

Community Associations Network

In the News Since the Last Issue

Check your state or region News Feed for more stories

[US banks tighten lending on new property](#)

Under pressure to write only ironclad mortgages, banks have become increasingly unwilling to write mortgages for some new buildings, especially if only a small percentage of their units has been sold,...

[GA: HOA: No Kids Playing in](#)

A Lawrenceville homeowners association said Sunday that they were trying to send a message to neighborhood kids who want to play in the common areas. The Homeowners association group once tried to ban dogs from urinating in their own yards....

[TX: Owner sues Board/President over insurance repairs](#)

A Port Arthur woman says workers hired by Regency Park Section I Owners Association and its president did not adequately fix her house after it was damaged by Hurricane Rita....

[FL: PSL residents sue Centerline Homes over Chinese drywall](#)

The owners of a townhome in the Tradition neighborhood of Port St. Lucie have filed a lawsuit in Circuit Court against the builder Centerline Homes for using Chinese-made drywall....

[CO: Beauvallon lawsuit put on hold](#)

A multimillion-dollar construction defect lawsuit related to downtown Denver's Beauvallon condo tower has been put on hold after being settled in March, according to court filings....

[MA: Buyers sue university-condo developer](#)

A dozen former and current Massachusetts Institute of Technology and Harvard University professors are suing the developer a condominium complex for allegedly refusing to allow buyers to move in to units at 303 Third St in Cambridge, Mass....

[TN: Condo Fire Displaces 10 Families](#)

Half of the building was already in flames when fire crews arrived. All of the residents of the complex were able to get out safely....

[IN: Hope fuels guardian of Gateway West](#)

In the continuing fight against urban blight that decimates low-cost housing, Barry Stern works the front lines on Indianapolis' Northwestside....

[FL: Communities work to dispel false rumors](#)

Gated communities are a hotbed of rumors. And dealing with them comes with the territory for homeowner and condo association board members and presidents....

[NC: Condo owners left in limbo](#)

University City condo owners whose properties are in the path of a major state road project won't be able to quickly sell to the state even if they can no longer pay the mortgage....

[VA: New Condo Loan Rules Put More Scrutiny on Neighbors](#)

Condo owners share more than roofs and lobbies these days. They also share one another's financial burdens....

[NJ: Living green in Hoboken's national pacesetter condos](#)

The Lofts is the first high-rise in the state to receive LEED (Leadership in Energy and Environmental Design) certification, the only national rating system that assesses the environmental impact of buildings....

[CA: Linda Vista condos tied to alleged scheme](#)

A wave of loan defaults that has swamped a 42-unit Linda Vista condo-conversion project makes it the fourth complex in the county linked to a Bay Area man to be investigated by a state judge....

New Articles Found on the Web

Protect Your Association's Assets Against Fraud

Arguably, the most important function of a community association board of directors is to prudently administer the association's finances. It is quite common for a board of directors to rely on just one director or a property manager to take charge of financial operations. However, delegating the financial administration function to an individual, without also engaging in an appropriate level of oversight, can invite fraudulent conduct. Common fraud schemes involve fraudulent disbursements, misuse of association credit cards and business accounts, misappropriation of supplies, checks and petty cash, and even lucrative kickback arrangements. Importantly, lack of oversight that enables frauds to occur may constitute a breach of the directors' statutory standard of care. [Read more](#) (PDF)

Eco-friendly practices in property management

Incorporating green practices into facilities management is quickly becoming a nationwide priority, and the property management industry is no exception. Homeowners' associations and property management companies across the country are instituting a range of practices to make them more eco-friendly. Though it makes people feel good to be a part of a community that is proactive about saving the environment, in today's economy, cost efficiency is what matters most. Fortunately, the latest eco-friendly practices in the property management industry increase recycling and save money. These are the types of green policies that will last. [Read more](#) (PDF)

HUD Underwriting Requirements for FHA Mortgages

Due to the declining housing market, recent turmoil in the credit markets and residential mortgage industry, the Department of Housing and Urban Development - better known to most of you as HUD - has enacted new lending requirements for certain types of federally insured mortgage loan programs. One such rule change with far-reaching implications for condominium associations and community management companies, is the new underwriting requirement making it mandatory for all existing condominium associations to maintain minimum percent funded levels in their reserve account in order to qualify for FHA insured mortgages. An existing association is defined by HUD as any condominium association which is not under the control of the original declarant. [Read more](#) (PDF)

