

Testimony of Kay Mondello  
In favor of HB # 5536  
For Judicial Committee Public Hearing  
March 29, 2012

In support of any legislation that will enforce the Connecticut State laws and protect and defend the rights of Condo Home Owners.

**Mandatory:** Education, guidance, training, testing and licensing for Community Association Management is very important for their knowledge and continued understanding of the responsibilities and requirements that are necessary to govern Associations.

Having the Commissioner for The Department of Consumer Protection requiring classroom study, written examination and requiring knowledge of current real estate practices and licensing laws "is key" to protecting home owners and will insure the enforcement of the responsibilities involved in Community Association Management.

The Department of Consumer Protection functions in the State of Connecticut as a "protective agent" for consumers for products, services and a myriad of concerns.

The Department of Consumer Protection should also be protecting condo owners in the homes, which is a consumer's most important asset and should be a place of "peace and comfort."

**Home Owners Need:** a "go to" department to express the concerns, issues and complaints that they are unable to resolve with their Associations and The Department of Consumer Protection, should be the most likely; "Go To" department.

The Department of Consumer Protection should be listening to home owner complaints, concerns and should act as a mediator between condo owners and Associations.

Currently, Associations know that there is no compliance for the laws through The D of CP.

The D of P office and website would be a great communication tool for home owners to report these complaints electronically and also hand written letters for those without tech ability.

On many issues; people who RENT, have more protection through The Department of Consumer Protection, Department of Health and Human Services and Judicial Court Systems in Connecticut than home owners do..I

**All Realtors:** Should also be required to go through training, testing and certification with reference to selling Condos.

Many realtors do not educate the consumer on the State laws and the by-laws connected with condo living nor give them by law documents before the "the sale". Realtors many times will recommend their own home inspector or in the past have discouraged a home inspection...I and in many cases will "cover up" existing problems with the structure.

The homeowner is then left to deal with the Association correcting the problems. Realtors should also be fined for these practices.

This management licensing law is necessary to protect homeowners.

Condominium living is relatively a "new" form of housing...

All the nuances for management and cohesive living have not been fully defined yet.

By now; Legislators must recognize that Nevada and Florida have quickly adopted the Ombudsman legislation to protect home owner rights. The law works very well through The Department of Business and Professional Regulation and Maryland, New York, and other states are not far behind with adopting this legislation.

Where is Connecticut...?

In recognizing the urgency in protecting condo owners in their homes..?

Condo Board Members are supposed to "be there" for the home owners and partner with them in resolving issues...

But all too often Board members will hold themselves above home owners and dictate to them.....

"That's the way that it is"; they interpret the State laws and their own By-laws their way....and do not follow "the letter of the law."

Many Condo Owners are not courageous enough to come forward and challenge their Board on unfair practices.

Many will never come forward or go through a laborious task of trying to settle a dispute with a stubborn and unresponsive Association/ Board of Directors. Many unit owners are elderly or alone and are in fear or intimidated by the management.

On very serious issues;

Owners do not have the financial means or know the proper plan of action to hire an attorney or even if they do..

don't get results even after spending thousands of dollars to defend their rights. Associations recognize how costly litigation is and they will use the "wear them down" tactic and use the Associations legal funds to fight the homeowner ..I

It is time for continued Condo Legislation to protect the citizens of Connecticut.