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January 22, 2020

Committee on Local Government and Municipal Finance  
Representatives Lower, Marino, Crawford, Calley,  
Howell, Eisen, Markkanen, Paquette, Ellison, Sowerby,  
Garza, Hope, Kuppa

**Re: HB 5260**

Dear Representatives:

As an attorney who has represented condominium and homeowners associations for over 40 years, **I am writing in support of HB 5260 and advising that it should be expanded to include a reference to homeowners associations and their recorded declarations of restrictions.** Homeowners associations are legally distinct from condominium associations in Michigan, even though they share many similarities. But they are no less deserving of the relief provided by HB 5260.


Just like condominium associations, homeowners associations depend on everyone paying their annual assessments in order for the association to function. Also, the character of the neighborhood is supported by the architectural restrictions and other restrictions in the recorded documents. If individuals are allowed to withdraw their property from the association by selling it without a reference to the condominium's master deed or homeowners association's declaration, it would be greatly unfair to the rest of the people in the association that depend on the enforceability of the documents and who made their purchase with the understanding that no one person would be able to unilaterally withdraw their property.

Homeowners associations face the same problem as condominiums with respect to the approaching deadline of March 29, 2021, the last day to record a claim of interest for associations that are more than 40 years old (pursuant to 2018 PA 572). Not every association will be aware of this deadline, and as it stands, many will be surprised by new owners claiming their residence is no longer part of the association. If not fixed, this problem is also certain to cause litigation. That's why we support HB 5260 on behalf of our community association clients and would like to see it expanded to include homeowners associations as well.

Please contact me if you have any questions about this issue.

Very truly yours,

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Robert M. Meisner

RMM/MAP