REPORT OF THE
VIRGINIA REAL ESTATE BOARD
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

Report on the Adequacy of Training of, and Disclosure of Financial Information to Consumers by, Financially Compensated Professional Managers of Condominium Associations, Property Owners' Associations and Other Similar Common Interest Communities

TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA

COMMONWEALTH OF VIRGINIA
RICHMOND
2005

COMMONWEALTH OF VIRGINIA

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November 17, 2005

To the Governor and Members of the General Assembly of Virginia:

The Virginia Real Estate Board (the Board) respectfully submits the following report pursuant to House Joint Resolution No. 686, which requested the Board to review the study conducted by the Old Dominion University Center for Real Estate and Economic Development on common interest communities that was funded through a grant from the Virginia Department of Professional and Occupational Regulation and the Board and which includes an analysis of the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations and other similar common interest communities.

HJR 686 further requested the Board to perform its own review of the issues relating to common interest communities, including an analysis of management contracts used by financially compensated professional association managers to determine the adequacy of disclosure of fees charged by such managers and other related issues, the adequacy of training of financially compensated professional association managers and any other issues relating to common interest communities.

This report, approved November 17, 2005, outlines the Board's findings, conclusions and recommendations. Members of the Real Estate Board would be pleased to answer any questions.

Respectfully submitted,

R. Schaefer Oglesby
Chairman, Real Estate Board

PREFACE

The Virginia Real Estate Board was granted the authority to conduct this study through House Joint Resolution 686, which states in part:

> *RESOLVED by the House of Delegates, the Senate concurring, that the Virginia Real Estate Board be requested to review the study performed by the Old Dominion University Center for Real Estate and Economic Development on common interest communities that was funded through a grant from the Virginia Department of Professional and Occupational Regulation and the Virginia Real Estate Board and which includes an analysis of the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations and other similar common interest communities.*
>
> *In conducting its study, the Virginia Real Estate Board shall examine the Old Dominion University study on common interest communities and perform its own review of the issues relating to common interest communities, including an analysis of management contracts used by financially compensated professional association managers to determine the adequacy of disclosure of fees charged by such managers and other related issues, the adequacy of training of financially compensated professional association managers in fair housing compliance, receivership, account management, real estate law generally and common interest communities specifically, and any other issues relating to common interest communities as the Virginia Real Estate Board deems appropriate in order to make its report.*

The Board studied the issues by conducting four public hearings, surveying association members and reviewing sample management contracts.

The Real Estate Board membership included:

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The Real Estate Board and the Department of Professional and Occupational Regulation would like to thank the Cities of Chesapeake and Roanoke and Fairfax County for the use of their facilities for conducting public hearings.

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EXECUTIVE SUMMARY

House Joint Resolution 686 requested the Real Estate Board (the Board) to review the study conducted by Old Dominion University in 2004 and to conduct its own review of professionally compensated managers of community associations.

The Board sought public comment and conducted public hearings in Fairfax, Chesapeake, Roanoke and Richmond. The Board also conducted a survey of individuals living in and having an interest in common interest communities. In addition, sample management contracts used by various management companies were reviewed and the companies were queried regarding the level of training of their employees.

From the surveys returned to the Board, the overwhelming majority were completed by unit/lot owners and board members/officers of medium sized community associations. Of the 1,967 surveys returned, 62 percent indicated that the most important problem facing their association was either the lack of participation by members in their community meetings/events or the lack of volunteers to serve on their boards and committees. The general consensus from the survey was a general satisfaction in their communities and with their management.

Most of the management contracts reviewed indicated that management company employees who handle association moneys were bonded or insured. Representatives of management companies who spoke at the public hearings said that their employees receive training in the management of community associations. However, it should be noted that only 65 percent of the people responding to the survey indicated that their communities employed a management company or an individual professional manager.

Individuals giving oral comments at the four public hearings appeared to concur with the survey results and were generally satisfied with their community's management. The majority of the speakers indicated that association board members needed education/training in their roles and responsibilities. It was pointed out that real estate agents were not sufficiently informed and did not inform their buyers regarding the nature of living in common interest communities. The general consensus was that association board members and real estate agents needed to be better informed and that no further legislation was needed.

It was found that the Old Dominion University study did not address the adequacy of training of professional managers or the disclosure of financial information to consumers. For the purposes of the current study, the Old Dominion University study did not provide any useful information.

In summary, community associations who employ reputable management companies are generally satisfied with their management personnel who seem to receive adequate training. The focus of problems facing community associations appear to be with inadequate training of association board members and the associations' ability to employ a management company that meets acceptable standards and acquiring adequate management contracts.

INTRODUCTION

A. STUDY AUTHORITY

The Real Estate Board was given the authority to conduct this study by the 2005 Session of the General Assembly with the passage of House Joint Resolution 686.

B. BACKGROUND

Summary of the Fund

The Common Interest Community Management Information Fund (Fund) was created in 1993 (§ 55-529 of the Code of Virginia) to promote the improvement and more efficient operation of common interest communities through research and education. The Fund consists of money paid by each common interest community's annual filing fee of $25.

In response to the Report of the Efficiency and Effectiveness of the Property's Owners' Association Act to the 2000 Session of the General Assembly, the Common Interest Community Association Liaison position was created July 1, 2001. This position is fully supported by the Fund.

The Liaison serves as an information resource on issues relating to the governance, administration and operation of common interest communities, including the laws and regulations relating thereto. Such information may include nonbinding interpretations of laws or regulations governing common interest communities, and referrals to public and private agencies offering alternative dispute resolution services, with a goal of reducing and resolving conflicts among associations and their members.

By statute, 40% of the moneys collected annually in the Fund are used to finance and promote the following:

- *Information and research in the field of common interest community management and operation;*
- *Expeditious inexpensive procedures for resolving common interest community disputes;*
- *Seminars and educational programs designed to address topics of concern to community associations; and*
- *Other programs deemed necessary and proper to accomplish the purpose of this chapter.*

Awards from the Fund

In 2002, a Request for Proposal (RFP) was sent out to all interested parties, including colleges and universities in the Commonwealth, in an effort to gather input on ways to meet the objectives of the Fund and the Liaison position.

The Real Estate Board approved and awarded funds for four proposals that addressed different areas of common interest community living:

1. Virginia Community Association Network – To develop and maintain a website designed to provide information, articles, resources, links, and frequently asked questions to those involved with community living. The website is updated monthly.

2. Community Association Institute (CAI), Washington Metropolitan Chapter – To produce a brochure regarding disclosure/resale packets which were distributed to CAI members, real estate licensees and the Association of Realtors.

3. Radford University – To produce guides to assist those involved with common interest communities in the following areas:

   - Statutory Rights and Responsibilities of Board of Directors
   - Conflict Resolution
   - Statutory Rights and Responsibilities of Owners
   - Financial Reporting

4. Old Dominion University – To create a website to provide links to include a state-wide needs assessment survey of common interest communities Board Presidents, access to local government resources focused upon common interest communities concerns, a research paper that provides principal research in identifying and describing the nature and scope of common interest communities' issues across Virginia, as well as access to other common interest communities resources.

Additional awards have been given to Property Owner Associations of Virginia, Inc. (POAVA) and the Prince William Clean Community Council to expand information and to educate those involved in common interest communities.

C. METHODOLOGY

The Board first reviewed House Joint Resolution 686 and the study conducted by the Old Dominion University Center for Real Estate and Economic Development referenced in the resolution.

This study was conducted by mailing surveys to both the point of contact and the secretary of each registered common interest community, conducting public hearings in four strategic locations around the state to solicit oral comments, soliciting written public comment, reviewing management contracts currently used by financially compensated professional association managers, reviewing statutes concerning these issues from other states via internet websites and personal telephone calls, and by reviewing the 2004 Study conducted by Old Dominion University.

FINDINGS

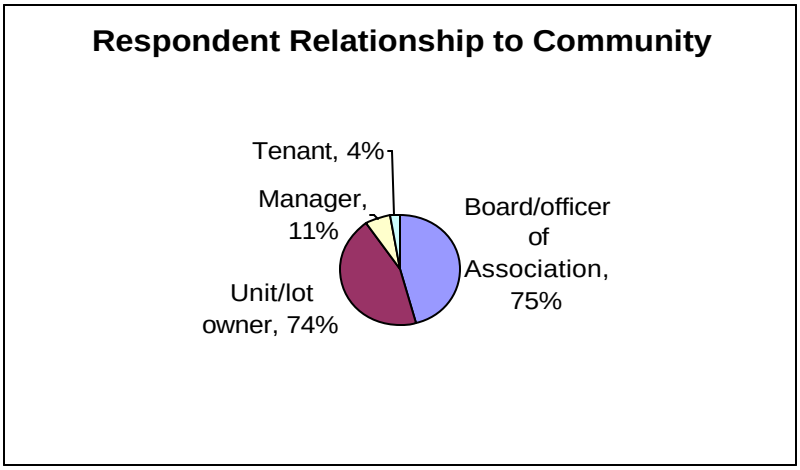
A. THE OLD DOMINION UNIVERSITY (ODU) STUDY

In May of 2003, the Real Estate Board contracted with the Center of Real Estate and Economic Development at Old Dominion University (ODU) to study the promotion of "the improvement and more efficient operation of common interest communities through research and education". The study was completed in August 2004. The Executive Summary and Conclusion from the ODU study are included as Appendix B, pages 1-5. The study concluded that better education and communication would benefit all individuals involved with common interest communities.

The ODU study provided an excellent history of common interest communities, including legal, political and policy issues. It did not address the adequacy of training of professional managers or the disclosure of financial information to consumers. However, the survey conducted by ODU did compare results of respondents living in associations with professional managers to respondents living in associations without professional managers and concluded there was no significant difference in responses (see Appendix B, pages 6-9).

B. THE REAL ESTATE BOARD SURVEY

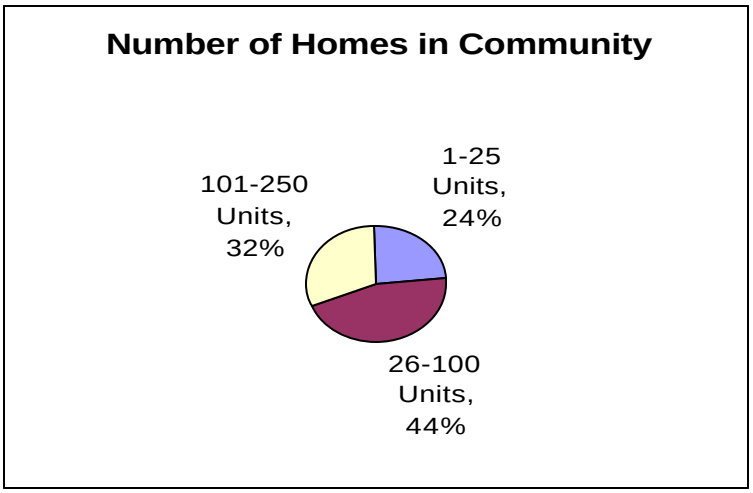
The Real Estate Board mailed 7,879 surveys to Associations registered with the Real Estate Board and individuals and companies on the Board's mailing list. The survey was also posted on the Department of Professional and Occupational Regulation website and the Community Associations Institute posted it on its website and mailed it to its membership. A total of 1967 surveys were returned by the deadline, representing approximately 25%. Survey data summaries are contained in Appendix D. Following is a summary of the survey results.



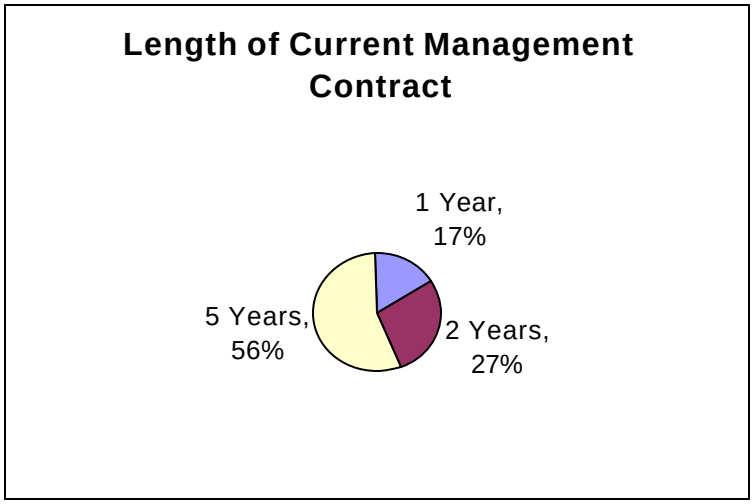
Multiple responses for this question were possible.

The overwhelming majority of those responding identified themselves as board members or officers of their associations and unit/lot owners. Eleven percent identified themselves as managers.

Most respondents live in medium sized communities with 26-100 units. A majority of those responding, 65%, live in communities that employ a management company or an individual professional manager. Of those, 83% are satisfied with the manager's service and 95% indicated the management company or professional manager is familiar with the Association's bylaws.

