

THE COMMUNITY BUILDER

Impact of Hoarding on Your Association

Rights and Responsibilities... Homeowners and Board members

Recently, while doing some searching for article ideas, I came across a blog that evidently served as a discussion board for homeowners to express their unhappiness with either their association or the board. This blog had 317 entries on it from owners who felt their rights as an owner had been violated by the Board in one way or another. Having recently been confronted by members of my own association at a meeting to discuss amendments, I came to realize that rightly or wrongly, many of our owners also felt their rights had been violated. It made me question, "do owners really know what their rights AND responsibilities as an owner are?"

To find some answers, I went to the CAI website and found an excellent outline from the President's Club. Because it is lengthy, it will appear in two editions of our E-Newsletter. The first section will address Homeowners. I know we've all attended meetings when a decision was unpopular (as most of the Board's decisions seem to be) and was being protested by owners, now demanding access to Minutes and official records and all kinds of information. Official books and records that according to laws in most states, they are absolutely entitled to. The problem generally arises when their requests have to follow a mandated process. When being reminded or advised of that process, most owners will only see it as a stalling or delaying tactic. Unhappy owners will always be convinced their rights are being abused, but seldom acknowledge with rights come responsibilities.

Listed below are the Rights and Responsibilities promulgated by the CAI Presidents Club.

Rights and Responsibilities can serve as an important guidepost for all those involved in the community - board and committee members, community managers, homeowners and non-owner residents.



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Homeowners Have the Right To:

- A responsive and competent community association
- Honest, fair and respectful treatment by community leaders and managers
- Participate in governing the community association by attending meetings, serving on committees and standing for election
- Access appropriate association books and records
- Prudent expenditure of fees and other assessments
- Live in a community where the property is maintained according to established standards
- Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated
- Receive all documents that address rules and regulation governing the community association - if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community
- Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights

Homeowners Have the Responsibility To:

- Read and comply with the governing documents of the community
- Maintain their property according to established standards
- Treat association leaders honestly and with respect
- Vote in community elections and on other issues
- Pay association assessments and charges on time
- Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements
- Request reconsideration of material decisions that personally affect them
- Provide current contact information to association leaders or manager to help ensure they receive information from the community
- Ensure that those who reside on their property (e.g. tenants, relatives, friends) adhere to all rules and regulations

