

Community Associations Network

In the News Since the Last Issue

Check your state or region News Feed for more stories

[VA: Glenmore finds nearly \\$700,000 missing](#)
An audit of the Glenmore Community Association's finances has found \$666,446 missing from the organization's operating and reserve accounts....

[TX: Wading into a neighborhood dispute](#)
Rep. David Leibowitz, D-San Antonio, has stepped into the latest round in the fight between some homeowners in three KB Home neighborhoods and their builder-controlled homeowners associations....

[IL: State's attorney probes Palos property manager](#) The Cook County state's attorney's office said Monday it's investigating a Palos Hills company that managed several Southland condo properties, and whose tenants have been saddled with thousands of dollars in unpaid bills....

[NY: Resistance to Sanitation plan to eliminate apartment-building dumpsters](#)
Under the plan that was to take effect next month, Gallo's association was expected to create new staging areas to contain and secure hundreds of new garbage pails....

[WI: Housing complex owners vote to ban smoking](#)
It's not just indoor public places in Eau Claire where lighting up is prohibited. Now residents of a south side, owner-occupied housing complex will have to snuff out smoking in their homes, the most recent sign of public anti-smoking sentiment....

[IN: Unpaid dues split neighbors](#)
A spattering economy with piling job losses has forced many local residents to pick which bills to pay....

[NE: Condo residents have rooftop oasis](#)
Carl Eskridge enjoyed working in his yard and gardening, but when he and his wife, Janet, moved downtown to University Towers, his lawn mowing days were over. Until now....

[GA: PTC forfeits FEMA grant](#)
The Tinsley Mill Homeowners Association was unable to raise the necessary matching funds and the city was unwilling to provide the financial assistance necessary to save the grant....

[CT: Stamford neighbors squabble over a privately owned, yet public beach](#)
A gate, opening onto a small beach behind the back yards of three large homes, is surrounded by three signs bearing conflicting messages. One declares it property of the St. David's Bluff Homeowner's Association. Another sign guarantees public access to the co....

[CA: HOA board must follow rules too](#)
Home Owner Association living means living in a community where there is a governmental set of rules that everyone lives by. Some of the rules are created and enforced within the community and others are created by our legislature. Those are called laws....

[NV: Amendments to Assembly Bill 350 will challenge HOAs](#)
We'll continue our discussion from last week on the amendments made to Assembly Bill 350....

[FL: Chinese Drywall Victims Coerced by Builders into Giving Up Rights](#) Builders are also making a lot of empty promises and other oral representations about the scope and nature of the remediation that are simply not reflected in written agreements homeowners have signed....

[NV: Those Lacking AC and Power During Heat Warning in Danger](#)
Las Vegas is under an excessive heat warning and you never know just how critical air conditioning is until it goes out in this heat. One local family has now been without AC and electricity in their condo for two weeks....

[FL: Former condo bookkeeper arrested in theft](#)
A former Pompano Beach condo association bookkeeper was arrested Thursday for allegedly bilking the association out of nearly \$500,000 over four years, according to a news release from the Broward Sheriff's Office....

[TX: Condo plans disputed](#)
Residents of a condominium development in Austin are concerned that plans for an expansion are overshadowing more pressing needs with current property....

[TN: Associations equipped to recover unpaid dues](#)
The current economic climate is putting the squeeze on many homeowners, which could result in delinquent neighborhood association dues....

New Articles Found on the Internet



What is "Due Process"

In case you missed it, there has been a discussion on the web among HOA practitioners about what is required with regard to hearings in HOAs and how "due process" is a factor. The first thing you should all know is what "due process" means.

"Due process (more fully due process of law) is the principle that the government must respect all of the legal rights that are owed to a person according to the law of the land. As developed through a large body of case law in the United States, this principle gives individuals a varying ability to enforce their rights against alleged violations by governments and their agents (that is, state actors), but normally not against other private citizens ... Due process has also been frequently interpreted as placing limitations on laws and legal proceedings, in order for judges instead of legislators to define and guarantee fundamental fairness, justice, and liberty. ..." (www.wikipedia.org - my emphasis)

It may help to understand that HOAs and Condo Associations are not really "State Actors" because they are not public or governmental agencies. Even so, there are some situations where they have been put in that category by judges, and certainly, legislators and others discussing HOA and Condo issues have used the term pretty freely so I will just go with the idea that "due process" in the context of HOAs and Condos means fundamental fairness. [Read more](#)



Things I know Now... I Wish I'd Known Then

It's been a few years but some of you may remember previous articles I've written with this same title. I do so because with time has come wisdom and I have learned a lot of things that I wish I had known back when I started as a manager because it would have made life so much easier. Here are some things I know now I wish I'd known then:

