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Statement on

HB 5226

AN ACT CONCERNING ELECTRIC VEHICLE CHARGING STATIONS

OPPOSE

February 27, 2020

By
Connecticut REALTORS®

Connecticut REALTORS® (CTR) submits testimony in **OPPOSITION** of **HB 5226, AN ACT CONCERNING ELECTRIC VEHICLE CHARGING STATIONS**. CTR represents over 17,000 members involved in all aspects of real estate in Connecticut.

HB 5226, AN ACT CONCERNING ELECTRIC VEHICLE CHARGING STATIONS proposes to make void and unenforceable any covenant, restriction or condition in any deed, contract, security instrument or other instrument affecting the transfer or sale of property which prohibits or unreasonably restricts the installation or use of an electric vehicle charging station, establish conditions to which a unit owner must agree in order to obtain approval for installation of an electric vehicle charging station, and permit tenants to request installation of electric vehicle charging stations, subject to compliance with a landlord's requirements.

The proposal is overly broad, highly restrictive and provides rights to one user over the rights of all in the Condominium Association ("Association"). It seeks to obstruct an Association's ability to determine how to allocate limited common and parking areas.

Charging stations involve construction to install and remove. There are not provisions for the remedy for an Association should a unit owner move without having removed an electronic charging station. Connecticut law does not permit security deposits greater than two months' rent and it's unclear what

specific legal language an Association can anticipate to be incorporated in a lease or purchase agreement. Entering into litigation to compel removal is a very expensive option that would have to be shared by all Association members.

There are covenants, restrictions or conditions in deeds related to parking spaces due to the liability for use that must be shared by an entire Association. This legislation seeks to mandate if there is not a deeded parking space for a charging station or if it is "unreasonably expensive" then the Association shall find a common area to accommodate a charging station. There are problems with this section, most importantly the ability for the individual seeking to install a charging station to determine what is considered "unreasonably expensive." Also, other common areas available to Associations may not have vehicle access. It would be cost-prohibitive to add access to areas not presently accessible by vehicle. Additionally, if there is available space it may be reserved for handicap accessibility or reserved for guest parking.

There is no need to include voluntary options in the Connecticut General Statutes. Associations are presently able to mediate the issues contemplated under sections of this proposal.

CTR had been in discussions with the Department of Energy and Environmental Protections related to the legislation but as requests your rejection of HB **5226, AN ACT CONCERNING ELECTRIC VEHICLE CHARGING STATIONS** as currently drafted. Thank you very much for your time and attention to this important matter.

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