

Group	Principle	Priority	Impact	Topic	Bill Segment	Recommendation	Detail/Notes--WILL NOT APPEAR IN REPORT; for reference while reviewing
1	Reasonableness, Fairness, Transparency		High	Governance	General	Establish a clear "Reasonableness and justifiable standard" (legal) for Boards and Property Management Decisions	Suggested by Chair Bahner, Vice Chair Lucero, Member Cole - Add clarity to the term "reasonable" in the statute (e.g. "reasonable fees"). (Can we look to existing statute for the do's/don'ts of what may be charged by landlords, i.e., what is permissible? A schedule of fees? Timelines? Requirements on interest charged on fees? And potential caps on the fees?). Creating standards would require funding for the purpose of creating best practices/standards. Creating minimum standards/recommended standards around education is high impact. Need to put a definition around "Reasonable"--pose this question to the larger group? Use "justifiable" instead of reasonable?"
1	Fairness		High	Governance	General	Provide clear and reasonable guidelines for when a HOA must not be created or an alternative structure to oversee common maintenance, or elements (elder community)	Consider limits for the number of units required to qualify for an HOA and standard criteria
1	Transparency		High	Governance	Documents	Make unenforced covenants "automatically" revoked unless HOAs collectively renew them at annual meetings.	Suggested by Member Murray. If there is a rule that is not being enforced, don't let it lay dormant to be selectively applied.

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1	Reasonableness		High	Governance	Freedoms - Misc	Set Limitations on practices dictating single family homes (e.g., solar panels, pollinator garden, not barring home businesses, not barring work vehicles parked in driveways)	<p>Suggested by Member Young Kimball. Chair Bahner: Bill introduced in 2023 will likely return in 2024 re: solar panels, home businesses. Sustainability (related to solar panels). Having clear and reasonable dissolution standards for a) HOAs with shared property and b) HOAs of single family homes without common interest.</p> <p>Member Borden: This could be solved by putting guidelines in place with the development of the single family association and not allowing developers to draft declarations and rules and regulations over what the owner's do on their property. It starts with the development of the association.</p> <p>Member Green: Explore other options for these developers and cities that don't involve creation of an HOA that doesn't fit well and that people don't want to be in.</p>
1	Transparency		High	Governance	Open Meetings / Documents	Require Boards and Property Managers must provide an Open Forum in Open Meetings for homeowner questions and right to see governing documents (without fines/fees) and notice is required re: HOA board meetings at a designated time and place.	<p>Suggested by Chair Bahner. Open meeting law in 317.A does apply to all nonprofit organizations, meaning that HOA board meetings have to be open to all members. Open meeting law--does a notice need to go out about the HOA board meeting? Add clarification on the notification re: board meetings to all members (and certain period of time when notice must be given).</p>
1	Transparency, Legal Parity		High	Governance	Legal Parity	Remove M.S. 515b governance over housing cooperatives, allowing for M.S. 308c governance.	<p>Member Hanson addition. The Minnesota Legislature passed in 2024 legislation establishing an incorporation and governance statute for housing cooperatives (308c). However, currently in cases of conflict between 308c and 515b, 515b rules. As has been discussed, 515b conflicts with operational requirements of housing cooperatives. As such, housing cooperatives should be governed by a statute that is intended for their unique structure, rather than a statute (515b) that focuses on traditional HOAs/CICs.</p>

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1	Transparency, Fairness			Governance	Board Elections	Prohibit HOA boards from determining “qualifications” of a homeowner to sit on a board committee.	Member Taylor addition
1	Transparency, Fairness			Governance	Board Elections	Board committee chairs should be voted on by committee members, not designated by board members.	Member Taylor addition
1	Fairness			Governance	Board Elections	Board members who are removed from the board should not be allowed to be re-appointed by sitting board members during interim vacancies.	Member Taylor addition
1	Fairness			Governance	Board Elections	Board members who willfully violate MN law and governing documents should face the same escalating fines and fee schedules and potential loss of privileges as homeowners. This can be imposed by ombudsman or a majority of homeowners.	Member Taylor addition - May be punitive and unclear how it may be enforced.
1	Fairness, Reasonableness			Governance	Boards	Limit blanket rulemaking authority and provide opportunities for homeowner repeal of board action.	Member Taylor addition
1	Transparency			Governance	Boards	Codify MN HOA Board Leadership Organization	
1	Transparency			Governance	Boards	Clarify roles and responsibilities and expectations for board members as a part of statute (best practices)	Member Cole, Chair Bahner Example of law firm/management company restricting communication between Member Cole and HOA board. This recommendation is not framed as clear as it could be.

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1	Transparency, Fairness			Governance	Boards	Board members who are removed from the board should be barred from holding a board member position in the future, unless a majority of homeowners vote otherwise.	Member Taylor addition
1	Fairness			Governance	Dissolution	Provide clear and reasonable dissolution standards for associations w/shared property	
1	Reasonableness			Governance	Dissolution	Create reasonable process guidelines to dissolve an HOA when there are single family homes (without common interests).	Suggested by Member Young Kimball. Chair Bahner: Unreasonably high thresholds (e.g., 80% of homeowners and lienholders, such as Wells Fargo)
1	Transparency			Governance	Documents	Require boards to make service contracts available (upon request) or publically posted for members and have attorney general oversight of HOA's because they replicate tenant/landlord dynamics	Suggested by Member Taylor.
1	Clear Communication, Transparency			Governance	Documents	Require Bylaws be written in clear, concise, plain language	ie Board must <do>, Board may not <do>....., HO must <action>..., HO may not <action>...
1	Clear Communication, Transparency			Governance	Documents	Create Standard, By-Law Elements (Best Practices)	May Include Prohibitions, Fee and Fine schedules, Fee and Fine Prohibitions, Dissolution, Open Meeting Policy, Communication Policy (Members to Board and/or Property Management), Foreclosure Process and HO Rights and Responsibilities, COI Policy, Financial Documents and Disclosure Policy (location, access, update schedule, retention policy), Appeals Process (no cost vs cost), Variance Process (Signs, Businesses, play equipment, flags, vehicles, disability acomodations), Disability Policy and Non-Discrimination Policy

