

Condominium/HOA
Working Group
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February 1, 2016

SENATE COMMITTEE ON
ENVIRONMENT AND NATURAL
RESOURCES
Oregon State Capitol
900 Court Street NE, Room 347,
Salem, Oregon 97301

Re: SB 1529 Prohibits enforcement of residential irrigation requirements by homeowners association following finding or declaration of existing or likely drought conditions.

Dear Chair Edwards and Committee Members:

I represent the Condominium/HOA Working Group with respect to SB 1529. The Working Group consists of many different members having an interest in the Oregon laws regarding condominium and planned community developments. I have enclosed a brief statement of the history of the Working Group as well as information on the current members and some of the key organizations represented by the members. These organizations represent many, if not most, of the home owner associations in Oregon. The Working Group also has members who represent developers of condominium and planned communities as well as the owners living in these projects. This diverse membership of the Working Group is intended to provide a well balanced approach to legislation affecting home owner associations.

The Working Group supports SB 1529 with the proposed SB 1529-1 amendments requested by Senator Hansell. The amendments are important to limit the voiding of the HOA irrigation requirements to the period of time the drought or ordinance is in effect. This limitation is important because the permanent conversion of HOA landscaping to conserve water requires more complicated legislation than is possible in this short session. The Working Group has committed to working with Representative Susan McLain during the interim on legislation using her HB 4090 as a starting point to provide a process for the complete and permanent conversion of HOA landscaping to conserve water.

The beneficial purpose of HOA declarations and bylaws is to provide uniform private governance resulting among other things a uniformly attractive exterior appearance of the community, which increases the property value of all home owners. The legislation for permanent landscaping conversion needs to provide an association level process that will facilitate and encourage all Oregon HOAs to uniformly and permanently convert the entire landscaping for water conservation. To accomplish such a conversion will require the legislation to allow the board to substitute new landscaping requirements contained in the legislation for the outdated heavily irrigated landscaping requirements. Current laws

Senator Chris Edwards

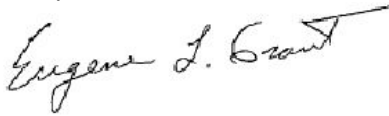
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require a 75% vote to amend declarations, which makes it virtually impossible to replace the outdated landscaping requirements without the help of the new legislation.

The benefit of landscape conversion at the association level is achieving greater water conservation uniformly throughout the entire community and state rather than destroying the HOA landscape plans with an unregulated patchwork approach to landscaping by individual home owners. The Working Group looks forward to working with Representative McLain and other legislators to achieve water conservation that maintains the beneficial role of the HOA in providing uniformity that enhances appearance and property values in Oregon.

Sincerely

A handwritten signature in cursive script that reads "Eugene L. Grant". The signature is written in black ink and is positioned below the word "Sincerely".

Eugene L. Grant

about **community associations institute**



Building Better Communities

Founded in 1973, CAI and its 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 33,000-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.



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the homeowners we serve



Homeowners are CAI's largest member group, comprising a large percentage of our 33,000-plus members. For the most part, these are the homeowners who have chosen to be leaders in their communities—serving on association boards and committees or volunteering for special projects. Some simply rely on CAI to stay informed about how their communities should be governed and managed.

CAI strives to serve homeowners who have or probably will step up to the plate to serve their communities and fellow residents. The benefits we provide to them—from *Common Ground* magazine and our specialized newsletters to web content and educational opportunities—are developed for these leaders.

While we do provide information for all HOA residents—including our online course, *An Introduction to Community Association Living*—our focus is on community associations and those who lead them, especially the more than two million residents who serve on association boards and committees. By supporting community leaders, we are making communities preferred places to live for all residents.

Our primary mission is to help homeowner leaders and professional community managers protect property values, preserve the character of their communities and meet the established expectations of all residents.

Our education inspires effective governance and management. Our best practices help leaders build and sustain more harmonious communities. Our advocacy promotes practical legislative and regulatory policies. Our ethics guidelines inspire fairness, transparency and integrity.

That's how we serve all community association residents, even as we strive to preserve and enhance the concept, perception and value of common-interest communities.

» **About CAI:** www.caionline.org/aboutcai

» **Member benefits:** www.caionline.org/homeownerleaders

» **Find a chapter:** www.caionline.org/chapters

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Oregon Washington Community Association Managers was established in 2002 to serve community association managers and service providers of the Pacific Northwest. The primary goals are to:

- *Enhance professional image.*
- *Represent proposed licensing and legislation.*
- *Promote education.*
- *Provide a network for business opportunities.*

GENERAL BACKGROUND
Condominium/HOA Working Group

Prior to the 1977 legislative session, the Oregon Association of Realtors, in anticipation of a increased interest in condominiums and, in particular, conversion condominiums, formed a study group to review the condominium statutes. Based on the recommendations of the study group, the first significant revisions to the Unit Ownership Law (now known as the “Oregon Condominium Act”) since its enactment were enacted by the 1977 legislature. The core of the OAR study group together with others who represent developers, homeowner associations and others with experience with association management and involved in the process have continued since 1977 to review and propose legislation relating to condominiums and planned communities. Representatives from the Oregon Real Estate Agency have participated in the group from its initial formation.

Three members of the current working group served on or worked with the committee (formed by the House Interim Committee on Housing and Urban Development) that recommended the Oregon Planned Community Act to the 1981 Legislature.

**CONDOMINIUM/HOA
WORKING GROUP
2016**

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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.

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**CONDOMINIUM/HOA
WORKING GROUP
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