
Taming the beast that is HOA- reference SB 121

1 message

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To: Dina.Neal@sen.state.nv.us

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Dear Senator Neal;

Thank you for your continued willingness to speak for the "average guy," as you demonstrated in the SB 121 hearing today. While I have reservations with the current legislative approach to managing Homeowners Associations (HOAs), to include some provisions of SB 121, as it appears do you, I commend your willingness to advocate for owner solutions in the face of inaction.

For many years, I have been concerned by the clear lack of interest and negative attitudes of lawmakers towards HOA legislation. I understand the reluctance to address HOA issues. It is why I have formed the Coalition. There exists a clear need. This session's hearing on SB 121 highlighted this with unfortunate dismissive statements- by many lawmakers. The disdain shown for HOA bills is quite disheartening. Importantly, lawmaker disdain will not tame the beast which is HOAs- just the opposite.

I respectfully suggest a major aid to the current and sure to be future legislative struggles already exists within the framework established by your predecessors- SB 392 (2019). But, it has been "overlooked", arguably intentionally sidelined by administrators.

SB 392 (2019) created the Common-Interest Community (CIC) Task Force. It was a "compromise" to a long effort by then Senator Woodhouse to institute an independent Ombudsman for HOA owners. The bill empowered the Director of the Department of Business and Industry (B&I) to form a group to examine concerns within Nevada's common-interest communities and propose beneficial legislation (quote from NRED's website). The Task Force convened twice in 2020 over two months, albeit lacking appropriate representation of the major stakeholder- homeowners. It has since become dormant, which I believe may be due to industry influence.

Dr. Sanchez (Director of Business & Industry) initially sought to eliminate the Task Force in SB 78(2025). He did so despite having never chaired the committee or called it to function in his over 18 month tenure. I engaged Dr Sanchez on the Task Force' future. He has since removed the Task Force from SB 78 and committed to its" reconstitution". But the crucial question is what form this reconstitution will take- in particular stakeholder representation- and when this will occur.

It appears the industry, who benefits from their lobbying power in shaping HOA legislation and arguably a captured regulator in NRED, have preferred the Task Force to remain ineffective, a stance that I suspect has not changed.

In my opinion, truly addressing the challenges posed by HOAs can only be achieved if lawmakers insist that the CIC Task Force operate as originally intended. This requires regular, recurring meetings with homeowner stakeholders actively involved and it be open to public participation. The Task Force could then provide thoroughly reviewed and prioritized bill proposals for lawmaker consideration every biennium- if not solved in the entern by regulatory action. It could be a major step in taming the beast. It is the only one I see viable. I hope you agree and will work with me on a road forward.

Sincerely,

Mike Kosor

Founder, Nevada HOA Reform Coalition

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