

Testimony of David Kelman  
In Favor of HB5511  
Before the Judiciary Committee  
March 29, 2012

I am in FAVOR of HB5511 AN ACT CONCERNING THE BUDGET, SPECIAL ASSESSMENT AND ASSIGNMENT OF FUTURE INCOME APPROVAL PROCESS IN COMMON INTEREST OWNERSHIP COMMUNITIES.

I urge the Judiciary Committee to maintain the existing language in Section 47-261e Subsection (e) as is. All unit owners should be encouraged to vote on matters affecting the community. If unit owners do not vote for whatever reason, then a simple majority of those voting should prevail. Changing the language as proposed takes the authority away from unit owners and would seriously endanger the well-being of our common interest communities.

I also feel this bill would be enhanced by adding enforcement to the bill.

I am a former board member of my association, active member who regularly attends my condo association's board meetings, and am a member of the Connecticut Condo Owners Coalition. I have witnessed and been the subject of board abuse of authority and disrespect.

What I hear most often from condo owners statewide is the misconduct of condo board and that often they do no listen to their membership.

I feel this committee should address the issue of enforceability, and make associations more accountable for their actions.

Recently, our association had a budget vote. Ballots or proxies were not mailed out with the budget meeting notice.

At the budget meeting which had an overflow crowd of attendees, the board president first called for a show of hands. Then realizing that was a bit much for him to manage, he distributed paper ballots. However, those who did not attend the meeting did not receive the same ballots. Hence, all owners were not treated equally.

While there was a 54% majority in attendees and proxies needed to defeat the budget, the board president declared the budget passed. How could this happen? Another board member challenged some proxies saying one person was not an owner (which was incorrect), and another unit owner could only vote once, even those he owned two units. When challenged, neither the board president nor the property manager did anything to verify the challenge. The budget vote should have been stopped until the matter was resolved. This was one budget vote scandal. The chairman of the Election Committee who is a board member did nothing about it, even when an owner asked for a meeting to discuss the matter, he refused. For what I have read from other condo owners throughout the state, election corruption is rampant. Again, there is no enforcement of existing laws. Enforcement should be added to this bill.

My property manager declares he is national trained and certified, yet he said nothing when the issue of invalid vote was raised.

When asked to review the ballot count, I was informed I had to travel to the property manager's office, where I would charge for his time. This seems unfair to owners when we pay thousands of dollars annually in monthly fees.

Please pass HB5511 with the changes noted above.

Thank you