

## Written Testimony Support of HB6620 Condo Bills

### For Public Hearing 3/25/3011

Lucille J. Garofalo, Member, Steering Committee, Connecticut Condominium Owners Coalition

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### For Judiciary Committee Public Hearing March 25, 2011

#### Concerning: SENATE BILL TO ESTABLISH AN OMBUDSMAN OFFICE FOR CONDOMINIUMS

Mr. Chairman, members of the committee, and guests. I am Lucille J, Garofalo from Middletown. I am a deeded condominium timeshare owner in a Common Interest Community Called Waters Edge Resort in Westbrook. I whole heartily support the Ombudsman Bill HB6620. By 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. Condo Owners currently are the only consumers not protected by Connecticut Consumer Protection. Please see attachment of Authority for the Department of Consumer Protection. Condo Owners are not on the list. This must be an oversight please correct this injustice by voting for HB6620. Please see attached Ombudsman Process Flowchart to see at a glance what the bill entails.

#### NO DEMOCRATIC PROCESS

Our rights as consumers of Waters Edge Resort Common Interest Community 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 of the building. If you attend an annual meeting you can get some information all others are not even aware that a building is being built.

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.

Thank You for your time and attention to a much needed Bill -VOTE for HB6620

Sincerely a Concerned Deeded Condominium Timeshare Owner,

*Lucille J. Garofalo*

Lucille J. Garofalo

**STATE OF CONNECTICUT  
Department of Consumer Protection**

*Jurisdictional Authority In the Connecticut General Statutes*

CHAPTER	SECTION	TO	SECTION	TITLE
54	4-166	to	4-189	UAPA
214	12-286a(c)			Cigarette & Tobacco Taxes
214	12-326b			Below Cost Cigarettes
246	14-15B			Motor Vehicle Rental Contracts
250	14-318	to	14-344	Gasoline and Motor Oil Sales
250a	14-344a	to	14-344d	Operation of Retail Service Station
283	16-245			DPUC/Electric Suppliers
283	16-245o			DPUC/Marketing, Promotions, Contracts
283	16-245s			DPUC/Switching Elect. Suppliers
283	16-247s			DPUC/Directory Assist, Data-Tele
283	16-247u			DPUC/Telephone Records
283	16-256i			DPUC/carrier orders/unauthorized switch
283	16-258a			DPUC/Natural Gas Sellers Registration
295	16a-15	to	16a-16	Planning and Energy Policy(fuel pump signs)
296a	16a-23m	to	16a-23t	Home Heating Oil and Propane Gas Sales
368a	19a-19			Business practices of medical licensees
379	20-124a			Dental Referral Services
390	20-288	to	20-298b	Architects
391	20-299	to	20-310	Professional Engineers & Land Surveyors
392	20-311	to	20-329gg	Real Estate Brokers and Salespersons
393	20-330	to	20-341	Occupational Licensing
393b	20-341s	to	20-341ff	Mechanical Contractor Organizations
393c	20-341gg			Major Contractors
394	20-342	to	20-357m	TV & Radio Service Dealers & Electronics & Layout Technicians
396	20-367	to	20-377j	Landscape Architects
396a	20-377k	to	20-377v	Interior Designers
399a	20-417a	to	20-417z	New Home Construction
399b	20-417aa			Swimming Pool Contractors
400	20-418	to	20-434	Home Improvement Act
400b	20-450	to	20-473	Community Association Managers
400f	20-490	to	20-499	Home Inspectors
400g	20-500	to	20-528	Real Estate Appraisers / AMC PA 10-77
400h	20-540	to	20-552	Public Service Gas Technicians
400i	20-559	to	20-559s	Uniform Athlete Agents Act
400j	20-570	to	20-639	Pharmacy
400l	20-650	to	20-659	Shorthand Reporters
400l	20-656(a)			Locksmiths
400m	20-660	to	20-669	Hypnotists
400o	20-670	to	20-680	Homemaker-Companion Agencies
407	21-27	to	21-35	Itinerant Vendors
407a	21-35a	to	21-35n	Closing Out Sales
412	21-64	to	21-84b	Mobile Mfd. Homes, Parks, Park Owners, Residents
416	21a-1	to	21a-12a	DGP General
417	21a-13	to	21a-90	General Provisions, Pure Food & Drugs
418	21a-91	to	21a-120	Uniform Food, Drug & Cosmetic Act
419	21a-126	to	21a-134	Retail Drug Control Act

419a	21a-135	to	21a-150j	Non-alcoholic Beverages
419b	21a-151	to	21a-164	Bakeries
419c	21a-165	to	21a-174	Illuminating Oils & Burning Fluids and Kerosene
419d	21a-175	to	21a-194	Solicitation of Charitable Funds Act
420	21a-216	to	21a-230	Health Clubs
420a	21a-231	to	21a-239	Manufacture of Bedding & Upholstered Furniture
420b	21a-240	to	21a-315	Dependency-Producing Drugs
420c	21a-316	to	21a-334	Controlled Substance Registration
420d	21a-335	to	21a-399	State Child Protection Act
420e	21a-400	to	21a-405	Home Food Service Plan Sales Act
482	25-126	to	25-137	Well Drilling
545	30-1	to	30-116	Liquor Control Act
669	36a-700			Credit Clinics
734a	42-103a	to	42-103v	Apartment Listing Services
734b	42-103cc	to	42-103ddd	Time Share Act
735a	42-110a	to	42-110q	Unfair Trade Practices
735b	42-110r	to	42-110z	Repair of Consumer Goods
735c	42-110aa			Refund and Exchange
736	42-115e	to	42-115u	Unfair Sales Practice
737	42-116	to	42-116j	Unfair Photographic Sales Practices
738b	42-125aa	to	42-125cc	Consumer Layaway Plans
739	42-126	to	42-133n	Trading Stamps/Mail Orders/Franchises/Credit Programs/Subscriptions
740	42-134	to	42-143	Home Solicitation Sales Act
741	42-144	to	42-150z	Contingent Transactions
743b	42-179	to	42-199	Automobile Warranties (Lemon Law)
743c	42-200	to	42-209	Funeral Service Contracts
743d	42-210	to	42-214	Gray Market Merchandise
743e	42-215	to	42-219	Rainchecks
743h	42-230	to	42-239	Profiteering
743i	42-240	to	42-259	Consumer Rent to Own Agreements
743l	42-280	to	42-283	Diet Programs
743m	42-284	to	42-294	Telemarketing/"No Sales Solicitation"
743n	42-295	to	42-309	Sweepstakes
743o	42-310	to	42-319	Buying Clubs
743p	42-320	to	42-329	Dating Services
743q	42-330	to	42-344	Assistive Technology Devices
743s	42-355	to	42-359	Emergency Vehicle Warranties
743t	42-360	to	42-369	Dry Cleaning
743u	42-370	to	42-389	Prepaid Calling Cards/Consumer Discount Cards
750	43-1	to	43-9	Weights & Measures
751	43-16a	to	43-16q	Licensed Public Weighers
752	43-17	to	43-45	Weights & Measures of Articles
753	43-46	to	43-52	Weighing & Measuring Devices
Revised Feb. 2011 FL				

# OMBUDSMAN PROCESS