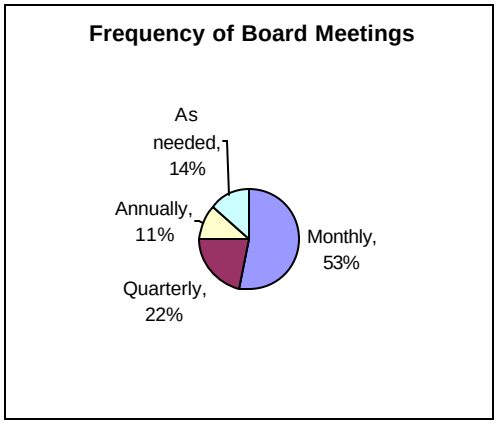


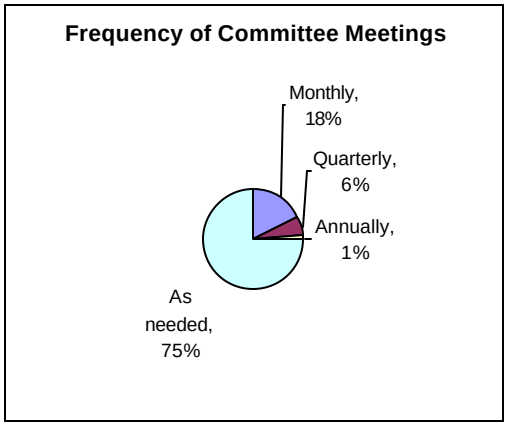
A majority of Associations have had the same management company under contract for more than 5 years. Associations select a management company or professional manager primarily by a review of proposals and interviews. Many are referred by developers.



The majority of Associations have meetings open to all Association membership on a regular basis. 97% indicated that minutes are taken at those meetings and 96% indicated that meetings are open to all association members. 79% of those surveyed live in a community that has committees approved by the board that meet on a regular basis.

Notices of meetings are posted by management or board members in mailings, newsletters, bulletin boards, building entrances, clubhouses, elevators, etc. Only 3% of those surveyed indicated that meeting notices were not posted. A large majority of those responding, 85%, indicated that the professional manager attends all board meetings.

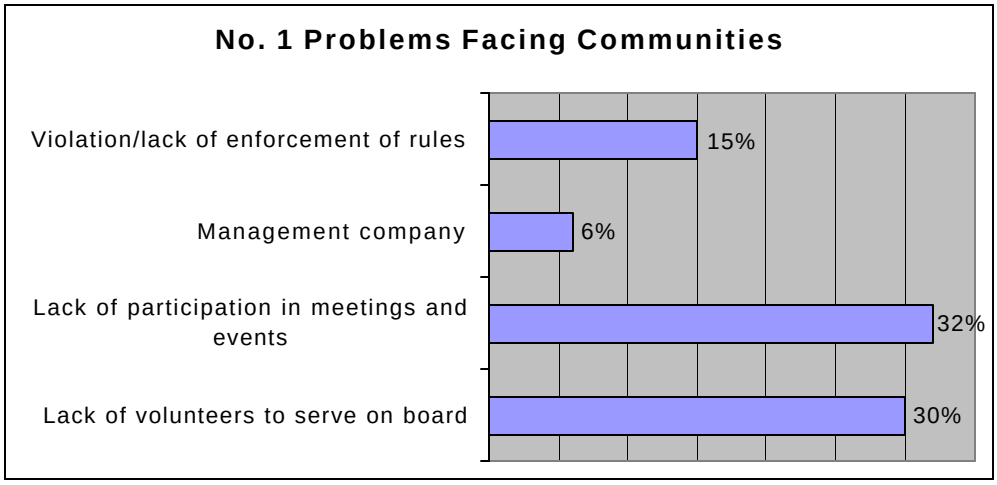




Assessments cover a variety of services, including lawn and plant bedding care, exterior repairs to units, community centers, recreational fields and swimming pools, entrance and other traffic signs, sewage/sanitation and water services, parking and street maintenance and trash collection. Survey respondents indicated a need to provide street repair, maintenance and lighting, trees and landscaping, and sidewalks and curbs.

When questioned about who decides which vendors receive contracts for these services, 86% responded the board of directors, 8% the management company, and 6% other. Those responding "other" included owners, president of association, landscaping/architectural committee, developer, and management staff. Therefore, approximately 8.6% of those responding indicated someone other than an officer or member of the Association being involved in the decision to hire contractors.

The survey asked respondents to name the top three problems facing their Association. The overwhelming majority indicated a lack of participation by members in community meetings and events and a lack of volunteers to serve on the board and committees. Only 6% felt that management by the company was the number one problem facing the Association.



The survey also included questions relating to the statutory change in 2002 for common interest communities to conduct a reserve study at least once every five years. 79% of the communities indicated they had conducted a survey, up from 72% in survey conducted by the Old Dominion University (ODU) Center for Real Estate and Economic Development on behalf of the Real Estate Board in 2004. 58% of those surveyed indicated that the management company or a third party conducted the survey for their Association. An overwhelming majority, 92% of those responding, believe their community is following the reserve study and budgeting for future expenses well or very well.

Finally, when asked whether they would purchase another home in a community association, 85% responded yes, up from 82% responding to the ODU survey. Overall, the survey results indicate a general satisfaction in the community and satisfaction with the management of the community.

C. PUBLIC COMMENT

Four public hearings were held, in Richmond, Fairfax, Chesapeake and Roanoke. A summary of the comments received is contained in Appendix E.

The primary themes coming from the hearings were that further education of boards is important, real estate agents are not well informed and do not inform their buyers of the nature of living in common interest communities, and additional legislation would not be helpful.

For the most part, association members speaking at the public hearing were satisfied with their association's management companies. Two speakers were not satisfied but no specifics were provided.

As stated, most speakers did not feel that additional legislation would be helpful. They noted that the laws are already complex and that complicates the problem of their board members lacking education and training for their jobs. While one speaker favored a requirement that all associations hire a trained, compensated manager who is responsible to a regulated body and can be held accountable to the association members, most speakers did not favor regulation. Some pointed out that additional requirements would cost the associations more to operate and would present additional problems for small associations.

Representatives of management companies generally were unanimous in their belief that yearly changes to the law only complicate matters and additional legislation should not be passed. They pointed out that the study conducted by the Old Dominion University (ODU) Center for Real Estate and Economic Development on behalf of the Real Estate Board did not find any problems with management companies but rather found problems with associations facing complex issues without the assistance of professional management companies. They further emphasized that one size does not fit all associations and more education is the answer.

D. MANAGEMENT CONTRACT COMPARISONS

Sample contracts from several Management Companies were reviewed. A list of the contracts reviewed, along with a summary of the provisions is contained in Appendix F.

The contracts are very detailed with regard to fees charged to the Association. The types of services are broken down into recurring routine services which are included in the monthly fee, and periodic routine and non-routine services which are charged as specified in the contract.

Most contracts specify that Management Company employees who handle Association moneys are to be bonded or insured. In addition, the contracts state that all moneys are to be deposited into an account in the name of the Association and established and maintained in a manner to indicate the custodial nature of the account.

Note that the Appendix also includes a summary of contract provisions relating to administrative matters, assessments, budget, handling of moneys and financial reporting, insurance administration, maintenance, meetings, newsletters, personnel, rules and regulations and termination of contract.

E. TRAINING REQUIRED BY MANAGEMENT COMPANIES

Approximately 100 management companies service registered common interest communities in the Commonwealth. Staff contacted 20 of these companies by telephone to find out what level of training and experience is required of their association managers. This venture proved less than successful. Subsequently, a letter was mailed to management companies on September 13 in an effort to obtain this data.

Staff received 25 responses from management companies as a result of the September 13 letter. Most of the firms send their association managers to training classes offered by Community Association Institute (CAI). Some of the larger firms require their managers to complete the intensive M-100 Course in Community Management from CAI. Most of the firms either require or encourage their association managers to obtain the Certified Manager of Community Associations (CMCA) designation, the Association Management Specialist (AMS) designation, and/or the Professional Community Association Manager (PCAM) designation through CAI. These firms also require their managers to pursue a continuing education program, which is required to maintain their CAI designations. A few of the firms conduct in-house training. Some even require their managers to be licensed as Real Estate Agents or Brokers, while one firm used only attorneys to manage their associations.

While very few of the responses mentioned any training requirements prior to employment, for the most part, it seems that management companies take an interest in having their association managers trained in community management through in-house training and specialized trainers.

Survey responses indicate that 95% of the respondents believe the management company and/or individual professional manager is familiar with the Association's bylaws and the Association's responsibilities to the Real Estate Board.

F. STATUTORY/REGULATORY REQUIREMENTS IN OTHER STATES

Most states have no programs that either regulate or support concerns and issues of common interest communities. (See Appendix G.)

Connecticut requires that all community association managers be registered with the Department of Consumer Protection. There appears to be no qualifications for registration other than being bonded. Applicants, who may be either an individual or a business entity, must pay an application fee of $160. Registration is valid for one year.

Connecticut's regulatory commission has full enforcement authority to revoke, suspend, and refuse to issue or renew registration upon notice and hearing.

Nevada certifies community association managers. Certification is required for those who do not hold a real estate license and are involved in common interest community management. Certification requirements include:

- 16 hours of community association management training
- 8 hours of training in state specific law
- Pass a state examination
- $200 application fee

Nevada certification is valid for two years. 18 hours of continuing education in community association management is required for each two-year renewal period.

Nevada's regulatory commission has full enforcement authority to revoke, suspend, and refuse to issue or renew certification, as well as place on probation, reprimand or censure, fine, require additional education, pay restitution, and pay the cost of the investigation and hearing.

RECOMMENDATIONS

The Board determined that overall, associations seem pleased with their management companies, but that further training of the associations and their board members was needed. From the comments received, there is no indication that reserve or operational accounts need further protection nor is there a need for contingencies for receivership due to insolvency since most management contracts require employees to be bonded, require independent audits, and contain provisions allowing associations to terminate contracts should the management company file for bankruptcy.

The Board acknowledges that further education will make associations and those who are directing them better aware of their duties and responsibilities to their communities and will help to alleviate potential problems and misunderstandings with financially compensated professional association managers. The Board acknowledges that because there is a high volume of turnover in association and board membership, that training should be an ongoing process.

It was further determined that the Common Interest Community Management Information Fund Regulations be revised to create an annual filing fee schedule structured proportional to the size of the association. An association of 5 lots/units should not be paying the same fee as an association containing 5,000 lots/units. Currently, the annual filing fee for all associations is $25 regardless of size. This increase in funding would be used to either hire additional staff to assist the Community Association Liaison or to engage a third-party firm to provide the much needed training/education for associations.

2005 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 686

Requesting the Real Estate Board to review the study conducted by the Old Dominion University Center for Real Estate and Economic Development on common interest communities that was funded through a grant from the Virginia Department of Professional and Occupational Regulation and the Virginia Real Estate Board and which includes an analysis of the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations and other similar common interest communities. Report.

Agreed to by the House of Delegates, February 5, 2005
Agreed to by the Senate, February 24, 2005

WHEREAS, condominium and townhouse and other similar common interest communities make up a large portion of the Commonwealth's supply of homes; and

WHEREAS, many of these common interest communities seek the services of professional property owners' association management firms; and

WHEREAS, annual operating budgets at these common interest communities can total several hundreds of thousands of dollars; and

WHEREAS, the actual and potential loss of association funds due to improper management could be significant; and

WHEREAS, the number of common interest communities in Virginia and the number of citizens of the Commonwealth who live in common interest communities continues to grow; and

WHEREAS, the Old Dominion University Center for Real Estate and Economic Development performed a study on the issues relating to common interest communities to determine the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations, and other similar common interest communities which has not been formally reviewed and publicly reported on by the Virginia Real Estate Board; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Real Estate Board be requested to review the study performed by the Old Dominion University Center for Real Estate and Economic Development on common interest communities that was funded through a grant from the Virginia Department of Professional and Occupational Regulation and the Virginia Real Estate Board and which includes an analysis of the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations and other similar common interest communities.

In conducting its study, the Virginia Real Estate Board shall examine the Old Dominion University study on common interest communities and perform its own review of the issues relating to common interest communities, including an analysis of management contracts used by financially compensated professional association managers to determine the adequacy of disclosure of fees charged by such managers and other related issues, the adequacy of training of financially compensated professional association managers in fair housing compliance, receivership, account management, real estate law generally and common interest communities specifically, and any other issues relating to common interest communities as the Virginia Real Estate Board deems appropriate in order to make its report.

All agencies of the Commonwealth shall provide assistance to the Virginia Real Estate Board for this study, upon request.

The Virginia Real Estate Board shall complete its meetings by November 30, 2005, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2006 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

I. Executive Summary

In 2003, there were an estimated 50 million Americans living in 249,000 common interest developments.[1] The Commonwealth of Virginia has an estimated 24,000 common interest communities[2] in which 3,500 are registered with the Virginia Department of Professional and Occupational Regulation (DPOR). New housing growth indicates a continuing trend of rapid common interest community development in Virginia and the introduction of legislation in the Virginia General Assembly each year regarding common interest communities foretells greater governmental involvement. The rising popularity of CIC developments brings challenges from the many stakeholders engaged in assessing, and contributing to, the success and failure of these housing types.

Common interest communities, or CICs, are characterized by ownership of common property, managed by mandatory membership in a community association that is responsible for maintaining and overseeing the use of the property (Barton & Silverman, 1992). CICs are established by a residential developer, who purchases land for residential building and attaches conditions, covenants, and restrictions (CC&Rs) to deeds as properties are developed and sold. The developer forms an initial governing board of directors for the association. Membership in the association is automatic and compulsory for the purchaser of a residence. As the developer transfers authority to the association, home and unit owners repopulate the board of directors through elections and accept the transfer of administrative and financial responsibility for the common property and enforcement of use restrictions established in the CC&Rs (ACIR, 1989).

