

Preserving Voter Rights in Homeowner Associations (HOAs)

Whereas, the Legislature and the California courts have established that California's 52,000 homeowner associations (HOAs) are self-governing, quasi-governmental entities with many of the duties and powers of cities and counties, e.g. the power to foreclose, and

Whereas, free and fair elections – VOTING – is vital to the political health of self-governing communities, because VOTING is the means for millions of California HOA owners to choose their leaders and hold them accountable; however, there are ongoing legislative campaigns to take away homeowners' rights to vote in HOA elections or to run for seats on governing HOA boards, and the HOA industry markets such legislative campaigns as "cost-saving" measures when the savings will be negligible, given the fact that most California associations are 25 units or fewer and, therefore, do not incur large costs when conducting elections, and given the fact that existing law [Civil Code §§5100 et seq] lets HOAs use, for example, volunteer poll workers with the County Registrar of Voters to supervise elections, and

Whereas, existing law governing HOA laws removes control of elections from the incumbents but ongoing legislative campaigns by the HOA industry attempt to restore power over elections to incumbents, that is: boards already in power,

Therefore be it resolved, that the Riverside County Democratic Party stands against any effort to cancel elections together with the sitting board's power to set qualifications for voting and for running for office since this is a lethal combination as it will permit the board to eliminate any challenge to the status quo by first disqualifying a dissenting candidate, then avoiding public exposure by cancelling the election, and

Be it further resolved, that a copy of this resolution will be sent to the California Democratic Party, Governor Brown, Pro-Tem Kevin De Leon and Speaker Anthony Rendon, Insurance Commissioner Dave Jones and Assemblymember Jacqui Irwin.

Author: Agi Kessler, AD 56

Passed by RCDCC 4/10/17