

Florence Deeter

From: CJ Sullivan [cjs82549@gmail.com]
Sent: Thursday, February 02, 2012 10:23 PM
To: Steve Huebert
Subject: SB 114 Testimony - correct version

To: The Honorable Representative Steve Huebert, committee chair
The Honorable Representative Joe Seiwert, committee vice chair
The Honorable Representative Ann Mah, ranking minority member

From: Cherylaine J. Sullivan
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Date: February 2, 2012

Regarding Senate Bill 114

Today I offer testimony against Senate Bill 114

I feel that changing any part of the original Uniform Common Interest Owners Bill of Rights Act would be unwise. I served on the Judicial Council Committee that convened in late 2009 and early 2010 for the purpose of looking at the original bill. We read, discussed and pondered each line of the the bill. We made recommendations to the requesting Local Government committees. The House and Senate committees met, testimonies for and against the bill were heard; there was much discussion in both committees that related to exclusions but the Bill passed out of both houses without excluding any community whose members pay dues. Congress overwhelming approved the Bill and the Governor signed it into law in April 2010 and the new law became effective on January 1, 2011.

If the law is amended to allow exceptions for a lake community (p. 2 lines 22-25 and p. 3 lines 9-11,) I'm sure many other communities and home owners associations would soon be lobbying for their exceptions. My association has undeveloped common areas and a creek runs though the property that attracts an occasional fisherman. Would our community also qualify as a recreational development? Making exceptions for notifications of members on any matter for members of recreational developments simply is not a good idea. This would allow for a few to make decisions for all. Bottom line, the law was intended to protect all residents who pay dues that live in common interest communities.

There are many HOA communities in Kansas and some are better managed than others. I live in a community that has had its share of bad actor board members. The UCIOBRA Law had given clear guidance to our board and our community has improved. Please do not let this law be amended to take needed protection away from those Kansans living in common interest communities.