



Policy Positions – October 2015

1. **Department of Labor Overtime Rules are Unworkable**– The proposed over-time rules, which alters the white collar exemptions under the Fair Labor Standards Act, includes an unprecedented increase of over 100 percent to the minimum salary threshold (from \$455 per week to \$970), resulting in greatly limited workplace flexibility and increased labor costs for businesses across the country.

If implemented, the rule will have a negative impact on community association management companies, the small businesses throughout the country offering management and administrative support to homeowner associations and condominiums. There are 65 million people living in community associations. The burden of these regulations on small businesses will increase expenses on residents living in community associations.

2. **Oppose Amateur Radio Parity Act – H.R. 1301 and S. 1685.** The legislation requires the Federal Communications Commission (FCC) to amend its regulations such that prohibits application to amateur service communications of any private land use restriction, including a restrictive covenant, that
 - precludes ham radio communications;
 - fails to reasonably accommodate ham radio communications; or
 - does not constitute the minimum practicable restriction on such communications to accomplish the legitimate purpose of the private entity seeking to enforce such restriction.

The FCC has interpreted reasonable accommodation as to not require prior approval. The relationship between the community and the homeowner is a private land-use contract. Moving into the community may require prior approval, and reasonable aesthetic and safety restrictions for installation of a ham radio tower or antenna. To remove the prior approval and architectural review process poses a threat to all of the other residents living in the community.

3. **Support H.R. 3700 Housing Opportunity through Modernization Act.** CAI members support the components of the legislation specific to the changes to the Federal Housing Administration's (FHA) condominium certification project regulations that will create a longer certification period and common sense approaches to reducing the burden and expenses related to recertification.
4. **Support and Co-Sponsor Federal Emergency Management Assistance Bill:** Representative Steve Israel (NY) is seeking co-sponsors for a bill he will introduce this week. The bill amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide assistance for common interest communities, condominiums, and housing cooperatives damaged by a major disaster, and for other purposes.



As the conduit for federal disaster relief and recovery resources to households and communities, FEMA has failed to adapt its programs to the changing patterns of community development and consumer housing preference. Community association housing is one of the fastest growing forms of home ownership. Across the nation, close to 70 million people live in a condominium, housing cooperative or homeowners association. FEMA's failure to adapt to this shift in housing preference has left a significant gap in federal disaster response and recovery programs. Like other homeowners, community association residents protect their homes by purchasing insurance and working with local governments to prepare for natural disasters. Association homeowners also support disaster response and recovery assistance through local, state and federal taxes. However, when disaster strikes, these taxpayers are told their community does not qualify for disaster assistance.

5. ***Preserve the Financial Stability of America's Communities:*** In 2014, the Federal Housing Finance Agency (FHFA) began a campaign against state statutes that allow community associations to obtain lien priority over first mortgages for unpaid association assessments. FHFA is suing community associations in federal court in Nevada to prevent Fannie Mae and Freddie Mac from being subject to community association lien priority. By asking a federal court to intervene against these community associations, FHFA is attempting to push the cost of maintaining vacant and abandoned homes on community associations and association homeowners. *Protect state statutes that permit lien priority for community associations. Currently, 22 states and the District of Columbia grant priority for community association liens in a foreclosure. These statutes provide some measure of financial stability for community associations impacted by high foreclosure rates, while incentivizing mortgage lenders and servicers to complete foreclosures on vacant or abandoned homes.*

Contact the Senate Banking Committee or House Financial Services Committee leadership and ask them to hold a hearing with FHFA to inquire on their activity to protect mortgage servicers at the expense of everyday Americans.

About Community Associations Institute (CAI)

CAI is an international membership organization dedicated to building better communities. With more than 33,500 members, CAI works in partnership with 60 chapters to provide information, education and resources to the homeowner volunteers who govern communities and the professionals who support them. CAI members include association board members and other homeowner leaders, community managers, association management firms and other professionals who provide products and services to associations.

CAI believes homeowner and condominium associations should strive to exceed the expectations of their residents. We work toward this goal by identifying and meeting the evolving needs of the professionals and volunteers who serve associations, by being a trusted forum for the collaborative exchange of knowledge and information, and by helping our members learn, achieve and excel. Our mission is to inspire professionalism, effective leadership and responsible citizenship—ideals reflected in associations that are preferred places to call home.