

Community Associations Network

News

[FL: Guilt by association](#)

Homeowner associations throughout our region and state need to adjust to reality: The days of justifying lush green lawns, all year long, are gone. The future -- the present, actually -- is in Florida-friendly yards resistant to drought and less dependent on e...

[CA: Police help gang-infested community reclaim ground](#)

The homeowners association, usually the first line of defense against neighbors who bring in blight, generally attracts no more than a handful of members to its meetings....

[CA: Village Board president grills attorney in 3 hour televised interrogation](#)

Although Monday's special meeting of Laguna Woods Village's Third Mutual Board was billed as an opportunity for mutual directors to ask questions of community attorney Bill Hart of Hart, King and Coldren of Santa Ana, the televised meeting quickly became an in...

[VA: Parking decision angers HOA members](#)

A recent decision by a Prince William County homeowners association to eliminate street parking on Towering Oak Way has become such an issue for people living there that resident Arif Husain joked he can only invite two guests at a time to his house....

[OH: Copley Township concerned with chemical vapors in condo basements](#)

But a September report named another danger from the chemicals, tetrachloroethylene and trichloroethylene, which can cause myriad health problems, including skin irritation, naseau and sometimes even death. Vapors from the chemicals have entered the basements ...

[Spice Up the Condo Meetings](#)

Q Herndon: I have recently moved into a condo and noticed that maybe 1 percent of owners show up for monthly meetings. Are there any ways we can boost attendance at condo association meetings? The only thing my board has come up with is raising fees 10 percent...

[FL: Concrete blocks save condo from eroding beach](#)

Bernie Vukelich was relieved on Thursday. His South Palm Beach condo had been threatened by heavy surf, but was saved by engineers who rushed in wet cement, sand and concrete blocks the size of baby grand pianos to protect the building's foundations....

[CA: Homeowners associations countywide are hit by foreclosure fallout](#)

San Diego County's mushrooming number of foreclosures is starting to hobble homeowners associations large and small as cash-strapped owners cease paying their monthly dues....

[MA: Towering assessments leave waterfront residents divided](#)

It's the condo owners' nightmare: The building's heating and cooling system needs an overhaul, so everybody must pay a huge one-time assessment. But the 500-plus owners at Harbor Towers on Boston's waterfront are facing the mother of all bills: from \$70,000 ...

NH: Clothesline: Solar Device or Eyesore? (Audio)

Articles

Of Castles and Kings: Condo Owners Must Obey the Rules

Many who purchase homes in a condominium are unaware that the term "king of the castle" or the concept of freedom to do whatever they wish in their own home does not apply to condominium living. Unlike the owner of a single family home (in the back woods with no neighbors), unit owners are often subject to restrictions as to how they can use their units. Those restrictions are enforceable through fines, litigation, and other penalties. [Read more:](#)

Board Meetings: Tips for Becoming More Productive

Have you ever suffered through an association board meeting that went on forever and absolutely nothing was accomplished? Well you aren't the only one! This article outlines tips on how to shorten up your association board meetings and make them more productive. [Read more](#)

House Rules Creation and Enforcement: Three Keys to Success

Imagine, if you would, a community association where all residents were considerate, caring, responsible and respectful to one another. Wouldn't that be wonderful? And, in an ideal world, that is what all community associations would experience. The reality, however, is that while many association residents do try to be thoughtful neighbors, many others (at least on occasion) forget that they are living in a unique community environment. These residents may be less than considerate and respectful of their neighbors. It is precisely for this reason that community associations need to create and enforce house rules. These rules help to ensure a positive and reasonably safe living environment for all residents. [Read more](#)



Recruiting Directors

From time to time, it is necessary or desirable to recruit new directors. It may be due to a vacancy or an upcoming election. Often volunteers are reluctant to commit until they fully understand the scope of the job and time commitment. Here is a sample solicitation letter that outlines director duties: [Read more](#)

A Thin Line Battle Over Clotheslines Leaves Community Association in the Middle

The lowly clothesline is making a comeback. Spurred by growing concerns over global warming and the recognition that mechanical clothes dryers can consume a whopping 10 percent of household energy, concerned citizens are hanging out their clothes in increasing numbers. But the growing air drying movement is at odds with the vast majority of community associations, which ban clotheslines out of

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A battle is brewing in neighborhoods across the nation to bring back what was once part of America's backyard landscape - the clothesline. This green movement touts the clothesline as an environmentally friendly way to dry laundry....

[NV: Homeowner association's president sees the future, and it is dry](#)

In 1999, Monte went to the other homeowners in Sunrise Villas 6 and said he'd like to replace some of the complex's grass with landscaping more suitable to the desert. "I said: Just trust me." And they did. "Now they tell me they love it, they like it better ...

