

Reserves: No Standards for Calculations or Reporting By Bill Chaffee

After more than two decades of review and re-calculating numbers in reserve studies, it is conclusive that there is a range of different financial results being produced by reserve study companies.

At the end of the recent CAI National Conference, the Reserve Shop Talk session was attended by some of the largest reserve study company principals. The subject of setting industry standards on calculations and reporting was introduced. It was stated that many reserve study companies produce much differing report presentations while also producing different calculation results (using a variety of different undisclosed formulas for calculations).

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Finding Court Cases on HOA Pulse

We have had a few questions on how to search for court cases on the HOA Pulse website, so thought we would show you how to find them. There are two ways to find cases, and it just depends on how you want to search.

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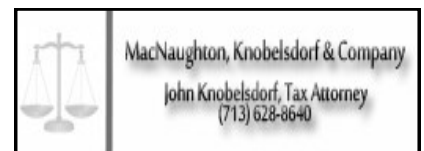


**HOA Pulse has more full text cases than any other site
in the industry. New cases this week include:**

[Taniguchi v. Association of King Manor—Hawaii](#)

[Taylor v. Messmer—Pennsylvania](#)

[Twin Oaks Condominium Association, Inc. v. Jones—Connecticut](#)



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At the end of the recent CAI National Conference, the Reserve Shop Talk session was attended by some of the largest reserve study company principals. The subject of setting industry standards on calculations and reporting was introduced. It was stated that many reserve study companies produce much differing report presentations while also producing different calculation results (using a variety of different undisclosed formulas for calculations).

While one attendee disagreed, others agreed. This may display a lack of need for standardization of calculations and reporting. Different reserve study company reports should have the same resulting numbers if using identical data.

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Finding Court Cases on HOA Pulse

You can access the “Legal Zone” from either the top menu or the left side “Pulse Features menu.” If using the top menu, click on “State Legal Zone” and it will take you to a list of states. Select the desired state to get started. For an example, we will use Arizona. Once you click on Arizona you are directed to the “Arizona State Legal Zone.” This is the Arizona home page and gives you several different options, including Arizona statutes, link to Arizona state government website, pending legislation, and **Arizona Case Law**, which is toward the middle of the page. Click on this selection and you are directed to a table listing of individual cases, listed in alphabetical order. Click on any case to read the full text of the case.

OR

A second option is to again click on the Legal Zone tab from the top menu and select the “Court Cases” option. This directs you to a search screen where you can search the entire court cases database and any of the more than 400 cases on the site. This screen gives you the option of search by state, court level, or case name, options that are not available from the State Legal Zone. If you select Arizona and click on search, you will get results of the same list of cases that appear on the court case listing from the State Legal Zone page. Select individual case name from results to read the full text of the case.

If you have further questions, please send email to admin@hoapulse.com. We will gladly address your questions privately or if we have enough requests, in an article.

Karen Bennett

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Articles on the Web

Article Title	Article Summary	State
Homeowner association tells tenant that church sign has to go	A woman put a sign supporting her church in her yard and the homeowners association wants her to take it down. She claims they are violating her freedom of speech and religion. The HOA claims she is violating a deed restriction.	Texas
HOA board members accused of mismanaging funds	Many board members are being accused of mismanaging funds. One accusation is transferring reserve funds to operating funds and board members are accused of not conducting a study of the reserves in a timely fashion.	Nevada
Cat catching causes conflict in Carlisle	Homeowner Association rules hold a week long annual trap and release program for feral cats. A resident practices this all year long, feeding and capturing feral cats, and the association wants him to stop.	Pennsylvania
Homeowners groups, businesses against proposed Walmart	Nine homeowners associations and many small businesses have joined forces to prevent a Walmart from building a store in their community.	Illinois
Family ordered to remove street memorial	The mother of a teenager who died, was ordered to remove the makeshift memorial that was built at the site of his death. Within 48 hours a resident of the homeowners association wanted the items removed.	California
Condo residents ask for more city services	Residents of a homeowners association have been attending city council meetings to request that the city take responsibility to clear their sidewalks during the winter. The city hesitates due to cost but the residents pay city taxes and feel it is the city's responsibility.	Maine
How to tame a rogue co-op or condo board member	Rogue board members can be difficult to deal with. The author offers suggestions for dealing with and redirecting a difficult board member.	National
Opinions Alert: Condo association wins revolving door case	A resident of Park Avenue Condominium Association, Inc. fell and broke her hip and elbow when she was hit by the rotating door. A Court of Appeals found that the resident failed to prove the door was a hazard and that the door was working improperly.	Georgia
Condo association beats bank in million-dollar foreclosure battle	A bank missed the deadline to file for foreclosure resulting in the condominium association being able to keep the high end condo for itself.	Florida
Brewer signs community association bill	Gov. Jan Brewer signed a bill that was supposed to address campaign finance. At the last minute lawmakers added provisions that would change the way homeowners associations do business.	Arizona
Sugartree neighborhood's problem: Too few foreclosures	A homeowners association is frustrated because the banks are not foreclosing quickly enough leaving properties to remain empty and some in a damaged state.	Missouri
Alligator on loose near TX neighborhood	A community is warning its residents to beware because of a 7-foot alligator that has taken up residence in a local pond. Residents are warning to keep children and pets away from the pond until a professional can catch it.	Texas
Congratulations, You're a Homeowner: Now What?	The author of this article lists the many things to accomplish before a new homeowner gets settled into their new place.	National
New HOA law approved; Sen. Hays fulfills promise	A reform bill has been signed by Gov. Rick Scott that will affect how HOAs operate and will help control some bad business practices by developers and homeowners associations.	Florida
Schumer urges insurer penalties over pricey LI policies	Insurance companies are more than doubling their premiums or no longer covering homeowner associations in portions of Long Island, because of the threat of storm damage.	New York