

Holiday Heights Homeowners Association

An Age Restricted Adult Retirement Community

Board of Directors

Herbert Smarro, President
Vera Arbotofsky, Vice President
Jean Lotito, Secretary
Jay Glasgow, Treasurer
Norman Cerino
Vinnie Arrigo
Irene Brown

96 Prince Charles Drive
Toms River, NJ 08757
Phone 732-244-8686
Fax: 732-244-1447
holidayheights1@verizon.net

October 14, 2010

Christopher J. Connors
State of New Jersey
9th District Legislative Offices
620 West Lacey Road
Forked River, NJ 08731

Dear Mr. Connors;

On August 16, 2010, the Federal Housing Finance Agency (FHFA) announced that it is going to ban certain fees that homeowner associations across the nation (including mine) use to fund maintenance projects and to build up savings for unanticipated expenses. If FHFA bans these fees, our entire community will be cut off from most mortgage financing. This will devastate our community and make it almost impossible for us to sell homes.

One out of every five Americans lives in a community or homeowners association. The vast majority of these associations require all new homeowners to make an upfront payment to fund the ongoing obligations of the association. These fees are disclosed to homebuyers, along with the rate of regular assessments that all association residents must pay prior to closing.

The housing market is weak and has not begun a sustained recovery nationwide. FHFA's proposal to prohibit Fannie Mae, Freddie Mae and the Federal Home Loan Banks (the GSE's) from buying or investing in mortgages on homes in community associations with deed-based transfer fees will only cause further harm. Since the fees are embedded in the properties' deeds, it is almost impossible to remove them. Most of these communities will immediately become off-limits for the GSE's. Without access to credit, these homeowners will suffer- not because they made a bad decision, but because FHFA was trying to "help." A survey of Community Associations Institute's member communities suggests that up to a quarter of the more than 24 million housing units in community associations could be blocked from mortgage financing under this rule.

If FHFA wants to help homeowners rather than harm them, the agency should focus its efforts on examining the impact of fees that are payable to third parties not connected to the underlying property or community association. These fees are a recent development and deserve

Cont'd

close examination by regulators. Fees that directly support the underlying property and touch and concern the land in question, have a more than 30 year track record of benefiting communities.

I request that you write FHFA and demand the agency revise or withdraw its ill-conceived GSE mortgage purchasing guidance on transfer fees. Please let me know what you are doing to stop FHFA and help our housing market to recover.

Sincerely,

Board of Directors
HOLIDAY HEIGHTS HOMEOWNERS ASSOCIATION, INC.

CC: regcomments@fhfa.gov ; senconnor@njleg.org; asmrump@njleg.org; aswgove@njleg.org

CC: Judy Noonan, Coalition President