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Smoking & Other Restrictions

There has been much discussion about banning smoking in community associations. In addition, there has been much discussion about banning renters, pets, etc. Unfortunately in all of the discussions regarding these legal activities, which some people want to make illegal as far as associations are concerned, no one has taken the time to think of what that does to the property value of individual units. For most people, their home is their largest single asset. When you start restricting the market of potential buyers of your home when you decide to sell, whether it is because you are transferred or simply want to move to a different location, by eliminating pet owners, smokers, and people who might want to use the property as investment, you reduce the market that can purchase your unit. In fact,

you are forfeiting your own right to freely transfer your property to a wide market.

Since the activities of smoking, renting and pet ownership are not illegal acts under criminal law to my knowledge, it makes little sense to devalue what is a very significant asset in one's portfolio. That point never seems to be voiced in discussions about adopting these types of restrictions.

Further, there is no guarantee when you purchase a unit in a community association, that you are going to be absolutely happy with your neighbor's habits or the pets they may own. Unless the recorded declaration prohibits pets, renting, or smoking, there should be no expectation of the purchaser that these activities will not exist. Further, if associations embark upon eliminating -smokers, pet owners, and landlords,

then we will have properties that will have to be created strictly for these outcasts of society. Will we have condominiums that are strictly for smokers? Will we have condominiums that are for pet owners that do not smoke?

In conclusion, there will always be inconveniences in life. In my opinion, as long as there is no criminal activity being conducted, which as far as I know, smoking, pet ownership and renting a unit does not fall into the category of criminal activity, then it should be allowed. If politicians feel so strongly about these activities, let them step forward to make them crimes. And, while we are on the topic, maybe they should bar department stores from selling perfume, because some individual may have an allergic reaction walking by the perfume counter. I firmly believe that it is the burden of the individual who cannot tolerate the pets, renters, or smokers, to move, rather than inconvenience and destroy the market value of all the other residents who seem to be able to co-exist with these types of situations. And, by the way, I am not a smoker. ■