To Maintain or Not to Maintain? There Really Is No Question

In these times of economic distress, even the once thought recession-proof condominium associations are feeling the pinch. The depressed real estate market coupled with the falling stock market is really putting the squeeze on many condominium residents and, as a result, many property managers are dealing with shortfalls in their monthly maintenance collections. The question then presents itself on where to cut costs. Avoid the temptation to cut necessary building maintenance. New projects, remodels or upgrades should be put on hold, but a clean, well-maintained building promotes a sense of well-being among its occupants and helps news sales as well as re-sales. [Read more](#) (PDF)

Make the Most of Your Time—Strategies for Better Board Meetings

The central event in the business operation of any community is the meeting of the board of directors. Whether the board meets monthly, quarterly or somewhere in between, this is where all of the work of the many volunteers and professionals involved in the operation of the community is weighed and the decisions made that affect every member of the community.

In order to make the most of the time available and get the most out of your meeting, everyone involved needs to be on the same page and focused on

Sponsored Links

[NCB FSB](#)

Need financing for your HOA? Call us (800) 766-2622 or click on [the link](#)

[Condo Manager](#)

Accounting and Management Software - For HOA and Condominium Associations

[Community Association Website](#)

Feature packed, Interactive website for today's active Communities, HOA & Management Companies. Affordable priced, beautifully designed and full supported. Visit the [AtHomeNet Live Demo](#).

[Jenark](#)

Associate Yourself With the Leader in Association Management Technology

[Reserve Fund Essentials](#)

A refreshingly readable and levelheaded 17-chapter book on fun related how-to's and must-do's to keep balances healthy. [Check it Out](#)

[HOATalk.com](#)

Meet with thousands of HOA leader online. HOA news & information to you for free!

[Community Association Leadership Series DVDs!](#)

Four hot topics on a two-disc DVD set: The Board, Meetings, Insurance, and Reserves. CAI members get 40% off

[New Audio/Video](#)

[MI: Flint must pay condominium owner \\$500,000 \(video\)](#). Flint is being ordered to pay more than \$500,000 to the owner an uncompleted downtown condominium project....

[AZ: Valley veteran prevented from flying flag in front of home \(video\)](#). I mid-April, the homeowner Magowan rents from received a letter from the homeowners association asking for the flag to be placed in a different area on the property....

[What's New in the Blogs](#)

[California Condo & HOA Law](#)

[What Are Some Options for Struggling Boards and Homeowners?](#)

In my last blog I had to pass on some discouraging information about the options HOAs and Condo Association have with regard to collection of assessments. It'...

[What If I Can't Afford To Pay My Assessments? What Can Happen?](#)

This is a question I am hearing way too often these days. These are truly desperate times. On the HOA and Condo side, and on the individual owner's side.

Overwhelmed by pending foreclosures...

[WV: Condo complex sued for decrepit conditions](#)

The University Commons Riverside Home Owners Association recently sued several developers involved in the University Commons Riverside Condominium Complex, alleging negligent construction and other things....

[LA: Grant to help Brandywine families](#)

Catholic Charities of the Diocese of Baton Rouge will use a \$10,000 disaster grant to help families relocate before the electricity is turned off at Brandywine Condominiums...

[NV: Foes under defects law unite to push for its change](#)

Ramsay, Williams and the others are there because they got a notice from Lennar Corp., which had received a letter from the homeowner's attorney complaining of problems. The letter included a reference to problems with heating and cooling....

[SE: Condominium glut may build new industry](#)

Atlanta's condo glut has not only gained national attention, but it also may be creating a new local industry: new condo auctions....

[Alliance Management Network Says 1,000 Condos On Fire In 2008](#)

Last year there were over 1,000 fires in condominiums around the country. As bad as that number is, that is only the tip of the problem. When a single-family home catches fire, the fire departments usually can put the blaze out before it spreads. In a condominium...

[TX: State Senate Wants HOAs to Allow Fun in the Sun](#)

A bill that has passed the state Senate creates \$500 million in incentive rebates for homeowners who install solar panels as a form of renewable fuel. It also prevents homeowners associations from barring installation of solar panels...

