

Community Associations Network

In the News Since the Last Issue

Check your state or region News Feed for more stories

[FL: Condo dwellers finding empty buildings](#)

Joshua Hamann jokingly compares himself to the last human in a city overrun by zombies. He's not suggesting his neighbors are zombies. The problem is, he has no neighbors....

[OH: Neighbor stops Make-a-Wish request](#)

A controversy is swirling in a Springfield Township neighborhood over a little girl's wish for a pool...

[IN: Rules tighten for homeowner associations](#)

A state law that takes effect July 1 tightens rules for new homeowners associations, reigning in boards' borrowing, requiring more transparency and providing for more consistent enforcement of rules....

[Changes Urged to Rules on Condo Loans](#)

Two Democratic lawmakers are calling on Fannie Mae and Freddie Mac to relax recently tightened standards for mortgages on new condominiums, saying they could threaten the viability of some developments and slow the housing-market recovery....

[FL: Condos squeeze deadbeat residents](#)

It's a mad, mad world in condo land, where those who pay their maintenance fees and those who don't live cheek to jowl, harboring bitter resentment....

[CA: Positive written rules likely easier to live by](#)

Communities are often defined by their rules. What makes neighbors compatible in a community is their desire to live similar lifestyles....

[AZ: HOA in Sun City Vistoso seeks to create real estate brokerage](#)

Sun City Vistoso might boast easy retirement living, but a fierce dispute between residents and the community's general manager over a proposed real estate company has led to some serious stress there....

[GA: Reality Show Walls Off Cobb Homes; Neighbors Upset](#)

The president of the homeowner's association told Channel 2 Action News reporter Tom Regan that the community board believes the benefits of national TV exposure outweighs the short-term negatives....

[MA: Condo residents say rules are going overboard](#)

Residents of a condo complex last night raised concerns about new rules that some are calling "not family friendly" at the monthly Board of Managers meeting....

[MD: For Maryland Condo Owners, Misfortune Just Got More Expensive](#)

Effective June 1, Maryland condominium owners may have to pay up to \$5,000 if a fire or other hazard causes damage within their own unit....

[TX: Carrollton lawmaker seeks checks, balances for HOAs](#)

Wayne Simmons has been red-hot mad ever since he said he looked out his window just in time to see his SUV being towed off....

[FL: Metrowest residents Outraged at HOA](#)

Residents living at the Stonebridge Commons neighborhood in Metrowest are outraged at their home owner's association who has allegedly been having resident's cars towed from their own driveways....

[IL: Balancing roles of board and management tricky](#)

For two years after their 16-unit condominium conversion in Uptown was formed in 2004, Brawley Reishman and fellow board members managed the association. But the workload became too much, and they hired a professional manager. Eighteen months later, they went ...

[OH: Springdale Condo Owner Told He Can't Refinance](#)

Condominiums are becoming more difficult to buy and refinance these days. It's all part of an effort to limit risky lending. Local 12 Troubleshooter Howard Ain says this came as quite a surprise to one area man....

[NV: State high court studying HOAs' right to sue](#)

Can homeowners associations take developers to court over construction defects? The Nevada Supreme Court is now deciding how far HOAs' legal authority reaches when they represent individual homeowners....

[VA: Residents to plead for ban on firearm usage in subdivision](#)

Stonewall Estates residents who are unsettled by hunting activity in their subdivision will get another opportunity next month to try to convince the Warren County Board of Supervisors to ban the use of firearms in the area....

[TX: Neighbors fighting HOA after SUV, boat towed](#)

Tuesday morning, Simmons pulled his SUV up onto his Mansfield lawn and close to his front door to unload several heavy bags of laundry from work. He then left the vehicle there while he fixed breakfast for his kids....

