

**In the News Since the Last Issue****Check your state or region News Feed for more stories****FL: Watering Rules Can Squeeze Both Ways**

James Lyle watered his yard once a week, and was fined \$1,000 by his homeowners association because the lawn was still too brown. He began watering the lawn twice a week and got fined \$100 by the Hillsborough County water department....

**Canada: Condo conflicts on the rise, lawyer says**

Fights involving condo owners and condo boards are one of the most rapidly growing areas of law in Canada, a Toronto lawyer who specializes in condominium law said yesterday....

**FL: As Sky Falls, Condos Look For Protection**

When the foreclosure filing came last month, developer Fida Sirdar determined the only way to save The Place at Channelside condominium was to file for bankruptcy reorganization....

**IN: Condo owners fail to win damages**

Five years ago, owners of condominiums near Kamm Island hired an attorney to attempt to stop the city from building a bridge they said would interfere with their view of the St. Joseph River. After five years of litigation, they are no better off than when th...

**TX: Frisco homeowners association, residents in free speech fight Last month, the association sued David Snell, David Doumani and Doug Macari in Denton County state district court on charges of libel, slander and defamation, claiming the three harmed the association and its board members by posting messages critical of them ...**

**CA: A lawyer's neighborly suggestions** Along with the customary resolutions to start each year losing weight, exercising more and becoming more organized, consider some resolutions that might help your common interest development association become a more positive community...

**Woes in Condo Market Build As New Supply Floods Cities**

The condominium market is about to get worse as many cities brace for a flood of new supply this year - the result of construction started at the height of the housing boom....

**IL: How this condo board got hoodwinked**

In both situations, there had been safeguards against loss that had not been followed. "Management acknowledged that internal controls are only as good as their enforcement," said Majewski. In the first case, the management company and its insurers made good o...

**VA: New Rules Passed in Va. To Protect Homeowners Groups From Fund Theft**

The bills, approved by the General Assembly before it adjourned its annual legislative session last week, would create a regulatory board to license professional management companies. They also would create an ombudsman system for handling homeowner complaints...

**CT: Settlement reached in dispute over fire-damaged condominium**

Two Hamden residents unable to live in their condominium for 10 years because of legal entanglements after a fire have reached a court settlement with the condominium association....

**CA: Daycare Debate** A vista woman wants to expand

**New Articles Found on the Web****Doggone Dogs**

Some may be old enough to remember the rock band from the 1970s called Three Dog Night. There is an interesting story behind their name. Australian aborigines domesticated and kept wild dogs (dingos). On cold nights they would customarily sleep with their dogs to keep warm. On colder nights they would sleep with two dogs, and if a night was especially cold, it was a "three dog night". Barking dogs can be a very contentious issue in an HOA. Many dog owners think that while other dogs may bark, theirs certainly doesn't. Let's come clean on this one. When left alone, all dogs bark. Some howl. It's their nature. They are social animals and when deprived of company, barking is a way of attracting it. But in the confines of a common wall community, barking generally attracts only the unwelcome attention of the neighbors. [Read more](#)

**Community Controversies and the Media**

The problem of controversies in communities governed by owner associations is an evolving one. Relief is available through parliamentary procedures, termination of committees and dismissing covenant enforcement actions. Yet, controversies can become severe. This is true in two respects. First, the tactics adopted by concerned owners can be aggressive and hurtful with a negative impact on association operations. Second, owners may resort to agencies outside the association to force an agenda. Owners who believe that they cannot accomplish their objectives within the governance structure of their association may resort to the judicial system, to state and local legislative and administrative bodies, and to the media. For these reasons, associations need a range of responses. The association must have an ability to counter the claims asserted to agencies outside the community. (PDF) [Read more](#)

**Major Projects Need Major Communication**

The 14-story, 138-unit Queens co-op had had bad experiences on several big projects, including a roof replacement job and a heating-plant upgrade. Work ran far over budget and took much longer to complete than expected. And each time came finger-pointing among the managing agent, the engineer, the contractor and the board itself. Finger-pointing, one supposes, may be communication of a sort. But there are better ways of communicating in order to get things done expeditiously and well. And when parties are communicating candidly and regularly, they may disagree on any number of issues but the discussion is out in the open, everyone's in the loop, and there's a clear understanding of who is responsible for what and what is specifically expected of them. [Read more](#)

