

TESTIMONY IN SUPPORT OF GENERAL ASSEMBLY BILL No. 5590 - AN ACT ESTABLISHING A PILOT PROGRAM FOR THE MEDIATION OF CONDOMINIUM-RELATED DISPUTES

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 Urban 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

Alternative Dispute Resolution (ADR) is an established methodology for settling grievances, legal and civil, between parties that might otherwise need to bring their issues before an open court of law. The reality is that many of the issues that become grievances in our state common interest communities (i.e. condominium associations, homeowners associations or HOAs) can often be resolved when cooler heads prevail and true knowledge of the rights and responsibilities of each party are fully understood and the relevant laws in place to resolve the situation are explained and applied to the grievance at hand. While it is still possible that ADR will not solve all of these grievances, it is my sentiment that this law will give both unit owners and the governing bodies of these common interest communities an important tool to efficiently settle their issues and grievances while not overburdening the state's judicial system. Additionally, I believe both parties involved in the ADR will realize significant cost savings by taking advantage of the alternative dispute resolution service.

Local community association attorneys I have spoken with have indicated that it is not unusual for disputes that go through the court system to last several years. Worse, there are times when neither side is willing or able to spend the money to bring an issue to court which causes the grievance to linger and build bad will between the parties involved. Clearly, there is a need for these parties to effectively and efficiently have the opportunity to be heard and bring their grievance to resolution.

I strongly urge the legislative body to pass Raided Bill No. 5590. It is for the good of all involved. Thank you for your time.