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Testimony of Lois Ostraat
8070 West Russell Road, Condo 1131
Las Vegas, NV 89113
In support of S.B. 241

Good morning Mr. Chairman and members of the committee, my name is Lois Ostraat, and I am a homeowner here in support of Senate Bill 241.

I live in a condominium community that nearly went to litigation in 2001. Our board was meeting with an attorney when we needed legal advice, but he and his associate kept bringing up the subject of construction defect litigation. We told them that our builder had taken care of previous problems that came up. Even so, the attorney called a board member and said his experts had been scheduled to inspect another property in the area, but the inspection was cancelled and he could send them to our community to do an inspection free of charge. They showed the board pictures of alleged problems they had found at our next board meeting, and told us we should enter a lawsuit. Some of us on the board believed we should provide the homeowners with the information and have the homeowners vote on it. The attorney said the board **didn't need to bother getting homeowner approval.** However, the board did have the attorney present his information to the homeowners and they voted overwhelmingly not to sue our builder.

The builder and board went over the various issues raised, and the builder went over with us the steps they would take to fix problems and time frames for work to be completed. They

L- 1 of 2

ASSEMBLY JUDICIARY

DATE: 5-8-03 ROOM 3138 EXHIBIT L

SUBMITTED BY: Lois Ostraat

kept the board and the homeowners informed every step of the way.

Our builder has always been great to work with and has even gone beyond what was required at times. To date, if anything comes up, we can call still the builder and they come out immediately.

Our condominium community is one of few in Southern Nevada that is not in litigation, or tainted by having gone through litigation, and for that reason, we have maintained a high property value, and realtors and homebuyers are very interested in our property.

Isn't it sad to think that we are the exception, not the rule, just because the current law allows attorneys to use other people's homes and lives in lawsuits just by claiming their homes might have some sort of construction defect?

I support S.B. 241 because it preserves homeowners' rights, provides a process for homeowners to get problems corrected by a builder, and it gives all homeowners a voice before getting thrown into a lawsuit.

In spite of the attorney's advice, we did not sue our builder. We dealt with him fairly and he has done the same with us. We made a good decision not to sue, and our reward is being able to refinance our properties, enjoying high property values, and knowing our largest investment is secure. Please support homeowners, support S.B. 241.

Thank you for your time.

L- 2 of 2