**Deploy the Welcome Wagon**

Fifty years ago, residents new to a neighborhood might be greeted by a Welcome Wagon hostess in an A-line skirt and perfect matte lipstick bearing a basket full of goodies from local merchants. She'd give the homeowners the lowdown on who's who, what's what and leave the new neighbors with the warm and fuzzy feeling that their new community, especially the local merchants, really cared. Now, with the proliferation of the two-income family, no one's home to receive the Welcome Wagon hostess (she has her MBA and a six-figure job at a consulting firm anyway). So who's responsible for the orientation of the new residents in today's busy co-op and condo buildings? The answer varies as much as the buildings and homeowners do. [Read more](#)

**Got a Sec?**

Okay, the Annual meeting has just adjourned and the new Board is

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**Editor's Notes**

Legislatures are in session and lot of the news stories have to with proposed or recently passe legislation. I'm sure most of y are keeping up with what's goir in your state, but take a minut check out what's happening in c states. With the internet, you find it coming to visit you rathe suddenly.

Joe

**New Audio/Video**

Longtime Advocate Bringing St Hearings to YouTube

her at-home childcare service, but neighbors in her Shadowridge community say, no way....

[AZ: Code team program empowers neighbors](#)  
Although Golden Hills has a homeowners association, in contrast to other study areas, neighborhood activists believe the code team will give them more tools to target violations thanks to the city's clout....

[FL: Legislative report: Get tough on condo, homeowner associations](#) A newly released, bipartisan legislative report could lead to extensive changes in state laws protecting the millions of owners in Florida condo and homeowner association communities....

[CT: Attorney General calls for condominium commission to protect condo owners](#) Attorney General Richard Blumenthal, in formal testimony to the Judiciary Committee today, urged establishment of a state board to assist condominium unit owners by ensuring that condominium associations abide by their bylaws and state laws, and tighter licens...

[AZ: HOA, town at odds over free-roaming cats](#)  
The Artemina homeowners association has asked Gilbert to look into establishing an ordinance that would hold cat owners just as accountable as dog owners when it comes to where their pets relieve themselves....

[FL: Two years after Wilma, life's still a struggle at many condos](#) Twenty-nine months after Hurricane Wilma, residents of some devastated condo communities are finally seeing some progress, while others continue to struggle....

[CO: HOAs embrace green lifestyle \(and video\)](#)  
It looks like any other HOA community, but look more closely....

[NV: Some inflamed over BBQ ban at apartments, condos](#) While a controversy has flared up on the North Shore regarding the use of barbecue grills on the balconies of apartments and condominiums, South Shore communities have their own barbecue rules....

[NJ: Know the rules before upgrading a condo](#)  
A homeowner considering a home improvement project normally is concerned with obtaining architectural plans, a reputable contractor and all necessary municipal permits. While those steps may be sufficient for a single-family home, condominium unit owners often...

[CA: State seeks ways to resolve disputes in homeowner associations](#) Homeowners who feel they've been wronged by the associations that oversee many of California's housing developments may find solace in proposed legislation that would establish a state-level bureau for resolving such disputes....

[CA: Residents Rebuilding After Wildfires Fight HOA Restrictions](#) Nearly 40 families in Rancho Bernardo are in a heated battle with their homeowners association about rebuilding their homes...

[AZ: Vacant homes becoming blight on neighborhoods](#)  
Morganroth gets about three or four notices a week from HOAs or city-code-compliance offices, and banks often call her with properties in disrepair. That has prompted her to hire an assistant whose job is primarily property upkeep, she said....

[AZ: Couple spar with HOA over trailer kept on driveway](#) A Gilbert couple that is seeking clarification of Gilbert's parking rules say they began putting their RV on the street after their HOA took legal action. The Tone Ranch Estates HOA is seeking an injunction to prohibit David and Lynette Carrington from parking...

meeting for the first time. First on the agenda is the election of officers for the upcoming fiscal year. Who is interested in being nominated for President? Nomination, 2nd, all vote for "Bob". One down. Who is interested in being nominated for Vice President? Nomination, 2nd, all vote for "Karen". Two down. (Whew!) Next is Secretary... the question is asked... no takers... dead silence... Why is that? I venture to say that the position of being the Board Secretary is thought of to be stressful, time consuming, and difficult. Well, it doesn't need to be any of these. Yes, the Secretary needs to listen to what's going on in the meeting and does have to take notes and write the actual minutes and distribute them, but the 'responsibility' of the minutes belongs to each and every board member. It is the rest of the board members who vote on approving the minutes at the next meeting- thus agreeing to what is written. If something is thought to be different that what is recorded, it is their responsibility to speak up and have the minutes amended. Then a majority must agree.  
[Read more](#)

