

March 12, 2025

Wentworth Place Homeowners' Association Testimony House File 1268

Hello, my name is DJ Harris, and as the President of Wentworth Place Homeowners' Association [a voluntary position] for the past seven years, I am here to voice a critical concern that affects our entire Community. We are protesting the removal of liens and foreclosure for monthly non-payment and special assessments. Our association, a close-knit group of fourteen townhouses, is facing a significant challenge due to the non-payment of assessments by two Members. This issue has not only halted essential maintenance but also placed an unfair financial burden on the rest of the Community. It is beyond comprehension that our Community should suffer due to the negligence of a few. This situation is not just unfair; it is a matter of justice and equity for all Members.

We were unable to paint our buildings last year, impacting on the overall appearance, maintenance, and value of our buildings. I am concerned whether we will be able to paint our buildings in 2025 without another new assessment. We do NOT have adequate Reserve Funds due to the delinquency of monthly assessment payments from our two Members. Neither have they paid last year's special assessment for rerouting our irrigation box. This matters to our Board and Community. It is clearly unfair to Board Members and Community Members to be in a position where we do not matter and only the two derelict Members matter. It is beyond comprehension that our Community should suffer due to the disregard of a few Members. This situation is not just unfair; it is unmanageable, and it is a matter of justice and equity for all Members.

*It has been and should remain the Board authority to have recourse for collecting funds due for our operations and reserve accounts. It is beyond comprehension of our Board and my background as a former Chief Financial Officer and Chief Operating Officer that your committee would even consider removing all protections afforded to the Board and our Community. It is not the responsibility of the Board Members and Members to pay the monthly assessment or special assessment for the lack of payment from our two Members. Why should it be our responsibility to have to pay for two Members who **chose** not to contribute their fair share as the remaining twelve Members have done?*

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A \$15.00 late fee will mean nothing to someone who is late on payments. It clearly accommodates the Member who is delinquent, and it will encourage them to continue the tardiness. How are we going to collect our monies when this committee takes away all prospects of collection?!! Would we ever be able to remove them from the home or is the Community expected to pay simply because of their delinquency? These homeowners are not our families! They chose not to pay their monthly and special assessments.

The Board disagrees with the "meet and confer process"! It is difficult emotionally for the Board to place a lien or foreclosure on a member's property, let alone meet with them and discuss the payment plans and outcomes that could happen. What if I mistakenly say something that we as Board Members would get into trouble? This should stay with an attorney. We are not attorneys!

The Board opposes Subdivision 4 Automatic Renewal. Recently, our Community transitioned from one management company to another, which involved a challenging process of securing our information and funds. This transition was necessary to move to a company that better serves our Community's needs. The process took between 90 to 120 days, as the previous company was reluctant to release our information and funds promptly. Therefore, a 30-day turnaround is an unreasonable and unattainable requirement.

I urge you to reconsider Bill H.F. No. 1268 and protect the rights and interests of responsible homeowners who contribute to the well-being of our Community. This bill, if passed, would undermine the efforts of dedicated homeowners and board Members who strive to maintain the integrity and appearance of our Community. It is imperative that we uphold the principles of fairness and accountability, ensuring that all Members fulfill their obligations for the collective good. The removal of liens and foreclosure for non-payment of assessments would not only jeopardize our financial stability but also erode the trust and cooperation that are essential for a thriving Community. Let us stand together to safeguard the future of Wentworth Place Homeowners' Association and ensure that justice prevails for all."

Thank you for your consideration.