Due to the self-governance mechanism of CICs, they have been viewed as "residential private governments possessing much of the power and trappings of local municipal government but arising out of private relationships" (Franzese, 2000, 671). Therefore, CICs are often described as acting in a 'quasi-governmental' manner which raises significant concerns regarding obligations to principles of public sector operations while conducting business in the best interest of its membership.

While, according to anecdotal evidence, the majority of CICs function "surprisingly well,"[3] this paper explores the concerns that arise in a system that remains unregulated, that is, with no significant empirical data to assess their number, monitor their compliance with legal statutes, nor to assist in creating standards to guide and inform their administrative, financial and social practices. The overarching demand, by all constituents of common interest communities, is for further research and education.

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[1] The estimated numbers of CICs is repeatedly offered in the literature and originates from one source: The Community Associations Institute (CAI), a private, non-profit organization. CAI reports these estimates are developed by Association Information Services and derived from US Census publications, the American Housing Survey, IRS Statistics of Income Reports and interviews (caionline.org)

[2] This is conjecture offered by the California Law Revision Commission (CLRC) suggesting slightly more than 10% of CICs in Virginia are registered (CLRC Staff Memorandum, March 30, 2004).

[3] This is a phrase that appeared frequently in personal interviews with attorneys specializing in community association law, developers of this type of housing arrangement and with academic researchers investigating CIC issues.

The future sustainability of CICs rests in greater understanding of the current and potential conflicts that exist in CIC operations. The most prominent issues facing CICs include:

- **Public-Private Governance Conflicts.** *What is the appropriate level of governmental involvement in CIC activity? To what degree should state and local entities create, guide and enforce governance practices of CICs?*

  CICs assess and collect mandatory fees, enter private contracts for provision of services and impose lifestyle rules on the behavior of its membership. What, then, occurs is a type of privatization arrangement in which the CICs act in a governmental manner (McKenzie, 1998). Even when employing professional management agents to orchestrate these duties, the association retains liability. Some argue no regulatory oversight of board members and no licensing requirements for community association managers allows for ineffective and erroneous governance. There is the fear of "shadow governments" and "invisible kingdoms"[4] that resemble local governments yet are not bound by public sector laws. Whereas, others contend the arrangement advances successful governance through self-monitoring. Some perceive CICs as appropriate mechanisms for encouraging civic engagement because residents have a self-interest in promoting a more attractive, marketable environment that secures property values and frees local governments from responsibility for some property maintenance and service provision. The debate surrounds establishing an appropriate level of governmental involvement in CIC activities to further, and not inhibit, a goal of greater community engagement by the citizenry.

- **Legal Conflicts.** *With whom do the rights and responsibilities of CIC activity reside? To what degree should legal mechanisms mandate liability at the risk of dissuading voluntary participation?*

  The present role of government is primarily limited to land use planning, zoning and the permit processes for building common interest communities. In Virginia, the majority of concerns regarding CICs are viewed in light of compliance with contract law. Therefore, the burden rests with the association membership to know their legal responsibilities and ensure compliance in their governing documents and in the actions of the board, the management company (when applicable) and the employees of contractual services. Legal recourse for dispute resolution is with the court system. For example, according to Virginia statute, responsibility to provide written disclosure that a property is subject to CIC related laws lies with the seller and, yet, no governmental enforcement mechanism is in place to assure this happens. New homeowners subject to the delinquency of the seller may only become aware of CIC requirements when conflict arises. Relationships between developers and homeowners, board members and homeowners, and CIC members and the greater

[4] These terms were used in various personal interviews and appears in a Q & A booklet published by the Advisory Commission on Intergovernmental Relations, Residential Community Associations: Questions and Answers for Public Officials, 1989.

community can be quite divisive. The debate surrounds rights and responsibilities of all parties involved. A lack of understanding of declarations, articles of incorporation and CC&Rs by CIC membership, and a greater ignorance of CIC related laws in general by all stakeholders, including the general public, create a hostile setting in which the only venue for relief is litigation. Here, again, the concern is for promoting a system that enhances and does not discourage communal interest and participation.

- **Political Conflicts**. *Do CICs advance or thwart democratic principles of governance? To what degree should CICs be obligated to promote or, at the very least, to not discourage social unity, pluralism and attendance to citizenship duties to society as a whole?*

The lack of empirical study regarding CICs demonstrates a gap in our understanding of their consequential effect on public well being. Some argue the rise in CICs has manifested a segregation of certain socio-economic populations in CICs and poses a potential threat to greater civic engagement with their proliferation. However, others contend there are no significant differences in demographic characteristics or public interest between CIC and non-CIC communities. Anecdotal evidence promulgates negative 'horror' stories that put board members, association attorneys, professional community managers and homeowners on the defensive. The debate encompasses the satisfaction of often conflicting purposes. By establishing accurate mechanisms for identifying, measuring and evaluating CIC creation and operation, it is possible to determine the successes and failures of CICs in advancing private and public goals. Properly armed with substantiated research, legislative and administrative measures can more effectively remove barriers and promote collaboration and compromise in order to maximize CIC success in meeting individual and group interests.

There is minimal federal attention to the process of formulating and managing CICs (McKenzie, 1998). The lack of substantive regulation for contractual agreements of this nature means that the operation of CIC boards are often challenged in state courts, with the primary focus of those cases on challenging the legitimacy of the oversight functions of CICs (Batchelder, 2001). Conversely, the lack of federal guidance means that CICs in many states are seeking to legitimize their standing through precedent setting case law decisions that drive future establishment of CICs (McKenzie, 1998).

Overall, the courts are called upon to resolve the conflicts involving CICs and they are overwhelmed not only with the frequency of arbitrating residential disagreements but also with the lack of legal guidance available to them beyond case law (Franzese, 2000). The increase in litigation, conflict and tension over the enforcement of CC&Rs is significant and reflects the enormous expansion of CIC developments in the U.S. Legal scholars contend that community association law is *sui generis*,[5] and new enough that it must evolve and adapt to social changes taking place (Hyatt, 1998).

[5] Black's Law dictionary 1434, defines *sui generis* as "the only one of its kind or class."

This paper highlights dilemmas arising in the political, legal and administrative realms of CIC related activity in Virginia and across the country. Prescriptive remedies are offered to expand and enhance education and research of common interest communities that will increase understanding and active involvement by all affected stakeholders -- developers, management agents and other professionals, government officials, board of directors, and homeowners – to truly sustain a community that advances common interests. It is only with an educated and engaged citizenry that Jefferson's call for effective democratic self-governance is realized.

VII. Conclusion

The purpose of a CIC is to: (1) provide a method of governance for the residents that will (2) provide services such as security and landscaping, (3) enforce mandatory membership, (4) assess fees, and (5) enforce rules (Dilger, 1994; Hyatt, 2003). This 'job description' for the governing authority suggests CICs are operating as governmental entities; therefore, as state actors, they must have an allegiance, not only to the community interests but also to the public good. To what extent CICs are considered private enterprise or public entities has a significant barring on their authority and cultural impact on society.

The two significant themes regarding the future of state involvement in CICs are: reforming CIC operating structures and building community. Most research suggests reforms to promote cooperative engagement and recognize the public dimensions of CIC activity. Some ways of doing this include state-sponsored support for:

- **Reform in CIC operating structures** to include:
  - a rights and responsibilities document, similar to that proposed by CAI, to acknowledge mutual obligations of all concerned parties
  - CC&Rs that are not overly burdened with complicated legal terminology, thereby encouraging homeowners to become familiar with their governing documents
  - building increased accountability into private service contracts that supplant public services.

- **Building community** through:
  - active dialogue with legislators, Community Associations Institute members, local government officials, developers, real estate agents, attorneys, community management agents, CIC board members and association membership. Instituting communication measures mentioned earlier will facilitate this effort.
  - continued research to determine CIC characteristics, strengths and weaknesses in meeting private and public goals and future challenges needing attention from academia, business and government.

In sum, Common Interest Communities continue to proliferate across the country, and yet, little more than piece meal attention has been given to the consequential effects to individual freedoms and communal responsibilities to the public. Accurate tracking of CIC membership, effective communication among state and local governmental entities, private sector businesses and community citizenry and further education and research will advance our understanding of CIC arrangements and lead to improved mechanisms for the recognition of community interdependence.

Results

Part II

Professional and Non-Professional Community Management

Differences in the Sample

As stated above, nearly 60% of the responses revealed that their communities were managed by a professional company or paid employee (Question 21) and the professionally managed communities had been administered for an average of 10 years.

Using the above information, a statistical comparison of communities with and without professional services was performed; a number of statistically significant results were uncovered within the sample and are discussed below. Table 4 illustrates a number of these findings; Appendix C displays the significant results, as well as several non-significant findings that were highlighted for discussion[6].

In the discussion below, the dialogue will assume that the association is professionally managed, unless otherwise noted.

Board of Directors

Board meetings were more frequent in professionally managed communities, with a median of monthly sessions vice quarterly gatherings for the non-professionally managed areas; this difference could be attributed to a number of items. For example, one of the significant findings was that a professionally

		Is the community managed by a professional company or paid employee?	
		Yes	No
What are the majority types of homes in the community?	Other	**87.3%**	12.7%
	Single-family homes	37.1%	**62.9%**
	Multi-level/high rise, attached units	**87.1%**	12.9%
	Town homes	**64.3%**	35.7%
What is the approximate number of homes/units in the community?	1-25	27.8%	**72.2%**
	26-100	**54.7%**	45.3%
	100-250	**79.5%**	20.5%
	250 or more	**77.0%**	23.0%
2003 Assessments ($ per year) (Banded)	<= 200	33.2%	**66.8%**
	201 - 500	48.7%	**51.3%**
	501 - 800	**55.2%**	44.8%
	801 - 2100	**70.4%**	29.6%
	>= 2101	**77.5%**	22.5%

Table 4

[6] Significant results were considered when p <= .05; non-significant findings were assumed when p > .05.

managed community was typically larger (median of 100-250 homes) and/or in a setting of multi-level/high rise attached units, while volunteer-based associations were smaller (median range of 26-100 homes) and/or had a propensity to contain single family homes.; the larger or more dense environment would imply a need for a greater level of oversight and community dependence.

Within professionally administered environs, posted notices and/or newsletters were the most likely method to inform members of Board of Directors meetings in professionally managed communities. Oddly enough, the Board of Directors in those professionally managed enclaves tended to have meetings in the Fall or Winter, as compared to non-professionally managed counterparts who had a propensity to meet in the Spring or Summer. Directors of professionally managed associations had slightly longer maximum lengths of terms of office; however, an examination of the data shows that the result isn't large (less than a year difference).

Neighborhood

A website or a newsletter tended to be more prevalent as the method of community communication in professionally managed associations.

Community Services

Responses regarding professional services from fees by those participants living in areas under professional management were more probable to have included the items asked in Questions 22 and 23 (see Appendix A). This is most likely attributed to increased oversight ability by community staff.

Neighborhood Problems

As indicated above, issues in the community could be spurred by the ability or perception of professional management as being responsible in taking charge. Items that were revealed as significant in those areas included problems with parking, landscaping, sidewalks, and traffic signs/improvements. Lack of participation was more of a reported problem among the professionally managed communities, but, on the positive side,

reporting of the lack of enforcement of the governing document was less significant as were the need for street repairs.

Financial

Professionally managed communities tended to have higher assessments, with a median range of $801-$2100 as compared to a range of $201-$500. Those communities were more apt to have a reserve fund, a completed reserve fund study (within the last five years), and reserve fund delinquencies. This group of respondents also reported a higher rate of liens against members; this may be attributed to the presence of professional management and collection of debt.

Respondent Opinions

Within professionally or non-professionally managed communities, there was neither a significant difference in a respondent's overall perception of their community nor in whether they would purchase another home in a community association. An examination of the query on whether the respondent enjoyed living in their community was too universal for a statistical comparison (valid responses of "yes" equaled 93%).

Regression Analysis

As indicated above, there are known, bivariate relationships between professionally and non-professionally managed communities. Using the survey data, a multivariate investigation (logistic regression) was performed on the data (Appendix E); the exploration was used to confirm, within the sample, that there were certain impacts that professional management had on assessments, reserve study, liens, home types, and the number of units in the community.

The regression inferred that assessments were higher in professionally managed communities. Reserve studies were more likely to have been done, as well as pressure being placed on delinquent residents. Professional staff was less likely to be a presence in a single family community; multi-level/high rise/attached unit complexes were over 8 times more likely to be part of a professionally managed community than single family homes. However, the greatest impact were the odds of having a presence in communities

with 100 or more units; for example, areas with 250 or more units were over 13 times more likely to be professionally managed than a community with 25 or less homes.

Property Owner and Condominium Association Survey

Concerning Financially Compensated Professional Managers

The Virginia Real Estate Board is conducting a study to review the adequacy of training of, and disclosure of financial information to consumers by, financially compensated professional managers of condominium associations, property owners' associations and other similar common interest communities.

