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Letter: CA should not be exempted from Homeowners Association Act

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CA staff is pleading with the **Maryland Legislature** to enact legislation declaring that CA is no longer a homeowners association subject to the Homeowners Association Act of Maryland (HOAA), which is part of the Maryland Consumer Protection Act, but is instead a "nonprofit community service corporation." ("Nonprofit community service corporation" has no technical meaning.)

The purpose of the proposed legislation is to immediately exempt CA from some of the protections afforded Columbia residents by the Consumer Protection Act, and to exempt CA from all future amendments to the HOAA.

The always compliant CA Board is going along with this outrage. They both should be wallowing in shame for this reprehensible attempt to strip the residents of protections they now enjoy under the Consumer Protection Act.

Vladimir Putin would be proud of CA staff and Board.

Clubs and Associations Lawyers Justice System Companies and Corporations Real Estate Buyers Vladimir Putin Maryland

General Assembly CA counsel Sheri Fanaroff offers several specious reasons to support the proposed legislation, reasons that

would be merely laughable were the potential consequences not so detrimental to the residents. For example, she argues that because CA existed prior to the enactment of the HOAA, the act should not apply to CA. Of course, the Maryland legislature enacted the HOAA not because it feared that residents of future HOAs might need statutory protection, but because the residents of existing HOAs needed it.

Ms. Fanaroff also asserts that CA has enough protection for residents in its bylaws and other documents so that statutory protections are unnecessary. First, CA can change its governing documents at any time, so that the residents would be at the complete mercy of CA. Secondly, CA has in the past not hesitated to ignore its governing documents.

For example, former President Brown sold for \$10,000 an easement owned by CA. She was not authorized under CA governing documents to sell it. Moreover, she sold his property (estimated by a knowledgeable Board member to be worth \$100,000 to \$300,000) without even getting an appraisal. When asked why she did this, she said that she didn't want to "gouge" the buyer, which was one of the largest real estate companies in the U.S. Guess whose interests CA was protecting in this instance.

The real purpose of CA's attempted subversion of the residents' protections is based on CA's refusal to disclose the annual compensation of all of its employees, as required by the Consumer Protection Act. Therefore, Tom Scott filed a complaint with the Attorney General of Maryland. The Attorney General's office persuaded CA to agree to release that

information, which, so far as I know, has not been done. Apparently, CA is attempting to wiggle out of its agreement and its statutory obligations by getting the law changed. It seems that there must be something about those salaries which CA doesn't want the residents to know.

Please contact your Maryland senators and delegates, your CA representative and your village boards to protest this attempt to nullify the consumer protection legislation which you presently enjoy.

Barry Blyveis

Columbia