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Good afternoon, Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski and Members of the House Civil Justice Committee. Thank you for allowing me to give testimony today in support of SB 61.

My name is Darcy Mehling Good. Professionally, I am an attorney and have dedicated my entire 24+ year career to representing Ohio's condominium and homeowner associations. I am also a member of the Community Associations Institute and have been an active member of its Legislative Action Committee since 2008. The Community Associations Institute (CAI) is a national organization that works for the betterment of community associations through its local chapters, including 3 in Ohio, and, through it, the LAC promotes legislation to improve Ohio's condominium and homeowner associations. Last, but certainly not least, I was an owner and resident in a condominium association, serving as Board Secretary for 6 years.

On behalf of the Ohio Legislative Action Committee for CAI and from my personal and professional experiences, I am here today to voice my support for Senate Bill 61, for which I appreciate the opportunity to collaborate with Sen. Blessing and his staff to produce. Since relaying the strong objections community associations had with the original bill regarding solar panels during our initial meeting almost three years ago, I feel we were able to produce a compromise that addresses the concerns of his constituents regarding solar panel installations while still protecting the associations' ability to govern the common elements, such as roadways and roofs, which are literally owned in common and benefit all owners. Still, my primary purpose for offering my testimony in support of the bill is due to the significant updates to ORC 5311 and 5312 that we believe will clarify and improve a number of operational issues that have challenged condominium and homeowner associations, owners, and residents.

In short, SB 61 strengthens a number of provisions by:

- permitting associations to send and receive official notices, via electronic communications, regarding meetings, violations, and enforcement proceedings to owners, who have authorized its use;
- prohibiting a majority of the board to be represented by owners of the same unit or lot;
- recognizing an association's ability to preserve and protect its owners' property values by engaging in civil discourse regarding zoning and similar issues;
- balancing owners' right to inspect association records with the duty to protect privacy rights of individual owners;
- clarifying the requirements for associations to budget and fund reserves to better reduce, if not eliminate, the need to levy special assessments against owners; and
- protecting members' "wallets" by requiring associations to carry fidelity insurance against loss of theft of the associations' funds and establishing a continuing lien for condominiums as has been law for homeowner associations since 2010 to ensure that liens for past assessments also secure ongoing fees that remain unpaid. As associations build their reserves so to comply with the law for Ohio's condominiums and homeowner associations in effect 2004 and 2010, respectively, it is paramount that the funds be properly insured against loss or theft and SB 61 achieves that.

And, with respect to this committee's focus, this bill would enable boards to more easily delete as void restrictions or covenants, if any, that may have been incorporated into older, misguided documents, that are based on race, color, national origin, sex, religion or familial status. While such discriminatory language has likely been long ignored, it is important to fully excise it from the community's governing documents to better promote inclusivity within the neighborhood.

In the previous General Assembly, this bill's predecessor, SB 289, passed unanimously out of committee and from the Senate Floor and we were pleased to also experience overwhelming support in the Senate this year and hope for similar support here in the House.

Thank you, again, Chair Hillyer and Members of the Committee, for your consideration of SB 61 and this opportunity to speak in support of it. At this time, I am happy to entertain any questions from the committee.