New Articles Found on the Internet

Tilex Out - Mold Claims In



Not so long ago, the appearance of a black smudge on a bathroom ceiling triggered a search for a sponge and a bottle of Tilex. These days, it is more likely to trigger calls to a lawyer and an industrial hygienist, extensive testing for "toxic mold" and a law suit. In fact, in the landlord-tenant arena, mold has replaced lead paint as the de facto defense of tenants fighting eviction actions. Fortunately for landlords (and community associations), the mold defense - "I'm withholding my rent (or suing my condominium association) because of the toxic mold growing in my bathroom" - is not a slam dunk. Tenants or condominium owners pursuing those claims must clear four legal hurdles in order to prevail. [Read more](#)

HOA eVoting



As governmental entities, homeowner associations hold regular elections to populate their boards and periodic votes on governing document amendments. The traditional method includes holding annual meetings, special meetings or ballot-by-mail. These methods are cumbersome and often expensive to pull off. Moreover, establishing a legal quorum to transact business has proven to be problematic for many HOAs due to apathy. [Read more](#)

Financial Reports: The Need, the Problem and the Solution

(Although written for California law, the article is an excellent guide to financial management)

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. [Read more](#)

Managing Micromanagement - Part III: The Why and How: A Guide to Make Everyone's Life a Little Better



For the past two issues we have been discussing micromanagement: Why Boards do it, how they do it, what it costs us as an industry and what we can do about it in the long run. As promised, here are some tips for managers in the trenches on dealing with their micromanagers on a shorter-term or day-today basis. Short Term Solutions: The professional manager's day-to-day guide in dealing with micromanagement: Act, don't react One reason we find micromanagement so frustrating is because we are reacting to it, not acting on it. Reacting to micromanagement puts us on the defensive. [Read more](#) (PDF)

Hiring Professionals - A Winning Approach

One of the key questions facing volunteer community association boards is, "When should we hire a professional to assist us?" This question oftentimes will apply to professional management companies, construction professionals, vendors and service providers, accountants, attorneys and reserve consultants. One of the features of community association boards is that they are governed by a volunteer group of committed homeowners who may not be versed in the intricacies of operating a business. As a result, there is often a diverse and wide variety of individual experience in association governance - a combination that can lead to enthusiastic, albeit sometimes ill-fated, approaches to cost containment. Generally speaking, a common reason volunteer boards do not hire professionals to assist them in their governance responsibilities is that the board is "trying save money." However, in the end, efforts to replace or refuse to utilize professional assistance can end up costing more and may also expose volunteer boards to unnecessary and personal liability. [Read more](#)

Uh-oh, Our Builder Filed Bankruptcy. Now What?

In the Association context, the term "Declarant" usually refers to the developer of the community. While the project is being developed, the Declarant is responsible for the management of the Association. Also, the Declarant initially holds the voting rights and appoints the first Board of Directors. When the Declarant is finished building the community and sells 75% of the units that may be created, "transition" occurs and control of the Homeowners Association is turned over to owners in the community. But wait! What happens if the Declarant files for bankruptcy protection before completing the project? [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

No new audio/video this week

What's New in the Blogs
[California Condo & HOA Law](#)

[HOA / CONDO - Questions On Soliciting Nominees and Filling Positions](#)

Here are some questions I recently received about soliciting nominees, qualifications, and filling positions:

[HOA / CONDO Association Rules Violations & Due Process - The Continuing Debate](#)

There is a continuing debate going on about HOA and Condo Association hearings. And it is an interesting one Debate is healthy. It stirs interest in topic. ...

[Ohio Condo Law](#)

[Wall Street Journal Reports on Possible Changes to Condo Loans](#)

In today's Wall Street Journal, there a report that two Congressmen are calling on Fannie Mae ...

[Florida Condo & HOA Law](#)

[Posting Debtor Lists to Collect Delinquent Condo & HOA Assessments](#)

The Florida Consumer Collection Practices Act Prohibits Associations From Posting Delinquency Lists and Taking Other Actions to Col...

[Condominium Education Providers](#)

A reader recently posed the following question:

In preparation of next years election

AZ: Celebrating the Stars and Stripes

Under the covered entryway to SaddleBrooke HOA 1's clubhouse, more than 100 people marked the holiday, wearing shirts resembling the United States flag and hats of past military involvement....

AR: POA enters partnership to maintain Veterans Wall

The Bella Vista Property Owners Association has entered into a partnership with the Veterans Council of Northwest Arkansas to help maintain the Veterans Wall of Honor....

AZ: Couple win lawsuit vs. HOA over remodeling

What they did not expect was a tortuous four-year battle with their homeowners association over their remodeling plans. That clash led to a recent \$200,000 jury verdict in their favor....

FL: Condo owners sued over no-kid ad

Unit owners at a North Palm Beach condominium violated federal housing law by refusing to rent units to tenants with children, according to a lawsuit filed by Fair Housing Center of the Greater Palm Beaches....

