

We Need A Board Of Directors Because....

- The HOA Board of Directors maintains the community common areas and ensures compliance with community standards.
- The State of Florida requires a Homeowner Association to run the community and will appoint a manager (and charge the cost of the manager to the owners) if the community does not have a Board of Directors

In the United States, a **homeowner association** (or **homeowners association**) (**HOA**) is a corporation formed by a real estate developer for the purpose of marketing, managing, and selling of homes and lots in a residential subdivision. It grants the developer privileged voting rights in governing the association, while allowing the developer to exit financial and legal responsibility of the organization, typically by transferring ownership of the association to the homeowners after selling off a predetermined number of lots. Membership in the homeowners association by a residential buyer is typically a condition of purchase; a buyer isn't given an option to reject it. Most homeowner associations are incorporated, and are subject to state statutes that govern non-profit corporations and homeowner associations.

The term "homeowners association" or "association" refers to a mandatory homeowners association, where the homeowner's property interest is the real property and improvements thereon. The authority of a homeowners association is determined by relevant state statutes and the "governing documents." The governing documents usually include the Covenants, Conditions, and Restrictions (CC&Rs) and the corporate documents (articles and bylaws) referenced by the CC&Rs and usually attached as exhibits. They may also include board-enacted rules as authorized (expressly or implicitly) by the CC&Rs.

The association is structured as a private corporation and subject to the state's corporation statutes and/or specific association statutes. It is incorporated by the developer prior to the initial sale of homes, and the CC&Rs are recorded when the property is subdivided. The "governing documents" usually include the CC&Rs, the corporate documents (articles and bylaws) as referenced in the CC&Rs, and board-enacted rules and regulations as authorized (expressly or implicitly) by the CC&Rs.

In the State of Florida – if the homeowners association ceases to function, the State will step in and appoint a Manager to run the association. The cost of this state appointed manager will be paid for by owners.

If an owner sells the property (and improvements thereon) the seller ceases to be a member of the association and the new owner automatically becomes a member. All members of a mandatory homeowners association must pay assessments to and abide by the association's governing documents.

A HOA (Homeowners Association) provides a number of benefits which vary depending on the community and structure of the HOA. These benefits may include an opportunity for residents to enforce and amend the CC&RS (covenants, conditions and restrictions) to maintain the common

scheme of development, shared neighborhood values and minimize ownership maintenance responsibility. Use restrictions may be stricter than municipal codes provide but are usually subject to statutory constraints. For example, HOAs may regulate the exterior appearance of single family homes and even the conduct of owners, tenants and guests (such as prohibiting nuisances like excessive noise). Many homeowner associations operate and manage common property owned by the HOA for the exclusive use of its members and their tenants or guests. Common property (or area) is an important benefit of HOAs, providing homeowners with amenities such as a pool, clubhouse, gym, tennis court or walking trail that they may otherwise be unable to afford. The extent of these amenities varies widely depending on the community.

Board members or officers are elected by the homeowners, with the ability in some states for the membership to remove board members. CC&Rs (Covenants, conditions and restrictions) and sometimes state statutes require both board and membership meetings to conduct HOA business.

Each member of a homeowner association pays assessments that are used to cover the expenses of the development. Some examples are landscaping for the common areas, maintenance and upkeep of the subdivision's amenities, insurance for commonly owned structures and areas, mailing costs for newsletters and other correspondence, employment of a community association manager, association legal counsel, security personnel and gate maintenance, and any other items authorized by the governing documents.

Some residents rate their overall experience living in a common interest development as good. A survey of 709 people by Zogby International, sponsored by the Foundation for Community Association Research, an organization created by the Community Associations Institute trade association, showed that for every homeowner who rated the overall experience of living in a homeowner association as negative, seven saw it as positive.

Note: much of the information above was sourced from Wikipedia.