



How to Handle HOA Complaints

A national survey found 90 percent of residents rate their overall community association experience as positive (64%) or neutral (26%)*. Unfortunately, your office will not receive comments from constituents on the benefits of their community association. Instead your staff will be fielding concerns from constituents who feel they have been wronged by their association board. Try doing the following before you decide to introduce legislation that would specifically address your constituents' complaints:

Ask yourself:

- ***What laws currently exist in my state?*** Your state laws may already dictate the solution for the constituent. Do you know that when asked what level of government regulation they would prefer, 86 percent of respondents said they want less or no additional government control?* If you find your state laws are lacking, then consider introducing the uniform common interest ownership act.
- ***Does my state have a local Community Associations Institute (CAI) Chapter?***
 - CAI represents every level of community association living - from homeowners and board members to professionals who manage associations or offer services to associations (e.g. accountants, attorneys). CAI has no special interest other than to foster harmonious communities that are preferred places to be called home.
 - CAI offers education and resources on every aspect of community association living. Encourage your constituents to educate themselves on how to resolve conflicts.
- ***Do I understand how community associations work?*** Did you know that 70 percent of residents feel that the rules protect and enhance property values?* Get to know where your constituents live. Please contact CAI if you would like to visit a community association in your state.

Then ask your constituent:

- ***Do you understand your governing documents as it relates to your concern?*** Unfortunately many residents may not. The governing documents may already provide an avenue for the constituent to resolve their grievance.
- ***Did you submit your concern to your association's board of directors?*** It is understandable that some may become frustrated with the democracy of association boards. However, 90% of respondents said association board members "absolutely" or "for the most part" serve in their best interest.* Most associations adopt an internal dispute resolution process. This requires boards to meet and create a channel for the constituent to resolve their dispute and help cut costly litigation for and against your constituents. Encourage your constituent to work with the community to resolve the matter.
- ***Do you know your rights and responsibilities?*** By purchasing the home in an association your constituents have entered into a private contract with the association. Homeowners and association leaders must recognize and embrace their rights and responsibilities. Share CAI's Principles for Community Association Success* with your constituents, and challenge them to work with their neighbors to reduce conflict and build a stronger, more successful community.

*From *Good to Great* – CAI's principles for community association success.