House Joint Resolution 686 from the 2005 Session of the Virginia General Assembly requested the Real Estate Board to analyze:

- Management contracts used by financially compensated professional association managers to determine the adequacy of disclosure of fees charged by such managers and other related issues.
- The adequacy of training of financially compensated professional association managers in fair housing compliance, receivership, account management, real estate law generally and common interest communities.
- Other matters that may arise from the study.

Your participation in this important study is greatly appreciated. It will assist regulators as well as your legislators in determining if financially compensated professional managers of condominium associations and property owners' associations should be required to take mandatory training and be required to be either registered or licensed by the Real Estate Board.

After you have completed the survey, please seal it in the prepaid envelope that came with the survey and drop it in the mail.

---

1. What best describes your relation with a common interest community? Check all that apply.

   ☐ Unit/Lot Owner ☐ Board/Officer of Association
   ☐ Tenant ☐ Manager

2. What are the majority types of homes in your community?

   ☐ Single family detached ☐ Multi-level/high rise attached units
   ☐ Townhomes ☐ Villa (one attached wall)
   ☐ Other, please describe _____

3. What is the approximate number of homes/units in your community?

☐ 1-25 ☐ 100-250
☐ 26-100 ☐ 250 or more

4. Approximate number or percent of non-resident owners in the community? _____

5. Who currently comprises your board's membership? Check all that apply.

☐ Unit/Lot Owners ☐ Developer/Builder ☐ Manager
☐ Non resident Owners ☐ Tenants

6. How often are board meetings held?

☐ monthly ☐ quarterly ☐ annually ☐ as needed

7. Are minutes taken at each meeting?

☐ Yes ☐ No

8. Are board meetings open to all association membership?

☐ Yes ☐ No

9. Does your community have committees approved by the board?

☐ Yes ☐ No

10. How often do committees meet?

☐ monthly ☐ quarterly ☐ annually ☐ as needed

11. Who posts notices of board/committee meetings? _____

12. Where are meeting notices posted? _____

13. Does your community employ a management company or an individual professional manager?

☐ Yes If yes, ☐ Management Company ☐ Individual Professional Manager
☐ No

14. Are you satisfied with the management company and/or individual professional manager's service?

☐ Yes ☐ No

15. Is the management company and/or individual professional manager familiar with your association's bylaws and what your association's responsibilities are to the Real Estate Board?

☐ Yes ☐ No

16. If your community has a contract with a management company, how long has the current management company been under contract?

☐ 1 year ☐ 2 years ☐ 5 years ☐ unknown

17. Do you know how long your community's professional manager has been in this line of work?

☐ No ☐ Yes If yes, how long? _____

18. How did your community locate and decide upon a professional manager to oversee the community?

_____

_____

19. Does your professional manager attend all board meetings?

☐ Yes ☐ No

20. Does your professional manager attend committee meetings?

☐ Yes ☐ No

21. What services do your community assessment fees provide? Check all that apply.

☐ Lawn and planting bed care
☐ Exterior repairs to units
☐ Community center ☐ Street Maintenance
☐ Recreational fields
☐ Entrance and other traffic signs
☐ Sewage/sanitation service
☐ Security services
☐ Other, please describe _____

☐ Parking
☐ Swimming pool
☐ Trash collection
☐ Water service
☐ Electric service

22. Is there a need to maintain public facilities in your community? Check all that apply.

- ☐ Street repair and maintenance
- ☐ Street trees and landscaping
- ☐ Sidewalks
- ☐ Sanitary sewer improvements
- ☐ Additional traffic signs/lights
- ☐ Street lighting
- ☐ Curbs
- ☐ Storm sewers
- ☐ Power surges/spikes
- ☐ Other, please describe _____

23. Who decides which vendors receive contracts to perform responsibilities such as painting, paving, roofing, landscaping, etc.?

_____

_____

24. What do you feel are the **top three** problems facing your association today? Please number them in priority from 1 through 3.

- ☐ Management by the management company or the paid professional association manager.
- ☐ Lack of participation of members in community meeting and events.
- ☐ Violation of community members of the rules and governing bylaws.
- ☐ Individual board member personalities and conduct.
- ☐ Lack of enforcement of the rules and governing bylaws.
- ☐ Lack of volunteers to serve on the board, committees or in other capacities.
- ☐ Lack of knowledge/cooperation from local government agencies.
- ☐ Other, please describe _____

25. Effective July 2002, common interest community associations were required to conduct a reserve study at least once every five years to identify all capital components and determine the replacement costs of such components. Has your community conducted a reserve study as required and budgeted for these replacement costs?

☐ Yes ☐ No

26. How was your association informed about the reserve study requirement?

_____

_____

27. Who conducted and is maintaining your association's reserve study?

_____

28. How well is the community following the reserve study and budgeting for future expenses?

_____

_____

29. How does your community communicate? Check all that apply.

- ☐ Newsletter
- ☐ Mailbox flyers
- ☐ Word of Mouth
- ☐ E-mail
- ☐ Other, please describe _____

30. Are you aware if your board has contacted the Virginia Liaison for Common Interest Communities to assist with addressing any of your association's concerns?

☐ No ☐ Yes If yes, was your encounter helpful? _____

31. Would you purchase another home in a community association?

☐ Yes ☐ No

If you have any additional comments, please include them in the return envelope or send an e-mail to proreg@dpor.virginia.gov.

Please place your completed survey in the self-addressed prepaid envelope and drop it in the mail.

THANK YOU FOR YOUR PARTICIPATION!

Appendix D - Survey Data Summaries

1. What best describes your relation with a common interest community? Check all that apply.

75%	Board/officer of association
74%	Unit/lot owner
11%	Manager
4%	Tenant

2. What are the majority types of homes in your community?

8% of the respondents left this question blank. This table represents 1817 responses.	
40%	Single family detached
35%	Townhomes
15%	Multi-level/high rise attached units
2%	Villa (one attached wall)
7%	Other (122 responses)
	83 Condo 24 Garden style condo 8 Mixed single family/townhouse/condo, one level villa (two attached walls), commercial condominium, duplex 5 Multi level low rise attached units, cabins, loft with attached walls, three story condo 2 Patio homes

3. What is the approximate number of homes/units in your community?

18% of the respondents left this question blank. This table represents 1613 responses.	
24%	1-25 units
44%	26-100 units
32%	101-250 units
0	250 or more units

4. Approximate number or percent of non-resident owners in the community?

25% of the respondents left this question blank. This table represents 1474 responses.	
74%	0-25%
15%	26-50%
8%	51-75%
2%	76-100%

5. Who currently comprises your board's membership? Check all that apply.

.4% of the respondents left this question blank. This table represents 1959 responses.	
97%	Unit/lot owner
10%	Non resident owners
9%	Manager
5%	Developer/builder
3%	Tenants

6. How often are board meetings held?

7% of the respondents left this question blank. This table represents 1824 responses.	
53%	Monthly
22%	Quarterly
11%	Annually
14%	As needed

7. Are minutes taken at each meeting?

1% of the respondents left this question blank. This table represents 1945 responses.	
97%	Yes
3%	No

8. Are board meetings open to all association membership?

1% of the respondents left this question blank. This table represents 1948 responses.	
96%	Yes
4%	No

9. Does your community have committees approved by the board?

4% of the respondents left this question blank. This table represents 1879 responses.	
79%	Yes
21%	No

10. How often do committees meet?

This table represents 1490 responses (those answering “yes” to question No. 9).	
18%	Monthly
6%	Quarterly
1%	Annually
75%	As needed

11. Who posts notices of board/committee meetings?

11% of the respondents left this question blank. This table represents 1756 responses.	
35%	Management
25%	Secretary
17%	President
15%	Board
2%	None posted
6%	Other (81 responses)
	31 Committee chair 29 Staff 11 Association members/unit owners 6 Treasurer 4 Editor of the newsletter

12. Where are meeting notices posted?

6% of the respondents left this question blank. This table represents 1848 responses.	
36%	Mailing
20%	Newsletters
19%	Community bulletin boards
15%	Website
14%	E-mail
4%	Building entrances
3%	Not posted
22%	Other (404 responses)
	142 Elevators, clubhouse, lobby, hallways, flyers, marquee signs, pool house 119 Handed out in person, at each unit, phone call, on monthly bills 77 Entrance to community 36 Notices available at meetings, by laws, announced at annual meeting, meeting minutes 16 Local library, community paper, word of mouth to members 14 Office window, office

13. Does your community employ a management company or an individual professional manager?

.6% of the respondents left this question blank. This table represents 1955 responses.	
65%	Yes
35%	No
The percentages below reflect those answering yes to this question (1266 responses).	
77%	Management company
14%	Individual
9%	Company or manager not identified

14. Are you satisfied with the management company and/or individual professional manager's service?

39% of the respondents left this question blank. This table represents 1208 responses.	
83%	Yes
17%	No

15. Is the management company and/or individual professional manager familiar with your association's bylaws and what your association's responsibilities are to the Real Estate Board?

39% of the respondents left this question blank. This table represents 1200 responses.	
95%	Yes
5%	No

16. If your community has a contract with a management company, how long has the current management company been under contract?

47% of the respondents left this question blank. 8% of the respondents answered "unknown". This table represents 872 responses.	
17%	1 year
27%	2 years
56%	5 years

17. Do you know how long your community's professional manager has been in this line of work?

37% of the respondents left this question blank. This table represents 1231 responses.	
52%	No
7%	Yes/1-5 years
9%	Yes/6-10 years
10%	Yes11-15 years
9%	Yes/16-20 years
4%	Yes/21-25 years
5%	Yes/over 25 years
4%	Yes/no additional information

18. How did your community locate and decide upon a professional manager to oversee the community?

45% of the respondents left this question blank. 16% of the respondents answered “unknown”. This table represents 774 responses.	
44%	Interviewed/reviewed proposals
23%	Recommendation of developer
33%	Other (221 responses)
	66 Referral 38 Word of mouth, personal knowledge, previous experience, reputation 35 Board 27 Lowest bidder, asked other communities 25 By advertisement, owners chose group 16 Community Associations Institute 10 On site resident, management company used to be owners in community 4 Only ones available

19. Does your professional manager attend all board meetings?

37% of the respondents left this question blank. This table represents 1236 responses.	
85%	Yes
15%	No

20. Does your professional manager attend committee meetings?

49% of the respondents left this question blank. This table represents 1012 responses.	
34%	Yes
66%	No

21. What services do your community assessment fees provide? Check all that apply.

86%	Lawn and planting bed care
67%	Entrance and other traffic signs
59%	Trash collection
48%	Parking
40%	Exterior repairs to units
31%	Swimming pool
28%	Sewage/sanitation services
28%	Water service
27%	Street maintenance
21%	Recreational fields
19%	Community center
17%	Electric service
13%	Security services
10%	Snow removal
7%	Common areas
2%	Cable TV
22%	Other (437 responses)
	73 Insurance 53 Playground 47 Dock maintenance, marina 39 Tennis court 31 Lake 26 Legal services 24 Walking path, picnic area, bike trails 24 Administrative expenses, accounting, tax preparation and audit 20 Pest control 20 Reserve fund 18 Management oversight, covenant enforcement, desk service 18 Community social events 18 Tree trimming and removal 14 Onsite personnel, newsletter, website 12 Dog run fences

22. Is there a need to maintain public facilities in your community? Check all that apply.

51%	Street repair and maintenance
47%	Street trees and landscaping
41%	Sidewalks
37%	Street lighting
32%	Curbs
24%	Storm sewers
16%	Additional traffic signs/lights
11%	Sanitary sewer improvements
6%	Power surges/spikes
3%	Other (65 responses)
29	Parking lot and maintenance
19	Drainage ditches, retention pond
9	Fences, common driveway, sand fencing, beach access, pond, lake management
8	Common areas, median strip at front entrance, sprinkler system, water system

23. Who decides which vendors receive contracts to perform responsibilities such as painting, paving, roofing, landscaping, etc.?

11% of the respondents left this question blank. This table represents 1748 responses.	
86%	Board of directors
8%	Property management company
6%	Other (88 responses)
39	Owners
20	President of association
19	Landscaping/architectural committee
7	Developer
3	Management staff

24. What do you feel are the **top three** problems facing your association today? Please number them in priority from 1 through 3.

46% of the respondents left this question completely or partially blank.

	1055 respondents had a **1st choice** as shown below.	878 respondents had a **2nd choice** as shown below.	764 respondents had a **3rd choice** as shown below.
Management by the management company or the paid professional association manager	6%	3%	7%
Lack of participation of members in community meeting and events	32%	29%	18%
Violation of community members of the rules and governing bylaws	12%	19%	25%
Individual board members personalities and conduct	4%	4%	6%
Lack of enforcement of the rules and governing bylaws	3%	8%	9%
Lack of volunteers to serve on the board and committees	30%	30%	19%
Lack of knowledge/cooperation from local government agencies	4%	3%	8%
Other	9%	3%	8%

- Residents attend meetings only when they have a complaint, aging facilities, maintenance.
- Finding qualified contractors.
- Multiple families in single family homes are starting to appear, increasing number of rentals.
- Manager, Board and owners lack knowledge on community documents and issues.
- Consistent policy, property manager, the need to comply with government regulations that are not relevant to small community.
- Homeowners not following rules, dogs, loud music.
- Property manager's turnover rate, management company is rude and worthless.
- Trying to decide assessment fee, ability to raise fees to meet reserve study recommendations, resistance to higher fees.

