

Law Makers Unwittingly Perpetuate Problems

It isn't unreasonable to state that being a community association board member (particularly in large associations) is analogous to being a city council member.

City or county council members are not required to be accredited or to have special qualifications or training. Furthermore, the state does not legislate public servants' qualifications.

So the state is not involved if council members perform poorly or things go wrong. **Associations, on the other hand, are regulated by the state.** So legislators do get complaints when things go wrong in a community association.

Combine this with legislators' emerging realization that significant sums of money are collected by associations and short-sighted, knee-jerk legislation ensues.

Most legislators do not thoroughly understand common-interest communities or who their patchwork legislation is actually protecting. Legislators too often shoot from the hip, passing laws that ricochet and cause collateral damage. And they will continue to do so in the future unless the Common Interest Community (CIC) [the HOA] interests undertake vigorous lobbying, education programs, and awareness campaigns to enhance their understanding.

A critical goal of the Eastern Panhandle Organization of Homeowners Associations, Inc.

It's likely that increased legislative attention to CICs in the future will exceed volunteers' capacity to advocate on the associations' behalf. As community associations become a larger issue for legislators, boards and their associations will increasingly need a voice—their own professional lobbyists—to advocate for them in the state legislatures and local jurisdictions.

The Eastern Panhandle Organization of Homeowners Associations, Inc. continues to advocate on behalf of West Virginia's homeowners associations.

While CAI [and EPOHOA] plays a large role in advocating for associations, it is possible that management companies and homeowners may arrive at a point in the future where they require lobbyists representing their specific interests. Eventually, CAI's leaders will need to take a hard look at the conundrum of advocating on behalf of community associations and board members when there may be CAI members on opposite sides of a legislative or federal issue.

Although homeowners, boards, developers, managers, attorneys and others are all involved in developing communities and creating associations, each group has its own specific interests as well as a trade group to represent those interests. Frequently, all these groups have the same interests and goals. But they don't seem to realize they're all part of the same whole.

Moreover, other groups such as consumer rights groups, the banking lobby and realtor's groups have divergent interests and greater wherewithal with which to pursue their goals. So coalition with disparate interest groups will become increasingly important for CAI and its members.

Many EPOHOA members are CAI members in West Virginia. their combined strength in numbers will add to the determination and attention WV legislators will hopefully recognize.