Embrace Change. "Change management" is the unsung skill of the community manager, as they continually balance what was with what is with what is going to be within the communities they manage. This skillful ability to manage continual change (this week's Board is next week's has-beens) is a skill for which community managers are seldom appreciated. [Read more](#)

Real Money Saving Ideas for Real Community Associations

Everyone is talking about saving money and cutting expenses in these hard economic times. But what does that really mean to you and your association? How does an association cut expenses? I don't know very many associations that have extra money to spend; most struggle just to pay the basic operating expenses. With assessment income down and operating expenses up, many associations are finding it hard to pay vendors and continue services. Here are a few real, inexpensive ways to save a little - and perhaps a lot of - money. [Read more](#)



Photo Op HOA Reserves

A reserve study identifies a homeowner association's future repairs and replacements like a snapshot in time. Imagine that you could picture the buildings and grounds as they would be in five, ten, even thirty years. A reserve study acts just like that by estimating the useful life of the common elements and

the cost to replace them in the future based on current cost adjusted by inflation. [Read more](#)

Financial Reports: The Need, the Problem and the Solution

The oldest surviving forms of the Greek language are crude scratchings on clay tablets found buried in the ruins of ancient Greek palaces destroyed 3,200 years ago. Known as Linear B, this primitive script does not recount Homeric deeds nor record mythological fables nor preserve primitive philosophy. Translated, these ancient tablets tell us "Kokalos repaid the following quantity of olive oil to Eumedes...648 liters." Hardly soaring prose, this passage would fit perfectly in your association's financial reports beside the journal entry "Arthur Koenig/Reimbursement for carport damage...\$543.92." What did these illiterate barbarian kings over three thousand years before the California Civil Code have in common with your board of directors? [Read more](#)

Seven Primary Condominium Financial Issues in a Distressed Economy

We are living in desperate economic times and no person, business or condominium association is immune from the effects of our distressed economy. In fact, condominium associations have seen an explosion of economic related issues in recent months adversely affecting the operation of their association. From unit owners failing to pay monthly assessments and increased unit foreclosure filings, budgetary issues are a topic at virtually every board meeting; however, with sound decisions and policies, condominium boards can mitigate the effects of the seven primary financial issues in a distressed economy. [Read more](#)

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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

[LA: Riverside condo, apparently unstable, may collapse into Ouachita waters](#)

(Video) A West Monroe man on Friday morning was standing along the Ouachita River levee, awaiting what appeared to be imminent collapse of his condo home....

What's New in the Blogs

California Condo & HOA Law

[The Saga on Fines in HOAs and Condos Continues ...](#)

It's time for more on fines. I receive lot of inquiries and questions. Here's one ... (or two) ...

"I have read your recent blog regarding fine hearings fo..."

REVISITING "GOOD STANDING" - WHY IS IT IMPORTANT?

I did a blog essentially similar to this in October 2007. I was recently asked if a group could republish it. There is quite a bit of confusion and misunderstanding...

Michigan Condo & HOA Law

[Prohibition on signs a violation of free speech?](#)

A co-owner replied to a blog I posted about "for sale" sign prohibitions. He stated that his condominium also bylaws prohibit signs, but a number of the members want to put up ...

A ban on cigarette smoke

Cigarette smoke is a touchy subject these days, and I was approached recently by a board member whose association is considering passing a restriction in their documents concerning...

Ohio Condo Law

Amendments MUST be Recorded to b

[FL: South Florida condos in years-long battle for hurricane repairs](#)

For nearly four years, residents of an Aventura condominium who saw their balconies and hallways torn apart by Hurricane Wilma have been waiting for a check from their insurance company to make badly needed repairs...

[FL: Pembroke Pines HOA changes its mind: family can keep cross](#)

A Pembroke Pines family will get to keep a religious cross over their garage after their homeowner's association reversed its decision asking that the symbol be removed....

[MA: Middleboro man sues Lakeville HOA for civil rights violation](#)

Former Middleboro businessman Scott J. Hyman is suing Hemlock Associates of Lakeville for \$1 million in damages, claiming his civil rights were violated....

[KY: Homeowner Association treasurer allegedly steals dues, has criminal history](#)

She was supposed to collect fees from the people in her Neighborhood Association but instead, police say the treasurer bilked her neighbors out of more than \$10,000 in dues....

[NJ: Owners of disheveled condos frustrated with Lindenwold](#)

The tennis courts are overrun by vegetation, and the adjacent swimming pool is crumbling and filled with trash....

[TX: Easy being green? One woman's battle to install a bamboo fence](#)

It's not always easy being green. Lourdes Rodriguez learned that the hard way. Earlier this year, the Round Rock, Texas, resident decided to replace a rickety cedar fence with a stylish new bamboo one....

