

House Business Affairs & Labor

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HB22-1040 Home Owners' Reasonable Access To Common Areas

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Sarah Rauch For Self	<p>This bill would assure that HOAs make common spaces in subdivisions-like parks and trails accessible to all residents for as much time as possible. It also assures that HOAs are held accountable for deprivation of access, ensuring they specify the reason for a lock out and how long the access is denied.</p> <p>I am a resident of a subdivision- Moonridge Falls. We pay to maintain the common space in our subdivision. During the year 2021, our HOA locked us out of our common space for 1/3 of the year. They claimed it was for safety reasons (ice on pond and then over heating irrigation pumps). There was no clear end point to the lockout. They refused all proposed compromises that would have allowed us to still have access but also maintained safety. (we proposed locking the pond with a combination lock that residents could have the combo too or roping off the irrigation pump with a sign that said "keep out".) They directed all questions to their attorney which costs us all money. The only recourse we found to fight the HOA on this was to sue them- lawyers would be paid for by the HOA on both sides so this did not make any sense to do. We are hoping this bill helps limit HOA overreach, and allows common ground in subdivisions to be accessible as it should be to residents. It will also specify that HOAs only close common spaces for legitimate reasons and specify to residents why it is closed and how long they can expect it to be closed for.</p> <p>Thank you.</p> <p>Sarah Rauch</p>