VOLUME 1, ISSUE 2
NOVEMBER 2026

PRO-HOMEOWNER
PREMIERE YEAR

NATIONAL HOA MAGAZINE

THE VOICE OF AMERICA'S COMMUNITY OWNERS

SOLUTIONS • ADVOCACY • EDUCATION • PARTICIPATION

FOR ALL CIDs

- HOAs
- Condominiums
- Townhomes
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Neighbors first. Stronger relationships create better communities.

PUBLISHED BY COMMUNITY OWNERS. FOR COMMUNITY OWNERS. ACROSS AMERICA.



NATIONAL HOA MAGAZINE

Solutions for Homeowners. From Homeowners.

National HOA Magazine was created to give homeowners and homeowner advocates across the country a national voice—and a place to present solutions.

HOA problems are discussed every day. This magazine is interested in what comes next: What can we do about them?

We welcome different approaches. Better homeowner participation. Better governance. Legislation. Litigation. Financial and reserve reform. Improved management.

Fairer elections. Greater transparency. And new ideas that can make HOA communities work better for the people who live in them.

National HOA Magazine is pro-homeowner, but that does not mean every contributor agrees on the solution. We don't expect them to.

We provide a national forum where homeowners and advocates can present ideas, experiences and proposed solutions—and where those ideas can be questioned, challenged and improved by others.

Publication does not mean endorsement. Contributors are responsible for the positions they present, and differing viewpoints are welcome. When someone believes there is a better solution, we want to hear it.

Progress doesn't require everyone to agree. It requires people willing to put forward ideas—and others willing to make them better.

DISAGREE? WE WANT TO HEAR FROM YOU.

If you disagree with something published in National HOA Magazine, tell us why. Challenge the idea, identify what you believe is wrong, or propose a better solution. Selected responses and rebuttals may be published in the next issue, and the original contributor may be invited to respond.

The goal isn't agreement. It's better solutions for homeowners.

NATIONAL HOA MAGAZINE

THE VOICE OF AMERICA'S COMMUNITY OWNERS

NOVEMBER 2026



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FEATURED ARTICLE — CALIFORNIA



DOUGLAS KRUSCHEN

Our Emergency Isn't Your Emergency

Understanding Special Assessments, Transparency, and Homeowner Rights

Douglas Kruschen examines how California homeowners face devastating special assessments, sometimes exceeding $25,000 or even $49,000 per unit, when associations confront major repairs. While inspections may uncover genuine emergencies, many costly problems result from years of deferred maintenance and inadequate reserves. Kruschen explains the legal distinction between unforeseen emergencies and predictable expenses, emphasizing that labeling a project an emergency does not automatically justify extraordinary assessments. He encourages homeowners to review governing documents, reserve studies, annual budgets, meeting minutes, and financial records. His central message: homeowners must recognize warning signs early and question whether an emergency was truly unavoidable or preventable.

READ THE FULL ARTICLE — PAGE 12

EDITOR'S PERSPECTIVE — CALIFORNIA



FRANK WODLEY

The Board Is Organized. Homeowners Are Not.

Why Community Organization Is the Key to Real Change

Frank Wodley examines why forty years of HOA reform have failed to resolve persistent problems involving financial transparency, elections, accountability, and homeowner participation. Drawing on personal experiences with board disputes and social isolation, he argues that legislation, litigation, and replacing directors cannot alone correct the fundamental imbalance between organized boards and disconnected homeowners. Wodley introduces a Homeowner Readiness Survey to measure homeowners' willingnees to pursue meaningful change and presents THE PATH as a new approach emphasizing community organization. His central message is that lasting reform requires homeowners to build relationships, establish independent communication, and work together toward pro-homeowner communities.

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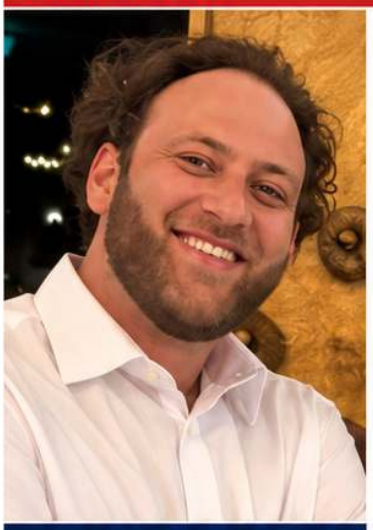
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ARIZONA

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ZACHARY WALLMAN

Before You Buy:
How Anonymous Reviews Can Make HOAs More Accountable

Zachary Wallman examines how limited access to homeowner experiences leaves prospective buyers uninformed about HOA governance, financial transparency, and community conditions. He advocates anonymous online reviews as a practical tool for exposing recurring problems, protecting residents from retaliation, and recognizing well-managed associations. Through HOAReviewer.com, Wallman encourages homeowners to share experiences that help buyers make informed decisions and identify patterns of misconduct or effective management. He also recommends reviewing governing documents, attending meetings, and asking questions before purchasing property. His central message is that accessible information, responsible feedback, and greater transparency can strengthen accountability and improve communities without requiring litigation or legislation.



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CALIFORNIA

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JEANINE JUE

Your HOA Budget Is Your Business:
How Homeowners Can Get Involved

Jeanine Jue encourages homeowners to become actively involved in their HOA's budgeting process rather than waiting until assessments increase or financial problems emerge. She explains how reviewing individual expenses, comparing budgets with actual spending, examining vendor contracts, and monitoring reserve funding can improve financial accountability. Jue emphasizes that homeowners need not be financial experts or board members to ask meaningful questions and contribute valuable ideas. She recommends attending budget meetings, volunteering for finance committees, and engaging respectfully with board members. Her central message is that informed homeowner participation, financial transparency, and early involvement lead to better decisions and stronger communities.



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COLORADO

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DAVID HACKETT

Colorado HOA Owners Have Records Rights.

How Many Actually Use Them?

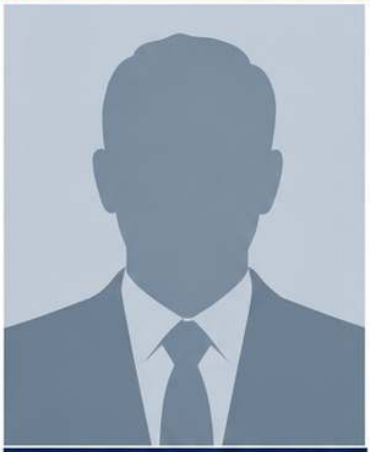
David Hackett explains how Colorado homeowners can exercise their legal rights to inspect HOA records and hold associations accountable. He identifies important documents, including financial statements, management contracts, reserve studies, insurance policies, and meeting minutes. Hackett provides practical guidance for submitting written requests, obtaining electronic copies, challenging excessive fees, and avoiding forms that improperly restrict homeowner rights. He also examines statutory protections, privacy exceptions, and enforcement limitations that can make access difficult. His central message is that transparency requires more than laws guaranteeing access. Homeowners must actively request records, question unreasonable charges, and use available information to ensure responsible association governance.



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FLORIDA

PAGE 31



DR. THOMAS C. ENGBLOM

From Rookie to Respected Professional:

The Journey of a Manager

Dr. Thomas C. Engblom examines the impact of HOA rules on property values, community well-being, and owner rights. His article offers practical steps for homeowners to promote fair governance and ensure that associations serve the entire community. Drawing on decades of experience as a community association manager, Dr. Engblom shares lessons, challenges, and insights for new and experienced managers, board members, and homeowners. His central message is that professionalism, transparency, clear communication, and a commitment to service help build stronger, more harmonious communities where everyone's interests are respected.



READ THE FULL ARTICLE — PAGE 31

GEORGIA



Caroline Simmons
Founder & Executive Director
We the Homeowner, Inc.

Georgia's SB 406: What the New HOA Law Really Means for Homeowners

New Protections. New Oversight. Important Questions Remain.

Caroline Simmons, Founder and Executive Director of We the Homeowner, Inc., examines Georgia's newly enacted Property Owners' Bill of Rights, SB 406 (Act 715). From mandatory association registration and financial transparency to homeowner complaints, foreclosure protections, and enforcement, she explains what the law changes, where protections remain limited, and why the state's proposed implementation rules matter.



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MISSOURI



Angela Viviano

From Challenges to Change: How Missouri Homeowners Can Make a Difference

Angela Viviano examines the unique opportunities and challenges facing HOA communities in Missouri. Her article provides practical guidance on improving board transparency, increasing homeowner involvement, and addressing common issues such as financial management, rule enforcement, and effective communication. Angela shares real-world insights and actionable steps that empower homeowners to take an active role in shaping stronger, more vibrant communities throughout Missouri.



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NORTH CAROLINA

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NC HOAs and Senior Citizens: Where Are Their Protections?

Greta Turillo examines the financial risks facing older homeowners in North Carolina's HOAs, including inadequate reserve funding, unexpected special assessments, and limited independent oversight. She questions whether existing protections adequately safeguard seniors, particularly those living on fixed incomes, and calls on AARP North Carolina to take a more active role in addressing HOA financial transparency, accountability, and the threats these issues pose to retirement security.

HOA Accountability Project NC

Join us on FB

READ THE FULL ARTICLE — PAGE 45

OREGON

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BRIAN ROSE

Strengthening HOAs Through Transparency, Communication, and Homeowner Engagement

Practical Solutions for Oregon Communities

Brian Rose examines the challenges facing HOA communities in Oregon and offers practical solutions to create stronger, more transparent, and more inclusive associations. Drawing on real-world experience, he highlights the importance of clear communication, financial transparency, fair elections, and meaningful homeowner participation. Brian provides actionable ideas that any community can use to improve governance, build trust, and foster a more engaged and united neighborhood.

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TEXAS

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KRSTAFER PINKERTON

The Same Hands on the Pen and the Ledger: How Concentrated Power Can Undermine Your HOA

Krstafer Pinkerton examines the risks that arise when the same individuals control both the board and the association's finances. His article explains how this concentration of power can lead to conflicts of interest, lack of oversight, and poor decision-making. Drawing from his experience in Texas, the provides practical insights for homeowners, highlights key warning signs, and suggest steps to promote transparency, accountability, and healthier governance in HOA communities.



BARKING UP THE WRONG TREE!

For decades, we've tried to fix HOA governance. But what if governance was never the root problem?

BY FRANK A. WODLEY, PUBLISHER, NATIONAL HOA MAGAZINE

FORTY YEARS OF FIGHTING THE SAME BATTLES

For roughly forty years, homeowners across America have fought for better laws, fair elections, financial transparency, and protection from abusive association boards. Advocates have testified before legislatures, pursued litigation, published articles, and devoted countless unpaid hours to reform. Their efforts have produced important victories. Yet the same complaints continue: secretive directors, disputed elections, selective enforcement, unexplained expenditures, and homeowners struggling to obtain answers about their own communities.

After four decades, we should ask an uncomfortable question: Why have we made so little progress toward fundamentally changing how homeowners associations operate? Perhaps the problem is not a shortage of laws, information, or professional advice. Perhaps we have been concentrating on the wrong problem.

THE WRONG ASSUMPTION

For decades, homeowners have been told that successful associations depend on good governance. Elect responsible directors, demand transparency, improve accountability, and pass better laws. When problems arise, the response is predictable: fix the board or change the rules. Attorneys, advocates, and legislators have devoted enormous effort to these approaches. Yet the same problems keep returning.

Our fundamental mistake may be assuming that good governance creates good communities. It doesn't. Governance involves laws, boards, budgets, elections, and administration. Community involves relationships, communication, cooperation, and participation. Laws establish governance, but they do not create community. An association can comply with every applicable law and still leave its homeowners disconnected, uninformed, and without meaningful influence over their neighborhood's future.

Legal compliance is necessary, but it is a minimum standard, not proof that an association serves its homeowners well. A law can require financial statements, but it cannot ensure residents understand or examine them. Election rules cannot create informed voters, qualified candidates, or relationships among neighbors. Better laws matter, but better laws alone cannot transform disconnected

households into a functioning homeowner community.

FIVE DIRECTORS AGAINST HUNDREDS OF HOMEOWNERS

Consider a 300-home association. Five directors have management services, legal counsel, association records, official communications, and authority to make decisions. How many of the other 295 homeowners know one another? How many understand the budget or reserve study? How many have an organized way to discuss decisions, evaluate proposals, or support a neighbor who raises a legitimate concern?

The board is organized. Homeowners are not.

Laws and governing documents established boards with authority, resources, and continuity. But nothing comparable was established to organize homeowners. Residents purchased homes, paid assessments, and expected their boards to manage association affairs. Few were told they needed their own means of communication, cooperation, and collective participation.

Over time, this imbalance can produce a board-centric association where a small group determines the community's direction while hundreds of homeowners remain disconnected. Even an unpopular board can become entrenched, not necessarily because homeowners approve of its decisions, but because they lack the organization necessary to influence them.

WHEN THE RULES THEMSELVES BECOME A BATTLE

My own California association has provided painful examples of these difficulties. I believe its election practices failed to provide the independent inspector oversight required by state law. When I challenged the 2023 election, directors whose election was being questioned participated in deciding my challenge. That raised an obvious concern about impartiality. How can homeowners have confidence in a process when those whose positions are disputed help determine whether the challenge succeeds?

I also question our association's financial priorities. Reserve projections indicate that its percentage funded may fall below ten percent in coming years. Significant common areas remain without landscaping, yet I received a violation warning over approximately one foot of exposed drip irrigation tubing in my yard. The contrast may sound almost comical, but the frustration is serious. Homeowners face scrutiny over minor matters while struggling to obtain accountability for decisions affecting their community's long-term financial condition.

These experiences are not simply complaints about individual decisions. They illustrate how difficult it can be for one homeowner to challenge an established system, even when the concerns involve elections, finances, or the future of the community.

THE HIDDEN COST OF BOARD-CENTRIC GOVERNANCE

Financial secrecy troubles me particularly. Homeowners paying $200 monthly may believe their association costs them only $2,400 annually. But assessments are not necessarily the full cost of a poorly managed association. Deferred maintenance, inadequate reserves, unnecessary legal expenses, questionable contracts, and potential effects on property values can impose additional financial burdens.

Then there are the personal consequences: stress, damaged relationships, lost friendships, and countless hours spent dealing with disputes rather than enjoying one's home and neighborhood. In my view, the combined financial and personal burden of a seriously dysfunctional association can reach $10,000 or more per homeowner annually, depending on the circumstances. That is my estimate, not a documented national average. The important point is that the true cost of poor governance can extend far beyond the monthly assessment.

Financial transparency is essential. When directors fail to explain expenditures adequately, discourage examination of contracts, or resist reasonable independent scrutiny, homeowners understandably question how their money is being managed. Such circumstances do not establish wrongdoing, but they warrant examination. Homeowners should

not have to fight to obtain a clear understanding of their association's financial condition.

THE HUMAN COST OF STANDING ALONE

Perhaps the greatest price I have paid cannot be measured in dollars. After years of questioning my association's governance, I received a cease-and-desist letter from n attorney. I complied fully with its demands. Nevertheless, the conflict escalated. I subsequently faced seven civil harassment restraining order petitions containing allegations of threats that I disputed.

Experiences like these illustrate how exhausting association conflicts can become for individual homeowners. Time, money, emotional energy, and relationships may all be affected, while the larger problems remain unresolved. Even when a homeowner wins a particular dispute, the conditions that produced it may remain unchanged.

For decades, we have encouraged homeowners to fight these battles, often one person and one issue at a time. But what if individual homeowners have been fighting an organized system without first developing an organized community of their own?

KNOWLEDGE WITHOUT POWER

When dissatisfied, homeowners seek help. Attorneys recommend legal remedies. Advocates explain homeowner rights. Authors publish books. Legislators propose laws. Social media offers endless suggestions. Homeowners are encouraged to attend meetings, request records, file complaints, challenge elections, or replace directors. There is no shortage of advice.

Many follow these recommendations, investing time, energy, and money. Occasionally, they win a battle. But the underlying imbalance remains. The board continues operating through an established structure while homeowners remain disconnected individuals. Another problem appears, followed by more advice, more frustration, and another exhausting struggle.

We have spent decades teaching homeowners what they should know without first helping them develop the collective power to use that knowledge effectively. Knowledge is valuable, but knowledge alone does not overcome an organized concentration of authority.