[FL: Second fraud case looms for jailed Davie condo president](#)

A Davie condominium president, who was arrested this week and accused of using forged checks to steal from his condo association, might have used a similar scheme to take money from another condo,...

[FCC gets earful on ownership rules](#)

The FCC rejected cabling and building owners' arguments that consumers do receive the benefit of competition, since cable companies vie with each other to land an exclusive contract with buildings with multiple units....

[CA: Canada's flag causes local flap](#)

For one couple in an Orangeville luxury condominium, according to information obtained by this paper, it's a time to come under fire for displaying the Canadian flag in their window "to Honour the Men and Women serving our Country in Afghanistan,"...

[FL: Man accused of condo fraud pleads guilty](#)

The first man charged in a \$1.4 million condominium kickback scandal has become the first to end his criminal case, pleading guilty to organized fraud....

[AZ: Surprise loses \\$800K revenue](#)

Some Surprise residents could face higher HOA fees as a result of a major water billing error. "It's ridiculous," resident Thomas Porter said. "Some people didn't even live there when this mistake took place -- you can't ask them to pay. No way!"...

[FL: \\$300,000 Water Bill Worries Condo Residents](#)

Time is running out for hundreds of northwest Miami-Dade County residents who call the Sunset Palm Villas home. The tenants have been fighting for months to keep water flowing to the 267 units that make up the complex, but the Miami-Dade Water and Sewer Depart...

[PA: An autistic boy's mom said she won't tolerate harassment about her eviction](#)

Shelly Spann says she can take the criticism in a fight over being evicted because of her noisy, autistic 9-year-old son, but she won't put up with an attack on her children. Spann called city police Monday after someone taped a few pages of "harassing" comment...

[CO: Propane grills on Boulder condo's balconies made fire worse, says official](#)

Having propane tanks on balconies in most condos and apartments is illegal. But the code is difficult to enforce. "The City of Boulder has thousands and thousands of apartments and condominium complexes and it's tough to get around to them all," said Lowrey...

[NY: Mother of autistic boy faces eviction](#)

She said she's tired of fighting with her neighbors who have pushed to get her evicted from Monarch

the strongly-held belief that they adversely affect property values. How the struggle between the two opposing forces will play out remains to be seen. Lawsuits over clotheslines have sprung up all over the country and the issue has attracted the attention of politicians. [Read More](#)

APRA Advisor

The latest newsletter from the Association of Professional Reserve Advisors is now available in PDF format [Read more](#)

BANNING SMOKING IN CONDOMINIUMS

QUESTION: Recently, a renter moved in and he smokes everywhere. He leaves cigarette butts everywhere and we can smell the smoke in our units. 99.9% homeowners are non-smokers. Can we ban smoking in the common areas? Can we ban smoking inside units? [Read more](#)

Protecting Your Building from Fraud

Most individuals have a healthy sense of ethics, choosing to run their personal lives and business affairs aboveboard. Unfortunately, a few bad apples are inevitable. Co-op and condo board members and managers are in positions of authority and regularly handle hefty amounts of money, often without much supervision or oversight. When the "bad apple" happens to be a board member or manager and perpetrates fraudulent use of monies or chooses to abuse relationships and/or resources, the effects on a co-op or condo can be devastating. [Read more](#)

The Benefits of Being on the Board

Being on a board of a condo or co-op is no picnic. There are tons of decisions to be made, disputes to settle, finances to keep track of and a chance of being sued for a slip-up. So why do so many people decide to serve on a board—some for years at a time? Even though it's easy to lose sight of them under the pressure and responsibility, there are benefits to being on a board. [Read more](#)

Associations, Accessibility, and the Fair Housing Act

When we think about accessibility issues in our community, we are likely to immediately think about the "Americans with Disabilities Act" or "ADA" as the primary tool. However, for many multi-family developments such as condominiums and certain homeowner associations, the Federal Fair Housing Act (or FHA) imposes accessibility requirements that are "ADA-like" in certain circumstances where the ADA may not apply. [Read more](#)

Fiduciary Responsibility of Association Directors: Practical Application of Legal Theory

The law of fiduciary responsibility can be viewed as having two purposes. The first is moral or educational in nature. The law sets a standard for appropriate conduct of association directors. It is intended to guide proper conduct and avoid inappropriate actions. The other role of the law of fiduciary duty is to act as a practical tool for restitution. If a homeowners association is damaged because of a breach of fiduciary duty by the director, the law affords a remedy to recover the resulting damages. A wealth

