

House of Representatives
Session of 2021 - 2022 Regular Session
MEMORANDUM

Posted: June 16, 2021 10:00 AM
From: [Representative Rosemary M. Brown](#)
To: All House members
Subject: Common Interest Ownership Community (CIOC) Resident Protection Enhancement

In the near future I plan to introduce legislation that amends Title 68 to provide that procedures for amendments to a Common Interest Ownership Community (CIOC) bylaws must follow the same fair and open requirements as amendments for declarations, and to strengthen board elections **by integrating an independent reviewer into the election process**. In simplest terms, my bill states that a CIOC must have the approval of a majority of its unit owners to amend the community's bylaws. Currently, the law contains no requirements for amendments to bylaws. This is extremely problematic as some CIOC boards amend bylaws without obtaining important input and opinions from the unit owners.

The bill will also include provisions to require unit owners in a community larger than 25 units, **to provide their ballot to an independent third party for board elections, who will then certify results to the community, and all unit owners**. Additionally, my legislation will require communities larger than 25 units to include some sort of "meet the candidates" opportunity during the board election process for unit owners to meet individuals running for board positions, with **equal time provided to each candidate**.

Finally, my legislation will contain provisions that strongly encourage all CIOC communities currently not under the guidelines provided by Title 68 to vote to come under the statute. My legislation will encourage this by making it clear that **any violation of Title 68 or the by-laws and declaration of the community would be considered an unfair trade practice and be reported to the Office of Attorney General**. This will provide a stronger framework for all CIOC communities in Pennsylvania.

This legislation has been the result of our two years of research and discussion to bring more transparency and reliability to CIOC elections. I have heard from many CIOC residents over the years about **a lack of trust, consistency and transparency in their board election process**. I believe this legislation will take a step in the right direction, providing a stronger framework for communities to conduct their elections while maintaining the balance of state government and private community rights.

Please consider joining me in further helping these communities work toward establishing fair practices for their unit owners by co-sponsoring this legislation.