



One Hundred First Legislature - Second Session - 2010
Introducer's Statement of Intent
LB 736

Chairperson: Rich Pahls
Committee: Banking, Commerce and Insurance
Date of Hearing: January 19, 2010

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

The provisions of Neb.Rev.Stat. § 76-874 grant a condominium homeowners association a lien on a unit for any assessment levied against that unit or fines imposed against its unit owner from the time the assessment or fine becomes due and a notice containing the dollar amount of such lien is recorded in the office where mortgages are recorded. The statute further establishes the priority of a condominium homeowners association lien in relation to other types of liens, including a first mortgage or deed of trust against the unit and liens for real estate taxes and other governmental assessments or charges against the unit.

While Neb.Rev.Stat. § 76-874 sets forth the rules governing the establishment and priority of condominium homeowners association liens there are currently no statutory provisions that address the establishment and priority of the liens of other types of homeowners association's, such as a townhome owners association or a one-to-four family residence homeowners association.

LB 736 would establish provisions relating to the establishment and priority of liens that are identical to the provisions of Neb.Rev.Stat. § 76-874 for all types of homeowners associations, other than condominium homeowners associations.

Principal Introducer: _____
Senator Pete Pirsch