

Regarding SF 1750  
Mary Chasin  
Mchasin@Comcast.net  
Vice President, Board of Directors, Parkside Acres, Crystal  
Senate District 43  
Opposed

The following is my written testimony for SF1750, which I understand is being voted on this Thursday.

The description of this bill is Common Interest Communities. That is a term applied to bills to ensure minority stakeholders in a community are included in decision-making, for instance in redistricting bills currently under consideration. It seems disingenuous to attempt to apply it to SF1750, written by Senator Lucero whose district (30) is an affluent suburban white community.

Further, there is no justification for a need for changing Association rules, which are already regulated by MCIOA. And why was this referred to the Housing and Homelessness Committee? This bill has absolutely nothing to do with housing and homelessness. I do realize that MCIOA addresses common interest communities, but that is an entirely different context.

It seems to me that this an unnecessary bill looking for something to fix.

So my first question is what do you want to accomplish by adding another government regulation to what already exists?

Second, as a volunteer Board member and officer of a healthy association, I am writing to inform you of the unnecessary disruption to our operations and our ability to govern, as well as increased risk that would result from this bill.

Overall, the bill appears to attempt to wrest control from the elected Board and give it to homeowners. Again I ask why? What's your motivation?

Some of my specific objections are:

- **Prohibition on Enforcement Actions Before "Meeting and Conferring" with Violating Owners:** This provision could discourage homeowners from serving as Board members, as it may force them into confrontational meetings with homeowners before taking enforcement actions. First of all, we don't have a significant number of violators. Why do you want to make it more difficult to address those we do have? It would also delay enforcement of regulations.
- **Assessment Cap on Enforcement/Collection Costs:** The proposed cap of \$1,500 on enforcement costs, including attorney fees, could result in compliant homeowners covering additional costs when enforcement exceeds this amount, which is unfair to those following the Association's rules. Again, this is a provision looking for need.
- **Mandatory Participation of Homeowners (and Possibly Tenants) in Board Meetings:** Although owners are already allowed to attend board meetings, they seldom do. If your position is that all homeowners are required to attend, it's untenable.
- **Majority Vote of Owners to Remove Rules or Bylaws:** Is this intended to allow homeowners, without Board participation, to amend association rules or bylaws informally through a majority vote? Why would we even think this is a good idea? Remember, the volunteer Board is elected by the homeowners to represent them. I hope I'm misunderstanding this provision, which is capricious and superfluous and increases the Association's legal and financial risk.

For all of these reasons, I oppose SF 1750.