25. Effective July 2002, common interest community associations were required to conduct a reserve study at least once every five years to identify all capital components and determine the replacement costs of such components.

Has your community conducted a reserve study as required and budgeted for these replacement costs?

10% of the respondents left this question blank. This table represents 1764 responses.	
79%	Yes
21%	No

26. How was your association informed about the reserve study requirement?

19% of the respondents left this question blank. 13% of the respondents answered “don’t know”. This table represents 1334 responses.	
45%	Management company
16%	Annual meeting
4%	Newsletter
35%	Other (465 responses)
	136 Do not think they were informed 99 Legal counsel, legal seminar 93 Board, board president, board member 43 Mail 34 Read the statute 27 Property Owners Associations of Virginia 18 Auditor 9 Virginia Real Estate Board 6 Developer

27. Who conducted and is maintaining your association's reserve study?

25% of the respondents left this question blank. 9% of the respondents answered "don't know". This table represents 1294 responses.	
37%	Third party company
24%	Board
21%	Management company
11%	Treasurer
5%	President
3%	Other (44 responses)
	33 Volunteer, owners, attorney 6 Staff, association's accountant 5 Grounds committee

28. How well is the community following the reserve study and budgeting for future expenses?

33% of the respondents left this question blank. 7% of the respondents answered "don't know". This table represents 1179 responses.	
37%	Very well
55%	Well
7%	Poor
1%	Very poor

29. How does your community communicate? Check all that apply.

67%	Newsletter
53%	Word of mouth
53%	E-mail
51%	Mailbox flyers
11%	Mailings
11%	Website
8%	Bulletin boards
8%	Other (149 responses)
	68 Meetings, meeting minutes 43 Telephone 25 Door to door flyers, special notices 6 It doesn't 5 Proxy statements, block meetings, memoranda 2 Reports

30. Are you aware if your board has contacted the Virginia Liaison for Common Interest Communities to assist with addressing any of your association's concerns?

8%of the respondents left this question blank. This table represents 1801 responses.	
95%	No
4%	Yes/helpful
1%	Yes/not helpful

31. Would you purchase another home in a community association?

9%of the respondents left this question blank. This table represents 1787 responses.	
85%	Yes
15%	No

Appendix E – Public Comment Summaries

Following is a summary of the public comment received at public hearings held by the Real Estate Board regarding HJR 686.

Richmond – July 13, 2005

- Mr. Wayne Schmidt, property owner in the Lake Monticello Association.

  - The association has a volunteer Board of Directors, with directors who often have little management or legal experience.
  - The association has a well-documented set of covenants and restrictions and also has many amenities for the association members.
  - Examples of inappropriate actions being taken by the board, include inadequate meeting minutes, financial problems caused by delegating monetary accounts to the general manager, and having financial reports with top line figures only.
  - The Act needs accountability provisions so that property owners can hold the board of directors responsible when they do not comply with the law.

- Ms. Arlene Bandy, property owner in the Lake Monticello Association.

  - More regulation might not be helpful.
  - The ombudsman approach has been tried in Nevada and California, but it should not be followed in Virginia because it leads to additional requirements for PCAM certification.
  - Additional education requirements will also not help, but enforcement and regulation should help.
  - Cash flow statements of financials should be required.
  - The election process for boards could be improved.
  - No homeowners association should have non-judicial foreclosure for any reason.

- Mr. Tom Freely, worked in the community association industry for fifteen years, is a licensed Virginia real estate broker, and is the general manager of his community association.

  - Another party who should be considered when talking about common interest community issues is the developer. The governing documents that are so essential for the basis of living in a common interest community may not be given the attention they deserve from the developer.

- It is unrealistic to assume that all managers are knowledgeable and professional. The essential element is giving good tools to the manager, which starts with well developed governing documents.

- Ms. Betty Herbst, member of the Carlton Bridge Condo Owners' Association in Charlottesville.

  - Wants the Real Estate Board to realize that all condo associations should be required to have a trained and compensated manager who is directly responsible to a regulatory body, and can be held accountable by the association members.
  - Lived in an association that at first did not have any board meetings, then later had some where many assessments were made to the association members without proper financial documents.

- Mr. Ken Chadwick, with the law firm of Chadwick Washington and has been working in the community association business for over 25 years.

  - Buying into a common interest community is a voluntary decision.
  - These communities are private organizations, not quasi-governmental entities that they have been described as.
  - Private entities have standards, and there are ways to take action against a board of directors that is not lving up to those standards. One way is the political process, where a new board is elected, and the other way is through court action.
  - The answer to fixing common interest community issues is not necessarily further legislation.
  - Suggests more educational programs to be offered for developers, managers, community association representatives, and real estate agents.

- Mr. Ron Kirby, chairman of the board of the Community Management Corporation of Northern Virginia, president of the Virginia Association of Community Managers, which is a nonprofit organization formed in Virginia.

  - The Old Dominion University study on common interest communities did not show any concerns with the competency of professional association managers. Instead, the study discussed the problems that arise when the homeowners on the association board have to deal with complex issues without professional advice or guidance.
  - Most board members do not have background in property maintenance, proper financial procedures, covenant enforcement, or reserve studies. Previous public hearings from around the state have shown that there is often a lack of education and training of board members and other volunteers.

- He and others in the professional association management business recognized these issues and have developed programs to consult with developers on how to establish the association with good documents and how to provide smooth transition process from developer to homeowner control of associations.
- The Virginia Association of Community Managers knows of no instance in Virginia where a professional manager breached a community's trust.
- To address the issues found in the ODU study, you must address all associations, including those that are self-managed.
- Every year the Virginia Condominium Act and the Property Owners Association Act are changed in some way, which should stop. Instead of just reacting to changes to the law, the professionals should be able to spend time with their own tools to improve the situation.

Fairfax – July 6, 2005

- Mr. David Mercer, an attorney at Troutman Sanders, speaking on behalf of a number of lawyers and law firms in Northern Virginia who practice in the area of common interest community law.

  - It is very difficult to try and balance legislative needs in an area with so many diverse interests involved.
  - There is a misunderstanding of what a community association is, as for many years they have been categorized as quasi-public government entities, which is not the case. They are private entities, clearly not governmental agencies.
  - One point that is often overlooked is that one size does not fit all, as there are very large and very small common interest communities, but the legislature tends to disregard the need to customize the legislative proposals for various sizes.
  - The Condominium Act and the Property Owners' Act have been amended each year substantively, and it is a large task to try to communicate these changes to the clients that we represent.
  - There is a practical problem in that the leadership of community associations changes annually.
  - Focus should be on communication and education. We should be spending our time and money on the laws that we have, more laws are not needed.
  - The real estate industry also needs to educate and communicate with potential buyers on the restrictions that are in place in common interest communities.

- Mr. Ralph Gay, president of the Sully Station Two in Centreville for the past eleven years.

- There are very few people who have the time or energy to get actively involved in their community.
- Most board members are long-term, and few people attend the monthly board meeting unless there is a problem.
- His association has been very successful and well-managed.
- More regulations are not needed, communication is what is really needed.
- Licensing professional managers may not be a good idea, and having the Real Estate Board do it might pose a conflict of interest.

▪ Mr. Marc McCoy, executive with Community Management Corporation. Community Management Corporation (CMC) has been in the condominium association management industry for 34 years in the Washington area.

- CMC is a member of the Community Association Institute.
- CMC trains and educates it managers to meet the highest standards of CAI in the management of condominiums, and this is the case in most of the larger community association management companies in Virginia.
- Mr. McCoy is not familiar with any serious problems today among communities that engaged professional management companies.
- The Old Dominion University study also did not identify any concerns about the competency of professional association managers, but rather points to the governance problems on boards that are self-managed.
- Education is the key ingredient to improve community association governance. CMC provides orientation programs for new board members and committee members and also has special seminars for rules, financial statements, and strategic planning.
- CMC provides consulting services to developers and builders in the creation and setting up of new community associations.
- Virginia should direct its energy and resources to provide training and assistance to volunteer homeowner boards rather than seek to impose new regulations on professional managers. This assistance could be in the form of orientation programs, guidance on what to look for in a professional manager, and what insurance and other protections a management agreement should include.

▪ Mr. Stephen Karikas, member of a condominium association.

- The association's bylaws are a problem, they were written in the past and often tie the hands of owners.
- Changing the bylaws is practically impossible, as 90 percent of the ownership must vote to change them.
- He is moving to an area without a homeowners' association.

- Ms. Crystal Danielson, executive vice president of the Washington Metropolitan Chapter of Community Association Institute (CAI).

  - This year, the Washington Metropolitan chapter of CAI will hold more than 50 educational programs on topics such as leadership development, facilities maintenance, and risk management.
  - CAI also has a bookstore with more than 100 publications available and publishes a monthly magazine.
  - CAI's national and local chapters both have very comprehensive web sites with lots of information available to members and nonmembers. CAI provides a brochure on resale disclosure that is given to homeowners, board members, and real estate agents.
  - CAI provides professional education for community association professionals to enhance their skills and obtain designations. The requirements for these designations include five years experience and 100 hours of classroom time.

- Mr. Frank Short, lawyer on the board of directors of his community association in Fairfax County.

  - He is not affiliated with CAI, which he regards as a trade organization.
  - Community associations look and act like a government, they ought to be treated like a government.
  - Under the POA, you can be written up for an offense and fined without due process, and if you do not pay this fine, they can sell your house by nontraditional foreclosure without going before a judge. This is just how CAI wants it to stay, by saying that common interest communities are private and should not be regulated.
  - His association hired a CAI affiliated management company which began to charge new homeowners a fee as part of the disclosure package process.
  - There should be someplace for homeowners to go to rein in abusive associations.

- Mr. Shu Bartholomew, member of an association and hosts a weekly radio show.

  - Homeowners who are having problems with their associations and feel that there is no where to turn, they need to be empowered to be able to protect their homes.
  - The Virginia liaison is not providing the necessary help.
  - There needs to be a better balance, as now it is very heavily tilted in favor of the association away from the individual.

- Mr. Mike Shehadi, president and CEO and Legum and Norman, one of the largest management firms in the mid Atlantic.

  - His managers are expected to attend CAI certified courses and attain certain designations. His company pays for their classes.
  - His company provides considerable supplemental training outside of what the CAI classes offer, mostly involving technical training.
  - Most of the time board members are dedicated and hardworking, with only a few exceptions.
  - The main need is for boards to become more educated.

- Mr. James Derrick, lives in a homeowners association called Watergate at Landmark.

  - Solution to the problems is to look at the associations that run smoothly and see how they do things.
  - Most managers know their job pretty well, but board members can mess up by trying to change the way the manager is doing things.
  - Board members often have little practical experience and have a broad variety of professional backgrounds.
  - The Real Estate Board also might not have the practical experience needed to help in the area of common interest communities, as a good community association manager has very little in common with a good real estate agent.
  - We should be careful of change and we should make sure that the problem actually needs to be solved.

- Mr. Charles Waddell, president of the Dumbarton Square Homeowners' Association for the past ten years and chairman of the Herndon Community Association Coalition, which includes homeowners associations, management company representatives, and at least one lawyer.

  - The coalition's goal is education, and they conduct workshops on important issues facing the community, including new board members, amending and enforcing association documents, and overcrowding.
  - Efforts of the coalition have been effective, as certain zoning ordinances have been passed after the town council was notified of a problem.
  - The main issue is excess occupancy, which can lead to health and safely issues. Virginia should pass legislation aimed at preventing and criminalizing predatory lending practices.
  - Real estate professionals must help their clients become better educated on what a homeowners association is.

- Mr. Joe Weatherspoon, president of the Association of Lake Area Communities, or ALAC.

  - The Real Estate Board must look at the difference in running a small association and a large one.
  - Developers need guidance in developing covenants and restrictions. Covenants can be written poorly with little guidance for the associations, especially in Southwest Virginia.

- Ms. Betty Gilliam, homeowner who serves on her association's board.

  - Confused by the term "professional" when talking about management, there is a big difference between credentials and actual performance.
  - Education for boards and the people who serve on them is very important, as no one should serve on a board if they can not read the financial statement or can not understand the basic finances of the organization.

<u>Chesapeake - June 29, 2005</u>

- Mr. Sterling Keyes, resident of Cedar Crossing Condominium Association since 1997.

  - His association has not had any problems with the two association managers the community has had.
  - The issue that should be addressed is the lack of preparation of members of voluntary boards in associations.
  - Real estate agents do not inform people about common interest communities and the rules and regulations that come with buying into such a community.
  - Money should be spent on requiring board members to attend educational sessions rather than requiring managers to be certified.

- Ms. Anita Hager, director with United Property Associates (UPA).

  - UPA has two decades of experience in commonly owned and association management in the Hampton Roads area and is also a member of CAI, the Community Association Institute.
  - UPA provides their associations with financial statements, professional materials such as handbooks and newsletters, property inspections, and education of board members and residents.
  - Training and competence of managers at UPA is very high and she is not familiar with serious problems among communities that have engaged a professional association management company.
  - The Old Dominion University study did not find any concerns about the competency of professional association managers. The study

discussed governance problems caused by homeowners on the association board who have to deal with complex issues without professional advice.
- If the Real Estate Board were to impose mandatory training and restrictive licensing requirements on professional association managers, the rules would not likely effect UPA or any of the large management companies, but they would create a barrier to new people entering the field.

