

## HB 3746 - PLEASE help homeowners - opposition testimony

Dear Chair Pham, Vice-Chair Anderson, and Committee Members,

I was saddened that I had registered to testify at the April 2<sup>nd</sup> and 9th house meetings, but I was not called upon. I am deeply disappointed that HB 3746 passed the house, but I am hoping that you will please take the time to look at this Bill closely from the perspective of existing condominium associations as I feel the focus that is being set before our legislators is only on new developments which of course we ALL understand are needed in our State.

As one of five board members overseeing Tanasbrook Association of Unit Owners (TAUO), an association of 340 condo units across 54 acres in Beaverton, we carry significant fiduciary responsibilities. HB 3746 currently before you directly affects homeowners like us. We are volunteers managing what amounts to a small city—one handed over to board members by developers who walk away, or rather, run away. Without proper legal protections and support from our State, cities and counties, our associations are vulnerable to predatory practices. Clear, enforceable laws are crucial to safeguarding the integrity of our communities and ensuring that responsible governance remains possible.

HB 3746 would impose significant hardships on our community. TAUO, built in the 1970s, has faced numerous instances of deficient workmanship over the years, yet the burden of addressing these issues consistently falls on homeowners. This is unjust—contractors must be held accountable for their work. A six-year limitation is simply insufficient for communities to identify defects and take necessary action. Many construction deficiencies only become apparent after years of wear and seasonal changes, leaving homeowners with no recourse when problems surface beyond this arbitrary cutoff

Although I understand the importance of developing new affordable housing and giving benefits to developers and contractors, this Bill would have a profound impact on existing associations like mine where we are facing many challenges with maintenance, upkeep, and needed capital improvements which all require contractors. Our community cannot afford special assessments, and yet they are before us. This bill has an unintended consequence: existing associations, which provide housing for hundreds of thousands of people, would have no recourse against contractors who perform substandard work. This doesn't just affect new construction—it impacts older communities like TAUO, built in the 1970s, 1980s, 1990s, and beyond. These communities require assurances and protections to maintain their properties properly, ensuring long-term sustainability and affordability for homeowners. Without adequate safeguards, associations and homeowners will bear the financial burden of correcting deficiencies caused by contractors, making responsible community management even more challenging.

This Bill is requiring communities to do water intrusion inspections. Rather than shifting inspection costs onto homeowners, contractors should be required to stand behind their work. A more reasonable approach would be for contractors themselves to conduct inspections, ensuring the association that their work is done properly and it is guaranteed for unforeseen defects.

We are hardworking people who pay dues every month. Financial burdens on associations and homeowners are excessive. Our Association cannot rely on the city to fix our fire hydrants (TAUO has 13 to maintain or replace; I just learned a new fire hydrant can cost \$12,000-\$15,000), remove fallen trees and fix the damages on our community (we have over 600 trees on our property), sewers, repair/maintain pathways and streets...and in our case, unit envelopes (siding, roofs, etc.). If we discover faulty construction work after six years, homeowners are left to bear the financial burden. This makes existing housing less affordable.

The amendment to remove the voting requirement was a step in the right direction, as it would have forced TAUO to secure 171 yes votes—an impossible task—before holding a contractor accountable. The inclusion of such a requirement in the original bill is unfathomable and highlights the need for legislators to understand the realities faced by homeowners. We are not big developers or contractors with deep pockets and lobbyists. We are not a City Council with administrators, we are simply homeowners—your constituents—trying to create thriving communities. We rely on you to protect us from legislation that negatively impacts our ability to govern and maintain our neighborhoods. **We are volunteers!**

I urge you not to allow HB 3746 to proceed.

Thank you for your time and attention.

Sincerely,  
Marietta Malm – Homeowner in a Beaverton Community Association and Board Director at Large, Tanasbrook Association of Unit Owners