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1	Reasonableness, Transparency			Governance	Documents	Create Standard, "Reasonable" Process for Changes to Bylaws (new and existing)	Must have checks and balances for homeowners, notifications, timeframes, open meeting discussion, etc
1	Transparency			Governance	Documents	Provide a Copy of Updated Bylaws	ie publish SOS, make available online (accommodations for disabilities or resources for non-English speakers)
1	Clear Communication			Governance	Documents	Clarify information collection and communication budget that HOAs are asked to come in under (over communication and under communication are both problems)	Suggested by Member Murray
1	Transparency			Governance	Documents	Set Standard list of what needs to be included in CICs/HOAs by laws and gives a full disclosure about the fees ("schedule of fines and fees" for that HOA), in plain language, before homeowners buy the property. How RESPA and CAIOA impact this. Ensure that homeowners understand that if you don't pay your fines and fees, you are subject to foreclosure.	Suggested by Chair Bahner. Still need to talk about realtors providing standard info re: CICs/HOAs. Member Howard: Specific words have specific meanings, so keep this in mind re: plain language in governing docs. Okay to have a separate doc in plain language.
1	Transparency			Governance	Documents	Update statute on providing homeowner documents to state that the failure to provide documents within 20 business days is deemed a denial.	Member Taylor addition
1	Transparency			Governance	Documents	Require homeowners who rent their units provide all HOA governing documents to renters with the lease (may need to be in 504b).	Member Taylor addition

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1	Transparency			Governance	Documents	Provide Homeowner Access to Governing Documents	Formats for reporting at no cost to them, ie websites may not be accessible to srs
1	Clear Communications			Governance	Fines and Fees, Foreclosure	Require HOA Boards and/or Property Management to set a Clear Communication Plan for all Homeowner Communications	Include who is RACI - (Responsible, Accountable, Consulted, Informed) Include reasonable timeline for notification, public comment, voting and decision Include a method for written public comment
1	Transparency			Governance	Freedoms	Prohibit Boards or Property Managers from creating policies that preclude unit owner's from talking to others homeowners	Member M. Anderson--Note: (See generally Ch. 317A.)
1	Reasonableness			Governance	Freedoms	Prohibition from HOAs dictating that HOA members cannot use common areas	Suggested by Member Taylor. ie walk on grass to play ball
1	Fairness, Reasonableness			Governance	Freedoms	Prohibit rules which are illegal and unreasonable. Prohibit bans on use of common areas or unreasonable restrictions.	Member Taylor addition
1	Fairness, Reasonableness			Governance	Freedoms	Prohibit bans on home businesses and the parking of work vehicles.	Member Taylor addition
1	Reasonableness			Governance	Freedoms	Prohibition on banning home businesses and work vehicles	Member Taylor (Note that HOAs have the ability to restrict free speech--more authority than the law)
1	Transparency			Governance	Freedoms	Update the statute to explicitly clarify the purpose of HOAs to facilitate the peaceful enjoyment of people in their homes through cooperation, common buying power of the community, and common maintenance.	Suggested by Member Murray.
1	Fairness, Reasonableness			Governance	Freedoms	Prohibit HOAs from banning signs in limited common areas.	Member Taylor addition

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1	Transparency, Reasonableness			Governance	General	Develop a set of required practices for HOA governance, including more emphasis on collective governance vis-a-vis running HOA board meetings, communications, and weeding out rules that have discriminatory impact	Member Taylor. Use examples from other states re: collective governance and homeowner rights. Chair Bahner: Sponsored legislation in '24 session re: open meeting laws and proxy voting.
1	TBD			Governance	General	Provide protections for staff members serving HOAs/CICs (including vendors and contractors)	Member Zavadsky
1	Reasonableness			Governance	General	Reduce unnecessary bureaucracy and process - Sludge - Excessive or unjustified friction that prevents people from achieving their goals and fulfilling customer commitments (see "Sludge audits" from New Zealand)	Member Murray: New recommendation topic
1	Reasonableness, Transparency			Governance	General	Policies and reasonable governance standards for HOAs -	Member Kimball: New recommendation topic
1	Transparency, Reasonableness, Clear Communication			Governance	General	Require bylaws be written in plain language, with glossary provided for legal language required to be included due to definitions.	Member Taylor addition
1	Transparency			Governance	Licensing and Registration	Require that HOA management companies have someone on staff who is CAI certified. For HOAs without management companies, MN statute should have a standard (modeled off of CAI standards).	Suggested by Member Sen. Pha. New recommendation (in addition to training for HOA board members). "AAMC" is designation for HOA management companies (through CAI). Requirement to have staff at certain certification levels in order to have the AAMC designation with CAI.

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1	Transparency			Governance	Open Meetings	Require homeowner input before a budget passage (or decisions are made)/greater clarity on open meeting statute and on review of budgets. Allowing anyone who would like to serve on board committees. Allow comments and participation re: HOA budget before (not after) decisions are made.	Suggested by Member Taylor. Eliminate practice where board is able to require qualifications for members to participate in committees (e.g., accountant qualification to serve on budget committee). Member Howard: 515B in Statute 3.1151 allows HOAs to build up reserves. Should not remove this ability.
1	Transparency, Clear Communications			Governance	Open Meetings	Establish all HOA Boards must have at a minimum an Annual Meeting, that is open to all members	Must meet at least 1 time per year,
1	Transparency			Governance	Open Meetings	Revise and Strengthen Open Meeting Rules	
1	Transparency			Governance	Open Meetings	Require board meeting agendas with detailed agenda items be provided no less than 7 days prior to a board meeting.	Member Taylor addition
1	Transparency			Governance	Open Meetings	Require all committee meetings be open to all homeowners, with virtual options provided upon request as reasonable accommodation for residents with disabilities.	Member Taylor addition
1	Transparency			Governance	Open Meetings	Mandate that renters must be allowed to attend homeowner meetings as nonvoting participants, since they are obligated to follow HOA rules and regs. Mandate that renters must be able to speak during open forum times.	Member Taylor addition
1	Transparency			Governance	Voting	Require majority homeowner approval to pass annual budget.	Member Taylor addition