### Board Meeting Agendas

The number one most important part of a Board meeting is the agenda. The agenda is what guides the Board in conducting a timely and productive Board meeting all the while keeping the homeowners informed. Once a Board meeting concludes, you should keep a folder of items for the next Board meeting. This way, throughout the month or months depending on when your Board meetings are held, whenever an issue comes up, whether it's a homeowner correspondence or vendor proposals, everything you need at that next meeting is already collected by the time the agenda needs to be written. Approximately two weeks before your Board meeting is a good time to start looking at the agenda. The top of your agenda should always be the association's name, the title of the meeting, the date of the meeting, the location of the meeting and the time of the meeting. The rest of the agenda is made up of ten items that should be basic for every agenda you write. It is recommended to put a time limit to each item, which will keep the Board on track throughout the meeting and stop them from having the urge to digress from the Board's business. If you follow this basic template, you'll walk away from your Board meetings on time, with all action items voted on and an impressed and informed Board: [Read more](#)

### Want to be a better Board member?

In this country we treat being a board member much like many other fields of endeavor such as parenting and leadership. We assume that if you have the desire to be one and we know how to become one, then we will know how to be a good one! Unfortunately, all around us we see examples of how this theory fails. Seldom have I ever met or worked with a board member who didn't really care about the organization and want to be a good board member. Often I have met board members who wanted to be a good board member but didn't know how or went about it in the wrong way. In this article we will review an understanding of board governance, some board basics and some board training subjects to pursue. [Read more](#)

### Wise Water Use in Landscaping

One area where water use can be decreased without sacrificing beauty or function is in landscaping. The term xeriscaping means landscaping for efficient water use. By using plants that are drought tolerant and by knowing what amount of water is right for your landscape and when to water, you can use much less water. Beyond conserving water, protecting water supplies from pollutants that may come from landscaping is also important. Best management practices (BMPs) for landscaping have been developed that enable you to have a healthy, attractive landscape while using resources efficiently and protecting our environment. Xeriscaping and BMPs lead to savings in time, money, and effort. [although written for NC, this article has some good ideas for everyone] [Read more](#)



### Why Community Management Really is a Great Business!

Back when I started in community management, lo these many years ago, if you had told me I'd still be in the industry - helping people find jobs, writing profusely about the business and speaking to industry professionals all over

George Staropoli, a long-time advocate out of Arizona, has st posting state legislative hearin Youtube. Currently they induc Arizona, Florida, Texas and the Twin Rivers Supreme Court he

Given the choppiness, these ap to be heavily edited. That's wl we're not providing links, just

### What's New in the Blog

[Legislatures like to impose responsibility while ducking sar](#)

[EARTHQUAKE COUNTRY - Do ` Know Where You Live?](#)

How many of you think you do in earthquake country? The CE considers the entire state of California to be "Earthquake Country". Well, it is scary t...

[How Should Architectural Revi "Appeal" Processes Work?](#)

One of my readers sent in this question about architectural re He is an architect, working wit various HOAs to do architectur review. This is what he h...

[What remedies do I have if the board will not enforce the byla](#)

I recently heard from a co-owr who was complaining about a neighbor's vicious pet and the board's lack of concern with th problem. As a co-owner, she w wondering what her ...

[Is Legislation on Rental Restric and Proxies Next?](#)

As we know, legislation affectir associations here in Colorado generally comes about because alleged abuses in the industry ; vocal owners who feel their rig are bei...

[A Condominium Map for Direct Who Needs One?](#)

The male gender of our specie: often accused of failing to stop ask directions, sometimes crea fair amount of discord, particu when being directionally chal...

[Do Boards Have Presidents?](#)

Following is an exchange I had San Diego manager over last v newsletter about board preside Regardless of who you agree w t...

[Presidential Veto](#)

QUESTION: Does the president veto power over board decisio ANSWER: No, the board presic does not have veto power. If tl president refu...

