

To: House Judiciary Committee

Re: Opposition to HB 2330

From: Wess Galyon, President/CEO
Wichita Area Builders Association

Mr. Chairman & Members of the Committee,

I am filing this testimony on behalf of residential housing developers in our area because of concerns expressed to me regarding the adverse impact HB 2330 would have on homeowners living in communities located throughout the Wichita area.

As you know, Home Owners Associations are established to give home buyers who buy homes in new home communities a sense of certainty that if they invest their money in a newly constructed home in a new home community protected by covenants, their investment will be protected as a result of steps taken by the Association to:

- Ensure architectural standards established for the community are fairly and equitably enforced;
- Ensure natural and landscaped common areas and amenities such as pools, clubhouses, walking paths, lighting, etc., are maintained to an acceptable level;
- Establish the amount of dues assessed to all property owners in the community in consideration of the costs of maintaining community common area and facilities. Associations can also negotiate lower costs for many services for the benefit of homeowners living in the community.

It is important to recognize that home buyers have choices in terms of where and how they want to live. For those who want reasonable standards that everyone is expected to comply with, a covenant community is most often their choice. However, it doesn't make sense, nor is it reasonable, for a person to expect to have the certainty and property value protection a covenant can provide, but at the same time, balk at paying for such protections, which is often the reason cited as the motivation for doing away with an Association.

Problems develop when a community does away with their Association in many ways, particularly how common area and built amenities continue to be maintained at a level expected by the community homeowners. Also, without an Association, pressure is often put on elected officials to undertake, at public expense, items that were previously paid for through local dues. It doesn't happen often, but when it does it can be a real detriment to the community that does away with the Association, and city within which such a community is located.

We are opposed to HB 2330, and would ask that you oppose it as well.

Thank you.