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1	Transparency			Governance		Incorporate language into Chapter 515B which provides that if a housing cooperative is organized and operating under a HUD mortgage insurance program pursuant to Sections 213, 207, 223(f), or other section of the National Housing Act, and the regulations or program requirements of that mortgage insurance program conflict with Chapter 515B with respect to the cooperative's organization, operation, or organizational or operating document structure, the HUD provisions shall control.	Member Nemo addition
2	Affordability		High	Financial Interests	Assessments	Allow Housing Improvement Area (HIA) loans (perhaps capped Doug Strandness [look at Eagan]) to be administered by BOTH cities as well as MHFA, which has more infrastructure to manage these types of loans.	Suggested by Member Taylor. +1 Member Berggren (administered by both).
2	Affordability		High	Financial Interests	Assessments	Use HIA to make repairs for HOAs more affordable, or extend the time frame for payment of the costs	Rep. Mekeland. Example of noncompliance of septic systems after purchase of HOAs by NJ investor and high cost assessed on homeowners. Guardrails around fiscal responsibilities of property managers and boards.
2	Fairness, Transparency	High	High	Governance	Conflict of Interest	Establish Conflict of Interest (COI) standards in MN Statute, Apply COI standards to Boards, Property Management and Vendors/Contractors, All Conflicts of Interest and Relationships must be disclosed and communicated. Full transparency around relationships	IE Conflict of Interest, https://policies.python.org/us.pycon.org/code-of-conduct/Enforcement-Procedures/

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2	Transparency		High	Governance	Conflict of Interest	Require Boards or Property Managers must see multiple bids for vendors/contractors (seek competitive bids for issues that are not insurance-related), bids should be made available and must be retained for a minimum record retention period. Create a work group to discuss this? Statute require board to hire whoever they would like.	Prohibit Management companies from engaging in self-dealing; and must uphold their fiduciary responsibility to the HOA Members, Extend self-dealing provisions of MN nonprofit law to management companies, or at least minimum disclosure
2	Transparency		High	Governance	Conflict of Interest	Property managers cannot require an association to work with a specific vendor	
2	Transparency		High	Financial Interests	Financial Reporting (Documents and Financial Disclosure)	Require Associations to report Annual Financial Accounting - Balance, Reserves, Costs	Minimum Standards
2	Transparency		High	Financial Interests	Insurance	Recommend work group on the insurance issue	Member Taylor

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2	Transparency		Med/Low	Financial Interests	Budget	Establish the budget must be transparent and provide clear justification for expenses. make information as accessible as possible	Suggested by Member Cole Associations must provide a clear and easy to follow budget document The budget document must be made available to residents without fees upon request The budget should include basic justifications to clearly define the intended purpose and intent behind the expenditure. If an expenditure exceeds a \$ threshold a basic description of the process and selection criteria to arrive at the \$ amount must be listed -eg 3 competitive bids were sought, the winner was selected based on references and price, being the median bid and 3 written and verbal references for previous work completed.
2	Affordability			Financial Interests	Assessments	Allow Housing Improvement Area (HIA) loans (perhaps capped Doug Strandness [look at Eagan]) to be administered by BOTH cities as well as MHFA, which has more infrastructure to manage these types of loans.	Suggested by Member Taylor. +1 Member Berggren (administered by both).
2	Transparency			Financial Interests	Assessments	Require Financial Reporting on Assessments	Budget, Implementation,
2	Transparency			Governance	Conflict of Interest	Establish regulations/standards between Boards, Property Management and Outside Vendor/Contractors	Suggested by Member Daly. 317A NP Copr Statute - 95% but not all
2	Transparency			Governance	Conflict of Interest	Establish internal regulations/standards for individual members, employees and staff of the Board, Property Management and Outside Vendor	

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2	Transparency	Low		Financial Interests	Financial	Require associations/property management to disclose expenses related to lobbying efforts, perhaps mapping available data.	Suggested by Member Cole Low: May be difficult to implement with lack of transparency, possible implementation gap, may see gaps in passage) Lobbying Priorities and Interest must be clear and concise and shared with Home owner's/members
2	Affordability			Financial Interests	Insurance	Allow HOAs to consider nonprofit or government purchasing options to reduce insurance costs, or consider a system similar to Colorado's to reduce insurance costs.	Suggested by Member Murray
2	Affordability			Financial Interests	Insurance	Provide greater clarity on insurance regulation	
2	Transparency, Affordability			Financial Interests	Insurance	Strengthen Regulatory Oversight of MN HOA Insurance	Suggested by Rep. Mekeland HOA Insurance has unique challenges
2	Fairness, Reasonableness			Financial Interests	Insurance	Prohibit HOA members paying for liability insurance for the HOA management company. Make clear that the municipality is requiring the developer to have sane, sound business practices in the CCR, beyond just managing the internal malfeasance and (i.e., how the management company is run).	Suggested by Member Cole. E.g., prohibiting HOA members having to pay for workers' compensation in insurance policies.
2	Affordability, Transparency			Financial Interests	Reserves	Revise statute/make language more specific re: use of fund overage for reserves (e.g., for a contingency for assessments; if it isn't used, return to homeowners?)	Suggested by Member Taylor