["Let Them Make Tape" - Why Arizona's Criminal Statutes do Nothing to Stop an Owner from Videotaping Your Next Board M](#)

[HAS YOUR COMMUNITY ASSOCIATION BEEN PUT ON A LENDER'S BLACKLIST? By Don Berger, Esq.](#)

[FL: Woman chains herself to gate to protest HOA](#)

An unusual protest today. An Ellenton woman says her condo association told her she can't keep her gate. So to protest, she's chained herself to it...

[TX: Valley Ranch homeowners meeting at church ends in tumult](#)

It's not often you hear rowdy booing inside a church sanctuary. At a Valley Ranch Association residents' meeting Thursday night inside a Baptist church, a crowd of more than 100 showered their elected leaders with boos after officials announced results from a...

[LA: Hearing postponed in Slidell area condo association embezzlement case](#)

Despite the victims' presence and the district attorney's and Covington parole offices' assurances that some resolution would come Thursday, a court hearing was delayed for a former Chamale Cove treasurer who has neglected restitution payments to the condo ass...

[GA: Complaint over swimming dog ends in neighbor's death](#)

A brawl between two neighbors at an upscale Midtown condominium complex over a dog swimming in the property's pool left one man dead and another awaiting his fate today on murder charges...

[NH: Clothesline rule creates flap](#)

They say they only want to protect their "right to dry." And in three New England states, advocates for clotheslines - yes, clotheslines, strung across the yard, draped with socks and sheets - are pushing for new laws to liberate residents whose neighbors won't...

[CO: House bill could limit HOAs' powers](#)

The bill would make it illegal for HOAs to limit the installation of retractable clothes lines, rolling shutters, solar panels and wind turbines, among other things...

[AZ: Court decision might free builders from responsibility for home defects](#)

That's thanks to a recent court decision that consumer advocates believe will dramatically weaken new homebuyers' rights. The ruling basically lets builders off the hook for construction defects, saying that unless homeowners have a contract with their builder...

[AZ: Green Valley Man Fights His HOA](#)

Gordon Carlson installed solar sunscreens over his home windows last summer. Their purpose: bring in the light and keep out the heat. But just weeks after they were up, he received a notice from his homeowner's association asking him to remove them...

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[Word Doc](#) [PDF](#)

the country - I would never have believed it. And this got me thinking: I loved being a manager, and I now love my continuing affiliation with managers, Board members, homeowners and the industry as whole, because it is such a challenging - and terrific - business. I emailed colleagues and industry professionals, from one end of the spectrum to the other, and asked them what they thought really was terrific about the industry. The answers I received boiled down to simple, but significant reasons as to why community management is a great business. So, just when you are ready to throw in the towel, take a moment and read this article. It may remind you of why you are here.

[Read more](#)

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### Architectural Assessments

An Architectural Assessment provides a firsthand description, evaluation and record of the condition of a property. It is a snapshot in time designed to chronicle the condition of various constructed components within a development, as they appear during an intensive, on-site tour of the subject property. A thorough Architectural Assessment provides the owner with a detailed analysis of major component systems including those that are responsible for protecting the development from the ravages of time and the elements. When prepared in conjunction with a reserve study and/or facilities maintenance program it forms the basis for establishing a prioritized schedule for the replacement of building systems have a definitive useful life. It also provides commentary on the condition of each system that has not yet reached the projected end of its service life and identifies those systems requiring immediate repair or replacement. [Read more](#)

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### Rethinking Cooling Strategies

Engineering and maintenance managers have a range of options when it comes to replacing cooling equipment in existing buildings. These options have given them an unprecedented ability to improve system performance while cutting energy and operating costs. But these options also have made the process of selecting and specifying equipment more difficult. This is especially true when the most efficient and reliable equipment for a particular application might not be the least expensive. For managers to procure the most suitable equipment, they first must do their homework. [Read more](#)

[Preconstruction Deposits: The 15 Scrap On The Table In The Current Condo And Housing Market Crisis](#)  
This recent item from Miami real estate expert Lucas Lechuga's blog caught my attention and prompted me to provide a brief commentary.

### Sexual Harassment

Many of our associations have members. Sexual harassment therefore may affect many of our clients. The article below emphasizes the proactive stance of ...

[Association Prevails In Court Of Appeal Decision Upholding Petition To Amend CC&Rs and Bylaws](#)  
Our representative for the Fourth La Costa Condominium Owners Association ("Association") in their petition...



Contact CAN at: [webmaster@communityassociations.net](mailto:webmaster@communityassociations.net)

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