FIGHT POWER WITH POWER

What if we reversed our approach? Instead of beginning with complaints, legal challenges, or campaigns to replace directors, suppose homeowners began by organizing. Neighbors could meet, communicate, invite others, identify shared interests, and develop relationships. Their immediate objective would not be confrontation. It would be building an organized homeowner community.

As participation grows, homeowners develop collective influence. They establish priorities, coordinate efforts, evaluate proposals, and speak with an organized voice. They can create their own communication networks, encourage participation in elections, study financial information, and work together to improve their neighborhood. Instead of depending on one determined individual, homeowners develop an organization capable of continuing long after a particular dispute is resolved.

This is the missing ingredient. Organization creates power. Knowledge makes that power useful.

When homeowners are organized, the expertise of attorneys, advocates, financial professionals, and legislators becomes substantially more effective. Their recommendations can be considered, coordinated, and applied through collective action rather than isolated complaints. The objective is not to eliminate governance or interfere with directors' legal responsibilities. It is to establish a healthier balance in which governance serves the homeowners who make up the community.

A LESSON FROM 2004

In 2004, I became president of Chapter 154 of the Golden State Manufactured-home Owners League (GSMOL) at Chatsworth Mobile Home Park in California. Milt Burdick, GSMOL's Zone C Regional Manager, administered the oath of office to our newly elected board. But he did something else I've never forgotten. He also administered an oath to the residents, asking them to support their elected representatives.

Milt understood something important: boards must serve, and residents must participate. His approach reflected the principle in James Madison's Federalist No. 51 that government requires checks beyond the goodwill of those exercising authority. Organized homeowners can provide continuing accountability that periodic elections alone cannot ensure.

That experience has stayed with me for more than twenty years. An effective community requires more than a board of directors. It requires residents who understand that they have responsibilities to one another and a meaningful role in shaping their shared future.

WHO SHOULD BE WAGGING WHOM?

The dog wags its tail, not the other way around. Yet in many associations, the relationship is reversed. The board determines the association's direction while homeowners react to its decisions. Management companies and attorneys support the established governance structure, but homeowners often lack comparable organization or a consistent voice.

In a pro-homeowner community, homeowners communicate, cooperate, establish shared priorities, and help shape their neighborhood's future. Directors retain their legal responsibilities, but governance serves the community rather than dominating disconnected individuals. Instead of continually trying to replace the board, homeowners develop the collective influence necessary to hold directors accountable and encourage decisions that reflect community priorities.

An entrenched board-centric association depends, in part, on homeowner disengagement. A pro-homeowner community depends on participation. As homeowners become organized and involved, the conditions that allow concentrated control to persist begin to change.

A NEW DIRECTION FOR HOMEOWNER ADVOCACY

National HOA Magazine will continue publishing information about laws, elections, finances, homeowner rights, and association management. These subjects remain important. But we should recognize that information is most valuable when homeowners have the organization necessary to put it to work.

Imagine advocates across America agreeing on one fundamental objective: help homeowners become organized communities. They need not agree on every legislative proposal, legal strategy, or governance issue. Their expertise can remain diverse while serving a common purpose. Attorneys can explain rights, financial professionals can examine budgets, experienced advocates can share lessons, and homeowners can apply that knowledge together.

Imagine hundreds, then thousands, of associations adopting this approach. Homeowners develop communication networks, friendships, activities, and shared priorities. Their successes inspire other communities. Instead of endlessly reacting to governance problems, homeowners build lasting organizations capable of influencing their own futures.

Our Gold Standard should not be merely a well-governed association. It should be a pro-homeowner community where residents are organized, informed, involved, and working together. The board fulfills its legal responsibilities, but homeowners provide the collective direction.

For forty years, we have told homeowners what to do without first helping them develop the power to do it. It's time to reverse that approach.

Organize First. Build Collective Power. Apply Knowledge. Create Change.

Homeowners together create community. And a pro-homeowner community is our Gold Standard.

Frank A. Wodley

Editor and Publisher, National HOA Magazine



OUR EMERGENCY ISN'T YOUR EMERGENCY

By Douglas Kruschen

Homeowner Advocate and Co-Founder, HOAdvocate.com

Five-figure HOA assessments are suddenly making the evening news. In San Clemente, owners at a condominium complex recently learned they were facing an emergency assessment of more than $26,000 per unit for roof replacements. Days later, owners at a 499-unit complex in Torrance were in the news over a special assessment exceeding $49,000 per unit for major repairs. Those are not numbers on a reserve study. They are amounts large enough to wipe out savings, require loans, or make an owner wonder whether remaining in the home is financially possible.

Welcome to the uncomfortable intersection of aging buildings, deferred maintenance, inadequate reserves, inspection requirements and one particularly powerful word: emergency. If you own in an HOA, understanding how today's emergency developed may be one of the best ways to protect yourself from tomorrow's.

California's SB 326 has helped bring some of these problems into focus. Civil Code section 5551 requires qualifying condominium associations to inspect certain exterior elevated elements, including balconies, decks, stairways and walkways supported substantially by wood. The first inspections were due by January 1, 2025, and repeat every nine years. Those inspections can reveal deteriorated structural components, waterproofing failures and conditions requiring immediate repair.

But let us get one thing straight: SB 326 did not rot the wood. It turned on the flashlight. An engineer discovering deteriorated framing does not mean the inspection caused the deterioration any more than your bathroom scale caused you to gain ten pounds.

Sometimes what an inspection reveals really is a surprise. Buildings are complicated, water travels strange paths, and components hidden behind stucco and waterproofing can deteriorate without obvious outward symptoms. A responsible association can still receive a very expensive piece of bad news, so a large assessment does not by itself prove somebody failed.

The opposite is also true. Roofs wear out, pipes corrode, asphalt deteriorates and waterproofing eventually needs replacement. Civil Code section 5550 requires reserve studies addressing major components with limited remaining useful lives, their estimated replacement costs and a funding plan. A thirty-year roof reaching year thirty may be expensive and urgent, but "Who could possibly have seen this coming?" is a harder sell.

And this is not just a condominium problem. A single-family HOA may own miles of private streets that eventually need resurfacing, entrance gates and access-control systems that require replacement, retaining walls that begin to fail, storm drains and drainage systems that need major work, perimeter walls or fencing that deteriorate, or irrigation infrastructure serving acres of common landscaping. Some communities maintain private sewer systems, pumps, wells, slopes, detention basins, pools, clubhouses, tennis courts or other expensive common assets. None of those components cares whether the homes behind them share walls.

Imagine a community with private streets expected to last twenty-five years. If resurfacing is projected to cost $2 million, setting aside little or nothing for two decades does not make the pavement cheaper. It merely changes the payment method from gradual reserve contributions to a very unpleasant envelope arriving at everyone's house at approximately the same time. The same principle applies when a retaining wall begins moving, a drainage system fails during heavy rain, or a private sewer pump reaches the end of its useful life.

California law recognizes that associations sometimes face genuine emergencies. Civil Code section 5610 allows assessment increases beyond ordinary statutory limits in specified emergency circumstances, including certain extraordinary expenses associated with a discovered health, safety or hazardous condition, or repair expenses that could not reasonably have been foreseen during budgeting. Civil Code section 5605 otherwise places limits on assessment increases imposed without member approval.

That is why "we need the money now" and "this legally qualifies as an emergency assessment" are not necessarily the same question. In Ruffier v. Volcano Hills Road Maintenance Assn. (2026), the Court of Appeal invalidated an assessment increase for failure to comply with statutory requirements. The association forfeited its section 5610 emergency argument, so the court did not decide that issue on the merits, but it noted that descriptions of the road condition as resulting from "years of neglect" and developing over decades did not sit comfortably with the claim that the condition had only just been discovered as an emergency.

So how does a homeowner protect against being surprised? Start long before the assessment arrives. Read your governing documents, particularly the declaration or CC&Rs, because they establish who is responsible for maintaining what, how assessments are allocated and what authority the association has. Civil Code section 4205 establishes the hierarchy between law and governing documents, while section 5975 makes those governing documents enforceable by owners as well as associations.

The cases matter too. The California Supreme Court described the declaration as the community's "constitution" in Villa De Las Palmas Homeowners Assn. v. Terifaj (2004) 33 Cal.4th 73, 81-82. Ekstrom v. Marquesa at Monarch Beach Homeowners Assn. (2008) 168 Cal.App.4th 1111 is another reminder that boards cannot simply adopt policies inconsistent with the CC&Rs. You do not need to become a lawyer, but understanding the basic rules governing one of your largest financial assets is basic self-protection.

Then read the annual budget package. Civil Code section 5300 requires far more than next year's monthly assessment. It includes reserve information, the reserve funding plan, disclosures concerning deferred major repairs, anticipated special assessments, reserve funding and certain borrowing. If you receive that package every year and never open it, you may be throwing away the warning label.

Keep the old ones too. When a $30,000 assessment suddenly appears, pull out five or ten years of budget packages and compare them. Look at the reserve disclosures, projected useful lives, replacement costs, funding recommendations and statements about deferred work. Ask whether the problem truly appeared unexpectedly or whether it has been slowly moving toward you in twelve-point type every December.

Continued on page 60.

ARIZONA

Homeowner Advocacy • Governance • Legislation • Reform

Stronger Communities for a Brighter Arizona



Arizona is home to more than 1.5 million households living in common-interest communities. From vibrant desert neighborhoods to active adult communities, homeowners across the state are working for greater transparency, accountability and homeowner rights. In this section, we feature Arizona advocates who are making a difference—sharing their insights, experiences, and solutions for stronger, more homeowner-focused communities.

INFORM
EDUCATE
CONNECT
EMPOWER

A STRONGER ARIZONA TOGETHER

BEFORE YOU BUY

How Anonymous Reviews Can Make HOAs More Accountable

By Zachary Wallman

Founder, RottenHOAs.com and HOAReviewer.com

Every year, millions of Americans sign closing documents on homes governed by a homeowners association. They have usually inspected the roof, compared school ratings, and timed the commute. What they rarely have is any real information about the people who will govern their property, set their dues, and enforce the rules for as long as they own the home.

That gap is one of the most fixable problems in HOA governance. This article lays out why it exists, and four practical steps that homeowners, buyers, and boards can take to close it.

THE INFORMATION GAP

A buyer is typically handed a stack of HOA documents after making an offer: bylaws, a budget, maybe a reserve study. These are important, but they are written by the association and tell only part of the story. They do not say whether board meetings are open and respectful, whether maintenance requests get answered, whether fines are applied evenly, or whether special assessments tend to arrive without warning.

Those answers live with the residents. Yet most homeowners have nowhere to share what they know, and most buyers have no one to ask. Neighbors may be reluctant to speak candidly, and for good reason: in some communities, criticizing the board can invite fines, selective enforcement, or social friction. The result is that the most useful information about an HOA stays hidden exactly when it matters most.

SOLUTION 1: MAKE RESIDENT EXPERIENCE SEARCHABLE BEFORE PURCHASE

We already accept that reviews help people make better decisions. Nobody books a hotel or hires a contractor without reading what past customers say. Housing is the largest purchase most families make, and the HOA is a permanent part of it.

Buyers should be able to search an HOA by community name, city, or state and see what current and former residents say about board conduct, financial transparency, rule enforcement, and maintenance responsiveness. That is the idea behind HOAReviewer.com, a free database of homeowner reviews that requires no account to read or write. Realtors can use the same information to do better due diligence for their clients, and buyers can walk into a purchase with questions to ask rather than surprises waiting for them.

SOLUTION 2: PROTECT THE PEOPLE WHO SPEAK UP

Transparency only works if people feel safe contributing to it. If homeowners fear retaliation, the only voices that appear will be the loudest or the most reckless, and the quiet majority stays silent.

Anonymous submission is the practical answer. A homeowner can describe a real experience without publicly attaching a name or address to the criticism. Anonymity does create a responsibility on the platform side. Reviews should follow clear guidelines, and the platform should actively monitor for spam, duplicates, and abuse so that fairness is protected for homeowners and boards alike. Anonymous does not have to mean unaccountable, and the best systems treat both as requirements.

SOLUTION 3: TURN INDIVIDUAL STORIES INTO PATTERNS

One review is an anecdote. A hundred reviews are a dataset. When experiences are collected consistently across many communities, patterns become visible: which states generate the most complaints, which issues come up repeatedly, and which management practices correlate with

unhappy residents.

Patterns are valuable to everyone. Homeowners learn whether their frustration is unusual or widespread. Journalists and policymakers gain evidence for legislative discussions. Attorneys can spot recurring problems such as selective enforcement or financial mismanagement. Even management companies benefit, because consistent feedback shows where service can improve. With more than 240 reviews collected since launch from homeowners nationwide, HOAReviewer.com is early in this work, but the principle is clear: structured feedback beats scattered complaints.

SOLUTION 4: HELP GOOD BOARDS STAND OUT

It is easy to assume that transparency is aimed at boards, but the opposite is often true. Most board members are volunteers who give up evenings and weekends to serve their neighbors, often with little training and plenty of criticism. A well-run association has a hard time proving it, because there has been no public way to show it.

Public feedback changes that. A community with open meetings, clear communication, healthy reserves, and consistent rule enforcement can earn a reputation that supports property values and attracts buyers who want exactly that. Boards that want to improve can use feedback as a free diagnostic rather than a threat.

A few simple habits go a long way:

- Publish budgets, reserve information, and meeting minutes where residents can easily find them.
- Respond to maintenance and violation questions within a stated timeframe.
- Apply rules consistently and explain the reason behind enforcement decisions.
- Invite resident participation, including new volunteers for committees and the board.

WHAT HOMEOWNERS CAN DO TODAY

You do not need to wait for a new law to act. Whether you are a buyer or a current resident, a few steps can improve your situation immediately:

- Before buying, search for reviews of the HOA and ask the seller or listing agent for the governing documents, current budget, and reserve study.
- Read the governing documents so you know what the board can and cannot do under your state's law.
- Attend meetings and ask questions in writing so there is a record.
- Share your own honest experience, positive or negative, so the next homeowner has better information than you did.
- If a dispute escalates, speak with an attorney experienced in HOA law before taking action.

CONCLUSION

HOA reform does not have to begin with a courtroom or a legislature. It can begin with information. When buyers can see what living in a community is really like, when residents can speak without fear, and when good boards can be recognized for doing the job well, accountability becomes the default instead of the exception.

The goal is not to tear down associations. It is to build stronger communities, and sunlight is a good place to start.

ABOUT THE AUTHOR:

Zachary Wallman is the founder of RottenHOAs.com and HOAReviewer.com, anonymous HOA review platforms based in Scottsdale, Arizona.


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Stronger Communities for a Brighter California



California is home to more than 3 million households living in common-interest communities. From coastal neighborhoods to inland communities, homeowners across the state are working for greater transparency, accountability and homeowner rights. In this section, we feature California advocates who are making a difference—sharing their insights, experiences, and solutions for stronger, more homeowner-focused communities.

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Your HOA Budget Is Your Business.

How Homeowners Can Get Involved

By Jeanine Jue,

It's budget season for many homeowners associations. Boards and management companies are reviewing expenses, preparing projections, and deciding how the association's money will be spent. Far fewer homeowners are paying attention.

For most of us, our home is one of our largest investments. We track mortgage rates, property taxes, and what nearby homes sell for. Yet when it comes to how our association spends money, many of us stay on the sidelines. That's a mistake.

From my experience in HOA governance, I know how much work goes into an association's budget. But homeowners don't need to serve on the board to have a voice. They just need to get involved.

KNOW WHERE THE MONEY GOES

HOA budgets are broken into line items such as insurance, utilities, landscaping, janitorial services, property management, repairs, legal fees, and reserve contributions.

Checking whether dues are going up isn't enough. The real information is in the individual line items: what each service costs, whether it's still needed, and when its contract was last reviewed.

When an expense increases, it's reasonable to ask why. Often there's a good explanation. Insurance premiums have risen sharply, labor and material costs have gone up, and buildings need more maintenance as they age. A budget reflects how an association is managed and what its priorities are.

COMPARE THE BUDGET TO ACTUAL SPENDING

One of the most useful things a homeowner can do is compare the proposed budget with the prior year's budget and actual spending.

For example, suppose an association budgeted $40,000 for repairs but spent $65,000. There may have been unexpected repairs, or the estimate may have been too low. Either way, check whether next year's budget reflects that experience.