[set: The Board, Meetings, Insurance, and Reserves. CAI members get 40% off!](#)

Editor's Notes

Last year we thought that there were an abnormal number of fires in condos and HOA's. Although we had no hard data to back it up, the stories came one after another. So, we've started a new news feed just tracking stories about these types of fires. Beginning October 1, the stories will be available through our RSS feeds and under News on our main menu. [Here is a direct link to the news page](#)

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

[Ticked-Off Tuesday: Fighting the HOA](#) - Some people who belong to a Homeowners' Association have had a run-in with the group at one time or another. While HOA's do good work most of the time, we do hear stories all the time where the people running them abuse their powers, and make life difficult for community residents. It's Ticked-off Tuesday for Troubleshooter Tom Martino, and he talks about ways to fight back.

What's New in the Blogs

[The Need for Forward Thinking Energy and Conservation Policies](#)

[What if One Board Member, or a Minority, Want the Board to Follow the Law?](#)

[Can my association pass a rule banning dogs?](#)

[HUD Rules on Escrowing Assessments](#)

[FCC Bans Exclusive Cable Contracts for Multiple Dwelling Units](#)

[Playground Liability](#)

[What Would John Wayne Do](#)

[Fire in Luxury High-Rise Underscores DCA's Plan to Require Fire Suppression Systems for Older High-Rises](#)

[Developer to Unit Owner Transitions](#)

[California Wildfires](#)

[Physical Management of Condominium Association Property](#)

Mills Condominiums in York because her autistic 9-year-old son, Reggie, screams, cries and has loud outbursts....

CO: Old clothesline is still hanging tough

In response to the property-value-lowering connotation of clotheslines, a good number of the country's 300,000 homeowner associations have covenants prohibiting or discouraging outdoor clotheslines along with items such as visible trash cans, open garage doors...

FL: Condo tiff involves timing, \$100,000 deposit

More than two years later, with no building to move into, they're suing developer Bob McGrath because his delays in constructing Serena Bay have broken their contract and cost them a shot at the market....

Green vs. aesthetics: Neighbors, associations clash

In neighborhoods across the country, there's a battle brewing: the environmentalists vs. the aesthetes. As "green"-minded homeowners move to put in new energy-efficient windows, solar panels and light-reflecting roofs, they are bumping up against neighbors an...

VA: Loophole found against builders

A routine housekeeping resolution set off a debate this week that could empower homeowner associations. A bold subdivision for work force housing hangs in the balance. The upshot is that HOAs may be able to stop developers from expanding neighborhoods beyond t...

TX: Homeowner asks for rules to be enforced

A resident of The Hills neighborhood in Lakeway is making noise about a homeowner's association ordinance which he says is not being enforced. Section 9.06 of The Hill's neighborhood charter says sporting equipment such as basketball goals, soccer goals and ot...

CA: Columbia Area Residents Move to Sue Homeowner and Recall Their Board

A crowd of 150 homeowners from Castro Valley's Columbia area filled Canyon Middle School's music room last week to discuss how to deal with two issues that have dogged many of them for some time....

AZ: Community upset with HOA gives boot to 2 leaders

Residents of a large Gilbert community, who were fed up with how their homeowners' association ran meetings and handled requests to change house façades, ousted their board president and vice president Wednesday night....

WA: Downtown condo owners cry foul

The Heritage Place Condominium Association is suing developer Heritage Place LLC and Craig E. Angelo, a managing partner of the company. The amended suit, filed Oct. 9 in Clark County, also alleges Angelo withheld information regarding the defects, improperly ...

GA: Trying to keep community alive

Perhaps it is because this is my first house, or perhaps because I am a hopeless optimist. In any case, seeing such a lack of interest in getting anything accomplished, replaced rather with hapless bickering of only self-interest, I jumped on a grenade. I joi...

FCC To Vote To End Exclusive Cable-Condo Building Deals

The Federal Communications Commission is set to vote to end exclusive deals between cable companies

of resources are available to directors to assist in understanding and meeting their fiduciary responsibilities. Books, pamphlets, magazines and newsletters are one source of information. Professional advisors, including attorneys, accountants, reserve study consultants, engineers, architects, insurance brokers and community association management consultants are among the paid advisors who may be engaged to advise on either a narrow issue or more broadly to help directors understand and comply with their legal standard of care. [Read more](#)

[Link](#)

[Court Of Appeal Finds That A Tolling Agreement Between An HOA And Developer Tolls The Applicable Statute Of Limitations Even As To A Non-Party Subcontractor.](#)

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Contact CAN at: webmaster@communityassociations.net

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