- Ms. Deborah Casey, partner with the law firm of Vandeventer, Black, which deals mostly with representing community associations and dealing in community association law, a member of CAI and serves on the Virginia Legislative Action Committee.

  - Part of the solution to issues that affect common interest communities is education. CAI is the only organization dedicated to the education of all the constituent members of CAI, including board members, the homeowners, the managers, and the service professionals who serve the industry.
  - Failure to follow the governing documents and law is mostly not deliberate and occurs because of a lack of training or education by board members.
  - The law has become increasingly complex in this area, and the enactment of more laws does not seem to be the answer.

- Ms. Robin Cox, lived in the Glenwood Community Association for sixteen years and has served on numerous committees.

  - Most people who live in common interest communities do not pay much attention to the association unless they have a problem.
  - The associations that do not have problems usually have a professional manager.
  - Her community has had various managers, all who have served her association well.
  - The cost to her association of managers going through a licensing process is a concern.
  - Licensure would especially have a negative impact on smaller associations. Communities now have CAI to train managers, so any additional training is unnecessary.

- Mr. J. A. G. Parrish, a condominium owner in Chesapeake who has also been heavily involved with the community association.

  - A real estate license should never be a license to work as a property manager and that property managers should be licensed separately.
  - The big problem is that there are not well qualified board members.

- He is definitely in favor of licensing so that they know what communities can or can not do and be of help to communities.
- Another big problem is real estate agents who do not understand the difference between the fee simple property and the common interest communities.
- The Real Estate Board should consider licensing a person who wants to sell common interests properties with an additional amendment to the real estate license, saying that they are qualified in common interest property sale.

▪ Mr. Chandler Scarborough, a licensed real estate broker and the president of his condo association and homeowners' association, as his property happens to be within two associations.

- Each neighborhood is unique.
- Smaller communities often can not find management companies who will manage them because of their size.
- Landlords or agents do not relay the information about the common interest community to the tenant or buyer.
- Associations need to improve communication.
- CAI is working on a program to help foster communication, which with proper education will help solve issues surrounding common interest communities.

▪ Ms. Rebecca Woodring, chapter executive director for the Southeast Virginia Chapter of Community Association Institute.

- Stated she could provide information on CAI's education programs.

▪ Mr. Michael Inman, a local practicing attorney and a member of the Community Associations Institute, Southeastern Virginia chapter.

- The large majority of managers in the area are affiliated with companies that are members of CAI, which offers an array of educational opportunities for managers, board members, and owners.
- Managers are generally knowledgeable and competent.
- A few bad situations with managers have occurred, but these are usually individuals who are not part of a company and are not a part of CAI.
- There is a need for more education of board members.
- The state funds that are taken in for the registration of communities could best be used to offer free or low cost educational programs for board members throughout the state, which would solve a lot of issues involved in association management.

- Ms. Yvette Fields, an association board member living in a new development.

  - Being a board member is complex because of the lack of assistance from her management company.
  - Managers should probably be licensed in order for the board members to be educated in doing their job properly.
  - She attended a few CAI classes but that there is a breakdown in communication that did not help her become a productive board member.

Roanoke - June 15, 2005

- Mr. Joseph R. Weatherspoon, president of the Association of Lake Area Communities, commonly referred to as ALAC.

  - ALAC was formed in 1998 as resource for common interest communities.
  - ALAC provides financial and operational training for member association officers and directors through workshops and on-site assistance. The workshops have been conducted with the assistance of the Property Owners Association of Virginia, or POAVA.
  - One problem is that officers and directors of associations, regardless of whether there is a manager or management company, must operate the association in accordance with various local, state and federal regulations.
  - The primary documents that associations have for guidance, the Condominium Act, the Property Owners Association Act, and to a lesser extent the Nonstock Corporation Act, are all documents written by lawyers for lawyers, they provide little plain language for the everyday management of the communities that is done by associations.
  - Also, the Property Owners Association Act makes no allowance for the variation in size of POAs.
  - DPOR's website covers a wide range of subjects, but it could be improved with an index as there is a considerable amount of duplication, which is confusing.
  - Management companies and large associations maintain automated financial systems, but there is little guidance available for the smaller self-managed associations.
  - The AICPA Audit and Accounting Guide for Common Interest Realty Associations is a good step, but it is basically a guide for large associations with automated financial systems.
  - A major problem is the transition process from the developer to the association. Developers need a standard template and some basic training to use for the transition process.

- New officers and directors of associations often do not have proper training.
- What is needed is a method to provide basic training and a support system that associations can access when the need arises.
- At the state level, a bulletin board system where questions could be answered would be another improvement.
- The workshops conducted by POAVA are an excellent method to provide instruction for everyday management, but suffer from limited personnel that can attend.

▪ Mr. Thomas Karrasch, a homeowner in the Parkway Place homeowners association community.

- He would definitely purchase another home in a community association, but he felt like the Parkway Place homeowners association was improperly marketed by the developers.
- The developers still, after seven years, have complete control of the association with no board meetings and little communication with the owners.
- The Real Estate Board should look closely at how developers market their properties.
- He has no complaints about the management company, F&W Management, which cannot do its job if the board members do not back them on enforcing the bylaws, covenants, and restrictions.

▪ Mr. Robert Cole, president of the Stonehenge Home Owners Association of Roanoke.

- Real estate agents do not spend much time telling buyers about covenants that exist in the community. The Real Estate Board should tell agents how important it is that people are moving into a restricted community.
- There has been an erosion of the power of homeowners associations. The board is sometimes powerless to go through a process of making fines.
- Must find a way to have people have interest in the government of their community and the value of the community.

▪ Cynthia McKay, an attorney with the law firm of Chadwick Washington, which specializes in community association law, member of the Central Virginia chapter of the Community Associations Institute CAI and works with CAI's Virginia Legislative Action Committee.

- A community association is a private organization rather than a public or government entity.

- There are a lot of requirements for day to day operations of community associations that go well beyond what is usually called for in corporations.
- Often legislative solutions are meant to address a particular problem, but these solutions often do not take into account the wide variety of differences between associations, their size, their obligations, and their voluntary nature.
- One size does not fit all when it comes to associations and specifically to legislation regarding associations.
- When associations fail to follow their governing documents or the law it is usually not deliberate. It usually has more to do with the huge challenge for voluntary board members to learn all of the requirements, their own documents, and procedures, and state laws that apply and that are always changing.
- The Real Estate Board should recognize that more laws and more requirements passed by the General Assembly create a system that becomes more complex and harder for everyone to understand.
- The increasingly complex laws create a lot of cost to the community associations and they often are forced to consult an attorney or a professional to figure out their obligations.
- Associations are having trouble finding anyone to volunteer to serve on boards because they see the responsibility as too great.

▪ Ms. Treena Gibson, a property manager for community associations who currently manages homeowners associations and condominium associations.

  - Agrees with Mr. Cole's earlier comments in regards to real estate agents and believes that continuing education needs to be increased for real estate agents to let them know exactly what homeowners are buying into.
  - People do not understand when they buy into an association that they can be in violation of regulation and then fined for it.
  - There is a lot of miscommunication that needs to be addressed in trying to get different areas involved.

▪ Mr. Schaefer Oglesby, chairman of the Virginia Real Estate Board.

  - The survey given by the real estate board is focusing on the people who are in business to manage associations, not the people who are actually on the board.
  - Common interest ownership is a very complex issue.
  - The job of the Real Estate Board is to study the regulation of professional property managers of associations.

- Mr. Ben Bennett, a resident of a relatively small condo in Roanoke who has been on the board of the home owners association for the last five years.

  - In five years, his association has had three property management firms and has not been satisfied with their performance.
  - He attended in order to hear about what requirements property management firms have in terms of being registered or if their performance is monitored by a local government agency.

- Mr. Lee Merritt, a property management professional in the area.

  - A big answer to many questions surrounding property management is education. There is information available to all.
  - There is now a lot more to managing associations than cutting the grass and collecting dues, there are many statutes to keep up with.

- Mr. Bob Crane, a recently elected board member for Waverly Home Owners Association at Smith Mountain Lake.

  - His association is doing an evaluation of changing their management company because they are not pleased with the company's work.
  - Shorten the length of time that developers could have control of home owners associations, as this is a major problem in his community.

Appendix F – Summary of Contract Provisions

Eight sample management contracts used by the following management companies were reviewed: Community Management Corp.; Community Group, Inc.; Legum & Norman Realty, Inc.; Cardinal Management Group, Inc.; Property Management People, Inc.; Select Community Services, LLC; Klingbeil, Powell & Alrutz, Inc.; and Sequoia Management Company. A summary of the provisions in these contracts follows.

1. Administrative Matters

- Files are the property of the Association, are maintained by the Management Company, and are available for inspection by owners during normal business hours.

- The Management Company provides the Association with general information about industry practices and suggestions for operating procedures and assists the Board in the development of a communication plan with owners.

- The Management Company makes recommendations to and implements decisions of the Board.

- The Management Company provides the Association with a monthly management report.

- The Management Company initiates and responds to correspondence with the approval of the Board.

2. Assessments

- The Management Company collects assessments and provides the Association with a list of delinquent accounts on a monthly basis.

- The Management Company has the authority to waive notice and assessment of late charges on a limited basis.

3. Budget

- The Management Company assists in the preparation of the budget, typically 90 days prior to the fiscal year.

- The Board adopts the budget.

4. Fees (charged by Management in accordance with contract)

Fees are typically broken down into fees for recurring routine services, periodic routine services, and non-routine services. Following are examples of the types of services falling into each category.

- Recurring routine services – included in monthly fee

  - Overhead, including salaries and local travel expenses to and from the community
  - Financial management
  - General administration, including assessments
  - Day-to-day physical systems management

- Periodic routine services – charged as set forth in the contract

  - Annual assessment coupons
  - Labels or disks or e-mails of Names/Address
  - Mailings, photocopying and sending registered notices to owners in breach of governing documents
  - Notices sent to the owner for a delinquency, assessed to owner
  - Management Information System, maintenance and upgrades
  - Issuance of pool, parking or recreation passes
  - Engineering services
  - After hours non-emergency calls
  - Resale disclosure packets, assessed to owner

- Non Routine – charged as set forth in the contract

  - Website
  - Newsletter
  - Research
  - Court appearances, depositions, and consultation with attorneys
  - Insurance claim administration
  - Assessment refund administration
  - Education and training
  - Administration of retirement and health benefit programs
  - Records storage
  - Notary services
  - Construction project management
  - Architectural compliance and administration

5. Handling of Moneys and Financial Reporting

- Management Company employees who handle Association moneys are bonded or insured.

- The Management Company deposits all moneys in a federally insured institution in the name of the Association. The account is established and maintained in a manner to indicate the custodial nature of the account. Some contracts require the account to be interest bearing.

- The Management Company makes disbursements for taxes, insurance premiums, compensation to contractors hired pursuant to authority in the contract, and operating expenses incurred in accordance with contract.

- The Management Company maintains a record of all income and expenses and provides a monthly summary statement to the Association.

- The Management Company cooperates with an independent CPA who performs an annual audit.

- The Management Company has authority to transfer funds from operating account to investment account, investments made at the direction of the Board. Some contracts state that the Management Company is the authorized signatory on Reserve Investment Accounts and may, at the discretion of the Board, require co-signatures from a member of the Board.

6. Insurance Administration

- The Management Company obtains competitive quotes for insurance and cause insurance to be kept in force as required by government documents and the management contract (including but not limited to workers' compensation, public liability insurance, fire and extended coverage, burglary and theft, directors' liability and pollution liability).

- The Management Company informs the Board of accidents, fire, etc. and assists the Board and broker in meeting the Board's obligations.

7. Maintenance

- The Management Company provides physical maintenance in accordance with standards established by state and/or local laws, Association documents, the operating budget and Board.

- The Management Company conducts routine inspections and responds to requests for service by owners.

- Contracts are bid on a competitive basis. In most contracts, the Management Company submits recommendations to the Board, the Board executes the contracts. Management oversees the activities of the contractors. One of the contracts states that the Management Company selects contractors and executes contracts.

8. Meetings

- The Management Company attends 12 regular meetings per year, attends the annual membership meeting and provides a meeting report on the status of maintenance, financial and administrative matters.

- Some contracts provide for Management Company attendance at committee meetings.

- Some contracts impose an additional charge for meetings that last more than two hours or are held on weekends or holidays.

9. Newsletters

- The Management Company assists and coordinates the preparation of a newsletter, including camera ready copy, typing and editing.

- The Association pays the cost of preparing, printing and mailing the newsletter.

10. Personnel

- The Management Company hires employees necessary to fulfill the terms of the contract.

- If the Management Company employs the on-site manager, the manager is approved by the Board. The Board may report dissatisfaction with the manager to the Management Company and the Management Company will take action. If the Board remains dissatisfied, the Board may request a change. The Management Company retains the authority to make the final decision.

- If the Association employs the on-site manager, the on-site manager hires other on-site Association employees. The Management Company offers Association employees access to the Management Company's health, life and dental insurance programs, cost to be paid by the Association.

- The Association agrees not to hire Management Company employees for a period of time (usually 12-24 months) after they have worked for the Management Company or after the contract has terminated.

11. Rules and Regulations

- The Management Company assists with drafting of rules and regulations.

