

LEGISLATIVE ALERT: HB 1228

A provision in House Bill 1228 will take away an affordable means of collecting delinquent assessments used by thousands of homeowners associations across the state: deferred billing of collection fees charged by collection companies and attorneys.

This bill had last minute changes accepted that will force HOAs to pay up front simply to benefit attorneys and make sure they are guaranteed to be paid quickly. This was written into this bill by HOA attorneys for their own benefit and to eliminate their competitors that offer less expensive deferred billing. **THIS WILL DRAIN YOUR HOA'S FINANCES AND COST ALL OWNERS MORE MONEY!**

HB 1228- Dutton

Although this bill has good provisions such as payment plan guidelines for owners needing alternate payment schedules, the matter of eliminating deferred billing is a significant problem that will cost Homeowners Associations, Condo Associations and you, the homeowner, huge sums of money. It is not the place of the State to determine how an Association can arrange to pay for the services it requires. Unfortunately, Governor Perry does not have a line item veto, so the entire bill must be vetoed. Please call Governor Rick Perry and ask him to veto this bill!

WHAT YOU CAN DO ABOUT IT

We ask that after reading this you contact Governor Rick Perry. Make sure you let the person you talk with know that you live in a homeowners association and that you would like his/her help to **make sure HB 1228 is vetoed!** HB 1228 needs to be stopped to keep your dues from increasing! Please take a few minutes to do this. It will make a difference!

MAKING THE CALL

Calling The Governor's office is a simple, short process. Normally you will be referred to the staff member who is in charge of that topic for the Governor. During the conversation with his staff try not to appear "scripted". An example of what to say is below:

"Hi, my name is _____. I am a homeowner in the _____ Homeowners Association. I am calling about House Bill 1228 and I want to make sure that Governor Perry knows that taking away contingency billing will cost our associations more money. This was written into this bill by HOA attorneys for their own benefit and to eliminate their competitors that offer less expensive deferred billing. I am asking that you veto this bill and fix it during the special session! I understand the intent of this bill and support that – however we need this portion fixed."

Please do not read the script above when you call the Governor; it will have no effect if everyone calls saying exactly the same thing in exactly the same way.

If the Governor's aide asks you a question that you don't know the answer to (they rarely ask you questions – they usually just write down your comments) simply tell them that you are not familiar with all of the various aspects of this but that you wanted to call and voice your concern and ask for their help. Just let them know that this bill in its current form will increase your dues and that you and those in your neighborhood do not want that to happen. Stress to them that you need the Governor's help to veto HB 1228 so that a new draft can be written during the special session.

PLEASE THANK THE PERSON FOR LISTENING TO YOUR CONCERNS.

CONTACT INFORMATION:

Thank you so much for taking time to call. Please make sure to be courteous and pleasant during the conversation.
Your call does make a difference!

Governor Perry's Contact Information:

Office of the Governor
State Insurance Building
1100 San Jacinto
Austin, Texas 78701

- Office: (512) 463-2000
- Fax: (512) 463-1849
- Email: <http://governor.state.tx.us/contact/assistance.aspx>