

Testimony in support of the passage of: HB 6513 - AN ACT CONCERNING THE BUDGET AND SPECIAL ASSESSMENT APPROVAL PROCESS IN COMMON

Proposed to the Joint Judiciary Committee

By William Colin

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Mr. Chairman, Vice Chairman and all the members of the Joint Judiciary Committee, thank you for your attention in this matter.

Honored Senators and Representatives of the Connecticut General Assembly, I would like to relate to you the consequence of the 2011 vote on the Budget of Heritage Village. Heritage Village is a senior community of 2,580 units, the largest in the state. In July of 2011 the Board of Trustees approved the budget and presented it to the unit owners for approval. The ballot was mailed out to unit owners in accordance with state requirements. The ballots were accumulated and tabulated by Nanavaty, Nanavaty & Davenport CPA's. The result of that budgetary vote was as follows:

1,786 ballots were cast out of a possible 2,580 eligible, **1,192** votes to reject the budget or **67** percent of the Villagers who took the time to vote. **594** Villagers voted in favor of accepting the budget or **33** percent of the votes cast. **794** residents did not bother to vote. This report was published in the Heritage Village biweekly newspaper on October 10th, 2011 and reflects the weighted vote called for in the bylaws of Heritage Village. As a result the budget was APPROVED because under the current law, rejection of a budget requires 50% plus one of the TOTAL NUMBER OF UNIT OWNERS and 1,192 votes to reject only represented 46.5% of the Total unit owners.

Under the current law it is so difficult to reject a budget that the Village manager and the administration can ignore the wishes of the unit owners knowing the probability of rejecting a budget is slight. I do not believe that elected representatives would have condoned such a system if they had been able to foresee such resulting consequences. Heritage Village is larger than some small towns in Connecticut can you imagine the uproar if a First Selectman or Representative was declared the victor in an election garnering just 33% of the votes cast and their opponent lost the election with 67 % of the votes cast? The argument was made that the vote was established this way to prevent a small group of owners from holding a condo hostage by rejecting the budget. But it should be noted that bill 6513 would require that at least 33% of the total community must vote to reject the budget. In the case of Heritage Village that number would amount to 860 votes to reject the budget, before the budget would be rejected, thus no small group could hold the community hostage to accede to its wishes because of the large number of votes required to reject the budget. I believe it is wrong when a ballot issue is determined not by the size of those who vote positive or negative on an issue but by those who don't take the time to vote. That is certainly NOT THE DEMOCRATIC WAY.

I wish to thank you for considering this matter, I have every confidence that you will see the merit in what I have presented and vote for passage of HB6513 to the general assembly and not let it die in your committee.

Sincerely,

William L. Colin

