

TESTIMONY OF J. Terry Sullivan  
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 Terry Sullivan. I am opposed to certain provisions in 7276 that apply to homeowners' associations.

I am a unit owner of Heritage Village in Southbury, and the Secretary of the Heritage Village Master Association which represents the twenty-four Member Condominiums that make up the Heritage Village Master Association.

I thank you for the opportunity to provide written testimony on Raised Bill 7276. Heritage Village is an age restricted community for residents fifty-five years or older. It is unlikely that any of our residents would need child care services, and it is also unlikely that our residents would consider operating a family child care home or group child care home within our twenty-four condominiums given that our average age is 70+. While it is unlikely, it is not impossible these days with many grandparents assuming the role of raising their grandchildren.

The issue here, however, is that condominiums do not lend themselves to providing appropriate care for young children. Condominiums are established under law to have all the unit owners share the common expenses. They are operated on the idea that shared expenses also include shared liabilities. To establish daycare facilities would disrupt the shared commitment to limiting certain businesses allowed within the condominium. These restrictions are agreed to when buyers close on their units, and the expectation is that the restrictions will be enforced for the unit owners' protection.

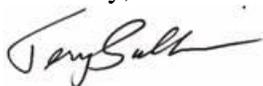
I applaud the intent of protecting children enrolled in daycare homes and providing safe, affordable care for working families; however, I do not believe that any condominium association whether age restricted or not is the proper location for a child care business to operate. Condominiums simply are not designed to accommodate small businesses within their confines.

There are liability issues to consider as well. Condos are required to have master policies to protect the interests of all unit owners. What happens if there is a claim for an incident on common property (which is different from the unit owner's)? Will the condo be able to charge the claim against the unit owner, or will all unit owners have to pay?

I have no problem with the intent of 7276, but the sections that apply to homeowners' associations, especially condominium associations, need to be removed from the bill. Unit owners need to be protected from the problems created by their inclusion in 7276.

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

Sincerely,



J. Terry Sullivan