

Testimony in Support of LD 1132, An Act to Further Protect Low-Impact Landscaping

Presented to the Joint Standing Committee on Judiciary, April 4, 2025

Senator Carney, Representative Kuhn and esteemed members of the Committee: My name is Jan Mokros, I live in Brunswick and I strongly support LD 1132. This legislation will significantly boost existing legislation (LD 649), which was enacted in 2023. LD 649 gave some condo residents more rights to implement and enjoy low-impact landscaping. Unfortunately, there was a loophole in the law. LD 1132 would eliminate this loophole.

The problem is the existing legislation does not protect the vast majority of condo residents who live in associations where all of the grounds are owned “in common.” In these types of associations, residents have no rights to do anything with land that extends even an inch outside their units.

In Maine, roughly 127,000 residents, or 9% of the state’s population live in condos. In most condo associations, residents’ rights are not protected and they do not have the ability to use the land adjacent to their units in even the smallest of ways. For example, where I live, we cannot even spread a bag of commercial compost on the ground next to our houses. Condo associations in many places have insisted that all residents be exposed to high-impact landscaping practices and to pesticides.

LD 1132 protects property rights. It would allow all condo owners to use their property to put in a few plants. When bare spots appear right next to their units, they could buy and spread high quality grass seed that needs no pesticides. They could maintain gardens.

Is this too much for *any* Maine property owner to ask?

Passing LD 1132 gives HOA and COA residents throughout the state more rights to our outdoor space. If this bill is enacted:

- Condo associations would save money because residents would *themselves* pay for low-impact enhancements;
- Property values would appreciate, because residents have more opportunities to enhance their property;
- Residents would be able to enjoy their property; and
- Vulnerable environments would be protected from degradation.

Everyone would win. Thank you for considering this, and thanks to Senator Daughtry for leading the way on this important legislation.

Jan Mokros
Brunswick
LD 1132

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