The reverse also happens. If $25,000 was budgeted for a service and only $15,000 was spent, the work may have cost less, or it may have been postponed. If it was postponed, the cost hasn't gone away.

You don't need to be an accountant to notice these differences. And a difference doesn't mean anyone has done something wrong. Usually the explanation is straightforward, but you won't know until you ask.

DON'T OVERLOOK THE RESERVES

Reserves fund the long-term repair and replacement of major components such as roofs, elevators, and building systems. Many associations use a reserve study, a professional assessment of those components and their expected costs, to guide annual contributions.

Ask how the proposed contribution compares with the study's recommendations and when the study was last updated. Underfunded reserves don't save money. They often shift costs to the future through special assessments or deferred maintenance.

USE THE EXPERTISE IN YOUR COMMUNITY

Your neighbors may include accountants, engineers, attorneys, contractors, and people experienced in managing projects or negotiating contracts. If your association has a finance or budget committee, consider volunteering. If it doesn't, you can ask whether the board would consider forming one. Even without a committee, a well-informed question or suggestion can make a real difference.

ATTEND THE BUDGET MEETING

If you attend one meeting a year, make it the budget meeting. Review the proposed budget beforehand if it's available, and note significant changes from the prior year. Then ask how projections were developed and what major expenses are expected.

The board may already have a clear explanation, or your question may prompt a useful discussion. Either outcome is worthwhile.

The timing of budget approval, and how homeowners can participate, vary by state law and each association's governing documents. Understanding the process in your community is a good place to start.

A TWO-WAY RESPONSIBILITY

Boards can help by explaining major changes and significant increases in plain terms, not just distributing a spreadsheet. Homeowners, in turn, should remember that most board members are volunteers balancing competing priorities. Not every expense can be cut, and the least expensive option isn't always the best one. A respectful exchange of ideas serves everyone.

GET INVOLVED BEFORE DECISIONS ARE MADE

Too often, homeowners take an interest in association finances only after something affects them personally. By then, the budget may already be approved and the contracts signed.

The better time to engage is while the budget is being prepared. Review the financial information available to you under your state's law and governing documents. Attend meetings. Share ideas that could save money or improve services.

Your association isn't a separate organization that has nothing to do with you. You're a member of it. So as your HOA prepares its next budget, take some time to look at the numbers. You may have something valuable to contribute.

FIVE QUESTIONS TO ASK ABOUT YOUR HOA BUDGET

Before your association's budget meeting, here are five questions worth asking:

1. Which line items changed most from last year, and why?

2. How did last year's actual spending compare with the budget?

3. When were major vendor contracts last reviewed or rebid?

4. How does the reserve contribution compare with the reserve study's recommendations?

5. What significant repairs or projects are expected in the next few years?

The views expressed in this article are the author's own and do not represent any homeowners association or its board. This article is for general informational purposes only and is not legal or financial advice. Homeowners should consult their governing documents and applicable state law regarding their rights and their association's procedures.

About the Author: Jeanine Jue is a San Francisco–based technology executive and longtime advocate for homeowner engagement and transparent community governance.


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COLORADO HOA OWNERS HAVE RECORDS RIGHTS. HOW MANY ACTUALLY USE THEM?

By David Hackett

Colorado homeowners living in HOA and condominium communities have an important accountability tool: C.R.S. § 38-33.3-317, Association Records, part of the Colorado Common Interest Ownership Act (CCIOA).

But how many of you actually use those rights?

Records help you understand where your money goes, how decisions are made, whether maintenance is being addressed, and what management is paid and authorized to do.

Most homeowners deal with management more often than the board. That makes it especially important to distinguish what the board approved, what authority it delegated, what the management agreement includes, and what generates additional charges.

You cannot meaningfully hold anyone accountable if you cannot see the records.

The records statute requires associations to maintain records including:

- Detailed receipts and expenditures; meeting minutes; and records of actions taken without meetings.
- Governing documents, rules, policies, and certain board resolutions.

- Three years of financial statements and seven years of tax returns, to the extent available.
- Annual disclosures, current board information, and the latest reserve study, if any.
- Current written contracts and contracts for work performed within the preceding two years.
- Architectural approval and denial records.
- Ballots, proxies, and related voting records for one year.
- General written communications to owners from the past three years.

Start with what you want to understand. Rising assessments? Request budgets and financial records. Deferred maintenance? Request the reserve study, contracts, and expenditures. Management fees? Request the management agreement and amendments. Election concerns? Request voting records before their retention period expires.

For insurance, request the complete current master policy, including declarations, endorsements, limits, and deductibles. A certificate is only a summary. For debt, request current loan agreements and existing payment schedules or balance statements. Valuation documents maintained for insurance renewals are also worth requesting, although the records statute does not identify them separately by name.

Even bank statements can qualify as detailed financial records, as the Colorado Court of Appeals recognized in Seaman v. Heather Gardens Association.

Make your request in writing. Identify yourself, your unit, the records sought, and relevant dates. Send it to the association through the contact designated in its records-inspection policy, keeping a copy and delivery evidence.

Be specific. "The current management agreement and amendments" is clearer than "everything management has done."

Request electronic copies when available. If you prefer inspection, say so. Ask for an itemized estimate before chargeable work begins.

For example:

I am the owner of [unit/address]. Under C.R.S. § 38-33.3-317, I request electronic copies of [specific existing records and date range]. If electronic transmission is unavailable, please arrange inspection. Please provide an itemized estimate of any proposed copying or production charges before proceeding. This request does not waive my statutory rights or authorize unspecified charges.

An association may require at least ten days' advance written notice. That is not a universal promise of delivery within ten days. Inspection and copying may be limited to normal business hours or the next regularly scheduled board meeting if it occurs within thirty days after the request.

Generally, you do not have to explain a "proper purpose" to obtain records. Membership lists have special restrictions.

Read every records-request form before signing.

Do not sign clauses that surrender records rights, release claims, accept unlimited fees, or impose broader confidentiality or use restrictions than the law requires. Ask for those clauses to be removed, or submit a separate written request containing the necessary information.

Section 38-33.3-104 generally prohibits waiving CCIOA rights or varying its provisions by agreement, except where the act expressly permits it. Still, do not assume questionable language is harmless because it might be unenforceable.

Legitimate restrictions on commercial use and protected information remain applicable. A form acknowledging those restrictions differs from demanding that you give up additional rights.

The association may charge reasonably for copies, including labor and materials, and collect payment in advance. The charge cannot exceed estimated production and reproduction costs, including copying, mailing, and necessary special processing.

The statute sets no specific hourly cap and does not separately authorize a charge merely for allowing inspection.

Homeowners describe quotes of $100–$150 an hour, sometimes with one or two hours charged up front simply to locate routine records, even the management company's own agreement. That can turn a basic request into a $100–$300 hurdle. These documents should be readily accessible. Why should a current contract require an expensive search?

Electronic delivery can reduce costs. Necessary production work may justify charges, but a substantial fee requires scrutiny and explanation.

Ask what records will be produced, how many labor hours are estimated, the hourly rate, why processing is necessary, and how the charge fits the statute and association policy. Ask whether inspection or a narrower request would reduce the expense.

A management company's fee schedule does not, by itself, establish that a particular charge meets the law.

Homeowners should question charges caused by disorganized records. In my view, maintaining accessible records is a basic responsibility of running an association.

There are limits. Privileged legal communications, executive-session records, certain negotiations, and records concerning another owner's unit may be withheld. Protected personal, personnel, salary, and medical information must be withheld as the statute specifies. Associations need not compile or synthesize information into a new report. Records cannot be used commercially, and membership lists carry additional restrictions.

If access is refused, ask for a written explanation identifying the legal basis.

Certified mail can strengthen your position. Under C.R.S. § 38-33.3-317(4.5), an association that fails to permit lawful inspection or copying within thirty calendar days after receiving a qualifying written request sent by certified mail, return receipt requested, and payment of properly required fees may face statutory liability.

The statute provides for a $50 daily penalty beginning on the eleventh business day after receipt, up to $500, or actual damages caused by the refusal, whichever is greater. These remedies are subject to statutory conditions and exceptions. Homeowners should not assume that an ordinary email satisfies the certified-mail requirement for this particular remedy.

The enforcement gap makes this worse. Colorado has no current state licensing program for community association managers. Its HOA complaint process records concerns but cannot investigate or enforce a records dispute. Owners can pursue civil remedies, yet the time and expense may exceed the disputed fee. A right on paper can become difficult to exercise in practice.

That brings us to fairness.

Owners should make clear requests, respect privacy, and pay reasonable, lawful production costs. Boards and managers should keep records accessible, explain charges, and respond without treating questions as threats.

What is fair about demanding homeowners' money while making it expensive or intimidating to see how that money is used?

The legislature's 2021 records reforms expressly aimed to increase disclosure and transparency. To me, that means access homeowners can realistically exercise.

A fee that reasonably reimburses necessary work serves that purpose. A fee used to discourage scrutiny undermines it. So does a request form that turns access into a bargain for surrendering rights.

Homeowners should be able to understand their association without buying permission to ask questions. That is the standard of fairness we should expect and the transparency the law was intended to advance.

DISCLAIMER:

David Hackett is not an attorney. This article provides general educational information, not legal advice. CCIOA applicability and remedies have exceptions, including provisions involving time-share communities. Consult a qualified Colorado attorney about a specific denial, disputed fee, or waiver. © 2026 David Hackett

TOP 10 DOCUMENTS TO REQUEST

HOA & CONDOMINIUM HOMEOWNERS

Know who decides, where money goes, and what risks you share.

1 MANAGEMENT AGREEMENT



Duties, authority, amendments and fee schedules. See what is included and what costs extra.

2 GOVERNING DOCUMENTS



Declaration, bylaws, articles, rules and policies. Know your rights, responsibilities and voting rules.

3 APPROVED BUDGET



Budget and existing budget-to-actual reports. Follow spending priorities and reserve contributions.

4 FINANCIAL STATEMENTS



Balance sheet, income statement, annual statements and latest available audit or review. Check financial health.

5 BANK STATEMENTS



Operating and reserve accounts, plus existing reconciliations. Compare balances, payments and transfers.

6 RESERVE STUDY



Latest study and existing funding plans. Compare repair needs, replacement costs and actual reserve funding.

7 INSURANCE POLICIES



Complete policies, declarations and endorsements. Check coverage, exclusions, limits and deductibles.

8 INSURANCE VALUES (SOV)



Statement of Values and existing replacement-cost appraisal. Check the values used to insure your community.

9 MINUTES & WRITTEN ACTIONS



Request at least 1 year; recommend 5–10 years if accessible. Trace decisions and recurring problems.

10 ATTORNEY AGREEMENTS



Engagement letters, fee agreements, amendments and rates. Request nonprivileged portions to understand legal spending.

ADDITIONAL RECORDS

Vendor contracts • Invoices • Loan records • Election records • Tax returns • Your account ledger

REQUEST SMART

Ask in writing for existing electronic records. Specify dates. Get an itemized fee estimate. Do not sign away your rights.

Access is subject to statutory exceptions and privilege. Request supporting records if maintained.

Records access rules vary by state.

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COLORADO HOA RECORDS RIGHTS

A homeowner-friendly guide to the owner-access provisions of C.R.S. § 38-33.3-317

Utilize Your Rights — Request Records — Hold Your Association Accountable

HOA RECORDS

1 § 317(1) – Records the HOA Must Keep

Also retain records required by governing documents and annual-disclosure law:

- Detailed receipts and expenditures.
- Construction-defect claims and settlement amounts received.
- Owner/board meeting minutes, actions without meetings; committee actions.
- Board communications and votes directly related to decisions made without a meeting under § 7-128-202 or the bylaws.
- Owner names and mailing addresses; voting entitlements (time-share exceptions).
- Current governing documents, rules, and board policies.
- Financial statements: 3 years; tax returns: 7 years, if available.
- Current board/officer names, emails, and mailing addresses.
- Latest Secretary of State annual report, if any.
- Annual-disclosure documents.
- Records supporting unpaid-assessment statements.
- Latest reserve study, if any.
- Current written contracts; work contracts from the prior 2 years.
- Current amounts of purchase/sale-related fees and charges not paid through assessments, including transfer and status-letter fees.
- Architectural approval/denial actions.
- Ballots, proxies, voting records: 1 year after the related vote.
- Resolutions on member characteristics, qualifications, rights, limits, and duties.
- Written communications sent to all owners generally: past 3 years.

Takeaway: Required records support homeowner oversight.

2 § 317(2)(a) – Your Right to Inspect and Copy

Owners and authorized agents may inspect and copy association records, subject to exceptions.

The HOA may require a written request identifying specific records with reasonable particularity, at least 10 days before inspection or production.

10 DAYS

Inspection may be during business hours or the next regular board meeting, if within 30 days.

> *"No statement of a proper purpose may be required. Membership-list use restrictions still apply."*

Takeaway: Ask clearly, in writing, and be specific.

3 § 317(2)(b) – Membership Lists Have Limits

Without board consent, membership lists cannot be obtained or used for purposes unrelated to an owner's interest as an owner.

No commercial use.

No sale or purchase of the list.

No soliciting money or property, unless used solely to solicit votes in an association election.

Takeaway: Owner lists serve owner-related purposes.

4 § 317(3) – Records the HOA May Withhold

- Architectural drawings/plans/designs, unless the legal owner gives written consent.
- Contracts, leases, bids, or transaction records currently under negotiation.
- Attorney-client-privileged communications and attorney work product.
- Information whose disclosure would violate law.
- Executive-session records.
- Records concerning another owner's individual unit.
- Time-share owner names and mailing addresses.

Takeaway: Certain protected records and records of transactions under negotiation may be withheld.

6 § 317(4) – What the HOA Can Charge

A reasonable charge for copies may cover labor and materials and may be collected in advance.

The charge cannot exceed estimated production and reproduction costs, including copying, mailing, and necessary special processing.

Takeaway: Reasonable cost recovery is allowed.

7 § 317(4.5) – Penalty for Noncompliance

If lawful inspection or copying is not allowed within 30 calendar days after receipt of a certified-mail request, return receipt requested, and payment of required copy fees, a penalty applies.

$50 per day, calculated from the 11th business day after receipt; maximum $500 or actual refusal-related damages, whichever is greater.

Takeaway: Certified mail and fee payment matter.

HOMEOWNER TIPS

1. Send a written request.
2. Identify specific records and date ranges.
3. Request electronic copies, if available.
4. For penalty rights: certified mail, return receipt requested; pay required copy fees.
5. Some records may be withheld; protected personal information must be withheld, subject to statutory exceptions.
6. **Important documents to request:**
   - Management agreement, amendments, fee schedules.
   - Insurance-policy listings and annual disclosure; insurers, limits, deductibles, additional insureds, expirations, and basic policy terms.
   - Budget, financial statements, reserve study.
   - Board minutes and vendor contracts.

5 § 317(3.5) – Mandatory Privacy

Withhold personnel, salary and medical records about specific individuals, plus personal identification and account information of members and residents.

Phone/email: Share with other members/residents only with prior written consent, until withdrawn.

Takeaway: Protected personal information must stay private.

8 § 317(5) – Electronic Copies

On request, the right to copy includes electronic transmission, if available.

Takeaway: Ask for electronic copies.

9 § 317(6) – No Duty to Compile Information

No duty to compile or synthesize a new report. Required existing records remain accessible, subject to exceptions.

Takeaway: Request existing records.

10 § 317(7) – No Commercial Use

Association records and the information in them must not be used for commercial purposes.

Takeaway: Association records cannot be used for commercial purposes.

2026 UPDATE – § 317(9): Within 45 days after termination or nonrenewal, the former management company must deliver association property and records to the association or its new manager, at no charge.

Educational information only. Not legal advice. Certain time-share exceptions apply (§ 317(8)).

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Florida is home to more than 4.9 million homeowner associations, with millions of residents living in communities across the state. From vibrant coastal neighborhoods to welcoming active adult communities, HOAs play a significant role in Florida living.

The National HOA Magazine is dedicated to supporting Florida homeowners by promoting transparency, accountability and common-sense reform. Together, we can build stronger, more informed communities for a brighter future.

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FROM ROOKIE TO RESPECTED PROFESSIONAL

The Journey of a Manager

Thomas C. Engblom

Oh, I rush and rush until life's no fun.

All I really got to do is live and die!

But I'm in a hurry and don't know why.

Can't be late.

