

HB 19-1212, renewing the HOA Property Manager Licensing Program All the Problems of the Licensing Program with no Solutions

In summary, good intention to extend the licensing program but ALL home owner concerns expressed with this program for the past several years ignored but more industry suggestions easily inserted in this Bill. The lame and important thing about this Bill is that the sponsors of the Bill bought into a scheme that will ensure no future home owner suggestions to improve accountability and disclosure of fees and assessments: a Committee. This Bill creates an advisory Committees reporting to DORA that is the very government entity ignoring home owner suggestions. When you read about any advisory Committee in a Bill it is well known to provide an excuse and smokescreen for watering down a law and giving the appearance of a creditable means of improvement. In fact, these Committees have no authority and are generally stacked (and in this case) with industry representatives who are the very ones at the root of a problem.

The HOA property manager licensing program will expire unless HB 19-1212 is voted into law. **What we know and is known to Bill's sponsors:** Licensing to date: ineffective in holding CAMs accountable for misdeeds and improving professional accountability; abusive and excessive fees assessed to home owners continues requiring payment on demand without explanation and/or receipts; a complaint filing system that is arduous, confusing, and cumbersome and inability to track one's complaint status; CAM rules/standards developed by DORA are ambiguous and difficult to interpret for home owners and equally difficult to apply to abusive CAM practices; an inability of HOAs to easily identify CAMs with violations or revoked licenses; very long complaint processing times; costly to property managers (especially smaller businesses) without producing intended consumer results; forced some small CAMs to work without licenses or quit the business due to costs and unreasonable demands; DORA unresponsive to home owner requests for improvements but open to those of the industry it is supposed to monitor; no controls in place to identify HOAs with a CAM without a license; but a good tool for the CAI to sell courses and memberships for CAM certification. **Do we need this program under these conditions?**

What we know about HB 1212's fix to this disappointing program: it forms a Committee, stacked with CAI, property managers, and legal types, to guide DORA to improving the program. In other words, 1) no changes or improved consumer protections will occur 2) an industry influenced licensing program 3) a bogus advisory Committee, hand-picked by and to the pleasure of DORA and the CAI (trade organization for property managers), will ensure DORA will not change its' ways or be accountable to those it is supposed to serve (home owners) and 4) abusive practices by CAMs costing home owners millions of dollars a year and violation of rights will continue unabated. Committees are formed to avoid addressing problems vs problem resolution. **How will this Bill provide consumer protections?**

Regulatory programs should deliver consumer protections to justify the increased costs to businesses. We support a Bill with defined corrective action. **If passed as is with no corrective language we will lobby to defeat the Bill.** We don't need another Bill to be added to a stack of weak, industry oriented, and unenforceable HOA laws and adds costs to CAMs without justification.