

Community Associations Network

News

SC: Residents want to limit homeowner association authority In South Carolina, homeowner associations are still evolving, unlike states such as Florida and California, which have more laws governing how homeowner associations should act, Cromer said....

NY: Condo owners told to remove religious statues The community's homeowner's association board approved the rule this year banning religious statues and bird feeders and birdbaths from all common areas. The gardens are considered common areas, as they are owned collectively,...

OH: Problems persist at Whitehall complex, residents say Across from the rolling hills of the Columbus Country Club stands a Whitehall condominium complex where raw sewage has gushed up into basements and mold has spread across walls....

FL: Self-insurance may need more than lower premiums to gain popular support Joining a self-insurance trust could save condo and homeowner associations up to 30 percent in property insurance premiums. But officials and consumer advocates are urging boards to take a hard look at this new program because savings in the short term may me...

MA: Condo owners get loan to cap tainted well The Woodvale Condominiums complex in Acton has received a low-interest loan from the state that will allow the association to cap its contaminated well and connect to the town's water system....

IL: Boards shouldn't skimp on insurance Since our office serves as the Registered Agent for most of our clients, we have the opportunity to review most of the lawsuits filed against our association clients. Most common in frequency are simple personal injury actions, i.e. slip and falls...

Canada: Service standards set for condo managers The first 20 companies have been certified under a new set of standards for condominium managers in Ontario....

HUD Ends Effort To Collect Condo & HOA Fees ...in the face of public comments HUD has decided that it will not require condo or HOA owners to escrow fees. The technical jargon is below:...

NC: Neighbors angry over Homeowners Association dues Some homeowners contacted us hot under the caller. They say after living in their houses for four years, they've unexpectedly been told they have to start paying for a Homeowner's Association that they don't want....

VA: Justice, IRS Enter Koger Investigation The United States Attorney is "overseeing" an investigation of the Koger Management Group by several federal and local law enforcement agencies, according to a letter received by homeowners associations that used the services of the embattled real estate manag...

FL: Homeowners associations: Tallahassee tuning in Over the past five years, the state legislature has spent more time than ever on homeowners and condominium association issues while, during a time of explosive suburban growth, residents have taken a greater interest in how these issues affect their communiti...

CA: Homeowners' policies don't cover landslides Homeowners who suffer damage from landslides and erosion will find little solace in their insurance policies. Earth movement simply is not covered....

Lawsuits Filed Against CertainTeed Corporation Lawsuits have been filed against CertainTeed Corporation, alleging the company manufactured and sold defective roofing shingles. The lawsuits allege CertainTeed is guilty of breach of warranty, negligence, breach of contract and negligent misrepresentation bec...

Farmers Insurance learns hard lesson in homeowner lawsuit Several months after the accident, Wasson made a claim against the HOA, which reported it to Farmers. Claims adjustor John Hughes investigated. His report concluded "liability questionable." He noted Walker had no personal liability insurance...

FL: More owners in condo and homeowner

Articles

Housing Counsel: Full Disclosure Required of Architectural Control Committee

Question: My husband and I live in a homeowner association that has a strong architectural control committee. We formally requested the opportunity to make modification to our property, but within the time limits imposed by our legal documents, our request was denied. We asked for an explanation, but were advised that the committee did not have to give us any reason for the denial.

Is the committee correct? [Read more](#)

**Advice and Dissent: Think the attorney works for you? Guess again!**

Several years ago, I attended a condominium association board meeting that was followed by a question-and-answer session with me, the association's attorney. Many of the board members were under the misguided impression that I was at their individual disposal. The board members were facing a recall effort led by homeowners. One asked: "Well, what's our defense strategy going to be?" Another inquired about my legal advice in regard to her remaining on the board. When I explained that I couldn't ethically represent them individually even though the case concerned their involvement as board members, they reminded me in clear terms: "We pay your bill!" This misunderstanding is a common one. [Read more](#)

Appellate Division Enforces Terms of Association's Insurance Policy

In an unpublished decision, the Appellate Division recently enforced an insurer's duty to indemnify and defend a condominium association for damages resulting from an occurrence during the policy period even though they were not discovered until after the policy had expired. *Steinbauer v. East Coast Acquisitions, LLC*, 2007 WL 2593007 (App. Div. September 11, 2007). [Read more](#)

**The 3 Frequent Criteria Boards Use for Hiring a Manager And the 6 Good Criteria Boards SHOULD be using!**

A long standing lament for Boards of Directors: "We just can't seem to find (or keep) the 'right' manager." Granted, finding and retaining good staff is always going to be a challenge in this business – the job is inherently difficult to do with a relatively low pay scale for the relatively high skill set required to perform the job well. Equally important is to recognize that Boards often bring this situation on themselves as they often inadvertently base their evaluation of current or potential management staff on three misguided criteria: [Read More](#)

Finding the Best Fit Matching a New Management Company to a Condominium Requires Work

A little introspection will go a long way towards choosing the right management company for your property. Take the time to examine the makeup of your resident population, the physical needs of the infrastructure and the personalities and work styles of the different players. [Read more](#)

**Neighbor Nuisances**

When people live in close proximity, lifestyle clashes are likely. Noise is the most common complaint followed closely by odors, health and sanitation issues, cigarette smoke and curb appeal. The board is challenged from time to time to sort out various nuisances that interfere with a member's enjoyment of their property. To intervene or not to intervene? That is the question. [Read More](#)

Association Conflict, Us Versus Them?