I leave in plenty of time.

Shakin' hands with the clock.

I can't stop.

I'm on a roll and I'm ready to rock.

Oh, I hear a voice that says I'm running behind.

Better pick up my pace—it's a race,

And there ain't any room for someone in second place.

These lyrics from Alabama's "I'm in a Hurry (And Don't Know Why)" have echoed in my mind for decades as a property manager. If you manage properties, you're already nodding. If you serve on a board, the feeling may still be unfamiliar—but I'll explain shortly.

WHAT A PROPERTY MANAGER ACTUALLY DOES

A property manager is a professional who manages real estate on behalf of the owners for compensation. The core responsibilities are straightforward yet demanding achieve the owners' goals, generate sustainable income, and preserve (and ideally enhance) the property's long-term value. The goal is not simply to keep the lights on, but to steward the asset over its useful life.

Successful management is proactive rather than reactive. It means forecasting future needs—physical, financial, and operational—and proposing thoughtful changes that protect and grow value. The profession itself ccd from three forces: the legal recognition of private property rights, the increasing complexity and scale of buildings and their systems, and economic conditions that demanded skilled fiscal and operational oversight.

Interpersonal skill is non-negotiable. Managers interact daily with owners, residents, employees, contractors, and a wide range of industry partners. The old saying still holds: a property manager is a jack of all trades and a master of none—which is precisely why continuous learning is essential.

THE ROOKIE YEARS

I spent more than twenty years as a property manager—a role that is often thankless and occasionally overwhelming—before transitioning to the business side. I began as an apartment manager in Chicago at age twenty-three, completely green. Within weeks I was learning a new vocabulary: rent roll, lease, maintenance, and eviction. Eviction was not just a new word; it was a stark reality. One early case involved drugs, dogs, and real danger. I still remember the chill of what could have gone wrong that day.

That experience clarified something important: if I wanted a sustainable career (and to stay alive), I needed a different path. In 1986 I moved into condominium management, thinking my apartment experience would transfer easily. It was the calm before the storm.

LEARNING THE CRAFT

Like most new managers, I started with almost no formal training in association management. I quickly absorbed Robert's Rules of Order, financial reporting, open meetings, and the discipline of the Request for Proposal. Over twenty years I grew from managing four associations totaling about 500 units to seventeen properties and roughly 3,000 units. Along the way I attended more than 2,500 board meetings—some lasting an hour, others stretching to seven. I prepared countless budgets, managed special assessments, handled more than 400 evictions, wrote violation letters,

opened and closed pools, fielded unrepeatable language, and occasionally built genuine relationships with residents and board members. The hours were long—often 9 a.m. to 9 p.m.—and the demands never stopped.

THE MANAGER'S TRUE ROLE

A seasoned board member once asked me, during a seminar, what a manager's proper role should be. The answer is best defined in a clear management agreement, but in essence the manager should provide direction, education, interaction, care, accountability, loyalty, and transparent disclosure. The role is not to host social time for the board or to run personal errands. A manager is a professional partner, not a delivery person or a whipping post.

BURNOUT IS REAL—AND MORE VISIBLE TODAY

Staying in the role long-term without burnout is genuinely difficult. Burnout—emotional exhaustion, cynicism, and reduced sense of accomplishment—hits hard in people-centered professions where goals are often hard to measure and demands are constant. Warning signs include chronic fatigue, insomnia, headaches, frequent illness, loss of satisfaction, irritability, defensiveness, and the quiet conviction that work has become nothing more than a chore.

Today we talk more openly about mental health, yet the underlying pressures have not vanished—they have simply evolved. Email and messaging platforms have replaced some of the old phone-and-fax volume, but the expectation of near-constant availability has grown. The advice remains practical: listen to your body, name the specific sources of pressure, learn to say no, delegate, distinguish urgent problems from important ones, protect sleep and meals, and keep a sense of humor. How critical is that single board meeting or that one missed proposal, really?

HOW EDUCATION CHANGED THE TRAJECTORY

The condominium management field has long had a short average tenure. I lasted two decades by treating education as a survival tool and a professional commitment. Earning the AMS, ARM, CMCA, CPM, and PCAM designations—and later a Ph.D.—gave me frameworks, standards, and a community through the Community Associations Institute. Those credentials and the networks around them turned an exhausting job into one I could approach with purpose and, most days, genuine satisfaction. Many of the managers I know still feel the same way when they have the tools and support to do the work well.

FROM MANAGER TO PARTNER

Several years ago, I moved to the business side, working with property managers rather than as one. The shift deepened my respect for those still in the trenches every day. Managers rarely seek applause; they seek reliable results from vendors and genuine support from their boards. The work is still demanding, but technology, clearer expectations, and stronger professional standards have improved the tools available to those who stay current.

A SIMPLE REQUEST

Board members: have you recently thanked your manager for the work they do and treated them as the professional partner they are? Business partners: have you thanked the manager who gave you the chance to bid or serve? Small acts of respect compound. They do not eliminate the hard days, but they make the profession more sustainable for everyone.

SOMETHING MORE

I'll close with lines from Sugarland:

There's got to be something more. I need a little less hard time. I need a little more bliss.

I'm going to take my chances. Take any chance I might. Find what I'm looking for.

Some believe in destiny, and some believe in fate. I believe that happiness is something we create.

The industry has changed—more technology, clearer professional standards, and greater awareness of well-being—but the fundamentals remain. Stewardship, judgment, and relationships still define the work. For those still managing properties, the path from rookie to respected professional is real. It is rarely easy, but it is still worth walking.

ABOUT THE AUTHOR

Dr. Engblom is like a walking alphabet soup, sporting more credentials than a superhero has capes: Ph.D., CMCA, AMS, PCAM, ARM, CPM, EBP—you name it, he's probably got it hanging on his wall! As a national speaker, he's the guy you want at your conference if you're looking to laugh while learning about the thrilling world of community association management or business in general. With a Doctorate in Business Administration that focuses on job satisfaction (because who doesn't want to love their job?), Dr. Engblom combines humor with serious insights on burnout, personality traits, time management, efficiency, including motivation with a positive attitude. Fun fact: he launched his entrepreneurial career at the tender age of 10, overcoming a physical handicap like it was just a pesky speed bump on the road to success. Talk about a rags-to-riches tale! With two decades in association management and another two as an association banker, he's got insights that could fill a library—and he's probably won awards for them, too. If motivation were a sport, Dr. Engblom would be the MVP, proving that anything is possible, especially if you've got a good punchline up your sleeve!

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GEORGIA'S SB 406: WHAT THE NEW HOA LAW REALLY MEANS FOR HOMEOWNERS

By Caroline Simmons

Georgia's Property Owners' Bill of Rights creates a new state oversight system for community associations. But the protections are uneven, the $4,000 foreclosure threshold is not a $4,000 floor, and the state is still writing the rules.

For years, Georgia homeowners challenging association conduct had little recourse beyond costly litigation.

Georgia had no state office to hear these complaints, while associations could impose fines, record liens and, in some cases, foreclose.

That changes January 1, 2027.

That answer comes from Senate Bill 406, now Act 715, signed by Gov. Brian Kemp on May 12, 2026. It creates a new Chapter 17A of Title 43 of the Georgia Code and amends five existing Code sections, four of them in the Property Owners' Association Act. Nearly all of it takes effect January 1, 2027. The attorney's fee rules took effect July 1, 2026, for cases filed on or after that date.

The reform is significant but incomplete.

Homeowners Get a Complaint Process Outside the Courtroom Beginning January 1, any person residing in an owners' development who claims to have been damaged by the association's action or inaction can file a written complaint with the Secretary of State. It must be filed within 180 days of the alleged action or inaction.

A hearing officer appointed by the Secretary of State investigates, may hold a hearing, and then issues findings and conclusions. The parties have 15 days to comply. If they do not, the officer, the complainant or the association can bring an action to enforce the claim. The losing side pays a $100 administrative fee, and either side can appeal within 20 days to magistrate or superior court.

Filing also triggers an automatic stay. The association cannot collect fines or fees that are the subject of the complaint, or related to it, until the officer issues conclusions, and the officer can extend the stay 15 days. Read that carefully. The stay covers fines and fees. It does not stop collection of regular assessments.

The process does not eliminate litigation. Complaints still require facts and a legal basis.

Every Association Must Register, and Registration Has Teeth The statute defines "owners' association" broadly: private associations of residential property under recorded covenants, including neighborhoods, condominiums and common-interest communities formed under either the Condominium Act or the Property Owners' Association Act. The Secretary of State estimates Georgia has 11,000 to 15,000 of them.

Beginning January 1, each must register with the Secretary of State and renew every year by December 31. The filing includes the association's name, address, officers, governing documents and a financial statement dated within a year. The fee is $100, and material changes require an amended filing within 30 days. Associations must also keep records on assessments, fines, fees, liens and foreclosures for at least 10 years, open to state examination. The Secretary of State says this is separate from the corporate filing: that one creates the entity, while this one governs how it operates as an owners' association.

Registration is not just paperwork. Under O.C.G.A. 43-17A-2, an unregistered association may not collect fines or fees, file or record liens, or start foreclosure. And even a registered association may not charge accelerated assessments.

An association can instead notify the state that it elects not to register. That "nonregistered

owners' association" may not assess or collect fines, fees or accelerated assessments. What the statute does not say is whether it can still record liens or foreclose, because the lien and foreclosure bar speaks of "owners' associations," and that definition excludes nonregistered ones. That gap is likely to reach the Secretary of State and the courts.

The State Can Enforce, and Owners Get a List of Rights When it is in the public interest and a statutory ground applies, the Secretary of State can deny, suspend or revoke a registration, limit the fines or fees an association may collect, or bar an officer or director from serving. Grounds include a materially incomplete or misleading application, willful violation of the chapter or its rules, and failure to pay the filing fee within 30 days of notice. Associations get notice, a hearing and an appeal, so an accusation does not become a finding on its own.

The Act also lists owners' rights. The most practical is the right to demand, in writing, to inspect and copy three years of the balance sheet, budget, profit and loss statements and bank statements, plus the certificate of insurance. Others include fair notice of meetings, attendance at the annual meeting, directors who act in good faith and disclose conflicts, and statutory process before any foreclosure.

THE ORDER IN WHICH YOUR MONEY IS APPLIED CHANGES

Every payment an owner sends must be applied in this order:

1. Regular assessments or dues, until current
2. Special assessments, until current
3. Specific assessments, until current
4. Other fees and fines

Associations also may not refuse a payment of any amount toward an assessment. Why does the order matter? If payments go first to fines and legal fees, the regular assessments stay delinquent, and those are the debt most closely tied to liens. Because this rule sits in Chapter 17A, it applies to every owners' association.

The $4,000 Foreclosure Threshold Is Not a $4,000 Floor Act 715 is often described as raising Georgia's HOA foreclosure threshold to $4,000. It does not.

The amended statute bars foreclosure unless the lien amount is the lesser of $4,000 or 12 months of regular assessments in arrears, but not less than $2,000. Specific assessments and other fines and fees do not count. The notice period before foreclosure rises from 30 days to 60.

SO THE NUMBER DEPENDS ON THE COMMUNITY'S REGULAR ASSESSMENT:

Min Reg*	12 months	Foreclosure threshold
$100	$1,200	$2,000 (the minimum applies)
$167	$2,004	$2,004
$300	$3,600	$3,600
$500	$6,000	$4,000 (the cap applies)

*Minimum Regular Assessment

At approximately $166.67 a month or less, the $2,000 minimum controls; at approximately $333.33 or more, the $4,000 cap applies. Two cautions. Special assessments are not named in the exclusion, so owners should not assume they are left out. And this change amends only the Property Owners' Association Act.

A Broad Definition, but Uneven Protection Chapter 17A reaches broadly. Registration, complaints, state enforcement, owners' rights, payment order and the ban on accelerated assessments apply to owners' associations generally, condominiums included.

The Act's other changes are narrower. The four amended sections of the Property Owners' Association Act cover the 60-day foreclosure notice, the foreclosure threshold, liens lapsing after six years instead of four, attorney's fees, and how a community comes under that statute. The Condominium Act's foreclosure provisions were not amended.

And the Property Owners' Association Act applies only to communities submitted to it, by original declaration, later amendment or, under the new law, an 80 percent vote and a recorded instrument. So "I live in an HOA" does not tell you which rights you have.

ATTORNEY'S FEE PROTECTIONS ARE ALREADY IN EFFECT

These provisions took effect July 1, 2026, for actions filed on or after that date. Except in an emergency involving public safety or association property, an association must first send written notice by certified mail or statutory overnight delivery identifying outstanding fines or delinquent fees, give the owner 30 days from receipt to pay, and provide an itemized list of the attorney's fees it claims. In a bench trial to recover assessments, the judge must rule on whether the fees are reasonable before awarding them.

Associations may still recover reasonable fees, subject to these additional protections in Property Owners' Association Act communities. What Act 715 Does Not Stop HOAs From Doing Despite its title, Act 715 does not generally prevent associations from:

• Raising regular assessments or levying special assessments where governing documents allow.

There is no statewide cap.

• Imposing fines. There is no statewide dollar cap.

• Enforcing covenants, architectural standards and valid use restrictions.

• Suing homeowners and recovering attorney's fees, under the new procedures.

• Recording liens and foreclosing, once statutory requirements are met. Unless governing documents prohibit it, an association can still bid at its own foreclosure sale.

There is no statewide reserve-study requirement. Association powers remain subject to governing documents, applicable law and court decisions. Act 715 adds oversight without eliminating these powers.

CAI Opposed SB 406 The Community Associations Institute's Georgia Legislative Action Committee opposed the bill throughout the 2026 session, calling it "huge legislative overreach." Its end of session report says 1,178 advocates sent 16,560 emails, and it asked Gov. Kemp to veto the bill.

CAI pointed to the $100 fee, added administrative work, higher costs, trouble recruiting volunteer directors, litigation exposure and limits on collection, which it argued could shift costs onto neighbors who pay on time. Some of that is already true. The Secretary of State puts first-year registration fees at $1.1 million to $1.5 million statewide, and owners ultimately fund compliance. Whether complaints create or prevent lawsuits, or thin out volunteer boards, can only be measured once the system runs.

The central dispute is how much oversight private associations should face when empowered to impose assessments, liens and foreclosure. Act 715 retains self-governance while introducing state accountability.

The Rules Are Now on the Table The statute tells the Secretary of State to adopt rules to carry it out, and the proposed rules are now public: 27 rules in Chapter 590-13, in notices dated October 2, 2026, with a proposed adoption date of January 1, 2027. Among them:

• Registration. A 30-day temporary registration on application, with 30 days to fix any deficiency.

Renewals within 90 days before December 31.

• Records. Written requests acknowledged within 5 business days and produced within 10 days after that, with an itemized estimate before charges pass $25.

• Meetings. 7 to 60 days of written notice stating the matters to be discussed, and no barring owners over unpaid charges.

• Board conduct. Records, accounts and digital assets belong to the association, and intentionally deleting or diverting them would be bad faith.

A statute can create a right. Procedures decide whether an ordinary owner can use it.

You can weigh in. Written comments are due by close of business Monday, November 2, 2026, at hoa@sos.ga.gov or by mail to the Division of Securities and Business Registration, 2 Martin Luther King Jr. Drive SE, West Tower, Suite 341, Atlanta, GA 30334. Public hearings are November 4 and 5 in the Floyd Conference Room on the 20th floor of the West Tower. Speakers get two minutes, and sign-up opens 15 minutes before each hearing.

Public participation remains important.

WHAT HOMEOWNERS SHOULD DO BEFORE JANUARY 1

- Know your governing documents: declaration, bylaws, articles, amendments and rules. State oversight does not replace them.

- Find out which statute applies. The foreclosure and attorney's fee changes reach only Property

OWNERS' ASSOCIATION ACT COMMUNITIES.

- Keep records. Save correspondence, notices, account statements and dates, especially with the 180-day complaint deadline. Request records in writing.

- Separate what you dislike from what breaks a document, statute or rule. Not every unpopular decision is a violation.

- Weigh in on the proposed rules by November

WHAT ASSOCIATIONS SHOULD BE DOING NOW

- Confirm which law applies: the Condominium Act, the Property Owners' Association Act or neither.

- Prepare to register: current governing documents, an officer list and a financial statement dated within a year.