[TX: Defenders Subjected to Profanity-Laced Tirade](#)

Eighty-four homeowners in the Mission Creek subdivision on the southside got foreclosure notices from their homeowners association last month, prompting an outcry from residents. Now there are complaints from homeowners in the Voss Farms subdivision in New Bra...

[FL: Upscale community's mailbox fight becomes 'World War III'](#)

Frustrated that Gallagher got a rogue mailbox approved when other homeowners could not even get ant beds treated, Bland filed a complaint with the Commission on Ethics in Tallahassee....

[MD: Family Could Lose Home Over \\$55 Debt](#)

An Owings Mills family who fell on hard times and let their homeowners association fees lapse is currently facing \$10,000 in charges that could cost them their home -- even though the debt started at only \$55....

[FL: Key Marco Association, landscaper face egregious violations, \\$20,000 in fines](#)

Is Marco Island inhabited by a group of mangrove marauders or are Key Marco community leaders and their landscape contractor simply misunderstood?...

[UT: Cause of three fires unknown; residents allowed to return home](#)

Fire investigators still don't know what caused three small fires at a Logan condominium building Wednesday morning, but they will be letting 16 people back into their homes tonight....

[AL: Judge orders insurance company to pay \\$1.51 million to Gulf Shores condo](#)

A federal judge here today ordered an insurance company to pay \$1.51 million to a Gulf Shores condominium association for hurricane damage, cutting the jury's award to the maximum amount allowed under the policy....

[CA: Judge stops board from replacing "argumentative" director in Laguna Woods](#)

The homeowners association board that unceremoniously dumped a director - without cause - won't be filling that seat for a while.

the business at hand. Pre-planning and proper preparation of meeting materials will help keep everyone moving forward. Consider implementing these tried and true processes in your future meetings: [Read more](#)



Managing Micromanagement Part 1: The Why and How: A guide to make everyone's life a little better

Micromanagement: *To direct or control in a detailed, often meddling manner.* **"(1)**

My working definition is: The over involvement of a Board or Board members in the day to day business of running a community association.

I've written many articles over the years on many subjects but the one that keeps coming back like the proverbial bad penny to haunt us all is the topic of Micromanagement - and once I got going I found the subject so voluminous, that it will take two articles to cover!! Talk about obsessive compulsive! Somebody stop me! [Read more](#)

April is Fair Housing Month:

What Is Fair Housing?

In April 1968, President Lyndon Johnson signed the Civil Rights Act of 1968. The Act was a follow-up to the Civil Rights Act of 1964. The Act prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex, (and as amended) disability, and family status. The Act, along with the Fair Housing Amendments Act of 1988, is known as the Fair Housing Act. In addition, Colorado has adopted its own fair housing laws, which are extremely similar to the federal laws. April is national fair housing month in celebration of the signing of the Act. [Read more](#)

The Fair Housing Act & Condo Associations: Making Reasonable Accommodations In An Unreasonable World

The Friendly Sands Condominium Association prides itself on going the extra mile to accommodate its members' every need. Last week, however, was enough to challenge even the prodigious good will of the association's affable manager, Patience Long. First there was the problem with Dessi Bell, a long-termed resident of the condominium who had lately taken to playing her Rolling Stones CDs at such a volume as to cause multiple and increasingly angry complaints from her neighbors. When Patience confronted Dessi with charges of violating the condominium's noise policy, Dessi claimed that because of her failing hearing, she could no longer enjoy her music at normal volumes. She demanded the association either grant her a special waiver from the noise restrictions or soundproof her unit. After muttering something about reasonable accommodations and calling her attorney, she bid Patience farewell and slammed the door in her face. [Read more](#)

Eliminating the Termite Blue Tarp of Shame

Picture this: It's springtime, and my management company has just taken over management of a beautiful beachfront community. They've assigned this six-year-old property to me. While walking the property to familiarize myself with the grounds, I noted the pool looking over the private beach, a natural gathering spot for socializing and observing the sunrises and sunsets. I'm enthused with the prospect of managing this stunning property. Back in the office the phone rings, and an owner from this elite beachfront property reports that they have termites swarming -- on the third floor. I put them in touch with the exterminating company under contract for this service. Over the next several days, I received other calls about termite swarms from owners on the second and third floors of the same building. I advised the board of directors that a destructive investigation was warranted to determine the degree of moisture penetration of the siding. I informed them that termites require moisture to survive, and that termites on the third floor of a building are a legitimate cause for concern. The board approved an investigation. [Read more](#)

Bankruptcy and Community Associations: What an Association Can and Cannot Do When An Owner Files Bankruptcy

Generally, condominium, townhome or homeowner associations are not for

owner's sake.

