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To: House Local Government Committee
From: Mark Tomb, VP of Governmental Affairs
Date: 2/15/2023

Re: Testimony in Support of HB 2376

On behalf of the Kansas Association of REALTORS® (KAR), thank you for the opportunity to provide testimony in support of HB 2376, which would prohibit the recording of any restrictive covenant that violates the Kansas Act against Discrimination and provides methods for property owners, homeowners associations and local governments to remove discriminatory restrictive covenants.

KAR represents over 11,000 members involved in residential, commercial, and agricultural real estate and has advocated on behalf of the state's property owners for more than 100 years. REALTORS® serve an important role in the state's economy and are dedicated to working with our elected officials to create better communities by supporting economic development, a high quality of life and providing affordable housing opportunities while protecting the rights of private property owners.

The Kansas Act against Discrimination states, "It is also declared to be the policy of this state to assure equal opportunities... in housing without distinction on account of race, religion, color, sex, disability, familial status, national origin or ancestry". Restrictive covenants that claim to limit the sale or use of a property based on race, color, religion, and national origin are offensive and unfortunately remain attached to many properties in Kansas. These restrictive covenants can cause significant distress to prospective purchasers or property owners, presenting a potential obstacle to homeownership in communities where properties contain these restrictive covenants.

Although they are unenforceable under state and federal law, a process should exist to remove racially restrictive covenants attached to properties. HB 2376 provides tools for property owners, homeowners associations and local governments to remove racially restrictive covenants from deeds, plats, declarations, restrictions, covenants, or other conveyances. KAR supports the long overdue measures in this bill to remove these derogatory restrictive covenants that have no place in modern society.

Thank you for the opportunity to provide testimony in support of HB 2376. We respectfully request that the Committee act favorably on HB 2376.