

# The Home Owners Protection Enactment (HOME)

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This Bill is for the purpose of protecting the sanctity of home ownership and applies to ANY Home, Mobile or Stationary, ANY size. Home ownership is the foundation of our Democracy and Home Owners have a right to FULL protection under our Constitution.

## Section 1 Home Definitions

- A. A Home will be described as ANY structure in which humans may reside.
- B. A Home may be Stationary or Mobile.
- C. A Home may be of any size, within the constraints of applicable local statutes.
- D. A Home must NOT be a Commercial Business Entity.
  - a. Exceptions\Exclusions would be allowed for Premises which function as both a Home and a Business.
  - b. Exceptions\Exclusions would be allowed for Premises functioning in a Community support role. Such as, but not limited to, Half-Way Houses, Group Homes, Outreach Centers, Free Clinics, etc.

## Section 2 Protections for Home Owners

- A. A Home may only be taken from the Home Owner through Due Process and ONLY if unavoidable.
  - a. Home owner MUST be notified 120 days PRIOR to any potential loss of their Home.
    - i. This Notification MUST be unequivocal and verifiable.
    - ii. Notification MUST be made to ANY person listed on the Title to the Property.
  - b. No Home may be taken from Home Owner, SOLELY, for not paying Property Taxes.
  - c. HOA's MUST create and Fund Emergency account, consisting of 10% of their Assessments Fees to aid Home Owners in crisis.
    - i. Loans will be at 1% Interest.
    - ii. Repayment will be based on Home Owners abilities.
  - d. If not applicable, local City resources will be available to the Home Owner, funded by a 1% Fee on ALL Property Transactions.
- B. It is the HOA's or Local Governments RESPONSIBILITY to assist ALL Home Owners in keeping their Homes when in crisis.
- C. When all else fails, There will be a Federally Funded Program to help Home Owners, funded by a \$1.00 fee added for ALL License Renewals.
  - a. ALL licensing will be taxed including, but not limited to, Drivers, Business, Fishing, Hunting, etc.
  - b. Unused funds will be applied to Community Development Projects.
- D. A Home is owned by Title holder(s) regardless of the ownership of the Land it is on.
- E. No Lender may knowingly grant a mortgage which is beyond the reasonable ability for the Home Owner to honor.
  - a. Any Lender guilty of said practice will immediately convert said Mortgage to 1% Interest rate.
  - b. ANY Home owner, in crisis due to an inability to meet their Mortgage payment, will have their Interest Rate lowered to 1%. This will increase 1% every two years and end at a maximum of 4%.

