

In Support of

H.B. 6662 AN ACT CONCERNING THE RECOUPMENT OF MONEYS OWED TO A UNIT OWNERS' ASSOCIATION DUE TO NONPAYMENT OF ASSESSMENTS.

My Name is Bob Gourley. I served as President of the Board of Directors for the CT Chapter of the Community Associations Institute. My term began on January 1, 2010 and ended December 31, 2011.

I also serve as President of the Board of Directors of Captain's Walk, a 20-unit Planned Unit Development (PUD) in West Haven, CT. I have served on the Board as President since 2003. As a PUD, Captain's Walk is governed identically to most condominiums and HOAs in the state of CT. Residents hold common interest in the community, pay common fees, are bound to unit by-laws and regulations, and are subject to provisions outlined in the Common Interest Ownership Act (CIOA)

Prior to living at Captain's Walk, I was an individual unit owner at Pilgrim's Harbor in Wallingford from 1985 to 1993.

I am a principal partner in a business called, MyEZCondo. My business produces newsletters for condominium and community associations throughout the country, including Connecticut.

Testimony on the Bill

I support H.B. 6662.

I applaud the State Legislature for protecting the rights of citizens who live in Connecticut's condominium communities by extending the common expense assessment due period to 12 months. Common fees are the lifeblood of the condominium association. These "non-profit" corporations exist only to serve the best interests of unit owners within common interest communities. These "non-profit" corporations are governed by unpaid volunteers who are themselves dues paying members of the community. The idea that a "for-profit" corporation like a bank should be able to withhold payment of common fees while at the same time preventing a potential common fee-paying owner from becoming an owner is truly unacceptable and violates a core principal of common unit ownership. Everyone should pay their fair share. No more, no less, just fair.

Over the past few years, large "for-profit" financial institutions have profited at the expense of "non-profit" corporations that exist only to govern common interest communities by withholding common fees that the association expects to collect. While it is unfortunate that these financial institutions have found it necessary to foreclose on their clients, it is not the responsibility of the "non-profit" corporation to simply not collect the common fees which they were expecting to collect from the occupier of the unit. By stalling or delaying the foreclosure process, the financial institutions have created a way to simply occupy the unit and not contribute their fair share to the common expenses of the association. While this bill does not fully alleviate the problem, the additional six months of common fees this bill allows the associations to collect does allow them the opportunity to fulfill their 12 month budget projections and fulfill the financial responsibilities of all of the other dues paying members.

While I would like to see the legislature go even further to protect the rights of "non-profit" corporations that govern community associations - specifically amend this bill to include language which allows associations to be given the priority lien for each action - I think this bill is a step in the right direction. I encourage all legislators to vote in favor of this measure.

Very Truly Yours

Bob Gourley Past President (2010-11) of the Board of Directors, CT Chapter of the Community Associations Institute, President (2003-13) of the Board of Directors, Captain's Walk PUD, Founder, MyEZCondo