

CONNECTICUT GENERAL ASSEMBLY
2019 SESSION

TESTIMONY OF David H. Pilon
TO THE PLANNING AND DEVELOPMENT COMMITTEE
ON RAISED BILL 7276

AN ACT CONCERNING CERTAIN GROUP CHILD CARE AND FAMILY CHILD CARE HOMES

Representative McCarthy Vahey, Senator Cassano, Senator Champagne, Representative Zawistowski, and members of the Committee:

My name is David H. Pilon. I am opposed to certain provisions in 7276 that apply to homeowners' associations.

I am an insurance agent and partner at Bouvier Insurance where my expertise is insuring condominium association master policies. I am a member of the CAI Connecticut Chapter Legislative Action Committee and also volunteer as the president of a 380 unit homeowner association where I reside in Farmington, CT.

I thank you for the opportunity to provide written testimony on Raised Bill 7276. My main concern regarding the bill is that condominium associations do not lend themselves to providing appropriate, safe care for young children. Specifically from an insurance carrier perspective, the open spaces that are predominant in many community associations pose oversight challenges for caregivers. To this point, most insurance companies will require that the children have a permanently fenced in recreational area for outside play which is difficult to create in a community association setting.

There is a substantial increase in liability risk that the community association board would need to consider as well. If a child was injured while playing outside, who is liable? It would likely be the community association as the injury is bound to occur on a common or limited common element, which is the domain of the master policy. In addition, would the Board now be responsible for ensuring that the daycare provider has proper coverage. Is the association now forced to purchase some "difficult to obtain" coverages such as "Abuse and Molestation"?

In addition, I have serious concerns about noise complains leading to law suits. This could go both ways: The neighbors of the in home daycare (which could accommodate up to 6 children legally) could complain that the children are too loud and are disrupting their day. The daycare provider could complain the adjacent neighbors are too loud and are disrupting their business by interfering with nap time. Director's and officers policies purchased by the association may or may not provide coverage for such suits, opening up these volunteers, such as myself, to lawsuits that now must be self-funded.

I applaud the intent of protecting children enrolled in daycare homes and providing safe, affordable care for working families; however, I do not believe that a community association is the proper location for a child care business to operate. Condominiums simply are not designed to accommodate small businesses with foot traffic of this manner within their confines.

Please do not vote in favor of including condominiums in the bill.

Sincerely,

David H. Pilon, Director
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