

Testimony of Mary Jane Paris

In FAVOR of HB5536

For Judiciary Committee Public Hearing

March 29, 2012

10:00AM

To: CT General Assembly Judiciary Committee

From: Mary Jane Paris

282 Pheasant Glen, Shelton, CT

March 28, 2012

RE: CONDO BILL HB5536 AN ACT CONCERNING REQUIREMENTS FOR CERTIFICATION AS A COMMUNITY ASSOCIATION MANAGER, LICENSURE AS A REAL ESTATE BROKER OR SALESPERSON AND ORGANIZATION OF A UNIT OWNERS' ASSOCIATION.

I support HB5536, except that I would like to see more provisions in this bill to better protect unit owners. I would like to see mandatory background checks for all property managers as is the case in the new banking statute SB1109. Given the extent of financial responsibility a property manager has, there is a need for more teeth in this bill. In light of recent news of property manager misconduct involving, in some cases, very experienced property managers, who have effectively stolen money from associations, I believe it is important to support this bill and the additional security of background checks. Also, managers who are paid should be subject to the same certification, training and background checks.

Written Testimony:

For the past 16 years that I have lived at Sunwood Condos in Shelton, CT, there has been continuous drama, mismanagement, elections that are a joke and business practices that are questionable...to say the least.

Now more than ever, in light of a recent fatal roofing accident here at Sunwood, I am deeply concerned. Although I am unable to attend the public hearing due to business commitments, I am compelled to speak up at this time with a written testimony.

I try to attend as many open Board meetings as possible and it appears to me that the Boards (especially the presidents) have become political tyrants/bullies. Much of the behavior by the President is rude, condescending, hostile and very inappropriate in many cases, especially to those owners who question and/or ask for deeper explanation.

They seem to have taken advantage of their position and have given themselves way too much power & influence (by intimidation) over other Board members and those owners attending open board meetings. I am also concerned about the carte blanche power and authority (without proper accountability) given to the property management company and its agent by the Board.

As residents/owners, we need much more regulation, transparency and truth regarding the following:

- **The process regarding the proper vetting of prospective management companies, their experience & track record, background checks of principles, etc. before contracting with them**
- **Board & management company decisions**
- **Detailed Board meeting minutes including *all* topics & items discussed & recorded on tape – not a combed version**
- **A limit on management company fees, power & authority**
- **How vendors/contractors are selected**
 - **How to better control, validate and oversee that proposed/hired contractors have proper licensing, insurance, etc. and that these important documents are current and in force throughout the project's life to completion**
- **How our condo fees/budget monies are to be used, managed and accounted for according to *standard accounting principles* rather than hard to decipher reports using “creative accounting” – transparency & common sense explanations of line items & expenses**
- **More accountability by management companies as the fiduciary for the association**
- **Association check book records available for review by condo owners with the ability to question transactions**
- **Regular updates on outstanding work orders, especially when owners contact the Board and/or management company directly for these updates.**

I think it's important to have state statutes/laws and a state agency/organization/ombudsman that:

- **Supports and works on behalf of condo owners**
- **Gives owners more of a voice in affecting positive change in our condo communities**
- **Provides clear rules for transparency in budget reporting and more accountability to the owners by the management company and the Board**
- **Provides clear statutes with the support/council of an ombudsman to help owners ask the right questions in pursuit of the truth and help us get the truthful responses we deserve from the Board and property manager in a timely manner.**