



HOA BASICS

Jennifer McCook

ROLE OF A HOMEOWNERS ASSOCIATION

Maintain Property Values

Protect Community Assets

Promote Harmonious Living

Create a Sense of Fairness

GOVERNANCE

Articles of Incorporation

Declaration and Amendments

Bylaws

Rules and Regulations/Resolutions

CRITERIA FOR VALID AND ENFORCEABLE RULES*

- The rule must not violate a fundamental constitutional right
- The rule must be consistent with applicable statute and governing documents
- The rule must reasonably relate to the operation and purpose of the community
- The rule must be reasonable
- The rule must be fair. It must not create a separate class or group of people
- The rule must be capable of uniform enforcement
- The rule must be uniformly enforced
- The rule must be necessary

*Community Associations Institute

ENFORCEMENT OUTSIDE OF YOUR HOA

- Health Department
- Municipal Zoning/Building Department
- Police Department
- Fire Department
- Animal Control

ASSESSMENTS AND BUDGETING

Revenue

- Annual Assessment
- Special Assessments
- Limited Assessments

The Declaration may cap the percentage increase for Annual Assessments.

Expenses

- Discretionary
- Required

2024 Budget Buster = Insurance Costs

ASSOCIATION VERSUS HOMEOWNER MAINTENANCE RESPONSIBILITY

Check the Declaration

- Maintenance
- Assessments
- Architectural Control

Responsibility Matrix

- Builder Created
- Attorney Created
- Management Company or BOD Created

Neglect or Misuse

- Failure to Report
- Homeowner
- Guest

WISDOM IN GOVERNANCE AND RESIDENCE

- Efficient Meetings are Effective Meetings
 - Set and Keep an Agenda
 - Homeowner Input Should be Regulated
 - Robert's Rules of Order
 - Motion
 - Second
 - Discussion
 - Vote

- Boards are Volunteers
 - Respect their time
 - Follow trackable processes for concerns and questions
 - Be specific and focus on actionable feedback
 - Homeowners seeking change should run for the BOD

- Management of the HOA
 - Size
 - Need
 - Volunteer Force

VENDORS AND VENDOR RELATIONSHIPS

Problems

- Staffing Shortages
- Poor Contracts
- Difficult Communities

Solutions

- Reputable Companies
- Create Requests for Proposals (RFPs)
- Positive Vendor Interactions and Respectful Homeowners

Consequences

- Invoice Approval
- Mediation
- Litigation



RESOURCES

In addition to your governing documents, your HOA Board may choose to seek assistance through:

- Management Company
- HOA Attorney
- Online Resources

COMMUNITY ASSOCIATIONS INSTITUTE CAIONLINE.ORG

Join as a Homeowner Leader

Learning Center – Articles and Webinars

The background features a complex, abstract geometric pattern of white lines on a black background. The lines form various overlapping shapes, including triangles, squares, and irregular polygons, creating a sense of depth and movement. The pattern is most dense on the right side of the page and tapers off towards the left.

THANK YOU