

Opposition to House Bill 3746: Protecting Homeowners' Rights to Remedy Construction Defects

Dear Chair Representative Pam Marsh, Vice-Chairs Representative Tom Andersen and Representative Vikki Breese-Iverson, and Members of the Housing and Houseless Committee,

My name is Cathi Sleight and I'm writing on behalf of Vote HOA Now to express our opposition to House Bill 3746. House Bill 3746 would not only place unreasonable restrictions on the ability of homeowners and community associations to address construction defects but also burdens communities that are already challenged by the logistics of managing collective decision-making and requiring a supermajority to take action. Community associations are often made up of diverse groups of residents, including absentee owners, renters, and those with limited ability to respond to official communications by mail.

In 2007, when Oregon enacted its electronic voting statute, we initially viewed it as a significant opportunity for progress in our current voting structure. However, the reality has been that it has taken years for our community board members and property owners to fully embrace this evolving technology. In our view, the requirement of a 50% majority vote within 60 days is highly likely to result in failure, as paper ballots remain the predominant tool in the industry. Currently, many owners are not engaging with the voting process, which ultimately leads to a no vote.

However, when electronic voting is introduced, we have observed a minimum of 30% participation during the initial vote, with increased engagement as communities become more familiar with the system and build trust in the process. Our data indicates that achieving a 50% majority through traditional methods typically takes between 90 to 180 days or longer.

We respectfully urge you to oppose HB-3746 as it will place unreasonable restrictions on the ability of HOA and Condominiums to address construction defects, especially when combined with the obstacles of securing a supermajority vote within an unrealistic timeframe.

We appreciate your attention to this matter and would welcome the opportunity to further discuss our concerns. Thank you for your time and consideration.

Sincerely,
Cathi Sleight
Vote HOA Now