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- [Mi Estrella](#)

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## Satellite dish installation law focus of dispute

### Ventura man says association unfairly took down device

By [John Scheibe](#),  
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Chris Solarez wasn't exactly surprised when he came home Dec. 14 and found his 25-pound satellite TV dish sitting next to his front door at the Peppertree Condominiums in Ventura.

Six months earlier, the condominium owners association notified the retired schoolteacher and others at the Saratoga Avenue complex that the dishes were an eyesore and needed to be removed.

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Still, Solarez hoped he could keep his 18-inch-wide dish attached to a board running beneath his roof.

Solarez, 69, said he'd gotten the association's permission to install the dish when he signed up for satellite TV in late 1997. Moreover, state and federal laws permit homeowners to have the dishes, he said.

"I thought the board knew the law," Solarez said last week, adding he wants the association to put his dish back up.

"They're the ones who took it down so they should put it back."

Solarez said he'll notify the Federal Communications Commission of the alleged violations so he can have his dish reinstalled.

Tracey Cherrie, president of the Peppertree Condominium Owners Association Board, said the board acted within the law when it removed the satellite TV dishes.



Rob Varela / Star staff

Chris Solarez of Ventura says his satellite TV dish was taken down by the condominium owners association at his home at Peppertree Condominiums in Ventura. The association said it's an eyesore, but he says he's within his rights to have one.

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"We even checked with an attorney before we did this," Cherrie said. She said the board is standing by its decision.

As to those wanting satellite TV, Cherrie said they can plug in to the association's satellite dish.

Solarez said he would do so if only the association's satellite TV provider offered the same choices as his old service.

Unfortunately, the provider doesn't, he said, noting his service offered a wide choice of channels, including a number of Spanish-language channels.

Since his dish was taken down, Solarez said he's been forced to hook up to a traditional low-tech TV antenna.

"The TV reception's been lousy," he said. "I originally hooked up to satellite TV because of poor reception."

FCC spokeswoman Rebecca Fisher said homeowners, renters and others may put a dish on their property provided it's in an area that only they and a select number of others have access to.

"The purpose of the law is to give consumers more choice and to promote competition so that one company doesn't have a monopoly," Fisher said.

Oxnard Realtor C.J. Johnson said many homeowners' associations and landlords don't allow the dishes because "they don't know the law.

"It's strictly an ignorance of the law," Johnson said.

A tight housing market only compounds the problem, Johnson said, especially for renters who might have a legal right to install a dish outside their home but are often reluctant to push the issue.

"Many tenants don't want to make waves," Johnson said, for fear the landlord may raise the rent or find an excuse to evict them.

Johnson recommends that tenants wanting a satellite dish offer the landlord a deposit for any damage done to their property by the installation.

"If you present it in the right way you'll probably be a lot likelier to overcome any objection by the landlord," she said.

David Luff, a member of the Venwood Condominium Association in west Ventura, said his association was faced with the issue of whether to allow the dishes some time ago.

Luff said the association decided to allow the dishes, in part, because they could not legally ban them.

However, Luff said the association places some reasonable restrictions on the dishes, "including making sure the owners repair any damage caused by the dish's installation."

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