



August 15, 2022

Department of Financial Protection and Innovation
Legal Division
Attn: Sandra Navarro, Legal Assistant
2101 Arena Boulevard
Sacramento, CA 95834

Re: PRO 05-21 / Support of Exemption for HOA Debt from Debt Collection Licensing Act

Dear Sir or Madam:

I am writing as a Community Manager with The Manor Association, located in San Mateo, California. Our firm's business involves the management of homeowner's associations, including the collection of homeowners association dues. We generally support the efforts by the Department of Financial Protection and Innovation ("DFPI") to license debt collectors. We also support the DFPI's recent proposal to exempt "debt owed pursuant to a Homeowners Association Declaration of Covenants, Conditions and Restrictions or other equivalent written agreement."

The DFPI has clarified on its website that


"routine HOA assessments do not constitute a "consumer credit transaction" as defined in the DCLA, and therefore do not constitute "consumer debt" under the Act. Since the collection of routine HOA assessments is not considered to be collection of "consumer debt," such activity would not constitute being engaged in the business of debt collection and does not require licensure under the DCLA."

FAQ #10, <https://dfpi.ca.gov/debt-collection-licensee>

Most homeowner's associations are non-profit organizations, and a licensure requirement would impose a hardship on board members and would increase assessments for members as a result of the new obligations imposed by the Debt Collection Licensing Act.

Therefore, for the continued financial health of thousands homeowner's associations across California, I urge you to pass the proposed amendment to exclude HOA debt from the DCLA.

Sincerely,


Shannon Hoffman Hall, CCAM
Senior Manager/Team Leader
The Manor Association

1820 Gateway Drive, Suite 100
San Mateo, CA 94404

www.manorinc.com