It seems, based on the outcome of past Legislative Sessions here in Arizona, that Homeowners

Sponsored Links rong>**NCB FSB**

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

Parker Finch

The Community Association Experts
Own Your Own Management
Company

Condo Manager

Accounting and Management
Software - For HOA and
Condominium Associations

Popular Association Banking

a Division of Banco Popular North
America
We provide financial services to
community associations nationwide

Reserve Fund Essentials

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

**2007 Community Association
Manager Compensation & Salary
Survey**

Are you earning what you're **really**
worth? Visit [CAI's bookstore](#) today
and find out.

Community Association Websites

Feature packed, Interactive websites
for today's active Communities,
HOAs, & Management Companies.
Affordably priced, beautifully
designed and fully supported. Visit
the [AtHomeNet Live Demo](#).

Reserve Advisors

The most accurate and
comprehensive Reserve Study

IREM

Leading Edge Education for
Community Association Managers

HOATalk.com

Meet with thousands of HOA leaders
online. HOA news & information too.
Free!

**Join Community Associations
Institute Today!**

Gain access to expert resources and
the latest trends in community
association living, governance, and
management. [Join today!](#)

**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!

Editor's Notes

Don't forget that we now have to
divide our mailings over two days in
order to get around our mail server's
(RoadRunner) arbitrary limit on
outbound e-mail. You'll receive your
copy either Tuesday or Wednesday.

Joe

New Audio/Video

**AZ: New Group Home Causing Riff
With HOA (Video report)** A home
for troubled teens could soon be
coming to a Chandler neighborhood,
and neighbors in the area are not
happy about it. A similar home

[associations are recalling boards](#) Owners in condo and homeowner association communities are doing more than just complaining about their directors. They are making the effort to dump them...

[Homeowners warming up to wind power](#) Some like to watch their electric meters run backward. Others plot their savings using sophisticated software programs on a home computer. Still others consider how many pounds of coal or cubic yards of natural gas they didn't consume last month....

[VA: Spotsylvania man loses battle to display flag](#) The Salem Fields HOA property manager, who asked not to be identified, says Stack can attach the flag to his house or garage, and in the notice, she cites the section that prohibits the pole. "It's not the flag; it's the pole," she says....

[MA: Condo owners want town trash collection](#) Swampscott should collect the trash from condominium developments in town, a group of about 40 condo owners told the Board of Selectmen...

[FL: Official wants to help residents catch crooked condo officers](#) Condo owners who have evidence their directors are stealing association money soon will get more cooperation from law enforcement agencies in Florida, a state representative says...

[Are you prepared to be ruled by a homeowners association?](#) Often, home buyers don't fully realize the tradeoff they're making when they move into communities that involve becoming association members, experts say. More than 57 million people live in associations governing everything from large and small condominium de...

[FL: The Right Time for Disaster Planning is Now](#) Just a few days ago disaster struck in north central Florida, killing 20, injuring many, destroying hundreds of homes and damaging thousands. Tornadoes ripped through two Florida counties in the dark of night catching thousands unaware....

[WA: Off-color fence dispute leaves \\$85,000 stain](#) People often get "way too emotional" in cases of this kind, said Seattle real-estate lawyer Jim Strichartz, who works on disputes between homeowners associations and their members but was not involved in this one....

[OH: House closes loophole](#) The U.S. House of Representatives agreed Thursday to close a federal loophole that had made many home insurance flooding policies worthless for former residents of the Gristmill and Millstone condominiums in Painesville....

[Discrimination complaints: Many run into problems](#) The 79-year-old polio victim has spent five years trying to get the board at his condo development to install a curb cut and a ramp near his unit, which he says is difficult for him to negotiate with his crutches....

[NJ: Twp. to help out condos on plumbing emergency](#) Breaks in the water supply system in the Hidden Lake development are tapping into the condominium association's capital reserve fund, making it difficult for homeowners to fund the repairs and replacements themselves....

[IL: Mom Told: Use Service Elevator](#) Moms pushing baby carriages have grown accustomed to juggling purses, bottles and diaper bags and navigating elevators and revolving doors. But what about being forced to use the service elevator at your own high-rise building?...

[Happy Autumn](#) And that is what my HOA Permaculture is all about. Imagine if I hit my goal of 2000#. Imagine if my entire subdivision of 50 homes did the same (100,000#). Then take that out to my little village of 1200 with its 500 homes and you get darn near 1,000,000 pound...

