



The **CIHC** (Common Interest Homeowners Coalition) and its many supporters have long awaited legislation that will equalize rights for owners and to see the effects of the enforcement of PREDFDA and the NJ Condo Act. The **CIHC** was created by a number of abused owners who attended the Assembly Task Force hearings on problems in New Jersey's CICs. From this beginning, the CIHC is an advocate for ALL New Jersey's CIC (common interest community) owners. We also support a different and strong state agency that will in fact enforce the statutes created to protect owners in CICs.

Of the many issues that need addressing none is more important than reinforcing the rights of self-governance that owners in NJ's planned CICs were led to believe exist under current state statutes. But, unfortunately, all too often these rights have not been recognized by the governing Boards and their hired professionals who manage these associations; or more sadly, by the courts when they are called upon to remedy the conflicts. Additionally, the rights and duties of the owners and the Boards have not been defined for these legislatively created communities. It should be noted that the volunteer Boards are NOT required to be trained, so their "performance" suffers, as is to be expected.

NJ's CIC owners need their basic core rights of "ownership" as homeowners living in NJ's CICs to be literally "spelled out", if people are to continue to have confidence in buying in NJ's CICs. This must be addressed now. Owners must know what they are entering into when they buy into a CIC. First and foremost is that they become an active part of governing the community. They MUST participate.

Most important is that the volunteer Board's need training and accountability for their actions in the performance of their "governing" duties. This includes some legal procedures, accounting principles and ethics knowledge. A very dangerous factor is that many untrained Board members rely upon the Association's paid professionals (Property Managers and Accountant and Lawyers). Many Boards surrender their fiduciary duties to these professionals because of their lack of knowledge or because it is easier. This of course is fine by the "hired help", as they can run the community the way they want.

The accountability for these "quasi-governmental" entities should come from the owners, first; and then the State as needed. Sadly, NONE of this happens. From the many phone calls the CIHC receives, most Owners are apathetic, and those owners who do care are left "twisting in the wind" by the State agency charged by the legislature to help and protect them. (Refer to the 2005 SCI report "The Good, the Bad and the Ugly in Home Construction in NJ", page 20 etc.; and the Assembly Task Force Report of 1997 with its 37 recommendations.)

NOTE: the CIHC with several attorney friends has drafted an *omnibus* CIC Bill for this legislative session. It is NOT a re-hash of old Bills. This Bill is very original in its approach to solving the problems in NJ's CIC communities. It ties in very well within the existing regulatory framework. It also compliments and supports the Bills already posted this session. The Bill is currently with a legislator and we are waiting for its introduction. We hope this Bill will be passed so that NJ CIC owners will feel they have recourse and State help to solve their CIC problems.