

Condominium And Homeowner Associations Are Micro Democracies That Function Much Like Any Other Democratic Form Of Government.

Homeowners cast votes to elect a governing body (board of directors) and the members of that governing body (board members) vote on matters, making the majority of the policy and financial decisions on behalf of their constituents (association members). The majority of association members will support the board on decisions made for the good of the community. Increasing assessments to meet operating expenses, approving a special assessment to fund a capital improvement, or enacting a pet fee to cover cleaning expenses might not be popular decisions, but they are generally accepted by the ownership as “necessary” with no hard feelings against the board.

Certain decisions that would result in significant changes for the association require a percentage of approval from the unit owners, but these are rare. The majority of decisions are made by the board of directors and don't require owner approval or owner input, though many unit owners don't understand that concept. Unit owners frequently chime in at board meetings to voice support or opposition during a board discussion. Sometimes owners respond when a board member makes a motion for approval, not understanding that only a board member's vote counts towards the motion. Board members rarely correct the owners, and rarely ask association members to hold their comments. Essentially that would be telling a neighbor to stop talking and that his or her opinion doesn't matter, which often doesn't bode well come election time, or when the board does need owner support for amendments or special assessments.

Soliciting Owner Opinions, Whether Required Or Not, Is Good Political Strategy.

Several years ago a suburban association with a large senior population decided it was time for a facelift of the common areas. Even though there was a committee established to select paint, carpet, fixtures and furniture for the hallways and lobbies, the majority of the choices were made by the board president and the contractor, whose taste in decor was quite different than the rest of the building's populace.

That was a big mistake. At the annual meeting held shortly after the project concluded, over ninety percent of the owners attended and voted for an almost entirely new board. Similar to recent political debates, the candidates hurled insults at the board members, especially the president, for the decisions made with the hallway remodeling project.

While designs for hallway remodeling and landscaping enhancements don't need homeowner approval, a board that involves owners in the process by posting drawings or paint and carpet samples accomplishes two things: First, the board maintains an appearance of openness, which is more important to some homeowners than actually helping select the paint color. Second, the board establishes a response to complaints about the end-result, “We asked for owner opinions and this was the most popular design.”

Certain amendments to the governing documents require owner approval, such as extending a non-smoking rule to include the individual units, limiting the number of rentals in an association, or no longer allowing pets. So, how does a board gather support and campaign for items that require unit owner approval? While it's not impossible to gather the support to pass these amendments, the

process can take years from start to finish, as well as a lot of time from board members. Before paying an attorney to draft an amendment, a board should poll the unit owners to determine the level of interest in the initiative. Just because a board thinks something is for the good of the community, that doesn't mean homeowners will automatically accept it. Owners need to be convinced it's for the good of the community. Simply sending out an amendment and asking for signatures will not get the job done.

Involving Owners By Asking Them To Complete A Survey Is A Good Start For A Campaign To Pass An Amendment.

It introduces the idea to all of the unit owners who don't attend board meetings or read minutes, and are therefore unaware of discussions the board has undoubtedly had about the topic. If possible, drafting a survey with options

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instead of just a yes or no response will help the board draft an amendment with a greater likelihood of passing. For example, sending a survey that simply asks owners if they support limiting rentals will be much less effective than sending a survey that asks owners if they would support a rental cap of 15%, 20% or 25%. Maybe owners support a limit of 20%, but if the board doesn't ask and drafts an amendment with a limit of 25%, the chances of owner approval decrease. It goes back to the concept of transparency and demonstrates that the board cares about owners and their opinions. Starting off on the right foot will help board members get the required signatures when needed.

Possibly The Most Difficult Part Of Getting An Amendment Passed...

is the effort it takes from individual board members to knock on doors, discuss the amendment and get a signature for approval. Mailing an amendment to owners and asking for a response will not get the amendment passed. It truly is a campaign; knocking on doors, talking to constituents and collecting signatures! The board needs to be educated and prepared to discuss the amendment and the reasons why it will benefit the association. Anyone unequipped or unwilling to discuss the issue should not be tasked with this duty.

Managers and board members should know that rarely is anything accomplished quickly or easily in a community association. Making decisions on minor projects can seem to take forever when multiple people are involved in the process. When preparing to make a major change within the community, whether physical, policy or financial, it's a mistake to assume support of the members will be there when needed. Taking steps to involve, consult and gather support of owners will ease the process and reduce complaints.



All board members and managers who are tasked with executing decisions for the community will be more gratified when they make peace with the inevitable; that there may never be 100% approval and there may always be a complaint at the end of the day, but never that let discourage anyone for campaigning for the common good of the community!



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