for these laws to be passed. About two years ago, I contacted the property

manager of my condo (with a copy to our board president) and asked if I could view the financial records of the association I belong to. Our by-laws clearly state that these records are available for examination at the expense of the unit owners during normal business hours and although I have asked repeatedly, I still have not been given the opportunity. I have written, faxed, spoken to the property manager and board president and have been put off and ignored. Why should I have to go to court to see the financial records of my association?

I recently became a board member hoping that I would have better access to this information and other similar information. Still, this is not the case. Enforceability and accountability do not currently exist and those NOT complying with association by-laws or state laws KNOW THAT. I suppose I could hire an attorney, at my own expense, in order to see the financial records ... but why should I or anyone who is part of an association have to do that? It just doesn't make any sense. I ask you this ... why would lawmakers in the state of Connecticut pass these laws protecting condo owners and yet provide no enforcement mechanism for individuals to turn to when laws are being broken. Those not abiding by the laws know that they are not enforceable without considerable cost to individual condo owners, many who do not have the means to take the offending party to court. Because of this, the laws are, for the most part, ineffective. Common sense would suggest that the process needs fixing.

With that example in mind, I would like to state for the record that I am in full support of HB 6620, An Act Concerning Condominium and Common Interest Ownership Communities, as well as HB 1208, An Act Concerning Financial Reporting by Condominium and Common Interest Community Associations. I personally would be willing to pay a small fee to help fund

the Office of the Condominium Ombudsman. I'm sure other condo owners would as well. It would certainly cost less than hiring an attorney.

Association by-laws and state laws are of no use if the obstacles to enforcing them prevent them from being effective. Condo owners need a place to turn when violations and laws are ignored. By supporting an Ombudsman and a Dispute Resolution Process, you give us the vehicle we need to hold associations, boards, property managers or developers accountable. We, as condo owners, deserve that right.

I want to thank the committee for the opportunity to speak and ask that ALL legislators vote in FAVOR of Condo Bills HB 6620, HB 1205 and HB 1208. Thank you for your time.