

Testimony of Louise Kaminer
On
SB1121
An Act Concerning the Obligations of An Association and Unit Owners
In A Common Interest Ownership Community

March 25, 2015

Thank you for this opportunity to testify before the committee on SB1121 concerning provisions to prevent Homeowner's Associations (HOA's) from prohibiting homeowners from installing solar panels on their roof.

My name is Louise Kaminer, a retired homeowner living in Stamford. My husband and I want to install solar panels on our home. We feel it is an appropriate measure to take as grandparents, as well as responsible supporters of our environment and renewable energy sources. We also understand the savings this will afford us as Connecticut residents are facing the second highest electricity rates in the country, with Hawaii being the most expensive.

Our community, governed by an HOA, denied us the use of solar panels. (The environmental benefits were disregarded and our request was denied based solely on the look of the panels.)

The HOA action runs counter to Connecticut leadership in promoting solar energy. This State implemented the first "solarize" program in the nation that encourages interested neighbors to negotiate as a group and obtain a better price than they would have been able to on their own. The program "Energize Connecticut" supports a home evaluation that offers incentives for more energy efficiency through less costly lighting, better insulation, draft mediation, and other actions that will help the homeowner keep their utility bills under better control. Connecticut has subsidized the installation of solar panels through financial incentives and has set a goal of getting 20% of its own electricity from renewable sources by 2020, only five years from now. (At present, only 5% of its electric power comes from renewables.) Stamford itself has installed solar panels on several municipal buildings such as fire houses and schools.

The electric utility company complains of dwindling profits because people are making their homes more energy efficient as well as utilizing cleaner energy via solar panels. An article that appeared in the editorial section of The Stamford Times on November 30, 2014 showed an electric utility rate hike in the basic monthly fee of nearly 60%. That's just for a meter. Eversource, our new version of CL&P, employs fewer linemen per capita than twenty years ago and plans on closing twelve of its maintenance garages throughout the State, shrinking the number of employees and adding to the consumer's financial burden. The result is corporate profit over public interest.

SB1121 is an excellent step in the right direction since it prevents HOA's from stopping homeowners, like my husband and me, from installing solar panels on our roofs. However, the language in new subsection (e) of section 47-261b includes exceptions for the HOA to limit the size, number, and manner of affixing solar panels. It makes more sense to allow well-qualified solar industry professionals to decide how solar panels are installed on a home-by-home basis. I

propose improving subsection (e) by following the example used in Colorado which allows HOAs to enforce “architectural guidelines” that can restrict the placement or appearance of solar panels. However, these aesthetic provisions may not result in a significant cost increase for the resident, nor can they hinder the solar system’s efficiency. The Colorado law strikes the right balance by allowing for reasonable limits on solar panels, as long as they don’t significantly undercut the benefits by imposing higher costs and reducing performance.

In addition to Colorado, approximately half of the states in the nation currently have laws or other regulations that prohibit homeowners' associations and other common interest communities from preventing the installation of solar panels. With suggested improvements to the above referenced section, SB1121 could do just that and promote this State’s clean energy initiatives.

Aesthetic issues are minimal compared to the benefits. Solar panels on the roofs of our homes do not result in an ugly nuisance to our community neighborhood. Yet, the freedom to install clean energy systems would have direct positive benefits in promoting clean energy. It would have a direct impact on easing the State’s overloaded electric grid. It would have a direct financial impact for middle-income families and retirees currently dealing with soaring utility bills. It would have a direct impact on creating green jobs in Connecticut as the solar companies expand to meet this growing demand. It would have direct benefits of reducing CO2 emissions and providing sustainable, renewable energy. All of this can be accomplished with a law that prohibits interference with the use of panels that have a minimal physical impact, a major ecological and economic impact, and are already part of our every day landscape throughout our communities.

In light of Connecticut’s clear state policy to encourage solar energy through incentives such as tax credits, property tax waivers, a statewide renewable energy standard, loan availability, and simplified building code permitting to encourage residential homeowners to implement renewable energy projects, it is only reasonable that the State adopt a solar access law which gives all citizens the right to install solar panels.

Take this opportunity and move Connecticut forward to a goal of clean energy for all.