- Review collection practices: payment order, partial payments, accelerated assessments, attorney's fee notices and, where it applies, the new foreclosure notice and threshold.

- Fix recordkeeping for the 10-year retention rule and owners' three-year records requests.

- Document decisions when they are made. A record made at the time is far easier to defend than one rebuilt from scattered emails, and that helps owners as much as boards.

January 1 Is the Beginning, Not the End Act 715 introduces state oversight and a complaint process while leaving important gaps in homeowner protections. Associations retain significant enforcement powers, and foreclosure reforms do not apply equally to all communities.

The real test begins January 1, 2027: whether homeowners can use the complaint process effectively, whether the state exercises its enforcement authority, and how courts interpret the law.

Georgia is about to find out what Act 715 looks like in practice.

ABOUT THE AUTHOR

Caroline Simmons is Founder and Executive Director of We the Homeowner, Inc., a homeowner education and advocacy organization. She has served as an HOA president, treasurer, secretary, and community association manager.

Disclaimer: This article provides general information about Georgia law and community-association procedures and is not legal advice.

Sources: Senate Bill 406 (Act 715), Office of the Governor; Georgia Secretary of State, Property Owners' Associations Division FAQ; Notices of Proposed Rulemaking, Chapter 590-13 (October 2, 2026); CAI, 2026 Georgia End of Session Report (April 22, 2026).

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Missouri is home to approximately 380,000 homes in more than 7,500 community associations. From the St. Louis metropolitan area to Kansas City, Springfield, Columbia and communities across the state, Missouri homeowners are working for greater transparency, accountability, and homeowner rights. In this section, we feature Missouri advocates who are making a difference—sharing their insights, experiences, and solutions for stronger, more homeowner-focused communities.

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UPHOLDING ASSOCIATION STANDARDS

Best Practices for Financial Accuracy, Transparency, and Proper Settlement Reimbursements

By Angela Viviano

Grassroots Leader | Advisor | Homeowner Advocate | Housing & Justice Representative | Wellness Coach | Family Mentor | Consumer Protection Educator

In community associations, financial accuracy is not just an accounting function — it is a fiduciary responsibility. As a psychology major, I have analyzed human behavior within associations and constantly see common patterns across the nation making it easier to connect the dots. Homeowners, board members, lenders, and insurance partners all rely on the association's books to be a true and accurate reflection of its financial health. When that accuracy is compromised, even unintentionally, trust erodes and legal and financial exposure increases.

A critical example of this is the handling of reimbursement settlement checks to cottage homeowners within Brookside Association in O'Fallon, MO. In this instance, checks were issued by creating new vendor invoices in the accounting system, rather than reflecting the transactions correctly as reimbursement settlement checks. While the funds may have reached the correct party, the method of recording them misrepresents the nature of the transaction and violates core association accounting for best practices. Ensure reviewing and familiarizing the bylaws. This will protect your best interests to document denied services, unfair pay outs, or any discrepancies between policy hold owners who contributed to funds, especially when conflict of interests arises. Private account numbers were also disclosed for cottage lot owners and putting residents at risk for public awareness. CPA engagement was documented on the board for minute meetings; however, this was not completed and would rather focus on projects rather than addressing accurate refunds to actual cottage lot owners who paid into reserves for years.

This document outlines why proper classification matters and the best practices that must be upheld moving forward.

THE DISTINCTION BETWEEN VENDOR INVOICES AND REIMBURSEMENT SETTLEMENTS

A vendor invoice represents a liability for goods or services rendered by a third-party vendor to the association. It creates an account payable, implies the association incurred an operational expense, and is typically coded to a specific expense GL account such as landscaping, legal, maintenance, or management.

A reimbursement settlement check, on the other hand, is not a new expense. It is the resolution of a prior outlay, an insurance claim, an overpayment, or an escrowed item where funds are owed back to a homeowner, vendor, or the association itself. It should be recorded as a reduction of the original expense, a movement from a clearing or escrow account, or a reimbursement, not as new accounts payable activity.

When a reimbursement is processed as a vendor invoice, it artificially inflates expenses, distorts budget versus actual reporting, creates false vendor history, misstates financial statements, and breaks the audit trail.

WHY FINANCIAL ACCURACY IS FOUNDATIONAL FOR ASSOCIATIONS

For associations governed by CC&Rs, state statutes, and fiduciary duties, financial accuracy is a legal requirement, not a preference. No one is above the law and effective when financials and services add up accordingly. When there is no trust, hostility within neighbors and other involved parties may receive backlash. Private subdivision issues lead to public disturbance and awareness when records are not accurate with proper classification.

A. Fiduciary Duty and Transparency

Board members have a duty to act in the best interests of the association and provide

transparent financial reporting. Every homeowner has the right to know how assessment funds are spent. When settlements are coded incorrectly, the financial reports presented to stakeholders become misleading.

B. Audit and Reserve Study Integrity

Auditors, CPAs, and reserve specialists rely on accurate general ledger activity. Inflated expense balances can affect reserve assumptions, financial analysis, and audit conclusions. Proper coding ensures a clear relationship between the original transaction and the reimbursement.

C. Insurance and Legal Compliance

Many reimbursement checks are tied to insurance claims, legal settlements, or warranty matters. These funds may carry restrictions and must be applied appropriately. Incorrect coding can obscure their purpose and create compliance concerns.

D. Fraud Prevention and Internal Controls

Strong internal controls require clear transaction classifications. Vendor invoices should be supported by contracts, invoices, or work orders, while reimbursement settlements should require settlement statements, insurance explanations of benefits, or formal approvals.

BEST PRACTICES MOVING FORWARD

Implement Proper GL Coding and Transaction Types. Establish separate transaction categories for Vendor Invoices, Settlement Reimbursements, Homeowner Reimbursements, and Insurance Proceeds.

Require Source Documentation Attachment. No reimbursement should be processed without supporting documentation attached to the transaction record.

Enforce Two-Way Matching and Approval. Managers should prepare transactions while financial reviewers validate coding and accounting impacts before funds are released.

Reconcile Clearing Accounts Monthly. Associations should maintain dedicated settlement clearing accounts and reconcile them regularly to identify unresolved items promptly.

Correct Historical Misclassifications. Any reimbursement previously recorded as a vendor invoice should be corrected through appropriate journal entries with supporting audit notes.

Provide Enhanced Board Reporting. Financial packets should separately identify reimbursement activity, vendor invoices, and reconciliation details so discrepancies can be quickly detected.

CONCLUSION

Accuracy is Accountability

The decision to issue checks through vendor invoice creation may have been made for convenience, but convenience cannot come at the expense of accuracy. Correctly recording reimbursement settlement checks helps protect homeowners, supports fiduciary responsibilities, strengthens internal controls, and preserves trust.

By implementing proper transaction types, maintaining supporting documentation, reconciling accounts, and providing transparent reporting, associations ensure that their books accurately reflect not only where funds were spent, but why they were spent. These practices create defensible, transparent, and reliable financial records for every stakeholder who depends on them.


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North Carolina is home to more than 2.2 million households living in common-interest communities. From the mountains to the coast, homeowners across the state are working for greater transparency, accountability, and homeowner rights. In this section, we feature North Carolina advocates who are making a difference—sharing their insights, experiences, and solutions for stronger, more homeowner-focused communities.

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NC HOAS AND SENIOR CITIZENS: WHERE ARE THEIR PROTECTIONS?

By Greta Turillo

HOA Accountability Project: NC. : Legislative Reform, Independent Oversight, and Impact Litigation.

For many North Carolinians, retirement means selling the family home and moving into something smaller. A townhome in a homeowners association can seem like a sensible choice. Less exterior maintenance, fewer responsibilities, and the expectation that major repairs will be handled by the association.

But what happens when the HOA hasn't saved enough money to pay for those repairs? Or when senior homeowners discover that the association's financial obligations aren't what they believed them to be?

North Carolina has laws intended to protect older adults from financial exploitation. Yet homeowners associations manage substantial amounts of money without a dedicated government agency routinely examining their financial management or investigating complaints about how those funds are handled.

So where are the protections for senior citizens living in North Carolina HOAs?

THE FINANCIAL RISKS SENIOR HOMEBUYERS DON'T ALWAYS SEE

North Carolina doesn't generally require homeowners associations to conduct reserve studies or maintain adequately funded reserves.

Reserve funds help pay for major repairs and replacements. Roofs, roads, drainage systems, and other expensive components eventually need attention. Without sufficient savings, homeowners may face special assessments or substantial increases in their regular assessments.

Under N.C.G.S. § 47E-4, sellers must disclose certain information about HOA membership and assessments. But North Carolina doesn't generally require sellers to provide prospective buyers with the association's financial statements, reserve balances, or reserve studies.

A senior citizen purchasing a townhome may know the monthly assessment without knowing whether the association has enough money to meet its future obligations.

For someone planning retirement expenses around a fixed income, that missing information can be significant.

WHEN THE ROOF NEEDS REPLACING

AARP's October 2026 research found that unexpected expenses amount to approximately 11% of annual income for a typical retired household. The Federal Reserve's 2025 survey found that 22% of Americans age 60 and older couldn't cover a $400 emergency expense entirely with cash, savings, or a credit card paid off at the next statement.

Now consider a North Carolina senior citizen living on $30,000 a year who suddenly faces a $10,000 roof replacement expense. That's 33.3% of their annual income, compared with the 11% identified in AARP's research, before paying for groceries, utilities, healthcare, or other living expenses.

In one North Carolina community containing both single-family homes and townhomes, a group of townhome owners, many of them retirees, found themselves confronting a dispute over responsibility for replacing their roofs.

According to correspondence from one of the homeowners, the association's roof reserves were approximately one-third funded. A 2019 amendment to the governing documents had also changed the language describing the association's roof maintenance responsibilities.

Rather than simply accepting the situation, these homeowners pooled $2,500 of their own money to consult an attorney.

The resulting attorney-prepared letter challenged the enforceability of the 2019 amendment, questioned changes to the association's roofing obligations, and alleged that the HOA had failed to provide requested financial records in violation of N.C.G.S. § 47F-3-118.

The attorneys also asserted that the homeowners had a claim exceeding $200,000 for townhome roof replacements and demanded third-party mediation.

These were legal arguments and allegations, not findings established by a court. But the homeowners had done something important. They had sought professional advice, identified specific provisions of their governing documents and North Carolina law, and attempted to resolve the dispute.

Unfortunately, obtaining that legal analysis didn't resolve the financial problem.

According to the homeowner, pursuing litigation could cost an estimated $30,000 to $50,000, with no guarantee of success. Even if the homeowners prevailed, they faced uncertainty about recovering their legal expenses.

Think about what that means for someone living on retirement income. You've already contributed money to investigate the problem. An attorney has identified potential legal claims. But pursuing those claims could cost thousands more, and you may still be responsible for replacing your roof.

The homeowner subsequently reported that the group was unwilling to proceed with litigation because of the expense. Even dividing $50,000 among eleven townhome owners would cost approximately $4,545 per household. For a retiree living on $30,000 annually, that's another 15.2% of annual income, exceeding the 11% figure identified in AARP's research. And that's before spending a single dollar on roof replacement.

When an HOA's financial decisions leave senior citizens choosing between expensive litigation and expensive repairs, where can they turn for help? Where is their advocate?

NORTH CAROLINA'S FINANCIAL OVERSIGHT GAP

Under N.C.G.S. § 47F-3-118, associations covered by the Planned Community Act must maintain financial records and make certain information available to homeowners. North Carolina nonprofit corporation law also establishes standards of conduct for directors.

But those requirements don't create a dedicated regulator responsible for routinely examining HOA finances or enforcing reserve funding standards.

When older homeowners suspect financial mismanagement, they may have to investigate the problem themselves, obtain records, hire an attorney, and pursue litigation.

Consider how differently other financial relationships are treated.

Banks are subject to regulatory examinations and enforcement. Investment advisers operate under securities laws. Mortgage lenders must comply with consumer financial protection requirements.

North Carolina also recognizes the importance of protecting older adults from financial exploitation. N.C.G.S. § 14-112.2 makes certain forms of financial exploitation involving adults age 65 and older criminal offenses.

An underfunded HOA or a board's poor financial decision doesn't automatically constitute financial exploitation.

But if North Carolina recognizes that older adults need financial protections, why isn't there a comparable system of independent accountability when HOA financial decisions can threaten their ability to afford and maintain their homes?

For a senior citizen who has already retired, waiting until a dispute becomes a lawsuit may be too late to prevent the financial damage.

WHAT ABOUT AARP NORTH CAROLINA?

AARP has already recognized that homeowners associations present important consumer protection concerns.

Its national policy book includes a section

addressing homeowners associations and other common-interest developments. The recommendations discuss homeowner rights, participation in association governance, dispute resolution, and protecting residents' equity.

AARP North Carolina also has an established record of housing advocacy, including efforts to expand housing options that help older adults remain in their communities.

That's why its potential role in HOA reform deserves attention.

What is AARP North Carolina doing to address financial transparency, reserve funding, and independent oversight of homeowners associations? Has it examined the financial consequences of HOA decisions for senior citizens? Are these concerns part of its advocacy priorities?

These are reasonable questions for an organization whose mission includes advocating for the financial security and housing needs of older Americans.

AARP has experience organizing advocates, educating lawmakers, and working on housing policy. It could bring valuable attention to the financial risks associated with underfunded HOA reserves, inadequate disclosure requirements, and the difficulty senior citizens face when their only practical option is expensive litigation.

Older homeowners shouldn't have to exhaust their retirement savings trying to determine whether an association has fulfilled its financial obligations.

A CALL TO ADVOCACY

North Carolina senior citizens deserve to know who is looking out for their interests when HOA financial decisions put their homes and retirement security at risk.

I'd encourage North Carolina homeowners to contact AARP North Carolina and ask one important question:

What is AARP North Carolina doing to protect senior citizens from the financial risks associated with HOA governance and management?

If you're reading this from another state, this is also your call to advocacy. Contact your state's AARP office and ask what it's doing about these same concerns. HOA laws differ from state to state, but the financial vulnerability of older homeowners isn't unique to North Carolina.

Sometimes advocacy is as simple as sending an email and asking an important question. One

small action may not seem like much, but when enough people take that same action, it matters.

There's strength in numbers.

SOURCES: N.C.G.S. §§ 47E-4, 47F-3-118, 55A-8-30, 14-112.2; AARP Public Policy Institute, Unexpected Expenses in Retirement: Lessons for Retirement Income Policy, October 7, 2026; Federal Reserve, Economic Well-Being of U.S. Households in 2025; AARP Public Policy Institute, AARP Policy Book: Homeowner Associations and Other Common Interest Developments; AARP North Carolina, housing and aging-in-place advocacy materials; FDIC, Bank Supervision; SEC, Investment Adviser Regulation; CFPB, Consumer Financial Protection. North Carolina townhome example based on direct homeowner correspondence and an attorney-prepared demand letter.

GRETA TURILLO — BIOGRAPHY

Greta Turillo is a North Carolina homeowner advocate and founder of HOA Accountability Project: NC, with firsthand experience serving on HOA and neighborhood association boards. Her advocacy focuses on homeowner education, public awareness, housing choice, impact litigation, and meaningful legislative reform supported by independent oversight and enforcement.

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Oregon is home to more than 1.6 million households living in common-interest communities. From the coast to the Cascades, homeowners across the state are working for greater transparency, accountability, and homeowner rights. In this section, we feature Oregon advocates who are making a difference—sharing their insights, experiences, and solutions for stronger, more homeowner-focused communities.

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THE CORE PROBLEM

Volunteer Governance Without Structure

By Brian Rose

HOAs often rely heavily on volunteers who step into board roles with worthy intentions but little practical preparation or knowledge. Directors may not be familiar with fiduciary duties, statutory requirements, or even basic financial management. Without training or established procedures or protocols, boards tend to operate informally, often misguided and without a sense of reason and morality. Over time, informality becomes inconsistency, and inconsistency becomes dysfunction and the whole system fails at the fundamental level.

What I have witnessed is that board turnover has been constant. Many directors resign within months. Others serve briefly, then step away due to frustration or conflict. With each resignation, HOA members lose faith in the directors' leadership abilities which continues this vicious cycle of mistrust and confusion. Financial continuity suffers. Recordkeeping becomes fragmented. Homeowners lose confidence.