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3	Transparency		(High, see above)	Dispute Resolution	Ombudsman	Oversee and Update a Wiki page (such as University of Minnesota public law school)	Suggested by Member Murray. PART OF OMBUDS OFFICE CREATION. (Alter from "wiki page" to "educational materials and resources"): education for homeowners and board members
3	Fairness		(High, see above)	Dispute Resolution	Ombudsman	Require participation by the Office of the Ombudsman in the Mediation Process	Suggested by Member Cole. (similar to CA written requirement - either party may put forward a request for a dispute resolution). Make it Both parties must attend meetings with the Ombudsman. Attorney's fees should not be used as a disincentive to bring the dispute. Limit/Disallow attorney fees while the dispute is being resolved. Attorney's fees may not be collected if homeowner is "in the right." PART OF OMBUDS OFFICE CREATION.
3	TBD		(High, see above)	Dispute Resolution	Ombudsman	Recommend a way for homeowners to resolve disputes, other than the courts. Do not add to responsibilities of the HOA boards.	Suggested by Member Berggren PART OF OMBUDS OFFICE CREATION.
3	TBD		(High, see above)	Dispute Resolution	Ombudsman	Create an office of the Ombudsman to facilitate open templates for documents and recommended process in order to create an open learning community for HOAs in MN	Suggested by Member Murray PART OF OMBUDS OFFICE CREATION.
3	Transparency	High	High	Dispute Resolution	Fines and Fees	Provide Parameters for homeowners to reasonably ask questions without incurring attorney's fees.	Suggested by Member Mekeland. If a member has a clarification question (e.g., something that has been assessed or voted on) submitted by email e.g., protections against attorney's fees. EDUCATION on when legal fees are allowed by statute or disallowed

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3	Fairness, Transparency	High	High	Dispute Resolution	General	Appropriate money for a (Housing Advocacy Center)	<p>Suggested by Member Murray.</p> <p>Housing Advocacy Center would pay interns or data specialists to research conflicts of interest by management companies.</p> <p>In reference to the public testimony delivered at the Maple Grove Library on 12/5/24. Also see this link. Chair Bahner: Some states have a COI document that relates to this issue, but MN does not. Research these models from other states and adding the COI standard. Chair Bahner has emailed NCSL (Morton) re: state language. Alternative: appropriate money for this work in conjunction with Ombuds office. Create the standards; could be an existing organization rather than a new one. Homeline (resources for renters) type organization for all homeowners, e.g., one that does not require income guidelines (required for Legal Aid assistance).</p>
3	Fairness	High	High	Dispute Resolution	Ombudsman	Create an Office of Ombudsman	<p>Reference: HF4024 (Moller) / SF4244 (Marty)</p> <p>National - Ombudsman: DE, FL, IL, NV, VA (HI passed Study)</p> <p>National Resource Ctr / Complaint Tracking (no dispute resol): CO, SC</p> <p>Complaint trkg Only NC</p> <p>National Internal Dispute Resolution: CA (set fair, reasonable and expeditious std) - nc Written Dispute Mediation by HO or Assoc. This bill has come up in prior years. Ensure this is set up as a neutral third party; advocacy organizations (on either side) are something separate.</p> <p>(Consider: who is this person, what are their qualifications and how do we find them?) Consider what kind of enforcement abilities, if any, would they have? Are they just acting as a mediator or do they have some ability to enforce resolution? And, if only acting as mediator/making recommendations, where does enforcement reside?</p>

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3	Fairness			Dispute Resolution	Bi-Law Changes	Adopt law similar to that of manufactured homes where rules may not be changed, and may be enforced by AG re: reasonableness of rules.	Suggested by Member Taylor.
3	Fairness, Reasonableness			Dispute Resolution	Dispute Resolution	Provide a clear appeals process for boards in plain language	<p>Research (NCSL): States w/Dispute Resolution Requirements - CA, OR, NV, WI, IN, PA, NJ, FL</p> <p>Research (NCSL): CA Internal Dispute Resolution (Key Principles: Process must be Fair, Reasonable and Expeditious) - Provides that either party may initiate the process. IF a HO request is made the Board must come to the table</p> <p>Post - Board Disputes</p> <p>Research (NCSL): NC Provides for voluntary pre-litigation mediation</p> <p>NH - Provides 9 member board for minor disputes - eg failure to follow bi-laws, voting procedure violations, acts around conduct</p> <p>FL - ByLaw Alternative Dispute Resolution - Offers Arbitration or Mediation, list of qualified use cases, sets deadlines for resolution, no civil action if dispute concludes? Creating a framework for the board about what issues would require a different type of resolution; only going to Ombudsman if that doesn't work.</p>
3	Clear Communications			Dispute Resolution	Fines and Fees	Create/Public a Clear Exception/Variance Policy and Path	Create, document, and make public a clear exception and variance policy and path
3	Fairness, Transparency			Dispute Resolution	Fines and Fees, Foreclosure	Create/Publish a Clear Path for Dispute Resolution	<p>PART OF ombudsman OFFICE</p> <p>Require a third party for dispute resolution</p>

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3	Fairness, Reasonableness			Dispute Resolution	Foreclosure	Prohibit aesthetic rules from eligibility for foreclosure and provide an internal dispute resolution process or "right to contest" violating an aesthetic rule in an open meeting. (Look to examples from municipalities?) Board should have a timeline for when to approve requests related to aesthetic mandates.	Suggested by Member Kimball. Utah has some examples of limits to aesthetic mandates--may have practical guidelines. Member Howard: Should not impose a blanket restriction; aesthetics are one of the main reasons homeowners choose an HOA. Need some clarification on "aesthetic" rules. This is about submitting plans for changes to the board, and if board says "no," having an appeals process. And justification for the denial. Consider who is qualified to make the decisions
3	Transparency			Dispute Resolution	General	Adopt regulations similar to Task Force in NJ, where HOAs operate in quasi-governmental fashion.	Suggested by Member Taylor. Need more information about what NJ is doing before being able to discuss this. May be related to when a city government has a law governing certain behaviors, the HOA cannot have a rule superseding the city law.
3	Transparency, Fairness			Dispute Resolution	Ombudsman	Create standards for a Homeowner grievance mechanism	For lower level concerns... something before it escalates all the way to Ombuds office (they should not need to get involved in every concern.) Standards from legislature that all have to follow. Set parameters for what types of disputes it would address. These standards could be for smaller issues. (California? requires that HOA documents have a process for dispute resolution of minor issues). Should there be another level of process? Bearing mind need to maintain privacy of alleged violators if it's a violation dispute. Perhaps a restorative justice type process? Neutral environment to achieve resolution
4	Transparency		High	Governance	Education and Training	HOAs must provide information to anyone (including renters) without charge on their rights and responsibilities within the association, including who is on the board and HOA procedures and policies	This was intended to reference access to bylaws and other similar information, another entity should hold this information, clarity around tenant rights

