STUDY COMMITTEE ON HOMEOWNERS ASSOCIATIONS

LEGISLATIVE MEMBERS

(APPOINTED BY SENATOR LARRY A. MARTIN, CHAIRMAN, SENATE JUDICIARY COMMITTEE) Senator Luke A. Rankin, District 33, Horry County Senator Keven L. Johnson, District 36, Clarendon County

(APPOINTED BY REPRESENTATIVE WILLIAM E. "BILL" SANDIFER, CHAIRMAN, HOUSE LABOR, COMMERCE & INDUSTRY COMMITTEE) Representative F. Michael "Mike" Sottile, District 112, Charleston County Representative Mike Ryhall, District 56, Horry County

INTEREST REPRESENTING MEMBERS

(JOINTLY APPOINTED BY SENATOR L. MARTIN AND REPRESENTATIVE SANDIFER)

Ken Skelly, North Myrtle Beach SC Maraide Sullivan, John Island, SC Shane Ousey, Blythewood, SC *Three property owners who are members of a homeowners association due to owning property in the homeowners association and governed by a homeowners association board*

Dick Unger, Columbia, SC - Attorney who has represented homeowners associations and boards Shaun W. Cranford, Columbia, SC - Attorney who has represented homeowners

W. Press Courtney, Pawleys Island, SC - *Manager favoring certification or licensing* Jud Smith, Columbia, SC - *Manager opposing certification or licensing*

Andy Lee, Seneca, SC - Realtor

William Henry Dill, Myrtle Beach, SC - Home Builder

Carri Grube Lybarker - Administrator, South Carolina Department of Consumer Affairs Richele Taylor - Director, Department of Labor, Licensing and Regulation Designees for Director Taylor:

Dean Grigg, Deputy Director LLR, Professional Licensing Rod Atkinson, Administrator of SC Real Estate Commission

STAFF

Paula G. Benson	Staff, Senate Judiciary Committee
Jamey Goldin	Staff, House Labor, Commerce & Industry Committee
Akemini Isang	Law Clerk, Senate Judiciary Committee
Benjamin Limbaugh	Law Clerk, Senate Judiciary Committee
Claire Voegele	Law Clerk, Senate Judiciary Committee

AUTHORIZATION FOR STUDY COMMITTEE ON HOMEOWNERS ASSOCIATIONS

The Study Committee on Homeowners Associations was established pursuant to Part 1B, § 117.135 of the 2015-2016 Appropriation Act. This proviso created a committee of thirteen appointed members and two ex officio members to review laws, policies, practices, and procedures regarding homeowners associations in this State and other jurisdictions, and to make recommendations to the General Assembly regarding proposals for South Carolina's statutory law.

The study committee was charged to review information, including, but not limited to, case law, statutes, uniform laws, and other information from South Carolina and other jurisdictions concerning homeowners associations. Specifically, the study committee was authorized, but not limited to, reporting on the following issues:

- (1) disclosure of governing documents to prospective buyers;
- (2) education for homeowners and board members;
- (3) manager certification or licensing;
- (4) time period for developer control of an association; and
- (5) need for a comprehensive or uniform planned community act.

The study committee was directed to make a report of its recommendations to the General Assembly by December 31, 2015, at which time the study committee would be dissolved.

STUDY COMMITTEE FINDINGS AND RECOMMENDATIONS

I. <u>Disclosure of Governing Documents to Prospective Buyers</u>

Findings:

Recommendations:

II. Education for Homeowners and Board Members

Findings:

Recommendations:

III. Manager Certification or Licensing

Findings:

Recommendations:

IV. <u>Time Period for Developer Control of an Association</u>

Findings:

Recommendations:

V. <u>Need for a Comprehensive or Uniform Planned Community Act</u>

Findings:

Recommendations:

VI. Additional Recommendations

Findings:

Recommendations: