

NC House Select Committee on HOA Reform – January 11th, 2024

Presentation comments:

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Good morning, my name is Kevin Jefferson, thanks for the opportunity to speak this morning.

In 2021, over 80% of new homes were in a planned community, governed by a homeowners' association. HOA's are quasi-governmental entities with responsibilities and obligations similar to municipalities and counties but without the legal protections that exist for citizens in towns and counties. Given that:

Do you think a homeowner should lose their home for a few hundred dollars in fines or assessments?

Do you think an HOA should be able to obligate its members for tens of millions of debt for non-emergency, new capital spending without a vote?

Do you think all HOA board meetings should be open to the membership, just as city council meetings are open to the citizenry?

Do you think executive sessions of a HOA Board should only be closed for prescribed reasons, like with public government?

Do you believe all candidates for office in an HOA should have the same access to member contact information that incumbents have?

Do you believe the monitoring/enforcement of NC laws for HOA's should be an obligation of a consumer protection agency?

If any of these questions give you pause, we are asking for your support to afford North Carolina homeowners the legislative protections and reforms which are vitally needed.

But legislation, and needed legislative reforms, will mean little if there is no way to enforce them. Current laws that seek to protect citizens in common interest

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communities, are often ignored. The citizens have no recourse other than to sue themselves, as a member of their association, for compliance.

An enforcement mechanism as a part of a consumer protection agency is a vital component of reform. We have only to look to our neighbor, South Carolina, which saw the need and enacted a mechanism in 2018 as a model, models exist in other states as well.

Thanks for the opportunity to address you on this important issue.