IL: Condo owners taking over duties during foreclosure

A foreclosure complaint has been filed against the developer of a condominium community on Champaign's north side, and residents there are wondering when the subdivision will be completed....

IN: HOAs cut into blight

The Copeland Farms Homeowners Association is the latest neighborhood group to take matters into its own hands to ensure that the grass gets cut at vacant and abandoned properties. Neglected properties are one symptom of the struggling economy as homeowners defa...

PA: Facing \$20M Judgment, Pa. Town Seeks Bankruptcy

A decade ago, this small Pennsylvania town was found to have engaged in racketeering to thwart a condo development. Then years later it was found to have wronged the developer yet again....

CA: AVCA residents were incorrectly billed for three years, HOA says

Members of the city's largest homeowner association were allegedly billed incorrectly for three years, a mistake that could result in members having to make up hundreds of thousands of dollars...

HUD Updates Condo Approval Process For Reverse Mortgages

The Department of Housing and Urban Development published Mortgagee Letter 2009-19 which implements a new approval process for condominium projects to qualify for FHA insured mortgages in accordance with the Housing and Economic Recovery Act....

FL: The cycle of flips and flops riles some

A dispute between a real estate agent and the property manager at the Admirals Walk condo complex goes to the heart of growing tensions between people who bought units during the boom and those who are now trying to profit from the sale of foreclosures....

NY: Out to dry

It always surprises me that people don't like clotheslines. What's not to like? Drying clothes in the sunshine is free, sunlight is a disinfectant, the clothes smell great and, if you hang them right, the sun takes care of the ironing too....

AZ: Community-run HOA fights to save services

A northern Pinal County community homeowners association says it has made significant strides toward financial health after being on the verge of bankruptcy in December....

FL: Boynton Beach condos in over their heads after water hike

Back in 1983, when the Crossings condominiums were built, it seemed like a fine idea for everyone to share equally the water and sewer costs as part of their monthly fees. Service was relatively cheap and there were plenty of owners to share the costs....

TN: Pools Remain Open Despite Noncompliance

Kate Mosley loves lying around poolside, catching some sun and reading. But when she read a sign at her condo's pool that said "This swimming pool does not comply with the minimum standard with the Tennessee Department of Health,"...

TX: DeSoto Family Loses Home Over Unpaid HOA Fees

It began last year when Moreno protested her home owner's association by not paying dues. She also ignored warning letters that the 35-year-old didn't realize would lead to a sudden foreclosure over less than \$1,300....

TX: Houston has state's OK to get rid of shabby condos

Almost two years after the city of Houston declared it unfit for habitation, the Candlelight Trails condominium development stands vacant and decrepit, a beacon of blight in its northwest Houston neighborhood....

SC: Some Homeowners Hit Hard by the Economy Skip on Association Fees

Keeping current with your mortgage may not be enough to stay out of foreclosure. Some homeowners that have been hit hard by the economy are not paying their association fees and are finding themselves out in the cold....

Paints and Coatings: Application Checklist

If maintenance managers do not plan properly, paint and coating projects can be time-consuming, wasteful, and disruptive for building occupants and visitors. Coordinating the various elements of a project — paints and coatings, application equipment, personnel and facility activities — is one of the biggest challenges managers face. To ensure projects go smoothly, managers need to focus on specifying the right paints and coatings for the job, provide crews with the proper tools and equipment, and schedule the project to avoid disrupting facility operations. [Read more](#)

Co-op/Condo Insurance and Reducing Liability: A Print 'Em Out Checklist

Co-op and condo apartment buildings large and small face the inevitable fact that it's not a matter of whether your building suffers an insurance-related loss, but when. So how do you manage an unforeseeable occurrence before it happens? By doing a building and grounds checkup at least twice a year. Patricia Batih, an executive at the insurance company Mackoul & Associates and a former personal-insurance underwriter, here offers 10 tips for foreseeing the unforeseeable. "You can easily do these in preparation for the summer and winter seasons," she says, "to determine the risk factors your building may face." [Read more](#)

15 Common Mistakes Made By New Board Members

The winter months is the traditional period of time reserved for annual meetings and the election of new officers and directors. This has evolved over the years as the best time to hold elections, as most of the owners are in residence at this time of year and their involvement is usually much greater. The operation of an association is one of our purest forms of democratic government. Simply put, owners nominate and elect fellow residents to represent their interests on the Board of Directors/Administration in order to govern their association according to the Declaration of Condominiums and its Bylaws. [Read more](#) (PDF)

