

From: Catherine McNicoll <CatherineMcNicoll@scstatehouse.gov>  
To: Danny Varat <DannyVarat@scstatehouse.gov>  
Date: 10/24/2017 12:59:11 PM  
Subject: RE: HOA

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#### Bill Summary

##### Section 1:

H. 3886 requires governing documents of an HOA be recorded in the clerk of courts or register of deeds office in the county where the property is located. Subjects all HOAs to the access to document provisions of the SC Nonprofit Corporation Act. Requires 48 hours advanced notice to homeowners of an HOA meeting where they may take action to increase the annual budget. Gives the magistrate court jurisdiction over monetary disputes under this act.

Creates the Office of the HOA Ombudsman under the Department of Consumer Affairs (DCA) and outlines the powers and duties of that office. The Director of the DCA is to appoint the Ombudsman. Neither the DCA, the director, nor the ombudsman may charge a fee to an association, declarant, or builder to fund the office.

##### Section 2:

Amends 27-50-40(a) to require that items regarding HOAs be added to the real property disclosure that a seller must provide a buyer.

##### Purpose:

Address the notice and transparency challenges that homeowners currently experience when dealing with HOAs and provide avenues to pursue relief.

*Best Regards,*  
*Catherine McNicoll*  
*Director of Legal & Legislative Affairs*  
*Lieutenant Governor's Office*  
*CatherineMcNicoll@SCStatehouse.gov*  
*803-734-5292 (phone)*

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From: Danny Varat  
Sent: Tuesday, October 24, 2017 12:18 PM  
To: Catherine McNicoll  
Subject: Re: HOA

Just a synopsis of the bill and what it addresses

Sent using OWA for iPhone

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From: Catherine McNicoll  
Sent: Tuesday, October 24, 2017 12:16:28 PM  
To: Danny Varat  
Subject: RE: HOA

So what I've been able to figure out, and I called Paula Benson (she handles HOA for Judiciary) to confirm, is that Rep. Pope have not sponsored a bill relating to HOAs. However H. 3886 does provide HOA reform and has some traction. Can you get clarity on what the question is please.

*Best Regards,*  
*Catherine McNicoll*  
*Director of Legal & Legislative Affairs*  
*Lieutenant Governor's Office*  
*CatherineMcNicoll@SCStatehouse.gov*

*803-734-5292 (phone)*

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From: Danny Varat  
Sent: Monday, October 23, 2017 8:05 AM  
To: Catherine McNicoll <[CatherineMcNicoll@scstatehouse.gov](mailto:CatherineMcNicoll@scstatehouse.gov)>  
Subject: HOA

Can you get me an opinion on a homeowners association bill sponsored by Tommy Pope? Had another question about that today and need to form an opinion and post on Facebooks

Kevin  
Sent from my iPhone

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