### Section 3 Responsibilities of Home Owners Associations (HOA's) and Similar Pseudo-Governmental Entities

- A. HOA's PRIMARY Responsibility is the Safety and Protections of its Charges. (Residents)
  - a. ALL Board and Committee Members MUST be Residents in the HOA's area of coverage.
  - b. NO Third Party entities may be used for Administration of the HOA.
  - c. HOA's will hire provide at least ONE Full Time Security team to patrol their Neighborhoods.
  - d. HOA's will ALWAYS look for help within the pool of their Residents for ANY Projects proposed.
  - e. HOA will provide a Website, for ALL residents to access, as a portal for any of their needs.
    - 1. Residents will get pertinent information here.
    - 2. Residents will have email access to Board Members.
    - 3. Forums and Forms will be provided to handle the majority of issues.
  - f. HOA's will Create and Emergency Fund to aid Residents in times of Crisis.
    - 1. Funded by a 10% Surcharge on Regular Monthly Assessments.
    - 2. Additionally Funded by Donations from Local Businesses in exchange for Advertising on the HOA Website or in HOA Email blasts.
    - 3. Loans will be issued at 1% Interest, to Residents in Crisis, repayable by Monthly installments to be decided in a way the resident can meet without duress.
    - 4. No HOA's can be larger than 12500 Homes unless able to efficiently Manage them with Residents ONLY.
- B. HOA's Secondary function is to optimize the Quality of Life of their Residents.
  - a. Residents will have a direct path to communicate with the Board.
    - 1. This will be done, primarily through a Custom Website, email and phone support.
    - 2. The HOA will purchase ONE Home, within the neighborhood, to act as the HOA Administrative Office and Emergency Daycare.
      - 1. Beyond basic Office Staff, there will be a Volunteer Legal Advisor available to Residents. (This will be provided via the Equal Representation Act)
      - 2. The office will also staff 24 Hour Nurse Practitioners who can also act as Emergency Daycare Care Providers.
        - a. Staff will be provided as a result of Strategic Alliances with nearby Medical Facilities or by the HOA Urgent Care Facility.
        - b. Facility will be equipped through Strategic Alliances.
  - b. HOA will provide at least ONE Urgent Care Facility or Triage Facility per Neighborhood.
    - 1. The Facility will be purchased, NOT Leased, by the HOA within 0-3 miles of the Neighborhood. (Act's as a Real estate Investment as well)
    - 2. It will be staffs by employees of nearby Hospitals, Urgent Care Facilities and Trained Volunteers.
    - 3. The Facility will be equipped through negotiation with Suppliers for cost -10% as well as the above mentioned Providers.
  - c. HOA Codes of Conduct and Regulations (CCR's) may NOT supersede Local, State or Federal Statutes unless they grant INCREASED Rights and Protections to its Residents but do NOT limit REASONABLE individual expression.
    - 1. A Mediation Panel will be created to ameliorate the majority of potential inter-Resident issues.
    - 2. Residents may choose "Acceptable" colors for their Homes based on CONSENSUS.
    - 3. Residents may choose "Acceptable" limits for "Expression" of Personal Taste within Neighborhood based on Consensus of those DIRECTLY impacted.
    - 4. HOA will levy NO Fines or Violations to Residents unless the infractions are egregious.

5. Only other Residents may file Complaints about Residents. The HOA may NOT act as an uninvited enforcer.
- d. HOA will provide Front Yard Maintenance to ALL Residents.
  1. This will allow for "Peace of Mind" for Residents as well as maintain esthetics and value.
  2. ALL work must be done by Residents if possible.
    1. Residents with Landscaping Businesses will be contacted to perform this service.
      - a. This will put HOA money back into Residents hands.
      - b. This will also Support Local Businesses.
      - c. Commercial Contractors may be used for Public Landscape Maintenance unless sufficient resources exist within the Community.
    2. If no, or not enough, Residents are available, ones will be selected from neighboring Communities.
- e. HOA will facilitate Monthly or weekly Social Events in order for Neighbors to meet each other.
  1. Neighbors who know each other will be friendlier and more patient if problems arise.
  2. Neighbors who know each other can better help protect each other's property.
- C. HOA's will develop Strategic Alliances with Local Businesses in order to enrich the Community.
  - a. Alliances with Hardware Stores such as Home Depot, Flooring Companies, AC Companies, etc, to supply materials, at cost, to the HOA to aid Residents in crisis.
  - b. Alliances with Medical Facilities to staff HOA Medical Resources.
  - c. Alliances with Local Grocers and Pharmacies to aid with delivery to Shut-Ins within the Community.

#### **Section 4 Responsibilities of Home Owners.**

- A. ALL Home Owners are expected to maintain the "Community Facing" portion of their Property.
  - a. This is necessary to maintain VALUE and ESTHETICS and is a courtesy to ones Neighbors.
  - b. Those facing issues meeting this requirement will receive aid from Neighbors, HOA or Local Resources.
  - c. Neighbors will be expected to aid their neighbors when in need, if feasible, based on individual circumstances.
- B. Home Owners are expected to keep their Premises in good repair and safe for visitors and Neighbors.
  - a. Driveways, sidewalks and stairways must be kept in good order and safe for travelers.
  - b. Fences and walls must be safe and secure.
- C. Home Owners are expected to RESPECT their neighbors Race, Religious beliefs, Personal Expression, etc, (Practices), unless said Practices negatively impose upon Neighbors or the Neighborhood.
  - a. These decisions will be made by a consensus by the Neighbors DIRECTLY impacted by the Practice.
  - b. If necessary, the HOA Mediation Board will be asked to intervene.
- D. Home Owners will be expected be involved in their Community and Volunteer their times where needed.
  - a. Neighbors who volunteer and donate to others, have better health and may even live longer.
  - b. A Caring Community is a Happy and Safe one.