These challenges are not unique to my community. They are common in many HOAs nationwide. Fortunately, they are solvable; however, those who serve on the board will need to humble themselves and learn proper management skills to conduct HOA business with respect, honesty and reliability.

SOLUTION 1: ESTABLISH MANDATORY ANNUAL BOARD TRAINING

The most effective improvement any HOA can implement is annual board training. Training does not need to be expensive or complex. Many state agencies, nonprofit housing organizations, and national HOA groups offer free or low-cost resources.

Training should cover:

- Fiduciary duties of care, loyalty, and good faith
- Statutory requirements for recordkeeping and disclosure
- Budgeting and reserve planning
- Contract management and vendor oversight
- Meeting procedures and corporate governance basics

Even a two-hour annual training session can dramatically improve board performance. It ensures that new directors begin with a baseline understanding of their responsibilities and that returning directors refresh their knowledge regularly.

Training transforms board service from guesswork into governance.

SOLUTION 2: ADOPT CLEAR, WRITTEN PROCEDURES FOR RECORD REQUESTS

Transparency is the foundation of trust in any HOA. Yet many HOA associations lack a formal process for homeowners to request records. When requests are handled informally — or blatantly ignored entirely — suspicion grows and distrust follows. A simple written procedure solves this problem.

The board should adopt a policy that includes:

- How homeowners may submit record requests
- What records are available for inspection
- Reasonable timelines for response
- Any allowable copying or administrative fees
- A designated board member or officer responsible for fulfillment

This policy should be distributed annually and posted on the association's Facebook website or bulletin board, if available.

Clear procedures eliminate confusion, reduce conflict, and ensure compliance with state law. They also demonstrate that the board values openness and accountability.

SOLUTION 3: IMPLEMENT BASIC ACCOUNTING SOFTWARE

Roughly, most non-digital based HOAs still rely on handwritten ledgers, informal spreadsheets, or personal bank accounts. These practices create risk, reduce accuracy, and make financial reporting difficult. Affordable accounting software — even entry-level programs — can transform financial management.

Software provides:

- Consistent recordkeeping
- Clear transaction histories
- Easy reporting for homeowners
- Secure storage of financial data
- Reduced risk of error or loss

For most associations, even simple tools such as QuickBooks Simple Start or Wave Accounting are sufficient. The goal is not complexity; the goal is consistency.

When financial records are organized, accessible, and professionally maintained, trust increases and suspicion decreases.

SOLUTION 4: USE PART-TIME PROFESSIONAL SUPPORT WHERE NEEDED

HOAs often assume they cannot afford professional help. In reality, many services are available o a part-time or as-needed basis at reasonable cost.

Associations may benefit from:

- A part-time bookkeeper
- A CPA to review annual financials
- A management consultant for policy development
- Legal counsel for governing document updates

Professional support does not replace the board. It strengthens it. Even a few hours of expert assistance each year can prevent costly mistakes and ensure compliance with state statutes. HOAs should view professional support as an investment in stability, not an unnecessary expense.

SOLUTION 5: CREATE TRANSPARENT COMMUNICATION CHANNELS

Communication failures are one of the most common sources of conflict in HOAs. When homeowners do not receive updates, they assume the worst. When boards do not explain decisions, rumors fill the gaps. Effective communication does not require a large budget. It requires consistency.

Boards should implement:

- Quarterly newsletters
- Annual reports summarizing finances and projects
- A simple website or email distribution list
- Clear notice procedures for meetings and votes
- A designated board email address for homeowner inquiries

These tools ensure that homeowners remain informed and engaged. They also reduce misunderstandings and help boards demonstrate accountability.

SOLUTION 6: ADOPT WRITTEN BOARD POLICIES

HOAs often operate on unwritten norms. Over time, these norms become inconsistent, especially when board turnover is high. Written policies provide continuity and clarity.

Policies should address:

- Financial management
- Record retention
- Conflict-of-interest standards
- Meeting procedures
- Enforcement practices
- Communication expectations

Written policies ensure that governance does not change unpredictably with each new board. They also help directors understand their roles and responsibilities.

SOLUTION 7: BUILD A CULTURE OF OPENNESS AND RESPECT

Structural improvements matter, but culture matters more. Boards must commit to openness, respect, and professionalism. Homeowners must feel heard. Directors must feel supported.

Conflict must be addressed directly rather than avoided.

A healthy governance culture includes:

- Respectful dialogue
- Clear expectations
- Timely responses to homeowner concerns
- Transparency in decision-making
- Willingness to seek help when needed

Culture cannot be legislated, but it can be cultivated. When boards model openness, homeowners respond with trust.

SUMMARY: HOAS CAN SUCCEED — WITH STRUCTURE

Self-managed HOAs face real and persistent challenges, but these challenges are not beyond repair. The key determinant of success is structure. When boards commit to annual training, adopt clear procedures, use basic administrative tools, and operate with transparency, even the smallest associations can function effectively and maintain homeowner trust. My twenty years in a rural HOA demonstrate that governance does not fail because a community is small; it fails when expectations, processes, and accountability are undefined. With openness, consistent practices, and modest professional support, self-managed HOAs have the capacity not only to stabilize but to thrive. The solutions are simple. The impact is significant. And the time to implement them is now.

BRIAN ROSE — BIOGRAPHY

Brian Rose is a governance specialist based in Oregon with a career shaped by work in forestry, engineering, and organizational compliance. Professional life dealing with silviculture, engineering and accounting, strengthening his analytical approach that now guides his governance work. Today, he focuses on nonprofit and HOA governance, emphasizing statutory compliance, transparent financial reporting, and responsible board conduct. As a member of a rural Oregon HOA, Brian Rose applies his expertise to promote lawful record access, accurate financial practices, and accountable operations that support a healthy and informed community.

TEXAS

Homeowner Advocacy • Governance • Legislation • Reform

Stronger Communities for a Brighter Texas



Texas is home to more than 4 million households living in common-interest communities. From vibrant urban neighborhoods to growing suburban and active adult communities, homeowners across the state are working for greater transparency, accountability and homeowner rights. In this section, we feature Texas advocates who are making a difference—sharing their insights, experiences, and solutions for stronger, more homeowner-focused communities.

INFORM
EDUCATE
CONNECT
EMPOWER

A STRONGER TEXAS TOGETHER

THE SAME HANDS ON THE PEN AND THE LEDGER

How Texas Let the HOA Industry Help Shape the Rules, Defeat Oversight, and Profit from the Collection Machine

By Krstafer Pinkerton

Investigative Journalist and Director of Investigations, CARCLE

Regional Field Coordinator, Center for Estate Administration Reform

Texas homeowners are told that a homeowners association is private self-government. The phrase sounds neighborly, almost quaint. The public record tells a harsher story. In Texas, private corporations can burden a homestead with assessment liens, turn modest arrearages into legal bills, and pursue foreclosure. Yet no state agency serves as a dedicated HOA regulator, and Texas does not even keep a reliable statewide count of HOA foreclosures.

Into that vacuum steps an organized industry. Its lawyers teach foreclosure procedure. Its management companies control homeowner accounts and payment portals. Its banks hold association deposits. Its trade organization recruits money, tracks bills, mobilizes testimony, and celebrates legislation it helped stop. Some of the same firms and companies appear on the committees that review legislation, in the professional bodies that formulate policy, and in the collection pipelines that earn fees after an owner falls behind.

That is not a conspiracy theory. It is an organizational chart assembled from the participants' own websites, legislative records, public reporting, and promotional materials. The question is not whether every participant secretly agreed to harm homeowners. The question is why Texas built a system in which the businesses that earn money from HOA enforcement are permitted to dominate the conversation about the laws that are supposed to restrain it.

The answer, after reviewing the combined investigative memorandum supplied by Mark Grigg and checking its central claims against live public sources, is devastatingly simple: Texas has outsourced too much of its housing policy to the people who bill the consequences.

THE REGULATOR WHO IS NOT THERE

A Texas owner trying to report HOA abuse quickly discovers the first structural scandal. There is no Texas Department of Homeowners Associations. There is no independent ombudsman with audit power, no statewide licensing authority for HOA managers, no public enforcement bureau collecting foreclosure data, and no single agency responsible for investigating systemic misconduct. State guidance sends owners to statutes, governing documents, private counsel, or litigation.

This is not small-government minimalism. It is selective government. Texas has granted private associations coercive powers over homes while withholding the public supervision that normally accompanies coercive power. The state authorizes the machinery, then disappears when the machinery grinds an owner down.

KERA's 2023 investigation of Finda Koroma showed what that absence looks like in human terms. Koroma, a 68-year-old home-health nurse, faced eviction after her Mesquite HOA foreclosed to recover a reported $3,542.64 debt. The house sold for $82,000, even though real-estate sites estimated its value near $340,000. KERA reported that roughly $1,900 of the debt consisted of legal and other costs and that Texas does not track HOA foreclosures. The state knows how many Texans live under association rule, but it does not know how many lose their homes under it.

A system that refuses to count the casualties is not neutral. It is designed to avoid seeing them.

THE STATE BAR COMMITTEE THAT DEVELOPS HOA LEGISLATION

Texas does have a professional body devoted to property law. The Real Estate, Probate and Trust Law Section of the State Bar of Texas maintains a

Property Owners Association Committee. Its published mission is not confined to educating lawyers. The committee says it may develop 'balanced legislative proposals' for State Bar endorsement, advise legislators and state officials, and monitor proposed laws affecting property owners associations.

Its 2025 to 2026 public roster names Sipra Boyd as chair and lists W. Austin Barsalou, Devin Benson, Gregory Cagle, Marc Markel, and Vinay Patel as members. Two listed lawyers, Boyd and Markel, are affiliated with Roberts Markel Weinberg Butler Hailey, a firm that markets community-association representation and assessment collection. Cagle is a prominent association lawyer and author of a leading Texas HOA-law treatise. The roster does not identify a consumer advocate, legal-aid lawyer, foreclosure-defense specialist, or homeowner-side practitioner as such.

There is nothing improper about experienced association counsel serving on a bar committee. Expertise matters. But expertise is not the same thing as balance. When a committee with authority to formulate legislative proposals is visibly populated by industry-side specialists, the burden is on the State Bar to show who represents the person standing on the other side of the collection letter.

Where are the minutes? Where are the conflict disclosures? Where are the drafts and redlines showing whose language prevailed? Where are the recorded votes? If proposals are genuinely balanced, the documentary trail should make that balance obvious. Public trust should not depend on the public taking the word 'balanced' on faith.

THE LOBBY CALLS ITSELF THE COMMUNITY VOICE

The Community Associations Institute's Texas Legislative Action Committee is more explicit about its political role. Its current 2024 to 2026 roster reads like a map of the HOA economy. The chair is from Crest Management. The vice chair is from Alliance Association Bank. The treasurer is from Worth Ross Management. The government-relations list includes John Krueger of Associa. The bill-review function lists Clinton Brown of Roberts Markel Weinberg Butler Hailey and Krueger. Delegates include lawyers from Porter, Kerrane Storz, Cagle Pugh, and Steptoe & Johnson, along with representatives of Alamo Management Group and FirstService Residential.

Again, participation is not proof of misconduct. It is proof of access. The people reviewing legislation include representatives of the exact sectors that profit from the status quo: management, banking, association counsel, construction-defect litigation, collections, and large-scale residential services. Homeowners appear principally as the population the committee says it represents, not as an independently resourced bloc with equivalent seats, staff, and lobbying power.

The committee's own fundraising pitch removes any doubt about what the money buys. Its 'Dollar-a-Door' flyer asks association boards to contribute one dollar per unit, or more, so TLAC can track legislation, build relationships with lawmakers, organize grassroots campaigns, testify, and influence outcomes. The flyer says most association boards can legally allocate money for the effort, subject to their governing documents. It also stresses that TLAC is not a political action committee and does not give money to candidates.

That distinction is legally important and politically convenient. Direct campaign donations are not the only form of power. Bill review, witness coordination, drafting, calls to action, legislator education, and the ability to fill a hearing room are power. A dollar assessed from each door becomes an advocacy budget. The resident whose dues help fund the association can therefore find those funds supporting an organization that lobbies against reforms the resident may desperately want.

THE AUDIT BILL THEY HELPED KILL

The most incriminating evidence is not hidden in a leaked email. It is printed in TLAC's own fundraising literature.

The Dollar-a-Door flyer lists House Bill 1252 among its 2023 'advocacy successes.' The bill would have required HOAs to conduct an annual audit and provide a copy to every association member. TLAC states that it opposed the bill and

that the bill died in the House.

Read that again. An organization claiming to represent millions of Texans asked HOA boards for homeowner-funded contributions while boasting that it opposed a measure requiring annual audits and disclosure to the homeowners whose money was being managed.

Perhaps there were legitimate objections to cost, scope, or drafting. If so, the appropriate response was to fix the bill, tailor the audit threshold, or propose a less expensive independent review for smaller associations. Killing transparency altogether is not homeowner protection. It protects the institution from the homeowner.

The same flyer celebrates opposition to bills limiting HOA control over backyard food production and residential wind-power installations. Those positions may be debatable. An annual financial audit is different. Financial accountability is the irreducible minimum for an entity that can assess mandatory charges against a home and invoke a lien when the owner does not pay.

Texas legislators should ask every organization that opposed HB 1252 a direct question: What substitute transparency measure did you offer? If the answer is none, the objection was not to a defective audit. It was to being audited.

A COMPROMISE WRITTEN INSIDE THE INDUSTRY

The 2025 legislative session supplies another window into how policy is made. In a June 25, 2025 update, RMWBH lawyer Clinton Brown described Senate Bill 711 as a compromise promoted during the prior session by TLAC, Texas Realtors, and the Texas Community Association Advocates. The enacted measure addressed management-certificate filings and provided that, under specified failures to record or file, an owner would not be liable for certain attorney fees or interest.

There is value in that protection. But the provenance matters. The public should know when a reform is the product of negotiations among organized industries rather than a process led by affected homeowners, legal-aid organizations, consumer regulators, and independent enforcement experts. A compromise can improve the law and still reveal who had a seat at the table.

The recurring Texas model is not outright rejection of every homeowner protection. It is controlled reform: accept procedural changes that preserve the collection structure, defeat measures that impose meaningful oversight, and describe the resulting settlement as balance. The architecture remains untouched. Associations keep foreclosure leverage. Owners remain responsible for navigating intricate notice and payment rules. Enforcement stays privatized. Oversight remains diffuse or nonexistent.

THE PRECEDENT TEXAS ALREADY IGNORED

Texas has seen this collision between private business and public law before. A 2013 Texas Tribune investigation examined then-Senator John Carona, chief executive of Associa, and his role in HOA legislation. The Tribune reported that Carona authored the 1985 bill that created Chapter 209 of the Texas Property Code. Carona defended his work as pro-consumer and denied an ethical problem. Critics argued that the statutory structure favored associations and their business partners.

The Tribune also reported that Associa employees opposed reform efforts, that lobbyists worked on the company's interests, and that industry-linked campaign contributions surrounded later legislation. One disputed rule concerned the order in which homeowner payments were applied, a technical issue with enormous practical consequences because money intended for current assessments could be diverted to other charges, leaving the assessment balance exposed to further enforcement.

The lesson is not that one legislator caused every present abuse. The lesson is that Texas has had decades of warning about vertically integrated influence in HOA law. The state responded with episodic reforms while leaving the influence structure largely intact.

When the regulated industry supplies the expertise, drafts the language, organizes the witnesses, funds the advocacy, and then

interprets the statute for paying clients, lawmakers should stop calling the result stakeholder input. At some point, it becomes regulatory capture with better stationery.

THE COLLECTION MACHINE

The Grigg materials focus on the enforcement pipeline: an association or manager identifies an account, communications and portal access become contested, counsel enters, charges multiply, and property filings increase the pressure. The documents raise serious questions about notice, payment allocation, management-certificate compliance, board authorization, debt validation, electronic notarization, and the accuracy of amounts demanded. Those questions require case-by-case proof. They do not justify declaring every disputed filing fraudulent.

What the public record does establish is knowledge and specialization. RMWBH markets delinquent-assessment collection as a core practice. In an April 2025 article, one of its lawyers carefully described the statutory '209 letter,' the 45-day cure period, federal validation requirements, and the risk that automated letters or status updates can violate the bankruptcy stay. Steptoe & Johnson lawyer Brady Ortego is publicly identified as an author of the property-owners-association chapter in the State Bar's foreclosure manual and as a CAI legislative leader. These are not amateurs stumbling through obscure rules.

