

Six steps you can take to change your Homeowners Association

Visit our site - <http://www.hoahomepage.com>

I have discussed the general nature of an HOA in other articles, but it is worth a summary to start this subject. An HOA is very similar to a small municipality and consequently you must approach your grievances and concerns in a more formal way. When you live in a community, whether an HOA or a town or city, if you have a grievance you must go through the established channels that have been set up to file your grievance and be heard. The problem is you will quickly feel overwhelmed by the bureaucracy. There is some truth to the saying; "you cannot change City Hall". If I think my taxes are too high, or there is too much government waste, or the public services are not responsive, or, you get the idea, the chances of me or anyone else effecting a change is unlikely. As the size of the community shrinks, the greater your chances of being heard. Your chances are not improved however, if you are classified as a chronic complainer, so try to avoid just calling in and yelling at whoever is lucky enough to answer. Take the time to understand protocols and how the system works and you will improve your success.

Although HOAs are set up in a similar way as a town or city, they are typically much smaller than a municipality, therefore your chances are good. If you follow the steps below, to prepare yourself, you will be taken far more seriously. The "chronic complainer" caution is even more important in the HOA. Improve your chances of effecting change by approaching the HOA well prepared.

I lay out the six steps you need to take to effect change in your HOA below, but first I will address what situations in the community justify taking these measures. Bottom line is, some things are just not worth the effort, and the best advice is that you bite your tongue, and try to ignore it.

In an HOA there are a whole range of issues that can get you riled up enough to contact the association. Typically, they are categorized in just a few areas. Behavioral, such as your neighbor partying late at night, or not picking up after their dog etc. These are violations of rules set up in your CC&Rs (deed restrictions) or rules established by the Board of Directors; like city ordinances. Maintenance issues, such as street repair, pool maintenance etc, which are the responsibility of the HOA and in your opinion are not being addressed. Both the "Behavioral and Maintenance" are part of the administration of the community and typically handled by a management company or an employee of the community. Go to my article on "HOA Behavioral and Maintenance Complaints" for a more in depth look at this subject.

And finally: Governance of the community is the responsibility of the HOA Board (or member elected representatives, whatever they are called). It is their responsibility to deal with the **primary** purpose of the HOA, which is to create an annual budget, initiate the collection of assessments and pay for the common expenses in the community. Rules enforcement also falls under the category of "Governance". To see a more detailed discussion go to my article on HOA Governance Complaints. The most typical issues that homeowners have regarding governance include complaints that the dues are too high, or money is being wasted, maintenance

contractors are not doing their job or not being supervised or Rules enforcement is too heavy handed or conversely rules aren't being enforced at all. Governance also covers the HOA meetings. You may object to things like the lack of proper notification, meeting of the board being held in secret, the handling of elections etc. All of these areas are covered in your specific CC&Rs, and sometimes in your State's statutes covering Common Interest Developments. If you are concerned about this area, the first thing you need to do is read those sections of the governing documents (CC&RS, bylaws, articles of incorporation)

There is one other thing that I am reluctant to mention, because it is rare, but you may suspect the board or management of misuse of funds. I cover this in more detail in my article on Audit reports, fiduciary responsibility and internal investigations. Use extreme caution in this area, it is not wise to make accusation that have no specific basis. At the most you may call for an investigation, but only if there is a sufficient consensus to do so amongst the members.

So, now we get down to business; when it comes to initiating change in your HOA, if it is important enough to you, do not short change your preparation. Otherwise you risk being dismissed out of hand. If you are well prepared you will not only garner more support from your fellow neighbors, you will be taken more seriously by the Board and management.

Influencing the administration or changing the administration or governance of the community is your objective. Your justification is that your dues are too high or should be lowered, you feel rules enforcement is unduly intrusive, maintenance is doing a poor job, or in drastic situations your community needs new leadership- or whatever it is .

Step number 1- Write down your complaint or concern in clear concise terms and read it. Does this represent the core of the issue. At this point, you have no idea if this concern is shared by others in the community- ask yourself; is it just you, being petty and nit picky?. Think about it, then share it with a close neighbor. You may also want to visit our site hoahomepage.com, look up your HOA and see what your neighbors are saying. If your HOA is not already set up, it is easy to do with a few clicks, then post your complaint and rate any aspect of the HOA.