

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE RESOLUTION 1695

Sponsors: Representatives Ray, Weiss (Primary Sponsors); Alexander, Barnhart, and Carney.

Referred to: Rules, Calendar, and Operations of the House.

April 19, 2007

1 A HOUSE RESOLUTION ESTABLISHING THE HOUSE SELECT COMMITTEE
2 ON HOMEOWNER ASSOCIATIONS.

3 Whereas, during the 2005 General Assembly, S.L. 2005-422 was enacted;
4 and

5 Whereas, this legislation amended the North Carolina Planned Community
6 Act and the North Carolina Condominium Act to provide for greater protections and
7 participation by homeowners in the governance of their homeowner associations; and

8 Whereas, the changes in S.L. 2005-422 included caps on the charge for late
9 payment of assessments, caps on attorneys' fees in uncontested actions for the collection
10 and the enforcement of a lien for dues or assessments, reduction in the maximum daily
11 fine for violations of the covenants or the rules of the association adopted pursuant to
12 the authority of the covenants, notice to a homeowner before attorneys' fees and court
13 costs can be assessed in an enforcement action for the nonpayment of assessments or for
14 other violations, modification of the foreclosure process used against the homeowner in
15 certain situations, prohibiting an association from assessing certain fees against the
16 homeowner unless expressly allowed in the declaration, requiring executive boards to
17 provide owners an opportunity to attend and speak at meetings, and requiring
18 associations to maintain detailed records and to give owners access to these records; and

19 Whereas, the House of Representatives desires to create a select committee as
20 there are still significant issues that need to be addressed concerning the protection and
21 participation of homeowners in the governance of their homeowner associations,
22 particularly as to assessments and record keeping of the associations; and

23 Whereas, House Rule 26(a) allows the House, by resolution, to establish
24 select committees; Now, therefore,

25 Be it resolved by the House of Representatives:

26 **SECTION 1.** The House Select Committee on Homeowner Associations is
27 created. The Select Committee shall consist of the number of members appointed by
28 the Speaker. The Speaker shall issue a charge to the Select Committee and provide for
29 its meetings during the 2007 Regular Session and during the interims in 2007 and 2008.

1 The Select Committee may submit an interim report, including any proposed legislation,
2 on or before May 1, 2008, and shall submit a final report on the results of its study not
3 later than December 31, 2008.

4 **SECTION 2.** This resolution is effective upon adoption.