Florida Condo & HOA Law

[Covenant Enforcement is an Option for Property Owners](#)

A reader recently posted the following inquiry to this site: "I live in a community in which the HOA documents are not being enforced, for instance mo..."

["Green" Practices to Ease Future Financial and Budgeting Concerns.](#)

As you have probably seen on T.V. or read in the newspapers, this is Earth Week. That may, or may not, matter to you as an individual, as a comm...

Michigan Condo & HOA Law

[An employee with AIDS is covered under the ADA](#)

I recently heard from a co-owner whose association has a member who is a part time employee and who also has AIDS. The co-owner feared that this employee may be a health threat to ...

[Management Company Circumvents Attorney](#)

I recently heard about an association who hired an attorney to review their management contract, and had that attorney write the Management Company requesting modification. Instead...

HOA Legis-slate

[Amended Version of HB 1359 - Clean the House](#)

On Monday, April 27, 2009, the House passed an amended version of House Bill 09-1359 ("HB 1359"). This legislation, introduced by Representative Andy&nbs...

[HB 1359 Picking Up Speed](#)

One day after being introduced, House Bill 09-1359 (HB 1359) has cleared the first hurdle on the journey to final passage and is picking up speed.&nb

New Jersey Law

[Statute of Repose Once Again Clarified by the New Jersey Appellate Division](#)

The New Jersey Appellate Division recently decided the matter of McGirt v. K. Hovnanian at Somerset, A-6100-07 (March 17, 2009), in which the Plaintiffs argued that a leak in thei...

[Stark & Stark Shareholder Presents Using Mediation, Arbitration & ADR Seminar at 2009 Cooperator Expo](#)

Stephen M. Lasser, Partner in Stark & Stark's Condominium and Co-op Group, presented a seminar at the New York Cooperator Expo on April 7 2009 in conjunction with David J. Byr...

Condo Issues

[Predictions of the Future in an Uncertain Present](#)

Common interest developments are reliant on member assessments to provide long-term maintenance and repair. Since the association's governing docume...

won't be lining that seat for a while...

[CA: Malibu West residents vote to file lawsuit against city.](#) The Malibu West Homeowners Association Board of Directors held a last-minute vote Monday in an attempt to "negotiate with the city" over the Trancas Canyon Park project...

[SC: POA bill needs work, including a reason for it](#)
The Senate Judiciary Committee's decision Wednesday to send a bill to regulate homeowner associations back to subcommittee was good news....

[NV: Abandoned Homes Create Costly Mess](#)
Foreclosed or abandoned houses dot nearly every neighborhood in Southern Nevada. And with no one home to care for the property, it falls to local government to keep it from becoming the neighborhood eyesore...

[FL: Toilet paper roll toss leads to condo flooding](#)
The flooding of a condominium here that forced residents to a shelter and ruined the vacations of several visitors was the result of two siblings involved in horseplay...

[TX: Local HOAs adapting to green innovations](#)
Austin has a reputation as a tolerant (if occasionally weird) city, and John Rosshirt of Stanberry and Associates, a "green builder" who also has experience managing a homeowners' association, expects homeowners and homeowners associations to adapt....

[KS: Wichita Woman Goes To Court Over Roof Color](#)
Many neighborhoods have covenants homeowners must follow. The purpose is to keep the community looking good and encourage residents to keep up their property. But a Wichita woman says her homeowners association has gone too far....

[IL: Trump Tower Resident Blinded By The Light](#)
There's got to be some status in owning a condo in Chicago's new Trump Tower, but the novelty appears to have worn off for at least one resident....

[PA: POA director riled over info access](#)
A Treasure Lake Property Owners Association board member who was denied TLPOA information has hired an attorney....

