

Utah LAC's Legislative Kick Off:

The members of CAI's Utah Legislative Action Committee (UT-LAC) kicked off the 2010 legislative session at the State Capitol on Friday, January 15. The more than 70 attendees were briefed on CAI's priorities in the current session which include passage of the Uniform Common Interest Ownership Act (UCIOA) and amending or blocking legislation which would ban transfer fees charged by associations.

The UCIOA bill has been a priority for the LAC for the past few sessions. UCIOA legislation provides a modern legal infrastructure to deal with a host of issues within a community association. Transitions, developer rights, board obligations and homeowners' rights are all addressed in the act. Adopting more clear statutory standards that outline all parties' rights and responsibilities within a community association clarifies expectations and promotes good governance. To assist the LAC with its efforts to pass this legislation, the UT-LAC was presented with a \$3,000 grant from CAI's Issues Advancement Fund (IAF). The IAF supports efforts by state LACs to pass legislation that benefits all CAI members.

In addition to the UCIOA legislation, the LAC will be contending with pending legislation which would ban all transfer fees associated with deed restrictions. This issue has emerged as some landowners and others are recording deed restrictions that require a payment to be made to a group or individual each time the property is sold. As the payment often goes to an entity with no current connection to the land, such transfer fees are controversial. In addition, legislation attempting to address this issue will sometimes inadvertently impact an association or a management company's ability to charge reasonable fees for the production of resale certificates. The LAC is working to ensure that any ban on such fees does not impact associations on this issue.