

Going Rogue

By Chuck Miller

Over the years almost every manager is going to ultimately deal with at least one board member that “goes rogue.” The effect on the Board of Directors, and even in the entire Association, can be devastating. These people can seemingly pop out of nowhere and all of a sudden you've got a problem to deal with. A rogue board member is generally disruptive to meetings and can damage the effectiveness and efficiency of the board. If left unchecked, this damage can spread to the entire Association.

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Association Wants Club's Money

By HOA Pulse Staff

Periodically, we receive questions from readers regarding specific issues. This one came in recently, and we passed it along to one of our sponsors, Gary Porter CPA for comment.

Question - I am the treasurer of our Social Committee of our Association. I am not a member of the board of directors, but do report to the board on behalf of our committee, which is one of several within the community. It was decided years ago that the Social Committee would act in an oversight capacity for a number of clubs that some of our members have formed over the years. While we have more than 1,000 members within the community, most clubs consist of just a few dozen people that share common interests and want to perform certain activities together on a group basis.

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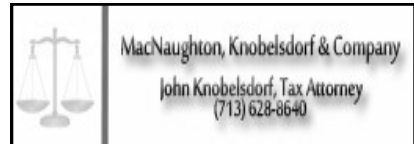
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How do you identify this individual and what can you do about it?

There appear to be two main types of rogues, each of which has their own unique characteristics and goals:

1. the well-intentioned, but misguided individual
2. a self-interested or bad intentioned individual

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The Social Committee is the “bank” for funds raised by our various clubs and organizations. The Social Committee has its own bank account, but it was established using the Association’s federal ID number. This account is separate from any Association operating or reserve accounts and is used just for the club activities. Some clubs also raise funds to pay for projects in the community, such as new benches for one of the parks.

This year, our Board of Directors informed us that any committee funds in excess of their budget was to be turned over to Association for use in the operating budget. The Board’s position is that the Social Committee is part of the Association, and any funds in excess of budget are essentially “profits” and therefore, do not belong to the committee. We’re stunned. It just doesn’t seem right. Can you provide any information on this topic?

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Articles on the Web

Article Title	Article Summary	State
New N.C. law encourages mediation in HOA disputes	A new law in North Carolina encourages mediation prior to civil court action in disputes between residents and their homeowners association.	North Carolina
Tenants in condominium associations	There are owners and tenants that live in condominium associations. The tenants are members of the community and the rules and regulations are applicable to them as well, however, many find the enforcement of the rules are generally managed through the owner.	New Mexico
Claiborne Community plans for storm clouds ahead	A community used to natural disasters has purchased an old vacant Methodist church. Their intention is to have a full time community gathering place.	Maryland
Lakeway residents celebrate Firewise certification	Lakeway City Hall has received a community certification to learn more about reducing wildfire dangers in their neighborhoods.	Texas
New HOA laws require debt collection policy, licensed managers	Legislation passed this year, has Colorado homeowners associations facing stricter standards on debt collections and manager licensing.	Colorado
Continental Ranch HOA recall vote stalled	Residents of Continental Ranch have submitted a petition to hold a recall election of their board of directors. Residents say their attempts have been unfairly ignored and the board is questioning the legitimacy of the signers.	Arizona
Neighbors put up dozens of flags for July 4th	Residents requested from the board of their homeowners association a way to celebrate Independence Day. The board responded by putting up 50 American flags through their community.	Florida
Police: HOA official pointed gun at woman for breaking rules	A woman who was sitting on a dock watching fireworks, was approached by a man who was chairman of the Fine and Hearing Violations Committee. The man was carrying a gun and he pointed it at her claiming what she was doing as illegal.	Florida
HOA dispute goes to trial next month: Homeowners at The Pointe South Mountain claim funds are being misspent	Lawyers are preparing to argue a case to determine if a homeowners association is using the correct funds to maintain the common areas.	Arizona
Warren Lake residents seek answers in wake of project that uprooted trees, damaged property	Landscaping work, which included removing healthy trees, is frustrating residents of Warren Lake. The homeowners want to know when the landscaping work will be done.	Colorado
Hydrilla under control strategy has checked aquatic weed's growth	A scenic lake in North Carolina has been treated to eradicate a fast-spreading aquatic weed. The cost to treat it has been paid for by local associations and the local resort that all share the lake. Unfortunately, funding is dwindling and residents are concerned because they don't believe the problem has been totally eradicated.	North Carolina
Condo owner continues legal fight over easement granted for Transco pipeline	A homeowner claims Transco gas pipeline illegally seized her land to install a gas line that carries natural gas across New Jersey. The homeowner claims the association granted an easement which she claims they were not authorized to do.	New Jersey
Keven Moore on Insurance: How the Trayvon Martin tragedy affects you, your community	The Trayvon Martin case will bring attention to the responsibilities of your homeowners associations, especially to all neighborhood watch programs.	Kentucky
Continental Ranch residents clash with HOA board	Police presence and early adjournment were the result of an association board meeting gone awry. Residents claim it was a result at an unjust attempt to recall an entire board.	Arizona