

From: Doug Ulmer <doug_ulmer@comcast.net>

Sent: Tuesday, April 30, 2019 8:04 PM

To: Rep Holvey <Rep.PaulHolvey@oregonlegislature.gov>; Rep Williamson <Rep.JenniferWilliamson@oregonlegislature.gov>; Rep Wilson <Rep.CarlWilson@oregonlegislature.gov>; Rep Boles <Rep.DenycBoles@OregonLegislature.gov>; Rep Nosse <Rep.RobNosse@oregonlegislature.gov>; Rep Smith Warner <Rep.BarbaraSmithWarner@oregonlegislature.gov>; Rep Sprenger <Rep.SherrieSprenger@oregonlegislature.gov>

Subject: HB 3432

To:

Representative Paul Holvey

Representative Jennifer Williamson

Representative Carl Wilson

Representative Denyc Boles

Representative Rob Nosse

Representative Barbara Smith Warner

Representative Sherrie Sprenger

Please vote no on HB 3432. This bill is designed to protect contractors from being held accountable for poor workmanship and will financially harm residents in HOA's. Are budgets are set up for the day-to-day business with a reserve fund to replace building components as their life expectancy matures with being replaced. This bill would be very unfair to ask residents to cover a special assessment because the State of Oregon sided with contractors giving them a free pass with no accountability. Ten years is a fair bench mark with discovery as often layman don't understand the extent of an issue. Six years only supports the contractor.

Passage asking that a majority of HOA residents approve any legal action to be taken against a contractor was written to support the contractor as they know full well if it looks not to broken people will not support what any expert is telling them. The world is made up with plenty of people pretending to be experts over the trained/schooled experts, I see it often. This also takes away the purpose of a board to make decisions that's best for the community being made up of residents that vote in a board to make those decisions for the greater of the good.

I've been involved with my HOA since 2003 serving on committees and officially was elected to the board in 2005 and have been the chairman of the board since 2009 to present day. Been through construction defect suit and can tell you first-hand how amazingly difficult it is to collect a settlement when you have all of the evidence in the world that supports poor workmanship occurred. In our case as this bill is also indorsing to allow unqualified persons in the construction trades to make inspections on behalf of the contractor. This same practice occurred in our case that sighted many defect issues to the contractor; that report was dismissed by the contractor-no attempts to correct. The courts also dismissed this report which allowed the contractor to settle with the HOA for pennies on the dollar. The contractor knew that a

non-expert performing inspections of their work the courts would dismiss the report as that person was not qualified. The contractors insurance covers the payout and the residents of the HOA get a special assessment or significant dues increase to cover the repair expense as settlements don't often cover the full scope of work to be done correctly. If you see six years as a fair bench mark then the contractors should have no qualms with a full payout to complete the scope of work properly.

Please vote no on HB 3542 and protect the citizens of Oregon being the real victims when it comes construction defects settlements. Don't extend contractors the hall pass to do wrong.

Sincerely,

Doug Ulmer

Chairman of the Board

Orchard Hill Townhomes

Tualatin, Oregon

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