[CO: Forest Lakes homeowners group folds](#)

The Forest Lakes Property Owners Association has dissolved after several years of legal strife, leaving no one in charge to enforce the subdivision's covenants...

[TX: Subdivision residents vote to oust HOA board](#)

A neighborhood association dispute is headed to court after homeowners met and voted to remove the association's board of directors and install a new and larger board....

[CT: Croc Kicked From Condo](#)

An exotic croc has been booted from his Connecticut condo. "Smiley", an African Caiman, lived in the apartment of his owner Joe Laskowski for more than two decades...

[FL: Choosing the right property management company is key for HOAs and condos](#)

The Pipers Glen Estates homeowner association in Boynton Beach has gone through a half-dozen property management companies in 10 years. Some companies didn't perform well, others changed ownership or went out of business....

[LA: The liability question](#)

It's unclear how many Louisiana residents have been affected by Chinese drywall...

[FL: Titusville condo owners face fines for violations](#)

Code violations keep racking up at Bay Towers Apartments, the fire-scarred riverfront complex facing a crippling cash crunch....

[FL: Former manager of West Palm Beach condo arrested on embezzlement charges](#)

Last month's national sweep of fugitives has netted the former manager of a West Palm Beach condominium, wanted for more than eight years on charges he embezzled about \$40,000, according to reports...

[NC: Clothesline bill hung out to dry](#)

Back during crossover (click here), Rep. Pricey Harrison, a Greensboro Democrat, got a little bill (H 1353) through the House that would prohibit cities and counties from adopting blanket prohibitions on clotheslines....

[FL: Mounting bills force Florida condo associations into bankruptcy](#)

At least seven Florida condo associations have filed for bankruptcy since the real estate market took a nose dive -- and there may be more on the way....

[FL: Buxton Properties' grand deficit sends condo, HOA's scrambling](#)

Across Pinellas County, about 20 condo and homeowner associations are reeling from the news that the woman in charge of the finances for Buxton Properties, the company that managed their associations, has been accused of stealing about \$1 million from their b...

[CO: Avon issues warrants in bank theft](#)

The Avon Police Department has issued 17 warrants in the past few days in the investigation of the May 8 robbery of several local homeowners' association accounts....

[TN: When green goes bad](#)

Increase in the number of LEED-certified structures also

9 Things You Need To Know About Homeowner's Associations

[Good article from the Denver Post about things buyers need to consider when moving into an HOA]

When you purchase a condominium, townhouse or other type of property in a planned development such as a leased land property, a gated community, or even an ordinary subdivision, you are obligated to join that community's homeowners' association (HOA) and pay monthly or annual HOA fees for the upkeep of common areas and the building. If you are considering purchasing one of these types of properties, you should be aware of the following nine things about homeowners' associations and how they work before you buy. [Read more](#)

More News[FL: Lenders' latest foreclosure strategy: waiting](#)

Across Florida, tens of thousands of foreclosed homes are being left in limbo, between homeowners who have abandoned them and banks that have not yet taken possession of them....

[VA: Beseet by woes, Norfolk condo owners left in lurch](#)

But the vibrant East Ocean View community that developers envisioned six years ago has not materialized....

[IL: Mold making condo less than a home](#)

The condominium association has been locked in litigation with the building's general contractor, developer and eight subcontractors for more than a year, trying to recoup more than \$8 million to pay for the repairs....

[TX: HOA Fight May Cause Loss Of Services](#)

The Village at Woodlake Condominiums were once a prime place to live on the city's northeast side off of FM 78. But now, the pool is closed and the complex is in danger of losing some basic services because of a fight involving the homeowners' association....

[CA: HOA to cut amenities for residents delinquent on fees](#)

Residents who are delinquent on their homeowners association fees will be denied access to community amenities and community-based Internet and e-mail access unless they bring their accounts current...

[WA: Sudden Valley to crack down on delinquent dues payers](#)

The Sudden Valley Community Association will get tough on delinquent property owners by taking legal action against those with unpaid dues....

[NV: New Rules Help HOA's Maintain, Collect](#)

No matter where the location, a foreclosed home affects other homes on the block. Now, HOA's have some recourse....

[MN: Homeowners Drop Lawsuit Against Mason City](#)

The Pebble Creek Homeowners Association and the city of Mason City were set to go to trial Wednesday, but the homeowners are giving up...

[AZ: Viewpoint homeowners win case against RCSC](#)

The members of the Viewpoint Lake Homeowners Association have won their case against the the Recreation Centers of Sun City....

[IL: Condo's tax bill reduced but still not paid](#)

For the condo owners at 1120 Lake St., there's some good news and some bad news....

[OH: Willowick condo owners won't pay twice for trash](#)

After more than three months, Willowick condominium owners now know that their rubbish removal will be taken care of - without paying twice...

