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CAI presses for defeat of Federal Legislation to pre-empt CC&Rs

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Congress is slated to begin its final weeks in session prior to adjourning for the 2014 election. While the primary purpose of the session is passage of stop-gap legislation to temporarily fund federal government operations through December, CAI Government Affairs is working to prevent action on legislation that harms community associations.

According to leaders in both the House of Representatives and the Senate, work is already underway on a temporary spending bill to fund the federal government through December 11. With the House of Representatives moving quickly to pass the temporary spending bill, it is likely that Congress will recess for the national election earlier than previously scheduled.

Despite the congressional focus on Election Day, CAI continues to work with federal agencies and in the Congress to educate policymakers on key issues that are important to community associations. A new CAI publication, Federal Advocacy—Key Issues for Community Associations, has been released to explain and support CAI advocacy efforts. To download a copy of the federal advocacy guide, visit CAI's website at www.caionline.org/FederalIssuesGuide.

Topping the list of CAI's federal advocacy priorities is the defeat of legislation in the U.S. House of Representatives pre-empting community association rules that apply to installation of amateur (HAM) radio towers and antennas. If this legislation becomes law, Congress and the Federal Communications Commission (FCC), not community association homeowners, will determine how architectural standards apply to HAM radio towers and antennas in planned communities, condominiums, and housing cooperatives across the country.

H.R. 4969, introduced by U.S. rep. Adam Kinzinger (R-IL), exempts HAM radio operators from CC&Rs and other community rules that require pre-approval or compliance with current architectural standards when installing HAM radio towers and antennas. H.R. 4969 directs the FCC to pre-empt "any private land use restrictions, including a restrictive covenant" applicable to HAM radio operations and installation of HAM radio broadcasting equipment.

CAI strongly opposes H.R. 4969 and has communicated this opposition in meetings with rep. Kinzinger's office in Washington D.C. Nationwide, CAI members have also voiced their opposition to H.R. 4969 through E-mails, letters, phone calls, and meetings with their U.S. representatives and senators.

Rep. Kinzinger continues to aggressively advocate for H.R. 4969 and has persuaded at least 17 additional U.S. Representatives to cosponsor his legislation. In response, CAI members across the country are educating their U.S. representatives, informing them that H.R. 4969 is a highly controversial federal intervention in the day-to-day operations of community associations. CAI members are encouraged to ask their representatives to not cosponsor H.R. 4969 and to oppose the legislation if it is brought to a vote in the U.S. House of Representatives. Please visit

www.caionline.org/hamradios to connect with your representative to register your opposition to HR 4969.

CAI Government Affairs will continue to aggressively oppose misguided federal legislation such as H.R. 4969 while also working to expand community association access to federal disaster assistance and protect homeowner access to mortgage credit.

If you have questions about CAI's federal advocacy agenda or need additional information on how to become involved in CAI's federal advocacy efforts, please contact CAI Government Affairs at (888) 224-4321 or government@caionline.org.

CAI Government Affairs represents the interests of the 65 million people living and working in America's community associations on legislative and regulatory issues at the local, state, and federal level of government.

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