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4	Transparency		High	Governance	Education and Training	Require licensing in line with real estate agents of HOA Association Managers	Clear disclosure when there is a conflict, license able to be revoked
4	Transparency		High	Governance	Licensing and Registration	Public database that includes all associations, property management companies, and a board member listed with the Secretary of State. Registration with the Secretary of State should include this information.	
4	Transparency,			Governance	Education and Training	Require HOA board members and property managers take state-sponsored training(s) with post-test within 3 months of taking a board or property management position.	Member Taylor addition
4	Transparency			Governance	Education and Training	Require licensing of property managers.	Member Taylor addition
4	Transparency			Governance	Education and Training	State to offer a free, high-quality training for board members. Create standards around HOA board member education (and certification?)	Member Butler: Is there a training program that already exists? Would this be a barrier if it was a requirement?
4	Transparency			Governance	Education and Training	Create minimum and recommended standards for Training and Edu for Board Members (Best Practices)	Law may already exist in some places but enforcement may be lacking , perhaps training issue

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4	Fairness			Governance	Licencing and Registration	Simplifying oversight and scope of HOAs	Member Kimball: New recommendation topic. Cross-cutting theme re: simplifying what HOAs are making rules about (e.g. this emerged during discussions on affordability and civil rights, municipal covenants). How to put policy guardrails in place so that volunteer HOA board members aren't trying to create the rules on their own. Limit scope of what HOA boards are expected to administer to what is required. Chair Bahner: Creating a "rules of the road" or best practices for HOA boards so they better understand their roles and responsibilities, as well as expectations. Member Butler: limit the power of HOA to fine and enforce rules. Move to "fines and fees." Explore alternatives to fines.
4	Transparency			Governance	Licencing and Registration	Property management companies must provide a detailed scope of work in their service contracts, and must disclose the full cost of liability insurance in the contract.	Member Taylor addition - MAY be overlap with other recommendations
4	Transparency			Governance	Licencing and Registration	Create a cap on how many properties/units one property management agent can be assigned at one time.	Member Taylor addition
4	Transparency, Fairness			Governance	Licencing and Registration	If the HOA is to be classified as a nonprofit, then it should be required to operate with the same rules as the state requires for a public charity.	Member Cole addition

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5	Reasonableness, Transparency		High	Assessments, Fines, Fees, and Foreclosure	Assessments	Set Reasonableness standards of rules, including a 60-day (too long, 30-days) notice around fee increases and special assessments	Member Taylor: Can be based on existing MN law related to manufactured homes. E.g., mandating appropriate notice for changes, fees and fines, assessments. Allowing members to speak during HOA Board Meetings. Give Attorney General's office the authority to enforce this. Member Zavadsky: Acknowledge situations (e.g., insurance renewal) where HOAs lack sufficient funds to move forward with insurance quotations. Carveout for emergency situations. (Chair Bahner: Refer to earlier rec on emergency issues. Need to define what constitutes an emergency.)
5	Fairness		High	Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Create a minimum amount (reasonable and justifiable) related to fees assessed/time delinquent, (minimum threshold \$ OR time delinquent) leading to foreclosure	Suggested by Member Berggren
5	Fairness		High	Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Create a Caps and standards (reasonable and justifiable) on Fees and Fines	Including but not limited to: Attorney Fees Late Fees
5	Fairness		Low	Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Create caps or prohibit "monitoring fees"	Suggested by Member Daly. Monitoring fee - to avoid use of higher cost late/attorneys' fees, with payment plan policy
5	Transparency			Assessments, Fines, Fees, and Foreclosure	Assessments	Require HOAs to provide clear communications on changes for Assessments	
5	Fairness			Assessments, Fines, Fees, and Foreclosure	Assessments	Create Homeowner Protections - Assessments	

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5	Reasonableness			Assessments, Fines, Fees, and Foreclosure	Assessments	Create a legislative workaround for emergency assessments (e.g., for repairs) that don't require homeowner approval, and make it extremely narrow.	Suggested by Member Taylor (make loophole narrow). +1 from Member Howard (create workaround loophole). Washington's Common Interest Ownership Act contains a provision which addresses this and perhaps this would be helpful in determining a possible course for Minnesota's Act
5	Transparency			Assessments, Fines, Fees, and Foreclosure	Assessments	Require Notifications for Special Assessment/Levy to include: Cost per Unit Timelines for public comment Timelines for decision Must be written in Plain Language Must include Next Steps or Actions Must include how to submit Public comment in Person or in writing	Suggested by Vice Chair Lucero feedback time: Should be a notification when there is a pending levy on homeowners--for them to give feedback.
5	Fairness, Reasonableness			Assessments, Fines, Fees, and Foreclosure	Assessments	Cap special assessment contingency costs at 15% of accepted project bid for a capital repair	Member Taylor addition
5	Fairness, Reasonableness			Assessments, Fines, Fees, and Foreclosure	Fees & Fines	Prohibit assessing of attorney's fees to homeowners when board is contacted by legal aid, VLN, ombudsman, or AG attorney.	Member Taylor addition
5	Transparency			Assessments, Fines, Fees, and Foreclosure	Fines & Fees	Create standardized, escalating fine schedules that begin with warnings and have reasonable caps, clear categories, and maximums. Provide for the suspension of common area privileges as an escalation of unpaid fines related to rules and reg violations.	Member Taylor addition

