

Dr. Jolene Johnson
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Minneapolis, MN 55411
3/19/25

Dear Minnesota Senate Judiciary and Public Safety committee members:

I am writing this letter to express my full support for SF 1063. I am doing this as a 17-year resident of North Minneapolis and forced member of the Heritage Park Master Association. This bill addresses many of the issues we faced when trying to prevent our HOA from destroying our garden and taking our neighbors houses.

First, I will provide you with a very brief summary of the issues with our HOA. Heritage Park was formed in the late 1990s due to the [Holmann Decree](#) which was a lawsuit brought due to the concentration of public housing in our neighborhood. Our neighborhood was rebuilt with mixed income housing including a mix of owner and rental units for a wide range of incomes. In 2008 we moved into our house with the help of a Minneapolis program for low-income residents. The city of Minneapolis required the developer to include an HOA for the single-family homes that also oversaw three sub associations of townhomes. The creation of this HOA was completely unnecessary as the city already has rules about property maintenance and the HOA has no common elements to maintain. We have paid over \$4000 into the HOA and have not received any services. We literally pay the HOA to pay a management company to collect our money and fine us.

The HOA had multiple small issues from its inception until 2020. In 2020, the HOA created many large problems. In May of 2020 the HOA sent us a letter that we had 10 days to remove large parts of our garden (flowers and food). They claimed we had violated rules, but our garden had not changed in 10 years and the HOA had been slowly rewriting the rules to put us out of compliance. We demanded the ability to attend a board meeting due to this letter. At the board meeting the board president mentioned they were looking at foreclosures on multiple properties. This concerned us a lot as it was the pandemic and again our HOA does not do anything with the money we pay in. The HOA refused to provide us any information on foreclosures so I went the Hennepin County property records to look house by house to determine who they may be foreclosing on. I eventually discovered they started foreclosures against 10 homes (out of only 100 homes in the HOA). All the owners were black, many were immigrants. None of the homeowners owed more than \$600 before fines and some homeowners may have only owed fines for stupid things like leaving a garbage can out overnight. I was the one who informed at least 1 homeowner that their house was in foreclosure as the lawyers hired by the management company made no effort to go beyond the bare minimum of sending a letter or even confirming the residents got or understood the letter.

We and other residents started organizing against this. The Star Tribune wrote an article about us and our neighbors (although we didn't know the extent of the foreclosures at this time, and many residents were afraid of being identified as in foreclosure). We also filed an AG complaint about the garden situation and the foreclosures. When we informed the management company of this, they claimed we had hired a lawyer so from that point forth everything would go to their lawyer and we would be billed the HOA's legal fees. They billed us legal fees for responding to another neighbor's petition that they stop foreclosures and translate documents. In the end they billed us nearly \$4000 in their legal fees, and we paid \$2500 in our own legal fees.

Some of our neighbors would have lost their houses, but thankfully a large legal firm agreed to represent us pro bono. Because the HOA was charging their legal fees to anyone who even had questions and because of their ability of the HOA to special assess residents any other legal fees it was difficult to figure out how to resolve this without forcing our low-income neighbors to pay thousands of dollars for legal fees. With the lawyers help we were eventually able to get information to the Minnesota Department of Human Rights. Our HOA had a commissioner's charge against it for discrimination by race, national origin and disability. The HOA was not just trying to take black homeowners houses, they were doing many other things that resulted in black homeowners paying more money. If it hadn't been for this commissioner's charge we would have never been able to make these homeowners whole and stop this harassment by our HOA. The state law heavily favors HOAs, management companies and their lawyers as currently written. Much of what they did would have been fully legal under state law, except for the discrimination.

This bill (and SF 1750) address many of the issues we and other homeowners around Minnesota have faced. It is critically important that there is an ombudsman in the government that residents of HOAs can go to when they have concerns. We were lucky that we could borrow money from our children's college fund to pay for an initial lawyer to help us and our neighbors fight the HOA, and that through persistence and luck we found a law firm willing to help us pro bono eventually. Many residents in Minnesota do not have the money, luck or connections to fight HOAs and their lawyers. In addition, an office as proposed would provide residents a safe place to report concerns and get advice about what to do without fear of retaliation. I am representing many residents in our neighborhood, but many residents have asked me not to name them by name because they are still afraid of retaliation by the HOA for speaking the truth about what happened.

Additionally, there needs to be a registry of all HOAs and contact information. Transparency is critical in holding these organizations accountable. Also with a registry you will see the large number of HOAs that cities are requiring so that they are not responsible for writing fair and reasonable city code about property maintenance. Over 80% of people do not want to live in an HOA yet most of the housing being built requires an HOA. This registry would also help our HOA in particular. First when the commissioner tried to send out the charge it took a long time to just mail it to the correct place. There was no registry that the HOA had to provide updated contact

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information for. This delayed the negotiation over a settlement by many months. Additionally as I explained earlier our HOA consists of single family homes and 3 townhome associations. Currently one of our sub associations has not been paying dues to the master association. This has meant the master association may not have the money to pay for the large board member insurance increases we are facing due to the settlement over the commissioner's charge. The HOA board does not even know the updated contact information for the sub association to figure out why they aren't paying. This registry would fix that.

I am sure you will have management companies and their lawyers telling you all the potential costs to homeowners with this bill. We just want to represent the voice of average homeowners. The costs to homeowners with this bill would be minimal and would greatly be outweighed by the benefits of helping to prevent anyone else from having to endure the stress of what we and our neighbors have endured.

Please vote yes for this legislation (and SF 1750) and make Minnesota a leader in putting homeowners rights over the rights of HOA management companies and their lawyers.

Sincerely,

Jolene Johnson

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Representing the residents of Heritage Park Master Association in North Minneapolis