[PA: THP goes under, homeowners react](#)
Residents of the Coddington View development in Royersford want answers. Their developer, THP, is in dire financial straits and their neighborhood is unfinished....

[LA: Elderly unable to pay large condo fee](#)
Pat Elliott has owned a condo at the Victorian Condominiums since 1987, but the notice she just received could mean the end of her time here, and the end of her lifestyle, because her electricity could be cut off May 1....

[FL: Tainted drywall found in Punta Gorda condos](#)
Charlotte County appears to be the scene of one of the most sweeping instances of defective Chinese drywall discovered to date....

[CO: Condo owners sue Dillon](#)
The Yacht Club condominium complex has filed a lawsuit against the Town of Dillon, protesting the town's elimination of parking spaces in a public right-of-way that have been used for decades by condo owners....

[TX: Senate passes solar incentive bill](#)
The bill also requires developers to offer solar as a standard option in developments with 50 or more homes, creates a loan program for schools and prohibits neighborhood associations from banning homeowners from installing solar projects....

[FL: Dispute over mandatory membership at Kensington heads to court](#)
Residents are battling over whether to make membership mandatory in the country club at Kensington in Naples....

Generally, condominium, townhome or homeowner associations are not for-profit corporations. Each owner within an association is obligated to pay either monthly or yearly assessments. The assessments are the lifeblood of the association, as collection of assessments ensures that the association can perform its primary function, to maintain the common area. Undoubtedly, unit owners default on the payment of their assessments. It is essential for associations to take all necessary steps to collect the assessments from all unit owners. However, it is difficult, if not nearly impossible, to do this when an owner files for bankruptcy. [Read more](#). (PDF)

Pressure, panic and productivity

With bosses and managers under intense pressure themselves to deliver results, it's perhaps not that surprising that stress and pressure is spreading down the food chain, and that workers, according to latest research, are feeling increasingly put upon to deliver instant results day-in and day-out. But the risk for managers is that, by constantly demanding that things be done by yesterday, they not only generate resentment and stress but also play havoc with how employees prioritize their work, sometimes meaning the really important stuff ends up getting overlooked. [Read more](#)



Protect Your HOA Landscape

Landscaping is a homeowner association asset that can and should improve with age. However, diligent attention is required in order to make this happen. Skilled maintenance work, along with occasional and ongoing improvement work are essential. [Read more](#)

More News Stories

[SC: EMS officials push security-override systems at gated communities](#) At about 9:23 p.m. April 7, emergency personnel were dispatched to Bluffton's Baynard Park to respond to a 62-year-old man suffering a massive heart attack....

[WA: Residents Worried about Mystery Water](#)
Snohomish development has residents worried about mystery water pouring up from the ground. Snohomish sub-division Outlook Ridge overlooks the Snohomish Valley and is located on Seattle Hill RD just west of Marsh road....

[FL: Tests find asbestos in soon-to-be-demolished 1515 Tower condo](#)
The discovery of asbestos in the stucco of the 1515 Tower on South Flagler Drive could delay the long-awaited demolition of the hurricane-damaged condo high-rise....

[FL: Water is back on for Miami condo](#)
Water is flowing again at the 310-unit Miarassou Condos in Miami-Dade County....

[CA: Turf wars: Does grass always have to be greener?](#) John Gioia's homeowner association warned him last fall - during the drought - to water his front lawn more to meet the community standards for lush and green....

[TX: Investigation: Condo Fire Follow Up](#)
Arson. That's the official cause of a fire at a north Dallas condominium complex - a complex some residents call a homeowner's hell....

[CA: Bill to outlaw homeowners' association bans on low-water-use plants](#)
Two of California's biggest urban water districts agree, and have teamed up to sponsor state legislation that would bar local homeowner associations from requiring lush lawns in droughts and prohibiting homeowners from replacing lawns with less-thirsty plants....

[AR: Association Requiring Nondisparagement Agreement](#) The Bella Vista Property Owners Association is requiring new and returning workers to sign an agreement saying they won't disparage the association during or after their employment....

[MD: Rodgers Forge sues residents over porch](#)
The Rodgers Forge Community Association is suing the owners of a house who have built a \$20,000 California-style back porch in their Colonial-style townhouse neighborhood....