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5	Reasonableness			Assessments, Fines, Fees, and Foreclosure	Fines & Fees	Require payment plans for delinquent fines, fees, and assessments of no less than 12 months in addition to the original payment timeline.	Member Taylor addition
5	Clear Communication			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Require Homeowner notification that they may be subjected to an attorney fee if they ask questions. Ways to appeal foreclosure.	Suggested by Rep. Mekeland. Insurance assessment should be by roof square feet (area), not per unit.
5	Transparency			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Provide bill transparency related to attorneys and oversight of legal costs	Suggested by Member Berggren Expenses should clearly identify the \$ amount and percentage of the budget allocated to atty fees Expenses must have clear identification of the \$ and description of services rendered for each item billed (provided by the atty) - Atty may not bill for time to assemble their accounting/billing documents
5	Fairness			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Study the appeals process of other cities that are doing similar processes around assessing fees and offering an appeals process (to a higher level of oversight)	Suggested by Member Berggren
5	Fairness			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Fines and Fees - Clarify Statute to create standards under MCIOA where Fines and Fees are Prohibited Questions: Clarification - Charter or Bylaws Billing - Dues, Fines, Fees, Assessments Asking a Question More than Once	Suggested by Member Taylor. Member Howard: 515B allows HOAs to collect back legal fees if they're associated with the enforcement of the statute. If HOAs are charging homeowners attorneys' fees for asking questions, this contradicts the statute. If we're looking at changing the statute, there should be clarification of the existing language. Chair Bahner: A standardized list to give guidance to HOA boards on which items are NOT eligible for assessing a fees or a fine.
5	Clear Communications			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Create clear Definition of Fee/Fine assessment	

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5	Fairness			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Create clear prohibitions on Certain Fines and Fees	
5	Fairness, Transparency			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Demonstrate fair application of standards for collections policies of Assessments and fines/fees	
5	Transparency			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Provide greater clarity around property notice and an option to be heard around assessing fines and fees. Standardized process.	Raised by Chair Bahner re: Ms. Davis' presentation. New law that just went into effect may have some provisions around this. What does this mean re: giving notice and the opportunity to be heard?
5	Fairness			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Narrow Scope of Fines and Fees, allowable	
5	Affordability			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Remove some of the collective financial obligations for HOA homeowners, who may have to "double pay" costs. Allow an "opt out" ability for HOA members (opt in for certain services and opt out for others).	Member Butler: Costs are driven by the need for a reserve. Affordability is impacted by the inability to control the increase in fees. Example of HOA home needing individual insurance and also paying into HOA insurance. (Related to recommendation above on cities not requiring the creation of HOAs.) owner's willing to reduce cost by sharing maintenance of a shared median or monument w/o HOA?

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5	Reasonableness, Transparency, Clear Communications			Assessments, Fines, Fees, and Foreclosure	Fines and Fees	Clearly spell out what fines or fees are eligible to be included in foreclosure. Limiting eligible Foreclosure to common, reasonable, expense fines and fees. Set a reasonable timeline set around foreclosure Set a minimum dollar amount before initiating a foreclosure process. Provide Detailed Foreclosure Notices Foreclosure Notices Must Include at a Minimum: A timeline Amount of the fine/fee Delivery method for notices. Requirement that HOAs cannot foreclose on common interest assessments that are NOT essential (e.g., a new pool deck, or wiring requirements not required by state, county or state law that would be non-essential, versus snow shoveling, roofs, etc.)	Suggested by Member Green, Member Daly. Member Howard: If foreclosure isn't included in the lien, no way to enforce collection of fines or fees.
5	Transparency			Assessments, Fines, Fees, and Foreclosure	Fines, Fees, Assessments and Foreclosure	Clarification on attorneys' fees and who pays them	Member Cole. If the HOA management company's attorney fees are being paid out of the HOA members' dues, and the HOA members also have to pay the management company's attorney fees, then HOA members must pay attorney fees no matter what.
5	Reasonableness				Foreclosure	Do not allow foreclosure for amounts less than \$5000 or for attorney's fees.	Member Taylor addition

Group	Principle	Priority	Impact	Topic	Bill Segment	Recommendation	Detail/Notes--WILL NOT APPEAR IN REPORT; for reference while reviewing
5	Transparency				Foreclosure	Require that all notices of foreclosure include information on foreclosure assistance programs/organizations. Template can be created by Ombudsman's office. For example, MN Homeownership Center.	Member Taylor addition
5	Fairness, Reasonableness				Foreclosure	Prohibit foreclosure if the lien for unpaid assessments consists solely of fines or penalties.	Member Taylor addition
5	TBD			Assessments, Fines, Fees, and Foreclosure		Placeholder for recommendations from Steve Horvath around universal law, willful disregard, reasonable attorney fees]	Chair Bahner/Member Daly Member Murray: Damages for willful acts of disregard, discrimination, or violation of the law--would these be imposed on the HOA? Consider having at least a portion of the damages awarded against the individuals committing the willful disregard. Member Cole: This would be in line with federal law. Need to have a standard of conduct for "willful" and create accountability.
6	Fairness		High	Assessments, Fines, Fees, and Foreclosure	Foreclosure	Ensure new foreclosure laws passed apply to older townhomes (built before 1994), which currently are not part of 515B	Suggested by Member Daly. Older townhomes NOT subject to new law that homeowners don't have to pay attorneys' fees. I.e., townhome owner's still have to pay the fees. Put into the statute that this new law applies to all HOAs/CICs.