That expertise cuts both ways. It can produce lawful, careful collections. It also means that when a notice is defective, a debt is misstated, a payment portal is disabled, a board vote is missing, or fees accrue during a statutory bar, 'we did not understand the procedure' should receive exacting scrutiny.

The point is not that teaching foreclosure law proves anyone violated it. It plainly does not. The point is that sophisticated actors who build businesses around procedural compliance should be held to the procedures they teach.

THE FEE MULTIPLIER

HOA collection is politically defended as a fairness issue: if one owner does not pay, neighbors carry the burden. That framing omits the central economic transformation. The original assessment may be the smallest number in the final demand. Late charges, interest, certified-mail expenses, management fees, attorney fees, title costs, court costs, and foreclosure expenses can convert a household shortfall into a crisis.

KERA documented that transformation in Koroma's case. Older Texas cases reported the same basic dynamic. In the widely publicized case of Houston widow Wenonah Blevins, an $814.50 assessment dispute was reported to have produced thousands in legal charges and a foreclosure sale before litigation and settlement restored her home. Military families, disabled owners, retirees, and owners with paid-off houses have all appeared in the historical record.

The available evidence supports a claim of disproportionate danger, not yet a claim of deliberate targeting. Texas should test the question instead of hiding from it. A statewide dataset should match HOA foreclosure filings against age and disability exemptions, property value, race and ethnicity at the census-block level, veteran status where lawfully available, and whether the home was mortgage-free. If elderly and disabled owners are overrepresented, lawmakers should know. If they are not, reliable data would protect the industry from unfounded accusations.

The present arrangement protects nobody except those who prefer anecdotes because anecdotes never force an audit.

PRIVATE EQUITY ARRIVES AT THE GATE

The stakes are increasing as association management consolidates. In November 2024, Charlesbank Capital Partners announced a strategic investment in CCMC and the formation of Community Management Holdings. In August 2025, Community Management Holdings announced acquisitions of HOAMCO and Alamo Management Group.

An acquisition is not evidence of wrongdoing, and parent-company liability cannot be assumed. But consolidation changes incentives and scale. A regional management relationship can become part of a portfolio expected to grow,

standardize operations, integrate software, and produce returns. That may improve service. It may also industrialize collections, centralize homeowner data, and distance crucial decisions from the communities whose homes are at risk.

Texas law has not caught up. Before the next wave of consolidation, the state should require ownership disclosure, registration of management companies, retention of account and portal logs, conflict disclosures for affiliated vendors, and auditable reporting of collection revenue and legal-fee recovery. A homeowner should not need corporate-forensics training to learn who controls the company controlling the ledger on the homeowner's house.

THE STATUTES THAT MATTER

The legal exposure in any individual case depends on the documents and conduct proved. Several bodies of law are potentially implicated when an association, manager, collector, or law firm mishandles an account:

- Texas Property Code Chapter 209 governs residential subdivision associations, including notices, payment plans, collection prerequisites, management certificates, foreclosure procedures, and limits on recoverable charges.
- Texas Finance Code Chapter 392, the Texas Debt Collection Act, prohibits specified threats, deceptive representations, and unfair collection methods. It can apply beyond the narrower federal definition of a debt collector.
- The federal Fair Debt Collection Practices Act, 15 U.S.C. Section 1692 and following, regulates qualifying third-party collectors and law firms collecting consumer debts, including validation, misrepresentation, and unfair-practice rules.
- Texas Civil Practice and Remedies Code Section 12.002 addresses fraudulent liens or claims against property when the statute's knowledge and intent elements are proved. A mistaken or disputed filing is not automatically a fraudulent lien.
- The federal Bankruptcy Code's automatic stay, 11 U.S.C. Section 362, can prohibit collection activity after a bankruptcy filing. Automated workflows do not excuse prohibited acts.
- The Texas Deceptive Trade Practices Act, common-law fraud, negligent misrepresentation, breach of fiduciary duty, and contract theories may apply in particular relationships, but each has distinct elements, defenses, standing rules, and limitations periods.

The word 'racketeering' should not be used as a substitute for proof. A civil RICO claim requires an enterprise, qualifying predicate acts, a pattern, causation, and injury to business or property. Influence, overlap, aggressive lobbying, or repeated fee disputes do not alone establish those elements. The current public record strongly supports an investigation into capture, conflicts, transparency failures, and abusive incentives. It does not, without additional evidence, establish a criminal enterprise.

That distinction strengthens the indictment that can already be made. Texas does not need a secret criminal pact to produce predictable harm. It needs only a lucrative enforcement power, weak public oversight, sophisticated repeat players, atomized homeowners, and a Legislature that hears the industry more clearly than the people receiving the demand letters.

WHAT SHOULD BE SUBPOENAED AND PUBLISHED

If Texas officials are serious, the next inquiry should not be another stakeholder listening session. It should be a records-driven investigation. The Legislature, attorney general, appropriate licensing bodies, and State Bar should obtain and publish, with lawful privacy protections:

- REPTL Property Owners Association Committee agendas, minutes, attendance records, draft legislation, redlines, votes, recusals, correspondence with lobbyists, and conflict disclosures.
- TLAC bill-review memoranda, position papers, witness-preparation materials, donor and association-contribution records, board resolutions authorizing Dollar-a-Door payments, and communications concerning HB 1252 and other oversight bills.
- Texas Ethics Commission lobby registrations, compensation ranges, clients, expenditures, and legislator contacts connected to HOA legislation.
- For disputed collection matters, the

association board's referral vote, complete owner ledger, original notices, mailing proof, payment-portal logs, call recordings, validation responses, management-certificate filing history, fee invoices, and all versions of lien or lis pendens instruments.

- Notary commission status and, where remote online notarization is claimed, the required identity, audio-visual, journal, platform, and retention records. Batch execution or a shared electronic envelope is a lead to verify, not proof of fraud.
- Corporate ownership, affiliate relationships, revenue-sharing arrangements, vendor referrals, insurance relationships, and indemnity agreements among associations, managers, banks, collection vendors, and counsel.

Bar grievances should be based on authenticated documents and specific professional rules, not political disagreement. Potential issues can include candor, truthfulness, conflicts, supervision, safekeeping of funds, communications with represented persons, and conduct involving dishonesty, but only the facts of a particular lawyer's conduct can establish a violation. Complaints should identify the act, the rule, the evidence, the client relationship, and the resulting harm.

THE REFORMS TEXAS KEEPS AVOIDING

The minimum credible reform package is no longer mysterious:

- Create an independent HOA ombudsman with complaint intake, audit authority, subpoena power, public reporting, and a searchable enforcement database.
- Require annual independent financial review, with scaled requirements for small associations, and deliver the report to every owner without charge.
- License or register association management companies and disclose controlling ownership and affiliated vendors.
- Cap recoverable pre-suit collection fees, require plain-language itemization, and prohibit fee recovery for work that violated statutory prerequisites.
- Guarantee a functioning, fee-free payment method before and after referral to counsel. A collector should not block ordinary payment and then charge for the consequences.
- Require a recorded board vote before referral, lien, and foreclosure, with an owner-accessible certified record.
- Strengthen homestead protection, especially for elderly and disabled owners, and require meaningful judicial review before any sale.
- Mandate statewide reporting of liens, foreclosure applications, sales, original debt, fees, property value, redemption, and owner demographic safeguards.
- Require balanced public-law advisory committees with homeowner, consumer, legal-aid, elder-law, disability-rights, and foreclosure-defense representation.
- Prohibit association funds from financing legislative advocacy unless the board discloses the position, amount, and recipient in advance and provides owners a meaningful governance process.

THE QUESTION TEXAS CANNOT KEEP DODGING

The Texas HOA establishment likes the language of community. Community is the word used when dues are collected, rules are enforced, and lobbying money is requested. But community without democratic accountability is branding. Governance without supervision is power. And a private organization's right to collect assessments does not include a moral right to turn opacity into revenue.

The documentary record does not show that every association is abusive, every manager predatory, or every lawyer dishonest. It shows something more durable than a collection of bad actors. It shows a structure that rewards organized insiders and exhausts individual owners. It shows a State Bar committee empowered to shape legislation without visible consumer balance. It shows an industry lobby funded door by door and proud of defeating an annual-audit bill. It shows sophisticated collection firms teaching the rules they are paid to enforce. It shows corporate consolidation expanding while public oversight remains primitive. And it shows a state that cannot say how often its citizens lose their homes to the powers it granted.

Texas lawmakers do not need another seminar hosted by the industry. They need the ledgers,

the draft bills, the emails, the portal logs, the votes, the invoices, and the names of every person paid to keep meaningful oversight off the books.

Until those records are public, every Texas homeowner is entitled to ask the question the Legislature has avoided for too long:

WHO WROTE THE RULES, WHO KILLED THE AUDITS, AND WHO BILLED THE HOMEOWNER?

PUBLICATION NOTE

This article is an investigative analysis based on public records, published materials, news reporting, and a combined research memorandum supplied for review. Organizational overlap, political advocacy, professional expertise, or a disputed collection does not by itself prove fraud, conspiracy, racketeering, professional misconduct, or any crime. Allegations from private case materials should be authenticated, presented to the subjects for response, and checked against complete court, account, board, and notarial records before publication. Named organizations and individuals should be offered a fair opportunity to comment.

SELECTED SOURCES

- State Bar of Texas REPTL Property Owners Association Committee
- CAI Texas Legislative Action Committee 2024 to 2026 roster
- CAI Texas Legislative Action Committee Dollar-a-Door flyer
- RMWBH 89th Texas Legislative Session Updates
- RMWBH Pitfalls of the POA Assessment Collection Process
- Texas Tribune Conflicts and Interests Sen John Carona
- KERA She owed her Mesquite HOA 3500
- Texas State Law Library Property Owners Associations guide
- Texas Property Code Chapter 209
- Texas Finance Code Chapter 392
- Texas Civil Practice and Remedies Code Chapter 12
- Federal Fair Debt Collection Practices Act
- CCMC strategic investment and Community Management Holdings
- Charlesbank announcement on Community Management Holdings



Continued from Page 15

Attend board meetings, even when nothing dramatic is happening. Civil Code section 4925 gives members rights to attend open board meetings and speak, while section 4950 provides access to board meeting minutes.

A meeting about pavement, drainage, reserve funding or a retaining wall may seem painfully boring today and extremely interesting three years later when an envelope containing a five-figure assessment arrives.

Use your records rights as well. Civil Code sections 5200 through 5240 provide members access to numerous association records, including financial records, contracts, reserve information and meeting minutes. When a major project or financial problem appears, the underlying records are usually more useful than neighborhood rumors.

None of this guarantees you will avoid a special assessment. Sometimes the balcony really is unsafe, the retaining wall really did fail unexpectedly, or the storm damaged something nobody reasonably could have anticipated.

Protecting yourself does not mean assuming your board is lying. It means knowing enough to determine whether the explanation fits the history.

Homeowners should also recognize our part in that history. We like low assessments. A candidate promising to hold dues down usually has an easier sales pitch than one promising to collect more money for pavement that will not be replaced for eight years. Then eight years pass, the streets need resurfacing, the reserves contain enough money to stripe the parking spaces, and everyone wants to know who allowed this to happen.

An “emergency” should therefore be the beginning of your questions, not the end of them. Read the governing documents, know the law, attend the meetings, save the budget packages and use the records rights you already have. Buildings and infrastructure eventually send the bill, and the best protection a homeowner has is knowing whether that bill truly came out of nowhere or whether it has been sitting in the mailbox for years.

AN IMPORTANT NOTICE TO OUR READERS

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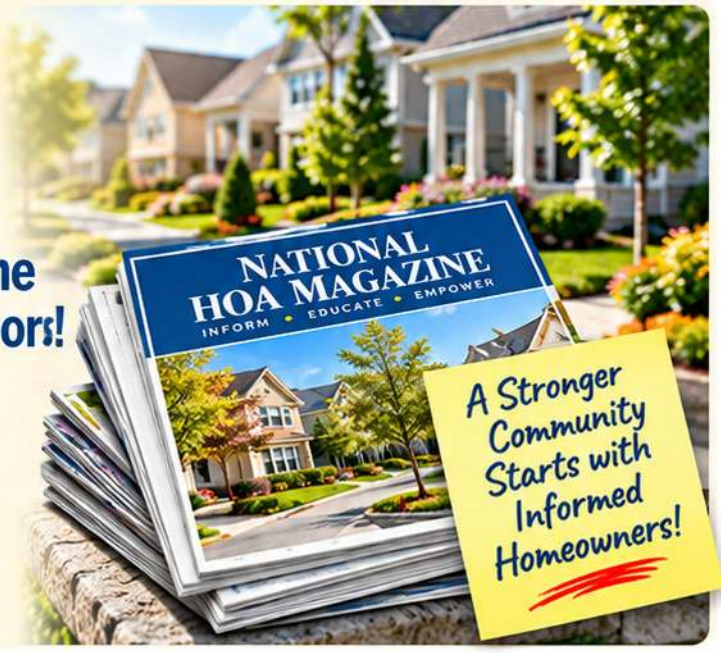
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1 Community Homeowner Survey

Tell us about your community, your experiences, and what matters most to you as a homeowner. Your input helps us understand the issues, opportunities, and priorities facing HOA communities today.



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2 National Homeowner Survey

Share your views on HOA issues and your experiences as a homeowner. This survey helps identify common challenges and trends across the country, so we can better highlight the issues that matter most to homeowners nationwide.



TAKE THE SURVEY >

3 What Should National HOA Magazine Cover?

What topics, issues, and information would you like to see in future issues of National HOA Magazine? Your responses help us identify the subjects that matter most to homeowners across the country.



TAKE THE SURVEY >

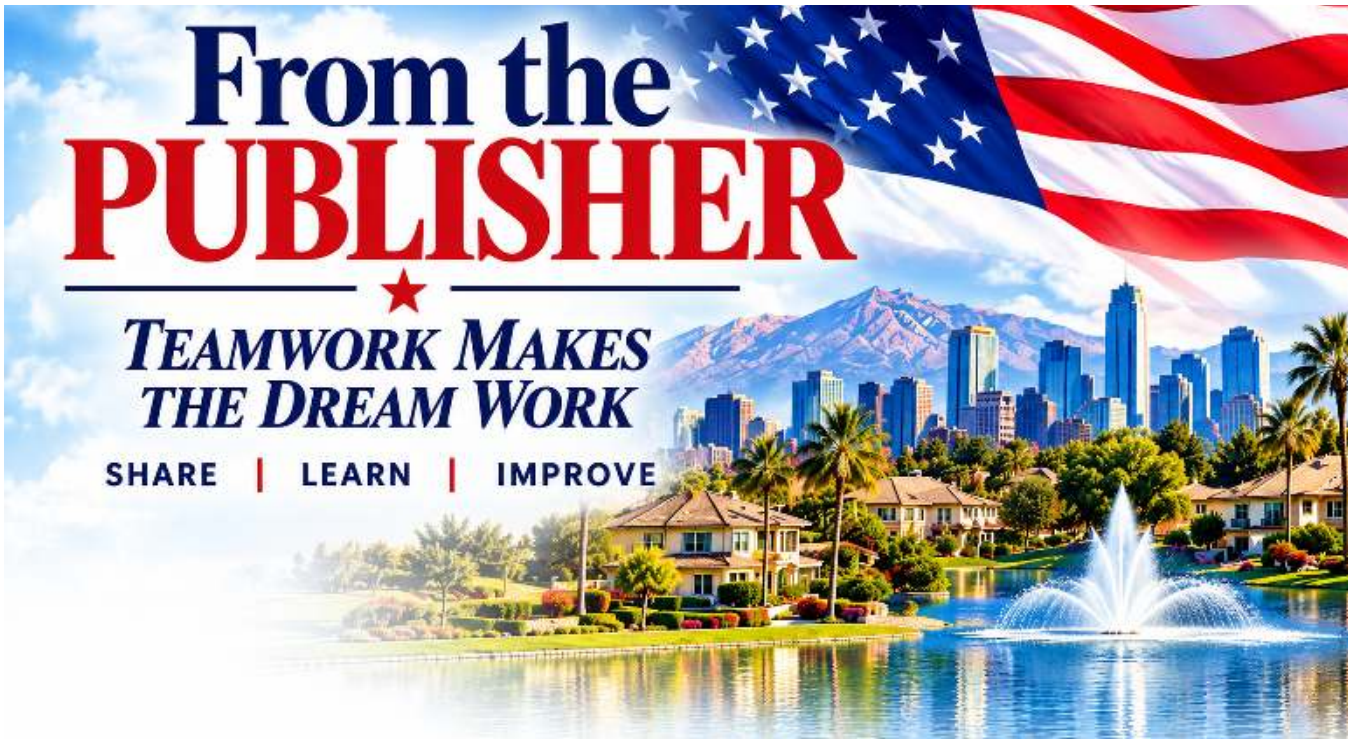
4 National HOA Magazine — How Would You Like to Help?