[CA: Confusion Reigns at Condos](#)
The owner of a property management company that's been renting out

Colorado Homeowner Associatic

[Carbon Monoxide Alarms and Colorado's New Law](#)
Colorado's new law concerning carbon monoxide alarms was signed by Governor Ritter on March 24, 2009 and applies to sales, rentals and remodels of single family and mul...

Northwest Condo & HOA Law

[Fannie Mae Rules Push Out Condo Buyers](#)
There was an article in last week's *Stranger* reporting that new Fannie Mae regulations established in March have blocked condomini...

Washington State Homeowner & Condominium Association Law

[Water One Casualty of High Foreclosure Rates](#)

[What Makes Homeowner Association Meetings Work](#)

Utah Community Law

[Facing Financial Crisis](#)

[Bare Coverage in New Orleans.](#)

Connecticut Condo Law

[Why The Statewide Grievance Committee Doesn't Need To Regulate Twitter](#)

On word: unfollow. Oliver Wendell Holmes would love twitter. It is perhaps the greatest marketplace ...

[Connecticut Statewide Grievance Committee Needs A Facebook Exception For Advertising Rules](#)

I like to follow rules because doing so usually makes life easier. I especially like to follow rul...

Virginia Condominium & Homeowners Association Law

[Collection of Assessments 101](#)
Collection of Assessments 101 - Owner Bankruptcy Did You Know? Section 523 (a) (16) of the Federal Bankruptcy Act excerpts from the debtor's discharge all assess...

HOA Brief

[What is a Capital Improvement?](#)
Many HOAs have language in their governing documents that act as a spending cap on capital improve...

[Proposed California Bill Lets Water Agency Trump Homeowners Association Rules](#)
California's AB 1061, introduced on February 27 by Assemblyman Ted Lieu would repeal a portion of th...



[FL: What can you do when roaches overtake a vacant condo unit?](#) Take the case of the elderly owner of a Hollywood condo who for almost 10 years has been paying for an unoccupied unit that has become filled with cockroaches....

[Fannie And Freddie Role Out New Loan Fees And Appraisal Reform](#) Fannie Mae and Freddie Mac, the US government owned mortgage lenders are adding on extra fees for many loan applicants, while some lenders are going even further in tightening underwriting rules, it has been revealed....

[WV: Homeowner association sues condo community](#) A home owners association is suing a Monongalia County housing complex for defective development, negligent construction and misleading marketing....

[FL: Families Homeless After Fire Destroys Condos](#) Seminole County firefighters say a Winter Springs condo complex gutted by fire will have to be condemned. Eight families are out of their homes Monday morning after a fire at a condominium complex in Winter Springs....

[FL: Condominium dwellers fight pollution](#) "We are absolutely an exception to the rule," Jewett said. "It's a smooth operation considering we are one of the largest, if not the largest, condominium associations in the state." ...

[FL: Foreclosures and fraud distorting home values](#) As the South Florida housing boom was running out of steam, Stephen Czuchta was astonished to learn that his Sunny Isles Beach condo had jumped 20 percent in value in a year....

[See all of the latest national, legal, regional and state news](#)

2008 Advertising Policies and Rate Sheet
[Word Doc](#) [PDF](#)

dozens of condos in Escondido and San Marcos that are at the center of a real estate scam says he's ending his contract to manage the units, but won't say whether he plans to continue to collec...

[FL: Water Turned Off To Miami Lakes Condominium](#) Residents were left without water in their Miami Lakes condominium after learning their condo association owes tens of thousands of dollars in previous water bills....

[CA: Renters become unwitting victims in condominium mortgage scheme](#) Tammy and Sanford Goldberg have had their share of financial setbacks, what with Tammy out of work, Sanford injured on the job and a bankruptcy filing a few years ago. Yet they dutifully paid their monthly rent, unaware until two months ago that the Escondido

[MA: Time running out to settle condo lawsuit](#) The residents of Market Gallery Condominium Trust have sued Ayer Properties owner John DeAngelis for more than \$300,000, accusing him of shoddy workmanship that resulted in chronic leaks and damage to the building....

[TX: Condo residents stuck with more cart than trash](#) When Waste Management notified Spicewood Village Condominiums two years ago that it would no longer handle their recycling, residents looked for a new trash service provider that would, said Carol Languell, the president of the condominiums' homeowners associa...

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