Hurricane Season Has Begun; Now Is the Time to Make Sure That You Have an Evacuation Plan

The 2009 hurricane season has officially begun and should serve as a reminder to coastal residents that preparation is essential in order to limit injuries and property damage from these violent and deadly storms. There is no time like the present to sit down with your family and prepare for the day when you may be forced to evacuate your home, according to the Insurance Information Institute. [Read more](#)

Understanding Collection Of Assessments During The Recession

Community associations have never faced the current amount of delinquent assessments and mortgage foreclosures. Unlike the federal government, an association cannot print more money. Yet, the annual budget is still calculated based on 100% participation. This makes it more critical than ever for the Board to stay on top of collections. If the association does not act swiftly to collect delinquent assessments, it is the innocent owners who will suffer. Lax collection practices can cause the financial stability of an association to spiral out of control. Large delinquency rates often result in assessment increases and/or the levy of special assessments. Unfortunately, the alternative to raising assessments is usually a quickly disintegrating community. [Read more](#)

More News

IL: AG Madigan Condo Developer Left Disabled Resident No Access to Homes

The Illinois Attorney General's office has filed a lawsuit against a prominent Chicago-area condo developer, alleging that his Evanston condominium complex, while marketed to people with disabilities, fails to comply with state and federal accessibility laws....

PA: Residents rescued from high-rise fire

City police and fire officials said they rescued between 10 and 20 tenants from Stevens House Condominiums, including a man taken from the roof and another sick occupant who was trapped in his room with his breathing machine....

NJ: Condominium association do's, don'ts

Many condominium unit owners are aware of the central role their association's master deed and by-laws play in the association's governance. It is equally important to be familiar with the provisions of the New Jersey Condominium Act....

VA: Wintergreen restrictions on residents called unfair

A decision by Wintergreen Resort to restrict access to its facilities has upset some Wintergreen residents who are not resort members but have used its amenities in the past....

NE: Homeowners Association To Fix Builder's Broken Promises

Angry residents near 144th Street and West Maple Road in Omaha met with their homeowner's association Saturday night. They say Triton Homes isn't making promised repairs in their development....

NV: Where's the association? Not here

The 58 homeowners who bought into Astoria Homes' Hillside community in northwest Las Vegas watched their pool water turn green and their park grass turn brown when the development entered foreclosure....

FL: Billing error costs Fort Myers Beach millions

Fort Myers Beach might have lost millions because it has not charged condominium and duplex owners a water utility fee for the past seven

board members, where or how do I find a division approved ed...

Michigan Condo & HOA Law

Participation in board meetings via remote communications

I recently heard from a board member who spends most of his winters in Florida, but he wants to participate in winter board meetings. He asked if it is legal for him to attend meet...

NBC-CAM standards of professional conduct

I thought it beneficial to go into more depth regarding NBC-CAM and some their specific programs they offer for management companies. There are standards of professional conduct...

HOA Legis-slate

Text Messaging and Association Records

I recently came across this article and it got me wondering if we should be concerned about texting during association board meetings. As we know, board ...

When Does the Declarant Control Period Really End?

We generally think of the declarant control period ending 60 days after the sale of 75% of the total number units that may be created within the community. How...

New Jersey Law

What Associations Need To Know When Considering Requests By Disabled Owners For A "Reasonable Accommodation"

In general, the United States Fair Housing Act makes it unlawful for a condominium, cooperative and/or homeowners association to discriminate in the terms, conditions or privileges...

Stark & Stark Shareholder Presents Seminar on Minimizing Risk, Avoiding Litigation and Alternative Dispute Resolution

David J. Byrne, Shareholder and Co-Chairperson of Stark & Stark's Community Association Group presented materials related to minimizing risk, avoiding litigation a alternativ...

Condo Laws

Tips for Your Community to Survive and Even Thrive in This Economy!

How Do We Wind Up With Bad Community Association Bills?



[WA: Monroe woman's horn honking not free speech, court says](#) The hubbub began when Immelt received a letter from the homeowner's association. Her neighbor John Vorderbrueggen complained to the association about Immelt's chickens. Immelt was advised to get rid of the fowl....

