

From: J. Patrick Moore <jpmcmca@yahoo.com>
Sent: Tuesday, April 30, 2019 7:38 PM
To: Rep Holvey <Rep.PaulHolvey@oregonlegislature.gov>
Subject: HB 3432

Dear Representative Holvey:

I am writing to express my concerns regarding HB 3432. I believe that this measure, if passed as it currently stands, will be discriminatory against owners who purchase condominium units or townhomes in Oregon.

As a community manager, I've assisted two associations - one condominium, and one townhome association - to have their communities inspected after the completion of construction. Both had major problems that required filing a lawsuit, in order to get a response from the builder. I've also testified at trial concerning one community that I had formerly managed. I've also seen several associations go through the reconstruction process. It's not pretty.

Part of my concern is for the smaller associations that are being built as in-fill projects - some are condominiums with two, three, or four units - that makes it financially difficult for the association to pay for a professional inspection. With HB 3432, the inspection required of the builder is not necessarily going to be on par with the professional forensic inspections that are recommended by managers. In particular, these small associations that are currently being constructed will likely not retain any formal relationship with a community management company, and therefore, are more likely to rely on an inspection required of the builder under this proposed law, which means that they may go a number of years before discovery of construction defects - and under this law, lose their right to a lawsuit to have defects corrected.

I can understand the standpoint of the Homebuilders' Association - each of the construction companies want to maximize their profit, and I don't have a particular problem with that. I am sure that the construction companies would have lower insurance rates if this measure passes, but at the potential costs to the homeowners they sell to. However, it would make more sense, from an overall standpoint of the good of society - if this bill did not pass, and construction companies did a better job of oversight of the construction process, to ensure that their work was done correctly in the first place.

I urge you to stop this bill in its tracks.

Sincerely,

J. Patrick Moore, CMCA

Portland Metro Community Management

971-280-9331

No trees were killed in the sending of this message,
but a large number of electrons were terribly inconvenienced.