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6	Foreclosure		High	Assessments, Fines, Fees, and Foreclosure	Foreclosure	<p>HOAs cannot foreclose a lien for fines under \$2500 total (not including attorney fees).</p> <p>Set "Minimum" amount owed to foreclose to \$2500 (not including attorney fees), except ordinary HOA dues.</p>	<p>Suggested by Member Daly. Chair Bahner: There is a state that has a regulation that HOAs may not foreclose for amounts less than \$2500.</p> <p>Member Taylor: This regulation was proposed (and had bipartisan support) in North Carolina, but lobbied against by CAI. Member Cole: Opportunity to "cure" before going to foreclosure. If HOA board is not offering a cure, they shouldn't be able to foreclose.</p> <p>Member Anderson: HOA foreclosing a lien for nonpayment of organizational dues consisting of less than three months' worth of dues is not entitled to attorney's fees.</p> <p>Member Butler: Remove the authority to foreclose by HOAs. Only the bank.</p> <p>Member Zavadsky: This would result in a significant amount of deferred maintenance and other HOA members would have to foot the bill.</p>
6	Transparency		High	Assessments, Fines, Fees, and Foreclosure	Foreclosure	<p>Preforeclosure notices should provide more information (who, what, where why, how much is being assessed, options for addressing the fine/fee, a right to be heard by the board to contest a fine or fee, repayment plan options, and counseling.) If this information is not provided, the preforeclosure notice is void.</p>	<p>Suggested by Member Kimball. Member Howard: Communities should be able to determine for themselves what fees are reasonable. Suggestion by Chair Bahner: Follow up w/ Heather Morton re: Maryland law.</p> <p>(Removed "statute may require these components already.")</p>

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6	Fairness, Reasonableness		High	Assessments, Fines, Fees, and Foreclosure	Foreclosure	Prohibit Aesthetic rules should not be a foreclosable offense. Internal dispute resolution process or "right to contest" violating an aesthetic rule in an open meeting. (Look to examples from municipalities?) Board should have a timeline for when to approve requests related to aesthetic mandates.	Suggested by Member Kimball. Utah has some examples of limits to aesthetic mandates--may have practical guidelines. Member Howard: Should not impose a blanket restriction; aesthetics are one of the main reasons homeowners choose an HOA.
6	Transparency			Assessments, Fines, Fees, and Foreclosure	Assessments	Require 60-day notice period of new budget, increased fees, or new assessments, with 30-day comment period and an open forum	Member Taylor addition
6	Clear Communications			Assessments, Fines, Fees, and Foreclosure	Foreclosure	All communications around Foreclosure must be written in Plain Language	
6	Fairness			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Set a Caps on Attorney Fees	See also Fines and Fees
6	Fairness, Transparency			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Differentiate between what qualifies for a Foreclosure vs. Lien Fines for rule violations should not exceed \$25 per violation. Rules must be published X days before they are enforced to limit ad hoc rules.	Member Anderson: Shouldn't be a rec--is a misunderstanding of what liens are (liens may be foreclosed if not paid). Member Cole: Needs a definition for what is justifiable for putting a lien on your property. Instead, suggest rec on limits on what HOAs can impose fines for. Limitations need to be justifiable, published, and transparent.

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6	Reasonableness			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Fines should lead to loss of amenities, not foreclosure.	Suggested by Member Taylor.
6	Transparency			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Provide Homeowners access foreclosure assistance programs within a reasonable window (without fees)	Suggested by Member Taylor.
6	Transparency			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Provide homeowners timely notice of foreclosure (not just renters).	Suggested by Member Taylor.
6	Fairness			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Require Property Owner Equity Return	
6	Legal Parity			Assessments, Fines, Fees, and Foreclosure	Foreclosure	Statute Uniformity for Foreclosure - Public vs CAs	
6	Legal Parity			Assessments, Fines, Fees, and Foreclosure	Foreclosure	In the event of a moratorium on mortgage foreclosures, such a moratorium should also apply to HOA foreclosures.	Suggested by Member Kimball (in reference to HOA foreclosures during the COVID pandemic)

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7	Affordability	High	High	Municipalities	Affordability	Make HIA-type loans available to all HOAs. Require all cities or state entity to offer HIA loans as an option (recognizing that currently, some cities do not). Eliminate the "sunset" scheduled to terminate on 6/30/28 so this option continues to be available (421A.21).	Suggested by Member Green. +2 from Member Howard and Member Berggren. Member Berggren: Some cities may not have the capacity to administer the loan. Removed "extend" from "Extend or eliminate". Note overlap with HIA rec from Group 2 (transparency and affordability)
7	Affordability	Medium	High	Municipalities	Affordability	HIA should allow for a payoff of the loan before the end of the term (at the time of the loan or over time), if the homeowner so desires, if it does not add cost to the municipality.	Suggested by Member Green.
7	Affordability	High	High	Municipalities	Affordability	ADDITION: ensure elimination of "double taxation" (taxes + HOA dues) is covered among the recommendations.	
7	Transparency		Low	Municipalities		Require municipalities to provide greater communication to neighbors adjacent to HOAs Projects/Construction (re: parking, grounds, other concerns)	Suggested by Chair Bahner. Uncertain what is intended with this recommendation
7	Transparency		Low	Municipalities		Provide greater communication with renters and how that could impact cities.	Suggested by Chair Bahner. Covered renter comm in governance group
7	Transparency			Municipalities	Education	Clarify roles between homeowners, HOAs, HOA property managers, cities, and counties	Suggested by Chair Bahner.
7	TBD			Municipalities		Clearly define in statute the nature of relationship between the board and municipality.	Suggested by Member Cole Definition of relationship between board and homeowners. Codify best practices for what is working well. Education about when there's overlap between HOA and city laws/rules.

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7	Fairness, Reasonableness			Municipalities	Permitting	Require HOAs honor municipal permitting process/decisions Reword to: Limit HOAs' ability to implement fines for rules that are more restrictive than city/municipality requirements. (Note, significant nuance needs to be figured out)	Suggested by Chair Bahner, e.g., building a shed. HOAs should not be refusing something that is permitted as legal by the city
7	Reasonableness			Municipalities		Prohibit municipality from requiring elements of shared property that would necessitate the creation of an HOA.	Suggested by Member Cole. OOS - It's not about HOAs; the problem is that the builders can't build affordable homes because of city requirements (e.g., large lot sizes). Needs to be resolved in building ordinances, etc.
7	Reasonableness			Municipalities		Require HOAs have a focus on common area maintenance and common property only, eliminating the inclusion and enforcement of declarations.	Suggested by Member Kimball. +1 from Member Taylor. Not related to municipality category; clarify what fines are allowed...?
7	Transparency			Municipalities		Strengthen clarification of roles and responsibilities around retention ponds (incl. clarity about legal responsibility)	Chair Bahner - Testifier Recommendation
7	Transparency, Affordability			Municipalities		Provide guidelines around when builders may need to do impact assessments	Chair Bahner - Testifier Recommendation
7	Affordability			Municipalities		Prohibition municipalities from requiring certain amenities in a development that would necessitate an HOA being formed. Prohibit municipalities from effectively requiring creation of HOAs as part of zoning and permitting processes.	Sen. Pha. +1 from Vice Chair Lucero. Elevate this to city staff to find creative ways to ensure this is not necessary. Member Daly--prohibit municipalities from practically requiring creation of HOAs. (Unless necessary due to the developers' plan) Member Kimball: For detached single family home developments, don't require amenities. But we don't want to discourage dense development (twin homes, condos, or town homes).

