

Proponent Testimony of Tristan Rader on Ohio Senate Bill 61

Ohio Program Director

Solar United Neighbors

Ohio Senate Local Government and Elections Committee

March 31st, 2021

Chair Gavarone, Ranking Member Maharath, and members of the Ohio Senate Local Government and Elections Committee, thank you for the opportunity to appear before you today to offer proponent testimony on Senate Bill 61 (SB 61).

My name is Tristan Rader, and I am the Director at Solar United Neighbors of Ohio, a non-profit organization representing thousands of solar homeowners. Solar United Neighbors helps people go solar and fight for their energy rights. We believe that everyone, regardless of where they live, should be able to make their own energy choices and invest in a solar power system.

Unfortunately, many Ohioans are unable to go solar because they live in homeowner associations (or HOAs) that prohibit or set *unreasonable restrictions* to prevent HOA residents from installing solar on their own property. As a result, these Ohio property owners have been denied the opportunity to reduce and control their energy costs.

The scale of this problem is worth noting. According to the Community Association Institute, in 2016 there were nearly 1.7 million Ohioans living in 8,400 homeowner associations or HOAs in Ohio.

We believe that HOAs should not be able to deny homeowners their rights to use solar to reduce energy bills; to have reliable backup power in the case of a grid outage; and to increase their home's value. HOA limitations also cost Ohio-based solar businesses and local communities in economic development.

SB 61 addresses this basic infringement on private property rights by stating that "Unless specifically prohibited in the declaration, any owner of a solar appropriate unit may install a solar energy collection device on the roof..." The bill also preserves the rights of HOAs to establish *reasonable* restrictions concerning the size, place, and manner of placement of solar panels on association members' properties (Sec. 5311.192). We appreciate the balanced approach of the bill, but we recommend that the bill be strengthened by defining the term "reasonable restrictions."

Just last year, the Commonwealth of Virginia passed a similar law to protect HOA resident's solar rights. That law specified that: "A restriction shall be unreasonable if it decreases the efficiency or specified performance of the proposed solar energy collection device by more than 10% or increases the cost of the device by more than \$1,000." This definition strikes a fair balance between property-owners' solar rights and HOAs' authority to set reasonable restrictions such as requiring HOA approval, concealing wiring, and other safety matters. We suggest that this definition be included in the final language of SB 61.

On behalf of thousands of our supporters, I urge this committee to protect Ohioan's private property rights and support SB 61.

Thank you.

A handwritten signature in blue ink, appearing to read "Tristan Rader". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Tristan Rader

Ohio Program Director

Solar United Neighbors

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