

Clearbrook Regency Village Condominium Association No. 17, Inc.
Clearbrook Clubhouse
Monroe Township, NJ 08831

April 7, 2011

Mr. Alfred M. Pollard
General Counsel
Federal Housing Finance Agency
1700 G Street NW
Fourth Floor
Washington, DC 20552

Dear Mr. Pollard:

RE: Public Comments: FHFA Proposed Rule on Certain Private Transfer
Fee Covenants (RIN) 2590-AA41

I am writing to express my support for the Federal Housing Finance Agency's actions to stop investors from charging fees every time houses are sold in planned communities. These fees do not help my property and do not help my community. FHFA is right to prohibit this type of fee.

I am also pleased that FHFA understands that community associations like mine use transfer fees to lower monthly assessments and to make sure my community is properly managed and maintained. Associations have used transfer fees for decades because residents decided they were important in funding the services we receive from our association.

It is important for FHFA to understand that residents make up the associations that govern our communities. We hold elections for our association board which establishes annual budgets and makes major decisions which affect our homes and community. This self-government is important to residents, and I am grateful that I can participate in deciding how my association is operated.

While I am pleased with many of the changes made by FHFA to its proposed guidance, there are provisions in the revised draft which cause concern. First, I am concerned that FHFA, by limiting the use of community transfer fees solely for maintenance and improvements, is taking away my elected board's authority to make operational decisions on how best to spend this money in support of my community. Community associations use these fees for maintenance, support, operations, and the provision of amenities. All of these uses directly benefit and support the property upon which the fee is charged. FHFA attempts to do too much in banning investor transfer fees by telling associations that those revenues can only be used for some direct-benefit purposes but not for others.

Another concern is that the draft requires my association to allow non-residents use of the common areas and to charge a fee for this access. My association may want to charge a fee for the use of our facilities, but this is our decision. Just because my community votes for a new transfer fee does not mean we give up our right to decide how our common property is used or if and when we will allow non-residents access to it.

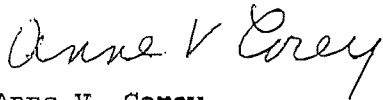
Finally, FHFA's decision that a community cannot vote to have a transfer fee support property that is more than 1,000 yards from our main property line does not make sense. This limitation would be especially troublesome for larger communities which may consist of a master association and many smaller sub-associations. If my association owns property, we should be able to maintain, manage, and improve it with association funds. The physical location should not be relevant.

I understand that FHFA wants to protect homeowners and purchasers from unethical and undisclosed fees. This is a goal I firmly support. FHFA is taking sensible action by banning fees that are paid to those with no connection to a property every time the property is sold. By going further than this, FHFA is not helping.

Most States require all fees paid to an association be disclosed to a purchaser prior to closing. This is a best practice that has been adopted throughout the country. If FHFA is concerned that buyers don't know about the fees that are paid to associations, then perhaps FHFA could consider adopting a State disclosure system.

Many States have passed laws to prohibit investor transfer fees while leaving in place fees that are reinvested in communities through their associations. FHFA should follow the States' lead and go after the problem - investor transfer fees. There is no justification in changing how associations use transfer fees, and FHFA will only cause problems by trying to tell residents how to manage their communities.

Sincerely,



Anne V. Corey
President

Clearbrook Regency Village Condominium Association No. 17, Inc.