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7	TBD			Municipalities		Affordability and civil rights - Research parking restrictions for new housing developments	Chair Bahner. Balance needs of people with disabilities versus having a lower footprint/ managing costs--in an equitable way.
7	TBD			Municipalities		Affordability and civil rights - Hold cities accountable for the impacts of their actions on creating HOA disputes	Member Cole
7	Reasonableness			Municipalities		Require cities to balance both future development and current housing stock with at least 50% non-HOA units. Tie to impact of HOAs on segregation and affordability.	Member Taylor addition
7	Reasonableness			Municipalities		Prohibit municipalities from requiring common elements that would necessitate the creation of an HOA. Require cities to maintain public infrastructure as a responsibility of collecting property taxes.	Member Taylor addition
7	Transparency			Municipalities	Education and Training	Funding or education to cities and the public around cooperative ownership models.	Suggested by Member Taylor.
8	Affordability		High	Affordability, Civil Rights and Disabilities	Civil Rights	Study social return on investment (SROI) of HOAs to determine how beneficial they are and where the money goes	Member Murray. Map out how the entities are benefiting so the law can address this (concerns around loopholes and appearance of racketeering). Sludge audit of homeownership process and building process.
8	Fairness, Reasonableness		High	Affordability, Civil and Human Rights	Civil Rights	Prohibit HOA's from imposing blanket rental screening restrictions.	Member Taylor addition

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8	Fairness, Reasonableness		High	Affordability, Civil and Human Rights	Disability	Require HOAs to allow disabled owner's to make modifications to their units and HOA common areas at the owner's' expense in order to accommodate the owner's disability.	Member Taylor addition
8	Fairness, Reasonableness		High	Affordability, Civil and Human Rights	Disability	Provide a standard, State of MN-created template form that can be used to request reasonable accommodations for disability.	Member Taylor addition
8	Fairness, Reasonableness			Affordability, Civil Rights and Disabilities	Affordability	HOA boards should not be allowed to prohibit rentals to people who use housing assistance payments.	Member Taylor addition
8	Fairness, Reasonableness			Affordability, Civil Rights and Disabilities	Civil Rights	Ban HOAs from disallowing religious holiday displays in limited common elements.	Member Taylor addition
8	TBD			Affordability, Civil and Human Rights	Civil Rights	Require HOA's to meet ADA and WECAG requirements when providing materials and notifications, including management software	Member Murray
8	Fairness, Reasonableness			Affordability, Civil Rights and Disabilities	Civil Rights	Restrict the ability for HOA governing documents to prohibit individuals within the association from displaying "religious items" on the entry doors and entry door frames of their respective dwellings.	Member Taylor addition
8	Fairness, Affordability			Affordability, Civil Rights and Disabilities	Civil Rights	No specific rental screening requirements that may exclude lower-income tenants, BIPOC communities, or people with disabilities	Chair Bahner

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8	Fairness			Affordability, Civil Rights and Disabilities	Civil Rights	Find ways to practically address religious requirements without impeding on the rights of homeowners	Chair Bahner
8	Fairness			Affordability, Civil Rights and Disabilities	Disabilities	Set reasonable disability accommodations in design, moving towards a standard of universal design. Funding should be available to bring HOAs to standards.	Member Green: Look at the "missing middle." Could help solve a lot of the issues we're looking at. Member Murray: Related to the disability space, barriers are layered. Development has been prioritized for caregiver homes or group homes. Functionally not allowed to own your own home (when receiving disability-related public assistance). Eliminate as many barriers as possible within HOAs. Member Howard: This is an education and training issue--HOA boards aren't clear on the law and what they should/shouldn't do re: fair housing. Chair Bahner: Incorporate a segment on "fair housing practices" into HOA board training previously mentioned in the recommendations.
8	Fairness, Reasonableness			Affordability, Civil Rights and Disabilities	Disability	Require HOA boards to conduct meetings at physically accessible locations and/or with a virtual option when requested by a person with disabilities as a reasonable accommodation.	Member Taylor addition
8	Transparency, Fairness			Affordability, Civil and Human Rights	Disability	Update Minnesota Department of Human Rights website to include information about service animals and CIC/HOA communities.	Member Taylor addition

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8	Fairness			Affordability, Civil Rights and Disabilities	Fair Housing	Incorporate a segment on "fair housing practices" into HOA board training previously mentioned in the recommendations. Board members required to get training when they become a board member. HOAs should pay a yearly fee for mediation, trainings, and omnibus. Social pressure by revealing who was taking the training, or some incentive for HOAs to complete trainings and follow rules. HOAs encouraged to use non-profit rating systems already established.	Chair Bahner Member Taylor: Recommend if we mandate board training, that cities cover the cost for such training or some government entity cover the cost. Member Howard: do not reinvent the wheel, look into existing state's procedures
8	Affordability			Affordability, Civil and Human Rights	Human Rights	Review existing protections under MN Human Rights Act related to income source for buyers/renters to determine if a supplement is needed	Chair Bahner Note: Member Howard: MN Human Rights act already includes this as a protected class. Member Taylor: This law recently passed in Texas. A 2010 case ("Edwards Case") exempted housing vouchers from income protections. This is why this would needed to be added in the law. Has been presented at the legislature for the past few sessions.