[TX: Damaged condo complex goes unrepaired months after Hurricane Ike](#)

Take a tour of The Landing condominiums in El Lago on Clear Lake, and what you'll see looks like the way Hurricane Ike left it 10 months ago: a washed-ashore boat still sits in the parking lot, the pool is filled with a greenish mix, and some of the residents...

[CO: Aspen/Pitkin County Housing looks to get tough on unpaid homeowner dues](#)

The Aspen/Pitkin County Housing Authority is poised to take a hard line with owners of employee housing who refuse to pay homeowner dues...

[WA: Goats arrive to landscape Issaquah Highlands hillsides](#)

Issaquah Highlands Community Association Landscape Manager Russ Ayers said he and his colleagues hoped for the goats to cut down on unsightly, unwanted vegetation....

[TN: Water harvesting idea has some in Lake Tansi on edge](#)

But members of the POA worry there is not enough information about the project and possible effects on the lake and community....

[MD: Residents call for new board amid accusations](#)

Residents of the North Sherwood Forest Homeowners Association say some of its board and management have used money given to them for the nearby Intercounty Connector to hire an attorney to enforce alleged property violations....

[FL: Community associations confront squatters](#)

Has a squatter moved into your community? That's the case for The Circle Villa Condominium Association in Luderhill. "We have at least several unit-owner squatters and one renter squatter," said Dorine Neal, president of the 96-unit condo association. "The nu..."

[DC: The City Forces Developers to Sell Cheap Condos. But Can You Find Them?](#)

Peltzer's now informing all of her friends about the affordable-condo process which is key because the average D.C. real-estate agent doesn't know or isn't talking about the deals. Nor is the average developer, it seems, or the average city housing officia...

[Valid](#)

I was recently hired by an association in Westerville, and another in Dayton Ohio. Both assoc...

[\\$250,000 FDIC Insurance Limit Extended](#)

As discussed in our recent seminar entitled "The Financial Crisis - What Every Board Member Needs to..."

Florida Condo & HOA Law[Protect the Association's Funds from Fraud or Theft](#)

Community Association Boards of Directors Must Safeguard Association Funds. Recent Arrests and Reported Losses Demonstrate Lack of Financial Oversight...

[Are E-mails, Instant Messages \(IM\), Twitter Transcripts "official" records of the Association? \(Round 2\)](#)

In my last post, I touched on an actual decision *Humphrey v. Carriage Park CAI* by the Division on this matter. I am now going to address a Legal Opini...

HOA Legi-Slate[More New Zoning Codes](#)

Not surprisingly, the City and County of Denver is not the only local government that is making an effort address its outdated codes. The City Centennial is curren...

[Proposed Federal Law May Further Restrict Association Rights to Regulate Solar Devices](#)

The American Clean Energy and Security Act of 2009, which recently passed the U.S. House, contains provisions that restrict any associati action which...

Good Fences[Homeowner associations start foreclosures to collect dues](#)[Enforcement of Restrictive Covenant -- HOA Board Actions are PRESUMED to be Reasonable](#)**South Carolina Community Association Law**[Enforce Covenants Consistently to Avoid Waiver](#)**Peters and Friedman**[Enforcement of View Provisions](#)

The issue of view preservation is often a hotly contested subject. Owners with trees and owners with views are often at odds with one another regarding their ...

[Limiting a Director's Inspection Right](#)

The issue of whether a corporate director has the right to inspect documents protected by the attorney client privilege in a lawsuit the direct had filed agai...

Maryland Condo Law[The Trouble With Mold](#)

When mold was discovered in part of the Hilton Hawaiian Village in Honolulu, it ultimately resulted in the closing for more than a year of an entire 453-room 25...

[Maryland Condominium Owners Need to be Mindful of Common Element Warranty Requirements](#)

If you have decided that the condominium lifestyle is for you, and have purchased a sparkling new unit a recently constructed complex, you probably take comf...

CAN**The Community Associations Network**

leads to spike in projects that fail to pass the U.S. Green Building Council's standards. When the latter occurs, who's to blame...

[FL: Condo groups can limit bleeding from foreclosures](#)

A condominium association confronted by impending foreclosures on one or more units may have few palatable choices: The board can either increase the monthly assessment or impose special assessments on the remaining owners in order to pay utility and other bil...

[IN: SWAT team called in over landscaping flap](#)

A call to the city's SWAT team was the final move against one property owner who let his grass grow higher than a foot....

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

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

[FL: Condo partially built in Brunswick without permit](#)

A partially built condominium on Brunswick's main gateway was constructed without a city permit or a state-mandated general contractor's license....

Contact CAN at: webmaster@communityassociations.net

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