

Rights & Responsibilities for Better Communities

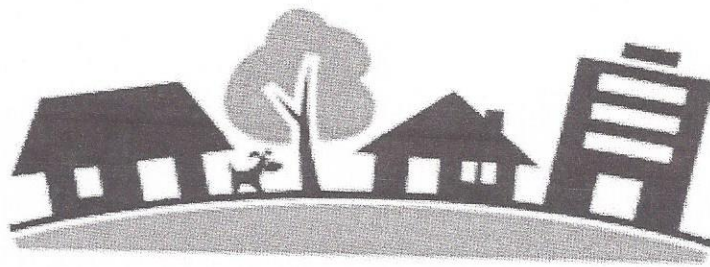
Perhaps the greatest achievement for any association is creating and sustaining a sense of community among residents and leaders. This goal is best achieved when homeowners, non-owner residents, and association leaders recognize and embrace their rights and responsibilities. It was with this goal in mind that CAI developed Rights and Responsibilities for Better Communities. These principals can serve as an important guidepost for board and committee members, community managers, homeowners and non-owner residents.

Homeowners have the right to:

1. A responsive and competent community association
2. Honest, fair and respectful treatment by community leaders and managers
3. Participate in governing the community association by attending meetings, serving on committees and standing for election
4. Access appropriate association books and records
5. Prudent expenditure of fees and other assessments
6. Live in a community where the property is maintained according to established standards
7. Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated
8. Receive all documents that address rules and regulations governing the community association – if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community
9. Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights

Homeowners have the responsibility to:

1. Read and comply with the governing documents of the community
2. *Maintain their property according to established standards*
3. Treat association leaders honestly and with respect
4. Vote in community elections and on other issues
5. Pay association assessments and charges on time
6. Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements
7. Request reconsideration of material decisions that personally affect them
8. Provide current contact information to association leaders or managers to help ensure they receive information from the community
9. Ensure that those who reside on their property (e.g., tenants, relatives and friends) adhere to all rules and regulations



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Community leaders have the right to:

1. Expect owners and non-owner residents to meet their financial obligations to the community
2. Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association
3. Respectful and honest treatment from residents
4. Conduct meetings in a positive and constructive atmosphere
5. Receive support and constructive input from owners and non-owner residents
6. Personal privacy at home and during leisure time in the community
7. Take advantage of education opportunities (e.g., publications, training workshops) that are directly related to their responsibilities and as approved by the association

Community leaders have the responsibility to:

1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community
2. Exercise sound business judgment and follow established management practices
3. Balance the needs and obligations of the community as a whole with those of the individual homeowners and residents
4. Understand the association's governing documents, become educated with respect to applicable state and local laws and manage the community association accordingly
5. Establish committees or use other methods to obtain input from owners and non-owner residents
6. Conduct open, fair and well-publicized elections
7. Welcome and educate new members of the community – owners and non-owner residents alike
8. Encourage input from residents on issues affecting them personally and the community as a whole
9. Encourage events that foster neighborliness and a sense of community
10. Conduct business in a transparent manner when feasible and appropriate
11. Allow homeowners access to appropriate community records when requested
12. Collect all monies due from owners and non-owner residents
13. Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligation to the community
14. Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights – where permitted by law and the association's governing documents
15. Initiate foreclosure proceedings only as a measure of last resort
16. Make covenants conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents
17. Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of the community leaders, e.g., officers, the board and committees. (Community associations may want to develop a code of ethics)