



February 22, 2008

Dear Colleagues, Board Members, Homeowners, and Friends:

We have recently become aware of a Utah senate bill that does incalculable damage to the rights of both homeowners and homeowners' associations. **Senate Bill 220** limits homeowners' and associations' ability to sue for defective construction. In most cases, a homeowner will have no recourse against a builder or developer no matter how poorly or negligently the home was constructed. Although most warranties only last one or two years, many, if not most, construction defects do not appear until many years after the defect has happened. Furthermore, nearly all individual homeowner insurance policies do not cover construction defects. Thus, if this bill passes, a homeowner will likely have to pay to fix the defects him/herself.

We understand that this is complicated. Let me try to summarize what this bill does in one sentence. Bill 220 says is that **if you buy a home that is poorly constructed you, the owner, will almost always be responsible to pay to fix the damage, despite the fact that the damage was clearly caused by the builder's or the developer's negligence.**

Almost weekly, we read an article or see a story in the local news about how another Utah home suffers from settling damage, stucco problems, water intrusion, chipping driveways, or some other construction defect. **These defects frequently cause thousands of dollars of damage to a single home and millions of dollars of damage to a single development.** While current construction law is changing quickly in the direction of holding developers and builders responsible for defects they cause, this bill essentially lets these responsible parties completely off the hook. As you can imagine, developers and construction companies love this bill and are lobbying hard to get it passed.

We need your help to stop these special interests from passing this bill. Please help us and yourselves by contacting your local Utah legislator to urge him to vote against this bill. Time is of the essence. Go to the following website of your legislators to get their contact information.

House members and contact information, by district:

<http://le.utah.gov/house/members2005/membertable1add.asp>

If you do not know which district you are in, you can look at the following map. Clicking on an area of the map will zoom in closer.

<http://le.utah.gov/house/DistrictInfo/NewMaps/State.htm>

Senate members and contact information, by district:

<http://www.utahsenate.org/perl/spage/roster2007.pl>

If you would like to read senate bill 220, you can go here:

[http://se11.utahsenate.org/perl/bb/bb\\_docdisplay.pl?SB0220\\_text%22](http://se11.utahsenate.org/perl/bb/bb_docdisplay.pl?SB0220_text%22)

Sincerely,

**Utah Chapter Community Associations Institute  
Legislative Action Committee**

**SEE NEXT PAGE TWO FOR SUGGESTED LETTER TO YOUR LEGISLATOR**

Dear Representative/Senator [insert name of your representative or senator]:

I am a [insert homeowner/future homeowner/constituent] currently living in [insert your county] County, Utah. I know that Senate bill 220 may soon be coming up for a vote, and I want to urge you to vote against this bill. This bill lets builders and developers off the hook for their negligence in building. I believe this is wrong. I believe that builders and developers should stand by their product and not run from responsibility.

Thank you for reading this email. I will remember your vote on this issue as decide how to vote in the next election.

Sincerely,