[CA: Second-hand smoke target of new lawsuit](#) On the heels of a Belmont ban on smoking in certain areas in the city, a lawsuit filed this week in San Mateo County Small Claims Court could eventually lead one of the Peninsula's largest condominium complexes in San Carlos to take strong actions against smo...

[IL: Trend Points to Neighborhood Privatization](#) While a complete change in the structure of local government is unlikely in the near future, the trend toward private neighborhood ownership is becoming increasingly evident....

Associations are a hotbed of conflict with tyrannical boards of directors demanding indentured servitude from the Association's members. Those of us who work with Associations on a day-to-day basis know that in most cases the opposite is closer to the truth. Directors are often reluctant to exert too much pressure on members of the Association, and many spend hours debating the level of corrective response to apply in a given situation. [Read more](#)

Fire Prevention in the Home

What would you do if all of a sudden you found yourself in the midst of a fire involving your residence? Have you taken the necessary steps to be ready; do you have the proper equipment for notification, the equipment to fight a minor fire, is your family ready and prepared to escape; and have you done your due diligence to check your home for fire prevention? [Read More](#)

Holiday Decorating: A Time to Build Community Spirit – Not Stomp on It

It's already early October, which means that Halloween, Thanksgiving, Hanukkah, Christmas, Kwanza and New Years are fast approaching. With some of these holidays comes a real desire by residents in community associations to celebrate by decorating their homes. Holiday decorating can be a great way to build community spirit in associations or can be a gut-wrenching experience. While there is no way to guarantee that the holiday season will be a festive and controversy-free time in your communities, here are some general principles that community associations should keep in mind when addressing covenants, rules and enforcement relating to holiday decorating: [Read More](#)

Lighting Upgrades: Make the Switch

Facility executives can be forgiven for thinking that not much has changed in lighting over the past decade. After all, T8 lamps and electronic ballasts remain the workhorses of the industry. But significant gains have been made over the last 10 years. Even for facilities that underwent upgrades as recently as 10 years ago, evaluating how facility use has changed and how new energy efficient equipment reduces electric costs may make another upgrade attractive. [Read more](#)

Cutting Through the Fog: Cash Flow Funding vs. Component Funding and Understanding the Differences in Methodologies

Many Association Board members and community management professionals are still faced with confusion when considering the two primary methods for properly calculating a community's Replacement Reserve Fund needs. Should you be using the Cash Flow Funding and Component Funding calculation method for your Association? Unfortunately, there is little agreement, even among industry professionals, as to which is better or which is "safer". Also contributing to that confusion is the fact that there are conflicts between some state legislation and IRS guidelines regarding which items can be included in the Reserve Study inventory. Ultimately, whether you use one or the other should be determined after discussion with your accounting professional and legal advisor. [Read more](#) (PDF)

Board Resource Guide: Etiquette for Board Members

Serving on the board of directors for your building brings on a range of emotions: pride that you were selected to represent the best interests of your fellow shareholders; unease at the thought of the additional time commitment of meetings; and, perhaps most importantly, nervousness that you will do or say something that will ultimately be problematic for your board or for you personally. This article will discuss some of the more common legal and ethical pitfalls that board members might face and give advice on how to recognize and avoid falling into those traps. [Read more](#)

happy about it. A similar home nearby was opened over a year ago and police have already been called to that home over 40 times...

What's New in the Blogs

[Don't Be a Statistic](#)

[Who is Responsible for the Big Assessment?](#)

[Do I Really Want to Represent that Association?](#)

[2008 Rate Increase Approved for Denver Water](#)

[Organizational Health -The Road to Recovery](#)

[Smoking Restriction in Bylaws vs. House Rules](#)

[Maintenance - Budget Issues](#)
[Colorado Foreclosure Law and Your Association's Superlien](#)
[A Sponsor-Placed Bylaw Veto Clause Invalidated by Superior Court Judge](#)

[Copyright Act Applies to Community Association Exhibition of Movies](#)

[Flu Clinics in Your Community](#)

[Condo Management Options](#)

CAN

The Community Associations Network

Visit Our Web Site For Links to Over 2,000 Articles

and

the Current News of National Interest and For Every Region of the Country

The Community Associations Network

The largest free resource for community association board members, professionals and owners - on the internet

[GA: Homeowner associations: Friend or foe?](#)

My husband was skeptical about moving into a covenant community. I was too, based on similar past experiences. We previously lived in a condominium. Although we paid a mortgage and maintenance fees, we only felt like homeowners when repairs needed to be made a...

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

2007 Advertising Policies and Rate Sheet
[Word Doc](#) [PDF](#)

Contact CAN at: webmaster@communityassociations.net

Welcome to the Community Associations Network E-Newsletter. The newsletter consists of links to news items and articles about community associations from around the country. The Community Associations Network has been created to bring the vast resources of the internet to one location to make it easier to find information and answers to your questions. CAN is NOT responsible for the content or the articles or news items or for link continuity.

To unsubscribe from this newsletter send e-mail to webmaster@communityassociations.net with the word "**Unsubscribe**" in the Subject Line.