- The Management Company informs residents of violations and takes action consistent with Board policy.

12. Termination of Contract

- Either party may terminate the contract without cause with notice (typically 60-90 days).

- Shorter notice requirements (30-60 days) are required to terminate for breach of contract. Bankruptcy of the Management Company is cause of termination of the contract by the Association.

- Records – An Association representative reviews records at Management office and makes an itemized claim for delivery to the Association. If no review, Management will box and index documents and Association will sign for receipt. Management is entitled to compensation for the costs relating to the transfer of documents. Some contracts require the Association to pay costs for copying documents the Management Company deems necessary to retain following termination of the contract.

- The Management Company notifies utilities and banks of change in Management.

- The Management Company disburses a check to the Association reflecting amount in Association account. If any invoices are in dispute, an escrow account is established in the name of the Association.

Appendix G – Survey of Other States Laws

Department/Agency	Board/Commission	CIC/HOA Resource
Alabama www.state.al.us	Alabama Real Estate Commission 1201 Carmichael Way Montgomery, AL 36106 334-242-5544	Reports that they have no program for support of CIC/HOA concerns. Viewed as a legal issue (8/05) http://www.arec.state.al.us/ (8\05)
Alaska www.state.ak.us Alaska Department of Community and Economic Development P.O. Box 110800 Juneau, Alaska 99811-0801 907-465-2500 Mr. Edgar Blatchford, Commissioner http://www.dced.state.ak.us/	Alaska Division of Occupational Licensing PO Box 110806 907 465-2534 Juneau, Alaska 99811-0806 907-465-2534 Mr. Rick Urion, Director license@dced.state.ak.us	Reports that they have no program for support of CIC/HOA concerns. http://www.dced.state.ak.us/occ/home.htm (8\05)
Arizona www.az.gov Arizona Department of Real Estate 2910 N. 44th Street , Suite 100 Phoenix, AZ 85018 602-468-1414 #5 Kurt LaBotz klabotz@re.state.az.us www.re.state.az.us Judy Kisleberg, Administrator Subdivisions, Condominiums, & POA's (8\05)	Arizona Bureau for Better Community Associations and Management 4646 E. Greenway Road, Suite 112 Phoenix, Arizona 85032 602-840-6327 Their statute requires mandatory disclosures on finances and documents. The state has authority to regulate declarant's applications not the behavior. Cynthia Ferini, Administrator of subdivision representatives, views and issues public reports. (8\05)	In 2001, Arizona ruled that the state HOA Legislative Committee would not take on oversight of HOA concerns. http://www.re.state.az.us/communityassoc.html ; Information on the Bureau for Better Community Associations and Business (BBCAM), a non-profit organization designed to assist residents who either do not have the money or do not wish to file a costly lawsuit. http://www.nicm1.com/Art12001pt.htm ; Details the monitoring process that BBCAM will undertake when pursuing citizen concerns. Professionals are trained by private organizations. (8\05) http://www.re.state.az.us (8\05)

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Department/Agency	Board/Commission	CIC/HOA Resource
Arkansas www.state.ar.us	Arkansas Real Estate Commission 612 South Summit Street Little Rock, AK 72201-4740 501-683-8010 Randy P. Brown, Chief Investigator randy.brown@mail.state.ar.us	Information on filing a complaint can be found on their website. They are not associated with an agency in Arkansas. Randy Brown reports that they do not have resources dedicated to support CIC/HOA issues. http://www.state.ar.us/arec/arecweb.html http://www.state.ar.us/arec/arecweb.htm (8\05)
California www.ca.gov California Department of Real Estate 2201 Broadway Sacramento CA 95818-2500 916-227-0931 http://www.dre.cahwnet.gov/default.htm	California Board of Real Estate, Subdivisions Office 2201 Broadway Sacramento, CA 95818-2500 916-227-0810 Chris Neri, Assistant Commissioner http://www.dre.cahwnet.gov (8\05) Georgina Bixby, Deputy Commissioner 916-227-0839 (8\05) http://www.dre.cahwnet.gov/ (8\05)	http://www.dre.cahwnet.gov/cidinfo.htm - "Living in a California Common Interest Development" http://www.dre.cahwnet.gov/faqs_cid.htm - A FAQ for Common Interest Development questions. There is no state or local agency that directly regulates associations or their members. (8\05) Real Estate commission regulates property managers within CIC's. 45 hours of education is required with an exam following. Background checks are also required. ECHO Exec. Council of Homeowners 408-297-3246 (8\05) David Levy & Associations 510-465-2073 (8\05)
Colorado www.colorado.gov Colorado Department of Regulatory Agencies 1560 Broadway, Suite 1550 Denver, CO 80202 303-894-7855 edo@dora.state.co.us http://www.dora.state.co.us/index.htm	Colorado Real Estate Commission 1900 Grant Street, Suite 600 Denver, CO 80203 303-894-2686 Carolyn Chaw, Investigator real-estate@dora.state.co.us	Reports that they do not have offices that support CIC/HOA concerns but they are interested in the Virginia model. It has been stated on the website that allegations of theft or dishonesty against a licensed broker performing management of associations will be investigated by the Colorado Real Estate Commissions. (8\05) http://www.dora.state.co.us/real-estate (8\05)

Appendix G – Survey of Other States Laws

Department/Agency	Board/Commission	CIC/HOA Resource
Connecticut www.ct.gov Connecticut Department of Consumer Protection 165 Capitol Avenue Hartford, CT 06106 800-842-2649 Edwin R. Rodriguez, Commissioner http://www.state.ct.us/dcp/		State librarian reports that the Department of Consumer Protection would be the most likely referral for CIC/HOA concerns. Department of Consumer Protection reports that they do not receive calls regarding CIC/HOA concerns. Real Estate Licensing http://www.dcp.state.ct.us/licensing/realestate.htm (8\05) http://www.ct.gov/dcp (8\05) Condominium Association Act for Connecticut
Delaware www.delaware.gov Delaware Department of Administrative Services 410 Federal Street, Suite 1 Dover, Delaware 19901 302-739-3613 http://www.state.de.us/das/	Delaware Real Estate Commission 861 Silver Lake Blvd., Suite 203 Dover, DE 19904 302-744-4519 Joan B. O'Neill, Director joan.b.oneill@state.de.us http://www.professionallicensing.state.de.us/boards/realestate/index.shtml	Real Estate Commission reports that there are no resources in Delaware dedicated to support of CIC/HOA concerns. http://www.state.de.us/research/profreg/realcomm.htm#topofpage (8\05)
District of Columbia www.dc.gov District of Columbia Department of Consumer & Regulatory Affairs 941 North Capitol Street, NE Washington, DC 20002 202-442-4400	District of Columbia Housing Regulation Administration 941 North Capitol Street, NE Washington, DC 20002 202-442-4600 James Aldridge, Administrator http://dcra.dc.gov/information/build_pla/occupational/real_estate/index.shtm	The Housing Regulation Administration reports that there is no single resource dedicated to support of CIC/HOA concerns. Depending on the nature of the concern, the homeowner would be routed to the appropriate office. At the CAI conference in Nov 2003, the Legislative Action Committee contact for D.C. reported that they are working with the city to get condominium association manager licensure passed in the city. http://www.dcra.org/main.shtm (8\05)

Appendix G – Survey of Other States Laws

Department/Agency	Board/Commission	CIC/HOA Resource
Florida www.myflorida.com Florida Department of State 500 S. Bronough Tallahassee, FL 32399-0250 850-245-6500 Call.Center@dbpr.state.fl.us http://www.dos.state.fl.us/	http://www.state.fl.us/dbpr/re/index.shtml (8\05)	Reports that they have no program for support of CIC/HOA concerns. The Division of Real Estate, part of the Department of Professional Regulation, suggested that the Department of State would be the best resource. http://www.flsenate.gov/statutes/index.cfm?App_mode=Display_Index&Title_Request=XL#TitleXL Link to Statute 720: Homeowners' Associations.
Georgia www.georgia.gov George Department of Community Affairs 60 Executive Park South Atlanta, GA 30329 404-679-4940 grecmail@grec.state.ga.us http://dca.georgia.gov	Georgia Real Estate Commission 229 Peachtree St. NE, Suite 1000, International Tower Atlanta, GA 30303 404-656-3916 grecmail@grec.state.ga.us	Reports that they have no program for support of CIC/HOA concerns. Some of the constituents of the department include : Community Developers, Community Services Providers, Home Buyers, Housing Developers, Property Owners and Managers and Tenants. http://www.grec.state.ga.us/ (8\05)
Hawaii www.gohawaii.com Hawaii Department of Commerce & Consumer Affairs P.O. Box 541 Honolulu, HI 96809 808-586-2850 dcca@dcca@hawaii.gov http://www.hawaii.gov/dcca/	Hawaii Real Estate Branch 335 Merchant Street, Room 333 Honolulu, HI 96813 808-586-2643 Calvin Kimura, Acting Director hirec@dcca.hawaii.gov http://www.hawaii.gov/hirec/	Real Estate Branch handles condo association registration. Reports that they have no program for support of CIC/HOA concerns. http://www.hawaii.gov/dcca/areas/real/condo_ed (8\05) http://www.hawaii.gov/hirec/ (8\05) Information on Condominium Association Governance. Also information on mediation.

Department/Agency	Board/Commission	CIC/HOA Resource
Idaho www.accessidaho.org	Idaho Real Estate Commission 633 N 4th Street, PO Box 83720 Boise, ID 83720-0077 208-334-3285 Donna Jones, Director kroller@irec.state.id.us http://www.idahorealestatecommission.com	Reports that they have no program for support of CIC/HOA concerns. http://www2.state.id.us/irec/ (8\05) 7890
Illinois www.illinois.gov Illinois Office of Banks and Real Estate 500 East Monroe Springfield, IL 62701-1509 217-782-3000 http://www.obre.state.il.us/default.htm	Illinois Bureau of Real Estate Personnel 500 East Monroe Street 217-785-9300 Fax Number: Springfield, Illinois 62701-1509 217-782-3390 Gertrude Kelly, Assistant Commissioner gkelly@bre.state.il.us http://www.obre.state.il.us/realest/ realmain.htm	Reports that they have no program for support of CIC/HOA concerns. http://www.obre.state.il.us/ (8\05)
Indiana www.state.in.us	Indiana Real Estate Commission 302 W. Washington Street, Suite E012 Indianapolis, IN 46204 317-234-3009 Cara Snyder, Director pla9@pla.state.il.us http://www.in.gov/pla/bandc/estate/	The Attorney General's office reports that no agency or division exists for CIC/HOA concerns. http://www.state.in.us/pla/bandc/estate/ (8\05)
Iowa www.state.ia.us	Iowa Real Estate Commission 1918 S.E. Hulsizer Ankeny, IA 50021-3941 515-281-7393	Reports that they have no program for support of CIC/HOA concerns. Commission refers callers to the Attorney General's office. http://www.state.ia.us/government/com/prof/sales/home.html (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Kansas www.state.ks.us	Kansas Real Estate Commission Three Townsite Plaza STE 200, 120 SE 6th Ave Topeka, Kansas 66603-3511 785-296-3411 http://www.accesskansas.org/krec/	Reports that they have no program for support of CIC/HOA concerns. Recommends residents consult with private counsel about rights under the civil code and common law. http://www.ink.org/public/krec / (8\05)
Kentucky www.kentucky.gov	Kentucky Real Estate Commission 10200 Linn Station Road, Suite 201 Louisville, KY 40223 502-425-4273	Reports that they have no resources dedicated to support CIC/HOA concerns. Recommends residents contact the Consumer Protection Division of the Office of the Attorney General. http://www.krec.ky.gov/ (8\05)
Louisiana www.state.la.us	Louisiana Real Estate Commission 5222 Summa Court Baton Rouge, LA 70809 225-765-0191 Carmela Greco Collins, Director of Investigations info@lrec.state.la.us http://www.lrec.state.la.us/	Reports that they have no program for support of CIC/HOA concerns. Per email from Carmela Collins, CIC/HOA concerns are considered to be civil matters and all inquiries are referred to personal legal counsel. http://www.lrec.state.la.us/ (8\05)
Maine www.state.me.us Maine Office of Licensing and Regulation #35 State House Station Augusta, ME 04333-0035 207-624-8603 Anne L. Head, Director anne.l.head@maine.gov http://www.state.me.us/pfr/olr/categories/cat38.htm	Maine Real Estate Commission #35 State House Station Augusta, ME 04333-0035 207-624-8515 Carol J. Leighton, Director carol.j.leighton@maine.gov http://www.state.me.us/pfr/olr/categories/cat38.htm	Reports that they have no program for support of CIC/HOA concerns. http://www.state.me.us/pfr/olr/ (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Maryland www.maryland.gov	Maryland Real Estate Commission 500 North Calvert Street Baltimore, MD 21202-3651 410-230-6200 Charlotte Streat, Complaint Intake cstreat@dllr.state.md.us http://www.dllr.state.md.us/	Reports that they have no program for support of CIC/HOA concerns. Secretary of State / Registrations: Information on Community Associations - http://www.sos.state.md.us/Registrations/communassoc.htm Condominiums and Time Shares - http://www.sos.state.md.us/Registrations/condo_TS.htm http://www.dllr.state.md.us/license/real_est/reinto.html (8\05)
Massachusetts www.mass.gov	Massachusetts Office of Consumer Affairs and Business Regulation 10 Park Plaza, Suite 5170 Boston, MA 02116 617-973-8700 consumer@state.ma.us http://www.state.ma.us/consumer/Info/homebuy.htm	Reports that they have no program for support of CIC/HOA concerns. http://www.state.ma.us/reg/boards/re/default.htm (8\05)
Michigan www.michigan.gov Michigan Department of Labor & Economic Growth 611 W. Ottawa, P.O. Box 30004 Lansing, MI 48909 517-373-1820 bcscinfo@michigan.gov	Michigan DLEG Office of Legislative Affairs 611 W. Ottawa, P.O. Box 30004 Lansing, MI 48909 517-241-4580 oplainfo@michigan.gov http://www.michigan.gov/cis/0,1607,7-154-10573_17762---,00.html	If this office receives a complaint regarding a condominium developer, it forwards that complaint to the developer and sends a Notice of Available Remedies Under the Condominium Act to both the complainant and the developer. The office has no authority to take complaints or enforce any requirements of the Condominium Act in regard to the actions of condominium associations. http://www.michigan.gov/cis/0,1607,7-154-10573_17762-46145--,00.html http://www.Michigan.gov/realestatelicense (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Minnesota www.state.mn.us Minnesota Department of Commerce 85 7th Place East, Suite 500 St. Paul, MN 55101 651-296-2488 http://www.state.mn.us/ cgi-bin/portal/mn/jsp/content.do?id= -536881350&agency=Commerce		Reports that they have no program for support of CIC/HOA concerns. The Commerce Department recommends residents seek personal legal counsel. http://www.commerce.state.mn.us/mainre.htm (8\05)
Mississippi www.mississippi.gov	Mississippi Real Estate Board P.O. Box 12685 Jackson, MS 39236 601-932-9191 http://www.mrec.state.ms.us/	Reports that they have no program for support of CIC/HOA concerns. http://www.state.ms.us (8\05)
Missouri www.state.mo.us Missouri Attorney General Supreme Court Building 207 W. High St. Jefferson City, MO 65102 573-751-3321 http://www.ago.mo.gov/index.htm	Department of Professional Regulation http://www.pr.mo.gov/appraisers.asp (8\05)	Reports that they have no program for support of CIC/HOA concerns. The Attorney General's office assists in determining what information is required to contact legal counsel. http://www.ecodev.state.mo.us/pr/restate/ (8\05)
Montana www.state.mt.us Montana Department of Commerce 301 S. Park Ave Helena, MT 59601 406-841-2700 http://commerce.state.mt.us/	Montana Housing Division 301 S. Park Ave Helena, MT 59601 406-841-2700	Reports that they have no program for support of CIC/HOA concerns. Board of Real Estate Appraisers http://www.discoveringmontana.com/dli/bsd/license/bsd_boards/rea_board/board_page.asp (8\05) http://www.com.state.mt.us/License/POL/pol_boards/rre_board_page.htm (8\05)