There are many ways to make a difference. This survey asks how you're willing to help, from sharing the magazine and taking surveys to distributing fliers, submitting ideas, or writing an article. Your support helps us reach more homeowners and expand our impact.



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A MAGAZINE CANNOT MAKE A DIFFERENCE IF HOMEOWNERS DON'T READ IT

BY FRANK A. WODLEY, PUBLISHER, NATIONAL HOA MAGAZINE

National HOA Magazine was created to provide homeowners with information, perspectives, and practical ideas for improving their communities. Our contributors represent different states, experiences, and points of view. They volunteer their time because they believe homeowners deserve better. But as we prepare our December issue, I believe we need to examine whether our efforts are reaching the homeowners who need this information most.

ARE WE PREACHING TO THE CHOIR?

Many of our readers are already homeowner advocates. They understand the problems associated with association governance, financial accountability, transparency, and homeowner participation. They have experienced these challenges firsthand, and many have devoted years to addressing them. Unfortunately, sharing information primarily among people who already recognize these problems does little to expand homeowner awareness or participation.

What about the millions of homeowners who have never read National HOA Magazine? What about the homeowner who pays assessments, follows the rules, and rarely attends a meeting? What about those who have become so discouraged that they no longer believe their participation can make a difference? These are the homeowners we must reach if we expect our magazine to contribute to meaningful improvements in homeowner communities.

PUBLICATION IS NOT DISTRIBUTION

Producing a magazine requires considerable effort. Contributors research and write articles, editors review submissions, and designers prepare the publication. But completing an issue does not mean our work is finished. An article that reaches only a small audience has limited influence, regardless of how informative or well-written it may be.

We cannot expect National HOA Magazine to grow simply because we publish another issue. We need an organized distribution effort involving contributors, advocates, subscribers, and readers throughout the country. Every contributor should help introduce the magazine to homeowners in their state. Every reader can share it with neighbors, homeowner groups, and community organizations. Our success should be measured not only by the quality of our articles but also by the number of homeowners we reach and the value they receive.

DECEMBER'S TOPIC: SHOULD HOMEOWNERS ORGANIZE?

For December, I am inviting our contributors to examine the advantages and disadvantages of homeowners organizing within their associations. This question deserves serious consideration because most associations already have an organized governing structure, while homeowners often remain disconnected from one another.

Boards of directors operate under established governing documents, conduct meetings, make decisions, and frequently receive professional assistance from management companies and attorneys. Homeowners, meanwhile, often act individually, even when they share similar concerns. They may disagree with board decisions, question financial practices, or want improvements, but without communication and cooperation, their ability to influence their community can be limited.

Would organizing homeowners help address this imbalance? Could organized homeowner groups improve communication, increase participation, encourage accountability, and strengthen relationships between residents and their boards? Could they help homeowners become more informed and involved before problems develop into disputes? These are important possibilities that deserve examination.

We must also consider the disadvantages. Could homeowner organizations create competing factions, increase conflict, or discourage cooperation with the board? Would they place unreasonable demands on volunteers? What happens when residents disagree about priorities or leadership? Rather than assume that organization is always beneficial, we should examine the conditions under which it succeeds and the circumstances that cause it to fail.

BUILDING COMMUNITY IS THE ULTIMATE GOAL

A successful homeowners association should be more than a governing board, a management company, and a collection of properties. It should be a community in which homeowners know one another, communicate, participate, and share responsibility for making their neighborhood a better place to live.

An organized homeowner community does not necessarily have to oppose its board. It can support responsible leadership, encourage better decisions, identify problems early, and create opportunities for residents to work together. Participation is how homeowners build those relationships, but a stronger community is the result we should be seeking.

National HOA Magazine can provide information, ideas, and examples. Our contributors can share their experience and expertise. But homeowners themselves must ultimately decide whether they are willing to become involved. Before they can make that decision, however, we must reach them.

That is our challenge as we approach 2027.

Frank Wodley

Publisher, National HOA Magazine



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WHY A LEGAL FUND?

Homeowners can be right about an HOA violation and still be unable to do anything about it. Attorneys, filing fees, discovery, expert witnesses, and other legal expenses can quickly put justice beyond the financial reach of an individual homeowner.

ONE CASE. A BROADER IMPACT.

A successful case doesn't just help the homeowner who brought it. The decision, strategy, documents, and lessons learned may help homeowners facing similar problems elsewhere.

WHAT KINDS OF CASES?

The National HOA Legal Fund will not attempt to finance every homeowner dispute. The goal is to identify cases that may have significance beyond a single community — cases involving important homeowner rights, elections, access to records, financial accountability, board authority, enforcement of governing documents, or other issues where the outcome could provide useful guidance for homeowners nationwide.

HOW CASES WILL BE SELECTED

Homeowners will be invited to submit information about their dispute through a case-submission form. Each submission will be reviewed to determine the strength of the underlying issue, the potential cost, the likelihood of producing a meaningful result, and whether the case could benefit homeowners beyond the individual applicant.

Submission of a case will not guarantee funding.

OUR GOALS

PROMOTE FAIRNESS
Support cases that can advance homeowner rights.

CREATE LASTING CHANGE
Help establish legal precedents that benefit homeowners nationwide.

SHARE KNOWLEDGE
Turn legal victories into resources and education for the entire homeowner community.

BUILD STRONGER COMMUNITIES
A more informed and balanced legal environment helps all homeowners.

NO FUNDING AVAILABLE AT THIS TIME

The National HOA Legal Fund is currently accepting case submissions and information. However, there are no funds available at this time to finance legal cases.

LEARN MORE • SUPPORT THE FUND

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VISIT NATIONAL HOA MAGAZINE



FIND THE RESOURCES YOUR HOA NEEDS

National HOA Magazine Marketplace connects homeowners, board members and community advocates with businesses, professionals and resources that serve HOA communities. Our goal is to make it easier to find useful products and services in one place while introducing readers to organizations that understand the unique needs of common-interest communities.

Marketplace will include resources for homeowners as well as HOA boards. Look here for attorneys and legal services, financial and reserve professionals, insurance providers, management resources, technology services, election services, maintenance and repair companies, educational materials, homeowner advocacy resources and other products and services relevant to HOA living.

As National HOA Magazine grows, Marketplace will grow with it. We intend to develop this section into a practical national resource where readers can discover businesses and professionals serving HOA communities locally, regionally and nationwide.

ARE YOU AN HOA SERVICE PROVIDER?

If your business provides a product or service useful to HOA homeowners or communities, National HOA Magazine gives you an opportunity to reach a highly targeted audience. Marketplace listings and advertising can introduce your business to homeowners, board members, advocates and others actively looking for HOA information and solutions.

National HOA Magazine is building a national audience focused specifically on HOA communities. Whether you provide legal, financial, management, insurance, technology, maintenance, educational or other HOA-related services, Marketplace can help readers discover what you offer.

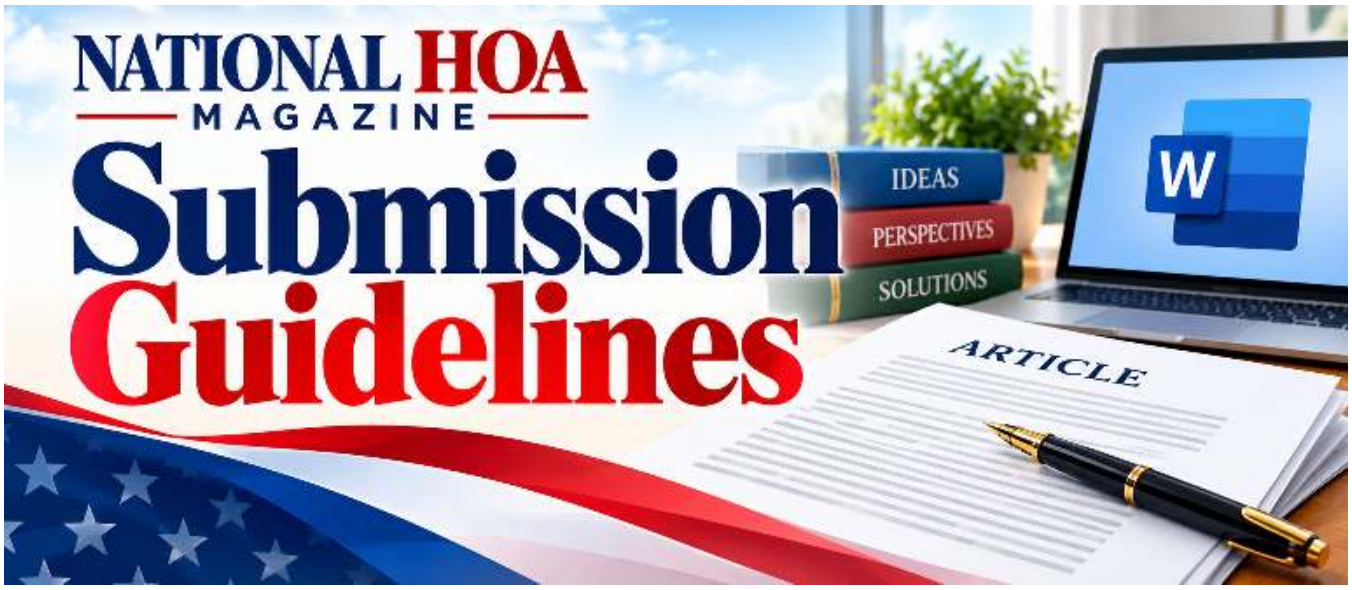
To learn about Marketplace listings and advertising opportunities, visit HOAMAG.COM.

MARKETPLACE CATEGORIES

- ✔ Legal & Professional Services
- ✔ Financial & Reserve Services
- ✔ Insurance Services
- ✔ HOA Management
- ✔ Elections & Governance
- ✔ Technology & Communications
- ✔ Maintenance & Home Services
- ✔ Books, Education & Advocacy
- ✔ And More

HAVE A PRODUCT OR SERVICE FOR HOA HOMEOWNERS?

Marketplace advertising and listings are available at HOAMAG.COM.



OUR EDITORIAL MISSION

National HOA Magazine welcomes articles that inform, educate, and help homeowners improve their communities. We encourage contributions from homeowners, advocates, board members, attorneys, and professionals offering practical recommendations and constructive perspectives on common-interest developments.

ARTICLES MUST PROVIDE VALUE

Articles should go beyond personal grievances or criticism of association leadership. Contributors should explain problems, examine solutions, and identify lessons other homeowners can apply. Personal experiences are welcome when they illustrate broader issues and provide meaningful information.

LENGTH AND FORMATTING

Beginning January 2027, articles must not exceed three published magazine pages. We recommend approximately 900 to 1,100 words, depending on photographs, graphics, and layout.

Manuscripts must be submitted in Microsoft Word (.docx), using developed paragraphs and descriptive subheadings. Avoid one-sentence paragraphs, repetition, excessive formatting, and lengthy quotations. Articles should be logically organized and emphasize practical recommendations.

NEW BIMONTHLY PUBLICATION SCHEDULE

Beginning January 2027, National HOA Magazine will publish six issues annually: January, March, May, July, September, and November. There will be no December 2026 issue.

The new schedule allows more time for quality articles while helping the magazine expand distribution and reach more homeowners nationwide. Submission deadlines will be announced for each issue.

EDITORIAL REVIEW AND SELECTION

Submissions are evaluated for relevance, accuracy, clarity, originality, and usefulness. Articles should encourage homeowner participation, strengthen community relationships, and help improve common-interest developments.

The magazine reserves the right to edit for length, grammar, organization, and consistency while preserving the author's message. Acceptance does not guarantee publication in a particular issue.

Our goal is to provide information homeowners can use to build stronger, more connected communities.



TOPICS AND EDITORIAL PRIORITIES

National HOA Magazine welcomes articles addressing homeowner participation, community organization, association governance, financial management, transparency, accountability, elections, maintenance, and other issues affecting common-interest developments. We particularly encourage articles that offer practical solutions and help homeowners build stronger, more cooperative communities.

For our next issue, January 2027, our featured topic is the advantages and disadvantages of organizing homeowners within their associations. Contributors should examine opportunities, challenges, and potential consequences, supported by practical examples and recommendations.

PHOTOGRAPHS AND SUPPORTING MATERIALS

Contributors may submit photographs, illustrations, charts, and other graphics that support their articles. Images should be provided as separate, high-resolution files whenever possible. Authors are responsible for ensuring that submitted materials are accurate, appropriately attributed, and authorized for publication.

AUTHOR IDENTIFICATION AND SUBMISSION

Each submission should include the author's full name, state, email address, article title, and a brief description of relevant experience or qualifications. Manuscripts must be submitted as editable Microsoft Word documents rather than completed PDF layouts.

Contributors should clearly distinguish personal opinions from factual statements and provide reliable sources for significant claims, statistics, and legal interpretations.

HELP EXPAND OUR READERSHIP

Publication is only the beginning of an article's usefulness. We encourage every contributor to share National HOA Magazine with homeowners, community organizations, and advocacy groups throughout their state.

Our objective is to reach beyond existing advocates and introduce practical information to homeowners who may not currently participate in association affairs. Every contributor can help expand awareness, encourage constructive participation, and strengthen homeowner communities.

A successful national magazine requires more than quality articles. It requires contributors who actively help those articles reach the people who can benefit from them.

National HOA Magazine — www.hoamag.com


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Friendship Lives Here!
More Friends
More Fun
Greater
Community Pride!
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... and so much more!
Meet neighbors who share your interests
Enjoy more activities and friendships
Build a stronger, more connected community
Experience greater neighborhood pride
Be part of a happier place to call home
A More Enjoyable HOA Starts with Homeowners Coming Together!
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Opening Doors to Better Communities

What If Your HOA Could Be Better?



Today, a pro-homeowner community is possible. It doesn't require anyone's approval, legal expertise, or significant financial resources. **It starts with homeowners coming together!**

A MORE ENJOYABLE COMMUNITY

- ✓ Meet neighbors and make new friends
- ✓ Enjoy more activities and social events
- ✓ Build a stronger sense of community and neighborhood pride
- ✓ Create a happier place to call home

A PRO-HOMEOWNER COMMUNITY

- ✓ Bring homeowners together
- ✓ Create greater transparency and accountability
- ✓ Help ensure fair and reasonable governance
- ✓ Give homeowners a meaningful voice in their association



Visit **HOAUNLOCKED.COM** ›

Explore resources, ideas, and opportunities to help create

ADVERTSE WITH US

Informed Homeowners Build Stronger Communities.

Reach HOA Homeowners Nationwide

National HOA Magazine connects your business with an engaged and growing audience of HOA homeowners.



TARGETED AUDIENCE
Reach HOA homeowners across the United States.

INCREASE VISIBILITY
Showcase your products and services to a highly relevant audience.

SUPPORT STRONGER COMMUNITIES
Align your brand with homeowners who care about education and positive change.

AFFORDABLE OPTIONS
A variety of ad sizes to fit your budget and goals.

YOUR MESSAGE CAN MAKE A DIFFERENCE.
Inform. Engage. Empower. HOA Homeowners.

Be Part of the Solution. Advertise in National HOA Magazine!

IDEAL FOR BUSINESSES AND ORGANIZATIONS SUCH AS:

- ✔ Books and Publications
- ✔ Educational Resources
- ✔ Homeowner Services
- ✔ Technology and Tools
- ✔ Insurance and Financial Services
- ✔ Inspection and Maintenance
- ✔ Mediation and ADR Services
- ✔ Industry Services for Homeowners
- ✔ Community-Enhancing Products
- ✔ And More

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Let's build stronger communities together.

NATIONAL HOA MAGAZINE
A STRONGER TOMORROW FOR HOA HOMEOWNERS.