[TX: HOAs target anti-KB signs](#)

Homeowners in three San Antonio neighborhoods are continuing to battle with KB Home - and now their builder-controlled homeowners associations - about KB's decision to add lower-priced homes to their communities....

[FL: Payment keeps water flowing at Titusville condos](#) A Hollywood, Fla., corporation made a mandatory \$10,000 installment Wednesday to begin repaying \$34,880 in delinquent water bills at Bay Towers Apartments...

[Neighbors are forcing neighbors into foreclosure](#)

Thousands of Americans who have generally kept up with their mortgages are still in danger of losing their homes because they made a fateful trade-off in this shaky economy - they let their homeowner association dues slide....

[MI: Man charged with embezzlement](#)

A man is charged with stealing more than \$20,000 from a local condominium association....

[NV: State Supreme Court will decide whether HOA's can sue on behalf of owners](#)

The Nevada Supreme Court will decide whether homeowners associations have the right to sue on behalf of individual homeowners in a case that could have a major impact on the number of construction defect cases filed in the state....

[MO: Big disputes arise in small communities](#)

Four years ago, Mike Osthus and some other residents of the Countrylanewoods II subdivision in Manchester took issue with how the subdivision association's trustees changed their contract with homeowners....

[NJ: Siding project riles Millponds](#)

When residents of the Millponds at Marlboro development first heard about a pending project to re-side their homes, some people thought nothing of it, while others questioned the need for the new siding, particularly during a difficult economic climate....

[CO: Residents upset after cars towed for street sweeping](#)

A handful of residents in a northwest Colorado Springs neighborhood are upset after they said their cars were unnecessarily towed from outside their homes....

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

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

years....

[CO: Owners must get involved to make an HOA effective](#) When you purchase a home in a homeowners association (HOA) you are agreeing to comply with the rules of that association and pay the fees....

[SC: Island to increase fees to pay for drainage projects inside gated communities](#)

Hilton Head Island plans to increase fees to pay for drainage projects inside its gated communities, but officials still are trying to determine how much that increase should be...

[FL: Miami Beach condos struggle to drain water from flooded garages](#) At least four buildings on West Avenue -- Bayview Terrace and Mirador 1200, along with Mirador 1000 and the Mondraid -- were pumping water out of their garages, where cars were being towed while residents Saturday evening stand outside and watch....

[CA: Little enforcement of law requiring pool upgrades](#) Six months ago, a new federal law began requiring owners of public and semipublic pools to upgrade their drains in an effort to prevent swimmers, especially young children, from drowning....

[TN: Woman Who Sued Condo Association Gets Year In Prison](#) Ms. Hethcoat had sued Continental Condominiums Association alleging discrimination. She said the association had refused to sell her a condo because she had a 14-year-old son....

[CA: State investigates discrimination claim against homeowners association](#)

The state Department of Fair Employment and Housing is investigating a complaint alleging that the Hidden Valley Lake Association has discriminatory rules and practices that especially affect children and families....

[VT: Free to Hang Out the Laundry](#)

It may be difficult but not against the rules anymore. You can air all the clean laundry you want because it's your right to dry so says the Vermont Legislature....

[CA: Cat search at Fresno condo goes awry](#)

Police responding to what they thought was a report of cat burglars at a north Fresno condominium complex instead found cat searchers....

[FL: Porch dispute pits Boynton Beach couple against property owners association](#)

Like so many other homeowner disputes in South Florida, the Glasses' troubles began with a home improvement project. They wanted to put a screened porch on their home in Aberdeen Golf & Country Club so their cat could go outside without being eaten by an allig...

[FL: Former Coventry Cove treasurer faces embezzlement charges](#)

A former secretary and treasurer of the Coventry Cove Homeowner's Association is accused of embezzling more than \$10,000 from the association's treasury....

[FL: Condo advocates decry banking lobbyists' influence](#) Despite pleadings from unit owners, state legislators failed to produce any relief for condo associations in the form of new foreclosure reform during the most recent legislative session....

[FL: On some condo boards, time is money](#)

Serving on a condominium board is unpaid volunteer work and can be time-consuming given the need to learn about association laws and regulations while tending to issues of importance to unit owners. But when board members begin asking for forms of compensation...

Contact CAN at: webmaster@communityassociations.net

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