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Department/Agency	Board/Commission	CIC/HOA Resource
Nebraska www.state.ne.us	Nebraska Real Estate Commission P.O. Box 94667 Lincoln, NE 402-471-4492 http://www.nrec.state.ne.us/	Reports that they have no program for support of CIC/HOA concerns. http://www.nol.org.home/NREC/ (8\05)
Nevada www.nv.gov Nevada Department of Business & Industry 555 E. Washington Ave., Suite 4900 Las Vegas, NV 89101 702-486-2750 http://dbi.state.nv.us/	Real Estate Division	This office was created to assist homeowners and board members in common interest communities to better understand their rights and obligations under the law and their governing documents. http://www.red.state.nv.us (8\05)
New Hampshire www.state.nh.us New Hampshire Department of Justice Attorney General's Office 33 Capitol Street Concord, NH 03301 603-271-3658	Real Estate Commission	Reports that they have no program for support of CIC/HOA concerns. They offer mediation services through the Attorney General's office. http://www.nh.gov/nhrec/ (8\05)
New Jersey www.state.nj.us New Jersey Commerce and Economic Development Commission P.O. Box 820 Trenton, NJ 08625-0820 (609) 777-0885	New Jersey Office of Business Advocate & Information P.O. Box 820 Trenton, NJ 08625-0820 (609) 777-0885 http://www.state.nj.us/commerce/oba.htm	Reports that they have no program for direct support of CIC/HOA concerns. The Business Advocacy Office has an ombudsman to assist in state regulatory issues. http://www.naic.org/nj/realcom.htm (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
New Mexico www.state.nm.us New Mexico Department of Regulation and Licensing 2600 Cerrillos Road Santa Fe, NM 87505 505-827-7003 http://www.rld.state.nm.us/		Reports that they have no program for support of CIC/HOA concerns. Will direct residents to the appropriate office to address particular concerns and also recommends contacting private legal counsel. http://www.state.nm.us/clients/nmrec (8\05)
New York www.state.ny.us	New York State Consumer Protection Board 5 Empire State Plaza, Suite 2101 Albany, New York 12223-1556 http://www.consumer.state.ny.us	No department is identified as a primary contact for homeowner issues. They report have no program for support of CIC/HOA concerns. http://www.dos.state.ny.us/lcns/realest.html (8\05)
North Carolina www.ncgov.com	North Carolina Real Estate Commission 1313 Navaho Drive Raliegh, NC 27619-7100 919-875-3700 http://www.ncrec.state.nc.us/default.asp http://www.ncrec.state.nc.us/ (8\05)	Reports that they have no program for support of CIC/HOA concerns; however, will provide information for residents. Planned Community and Homeowner Association FAQ: http://www.ncrec.state.nc.us/consumers/subdivisions.asp The Consumer Protection Section of the North Carolina Attorney General's Office also has power to act against legal entities engaged in certain unlawful practices
North Dakota www.nd.gov	North Dakota Real Estate Commission Box 727 Bismarck, ND 58502-0727 701-328-9749 http://governor.state.nd.us/boards/boards-query.asp?Board_ID=93	Reports that they have no program for support of CIC/HOA concerns. The Commission licenses brokers and salespersons, adopts regulations, and handles consumer complaints.

Department/Agency	Board/Commission	CIC/HOA Resource
Ohio www.state.oh.us Ohio Department of Commerce 77 South High Street, 23rd Floor Columbus, OH 43215-0544 614-466-3636 webadmin@com.state.oh.us http://www.com.state.oh.us/ODOC/	Ohio Division of Real Estate and Professional Licensing 77 South High Street, 20th Floor Columbus, OH 43215-6133 614-466-4100 REPLD@com.state.oh.us http://www.com.state.oh.us/ODOC/real	Reports that they have no program for support of CIC/HOA concerns. http://www..com.state.oh.us/ODOC/real/ (8\05)
Oklahoma www.youroklahoma.com	Oklahoma Real Estate Division 2401 N.W. 23rd, Suite 18 Oklahoma City, OK 73107-2431 405-521-3387 orec.help@orec.state.ok.us http://www.orec.state.ok.us/	Reports that they have no program for support of CIC/HOA concerns. Complainants are advised to file a civil action to seek specific performance. http://www.orec.state.ok.us (8\05)
Oregon www.oregon.gov Oregon Real Estate Agency 1177 Center Street NE Salem, OR 97301-2505 503-378-4170 http://www.rea.state.or.us/		This agency oversees the statutes regarding condominiums and property management. HOAs are not licensed by REA. HOAS are not regulated other than the requirement to file annual reports. Recommends residents to contact private legal council to resolve issues with HOAs. http://www.bbs.chemek.cc.or.us/public/orea/orea.html (8\05)
Pennsylvania www.state.pa.us Pennsylvania Department of State 302 North Office Building Harrisburg, PA 17105 717-787-6458 http://www.dos.state.pa.us/DOS	Pennsylvania Bureau of Professional and Occupational Affairs P.O. Box 2649 Harrisburg, PA 17105 717-787-8503 RA-BPOA@state.pa.us http://www.dos.state.pa.us/bpoa/site/default.asp	Reports that they have no program for support of CIC/HOA concerns. http://www.dos.state.pa.us/bpoa/recomm/mainpage.htm (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Rhode Island www.state.ri.us Department of Business Regulation 233 Richmond Street Providence, RI 02903 401-222-2246 http://www.dbr.ri.gov/		Reports that they have no program for support of CIC/HOA concerns. http://www.dbr.state.ri.us/ (8\05)
South Carolina www.myscgov.com South Carolina Department of Labor, Licensing and Regulation Kingstree Building 110 Centerview Dr. Columbia, SC 29210 803-896-4300 http://www.llr.state.sc.us	South Carolina Real Estate Commission Kingstree Building 110 Centerview Dr. Columbia, SC 29210 803-896-4400 Clay Reed http://www.llr.state.sc.us/POL/RealEstate Commission/	Reports that they have no program for support of CIC/HOA concerns. http://www.llr.state.sc.us/POL/RealEstateCommission/ (8\05)
South Dakota www.state.sd.us South Dakota Department of Revenue and Regulation 445 East Capital Avenue Pierre, SD 57501 605-773-3311 http://www.state.sd.us/drr2 /revenue.html	South Carolina Real Estate Commission 425 East Capitol Avenue Pierre, SD 57501 605-773-3600 http://www.state.sd.us/sdrec/	Reports that they have no program for support of CIC/HOA concerns. They advise complainants to file civil actions. http://www.state.sd.us/dcr/realestate/Real-hom.htm (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Tennessee www.tennesseeanytime.org Tennessee Department of Commerce and Insurance Davy Crockett Tower 500 James Robertson Pkwy. Nashville, TN 37243-1151 615-741-6007 http://www.state.tn.us/commerce	Tennessee Real Estate Commission Davy Crockett Tower 500 James Robertson Pkwy. Nashville, TN 37243-1151 615-741-2273 http://www.state.tn.us/commerce/boards/trec/	Reports that they have no program for support of CIC/HOA concerns. http://www.state.tn.us/commerece/trec/index.htm (8\05)
Texas www.state.tx.us	Texas Real Estate Commission P. O. Box 12188 Austin, TX 78711-2188 512-459-6544 http://www.trec.state.tx.us/ http://www.trec.state.tx.us/ (8\05)	Reports that they have no program for support of CIC/HOA concerns. Advise consultation with a private attorney and also offer programs at the Attorney General's office for mediation services. Developers are not regulated: http://www.trec.state.tx.us/complaints/trec_doesnt_regulate.asp The CAI Legislative Action Committee for Texas is well organized, but works directly with legislators to effect changes in legislation regarding homeowners associations.
Utah www.utah.gov	Utah Division of Real Estate P.O. Box 146711 Salt Lake City, UT 84114-6711 801-530-6747 http://www.commerce.utah.gov/dre/complaint.html (8\05)	Reports that they have no program for support of CIC/HOA concerns. The Division is responsible for the registration of subdivisions. http://www.commerece.utah.gov/dre (8\05)
Vermont www.vermont.gov Vermont Department of Housing and Community Affairs National Life Building, Drawer 20 Montpelier, VT 05620 802-828-3211 John S. Hall, Commissioner http://www.dhca.state.vt.us/Housing	Real Estate Commission	Reports that they have no program for support of CIC/HOA concerns. http://www.vtprofessionals.org/opr1/real_estate/ (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Virginia http://www.virginia.gov Virginia Department of Professional and Occupational Regulation 3600 West Broad Street Richmond, VA 804-367-8500 Cynthia Schrier, Common Interest Community Liaison cynthia.schrier@dpor.virginia.gov http://www.state.va.us/dpor/indexie.html		Common Interest Community Liason; information accessible by clicking on "Complaints and Consumer Protection" on DPOR website. http://www.state.va.us/dpor/reb_main.htm (8\05)
Washington www.access.wa.gov Washington Department of Licensing, Real Estate Program PO Box 9015 Olympia, WA 98507-9015 360-664-6505 http://www.dol.wa.gov/realestate/refront.htm		Reports that they have no program for support of CIC/HOA concerns. Reports that complaints regarding brokers and salespeople are handled by the Real Estate Enforcement office. http://www.wa.gov/dol/bpd/refront.htm (\05)
West Virginia www.state.wv.us	West Virginia Real Estate Commission 1033 Quarrier Street, Suite 400 Charleston, WV 25301-2315 304-558-3555 http://www.wvrec.org	Reports that they have no program for support of CIC/HOA concerns. http://www.state.wv.us/wvrec (8\05)

Department/Agency	Board/Commission	CIC/HOA Resource
Wisconsin www.wisconsin.gov Wisconsin Department of Regulation and Licensing PO Box 8935 Madison, WI 53708-8935 608-266-2112 web@drl.state.wi.us http://www.drl.state.wi.us/index.html		Reports that they have no program for support of CIC/HOA concerns. Information on Consumer Services and ways to pursue complaints or concerns at a website - http://www.drl.state.wi.us/Regulation/consumer_services/consumer_services.html http://www.bager.state.wi.us/agencies/drl/Regulation/licensee_services/real_estate/re1000.htm (8\05)
Wyoming www.state.wy.us	Wyoming Real Estate Commission 2020 Carey Avenue, Suite 100 Cheyenne, Wyoming 82002-0180 307-777-7141 http://realestate.state.wy.us/	Reports that they have no program for support of CIC/HOA concerns. http://www.realestate.state.wy.us/ (8\05)