

Date: February 10, 2015
To: Oregon Legislative Assembly
House Committee on Consumer Protection and Government Effectiveness
From: Denise Bower,
Chair, Legislative Action Committee ("LAC"), Oregon Chapter Community Associations
Institute
Re: House Bill 2584 Records

Chair Fagan and Members of the Committee:

My name is Denise Bower. I am Chair of the Oregon Community Association Institute Legislative Action Committee and President of Community Management, Incorporated.

CAI is a national organization dedicated to fostering harmonious community associations with over 32,000 members consisting of board members, owners, community managers and other service providers. Please see information attached to my written testimony.

Community Management, Inc. has been in business for 43 years and manages 145 associations in and around Portland.

The LAC opposes this Bill.

Right now the State Statutes do not delineate the documents that are available (they would be too onerous to list), but has a fairly short list of what isn't available to owners;

- 1) documents in relation to an executive session,
- 2) personnel records and
- 3) other people's individual file information (i.e accounts receivable history).

The Statutes also define with a longer list what must be made available for review by owners, although the Statutes do not specify these as the only documents. Many associations already have the items listed in Statutes on their websites;

- 1)Declarations (and any amendments or supplements),
- 2)Bylaws (and any amendments or supplements),
- 3)the Plat,
- 4)Rules and Regulations,
- 5)the most recent Financial Statement,
- 6)the current operating Budget,
- 7)the most recent Reserve Study,
- 8)Architectural Guidelines and Standards.

Of course, most association websites include a host of other information not listed above; newsletters, resolutions, minutes, agendas, postings (i.e. the elevator will be shut down from noon to three), notices (i.e. there will be a budget committee meeting on Thursday at six), etc.-also easily available to members.

To change the existing Statutes would cause undue burden on volunteer Board members, as well as expense (even if it is simply electronic storage space) to the Association due to the record keeping and need to cull the documents for requested items. Thank you.

about Community Associations Institute

Building Better Communities



Founded in 1973, CAI and its 59 U.S. and international chapters provide information, education and resources to the homeowner leaders and professionals who govern and manage homeowners associations, condominium communities and cooperatives. CAI's 32,000-plus members include community association board members, other homeowner leaders, community managers, association management firms and other professionals who support common-interest communities.

CAI serves associations by:

- Advancing excellence through seminars, workshops, conferences and education programs
- Publishing the largest collection of resources available on community association management and governance
- Advocating on behalf of community associations and their residents before legislatures, regulatory bodies and the courts
- Conducting research and serving as an international clearinghouse for information, innovations and best practices

CAI believes community associations should strive to exceed the expectations of their residents. Our mission is to inspire professionalism, effective leadership and responsible citizenship, ideals that are reflected in communities that are preferred places to call home.

Visit www.caionline.org or call (888) 224-4321.


community
ASSOCIATIONS INSTITUTE

COMMUNITY ASSOCIATIONS INSTITUTE
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*Committee member or worked with the committee (formed by the House Interim Committee on Housing and Urban Development) that recommended the proposed Planned Community Act to 1981 Legislature.

‡ Coordinating Member/Contact for questions or information.

GENERAL OVERVIEW of Community Associations

- ✓ **Delivering Services and Amenities**
- ✓ **Providing Value and Protecting Property Values**
- ✓ **Offering Protection and Oversight**
- ✓ **Inspiring Responsibility and Involvement**
- ✓ **Delivering Services and Amenities**
- ✓ **Optimizing Land Use and Affordability**

Delivering Services and Amenities

Homeowner and condominium associations deliver services that were once the exclusive province of local government, including trash pickup, street paving and lighting and snow removal, to name but a few. This transfer, or privatization, of services has become commonplace as the demand for housing has outpaced the ability of many local governments to provide services. Not only has privatization relieved local municipal budgets, but it has proven economically efficient for homeowners.

Many of today's homebuyers are second- and third-time buyers in community associations—people who understand and value the benefits and services provided in planned communities.

Associations plough the snow, pickup the garbage, operate the pool and maintain the common areas. Reserves are maintained for future repairs and replacement of common property. Many communities maintain swimming pools, tennis courts, playgrounds and other amenities that most Americans cannot afford on their own. Many community associations also provide security, social activities, clubhouses, walking trails and more.

In the best communities, associations offer a real sense of community, an important contribution in an increasingly transient society.

Providing Value and Protecting Property Values

By delivering services at the direction of their members, community associations meet the expectations of residents by working to provide a safe, well-maintained living environment, preserving the nature of the community and protecting property values.

Cooperation and compliance are accomplished through governing documents that typically address architectural guidelines (dealing with items such as additions, decks and paint colors) and rules pertaining to issues such as noise, pets and parking. Enforced fairly and equitably by the members themselves, these documents guide the management and governance of the association and are generally consistent with zoning and other provisions of the larger civil community in which the association is located.

Offering Protection and Oversight

Community association rules and regulations are not really all that much different from their municipal counterparts. In practical terms, HOA regulations are another layer of protection against neighborhood degradation and another means of maintaining community standards and protecting property values.

Associations lessen the need for local government oversight of housing conditions, since design guidelines and covenant inspections are performed by the association—the functional equivalent of building and zoning inspectors. Associations have one big advantage: While most municipalities are not equipped—i.e., do not have the manpower—to monitor housing, community association homeowners have a vested interest in reporting problems, from architectural and building code violations to illegal parking and landscaping issues.

Inspiring Responsibility and Involvement

Community association homeowners like the responsibility that comes with homeowner control of their own neighborhoods. Importantly, community association leaders are elected by their neighbors to serve the best interests of the community as a whole. Because they live in their communities, these leaders better understand the needs of the community, from the delivery of core services and amenities to decisions affecting the future of the community.

Significantly, many associations enjoy a higher level of civic involvement than municipalities in terms of voting, meeting attendance and volunteerism. Voting by proxy helps associations meet quorum requirements, an option that is not available in municipal elections.

Optimizing Land Use and Affordability

Community associations provide one answer to the growing issue of sprawl, which is no longer confined to cities and the inner suburbs. By definition, planned communities offer a more efficient use of land than unplanned areas in which developments leapfrog over each other into any available space.

In addition, these land-use efficiencies can make homes more affordable, a benefit for first-time homebuyers, retirees and low-income and moderate-income families.

Balancing the rights of the individual homeowner with those of the community at large. Managing this critical and delicate balance is often the essence of effective community leadership.

For more information go to: www.caionline.org.