

**COMMON INTEREST COMMUNITY BOARD
REGULATORY REVIEW COMMITTEE MEETING**

MINUTES OF MEETING

The Common Interest Community Board, Regulatory Review Committee met on Thursday, December 11, 2008, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 1, Richmond, Virginia 23233.

The following members were present:

Kimberly B. Kacani, Chair
F. James Ahlberg
Douglas M. Kleine
R. Lee Merritt
Theodore F. Adams, III
Scott M. Gaeser
Michael A. Inman (arrived at 9:20 a.m.)
Christiaan P. Melson
Paul L. Orlando

Ex-Officio member Lucia Anna Trigiani was not in attendance.

DPOR staff present for all or part of the meeting included:

Mark N. Courtney, Deputy Director of LRD
Nick Christner, Deputy Director of CID
Trisha L. Henshaw, Executive Director
Thomas K. Perry, Property Registration Administrator
Betty C. Jones, Administrative Assistant
Heather Gillespie, Ombudsman
Cynthia Schrier, Complaint Analyst

Steven Jack from the Office of the Attorney General was present.

Ms. Kacani, Chair, called the meeting to order at 10:06 a.m.

Call to Order

The Committee approved the agenda as written by consensus.

Approval of Agenda

Ms. Kacani opened the floor for public comment. No members of the public present requested to speak.

**Public Comment
Period**

The Committee was advised that, at the December 2nd Board meeting, the Common Interest Community Board reviewed the changes the Committee had made to date to the draft regulations. Ms. Kacani provided the Committee with a handout containing comments from the

**Update from
December 2nd
Board Meeting**

Board. The Committee reviewed and discussed the Board's comments and made changes to the draft regulations as needed.

Mr. Inman arrived at 9:20 a.m.

**Arrival of
Committee Member**

Ms. Kacani discussed the black-lined version of the Common Interest Community Manager Regulations. The Committee reviewed the black-line regulations in detail. Several items were discussed at length, including the meaning of the word "firm," provisions regarding adverse financial information, maintenance and management of client accounts, and prohibited acts.

**Review Black-line
Regulations**

The Committee recessed for lunch from 12:05 p.m. to 12:45 p.m.

Lunch

Before revisiting the review of the Common Interest Community Manager Regulations, Ms. Kacani reminded the members that the purpose of the regulations is to set minimum standards for practice and conduct in the profession without overburdening the regulants with excessive regulations. After discussion of the regulations, the Committee suggested that staff provide a copy of the proposed changes to the regulations for review at the next meeting.

**Review Black-line
Regulations**

Mr. Inman expressed concern that management companies are having difficulty obtaining a three-year insurance policy/bond, but can obtain a one-year policy. An application for a provisional license is considered incomplete without submission of proof of insurance/bond with an effective date that will run the length of the provisional term (June 30, 2011). After discussion, staff and counsel determined that submission of a bond/policy that was either continuous until cancelled or held throughout the license period would meet the requirements of the regulations. The regulations require that the Board be notified of any change in bond/policy (including but not limited to termination, cancellation, or amendment), thus failure to do so could result in disciplinary action by the Board.

**Discuss
Insurance/Bond
Requirements**

Staff will correspond with the applicants who have applied thus far, and will issue a license as long as requirements have been met and the bond/policy complies with these requirements, as well as any other statutory/regulatory requirements.

Mr. Adams provided a handout on the education provisions for the Common Interest Community Manager Regulations. The Committee discussed several items such as scheduling courses, course material,

**Report from Teams
(continued from
November 12, 2008,**

financial information, examinations, and certification of supervisory employees of a regulant. **meeting)**

Mr. Inman departed at 1:55 p.m. Mr. Melson subsequently departed at 2:06 p.m. **Departure of
Committee
Members**

Ms. Kacani advised that the primary focus of the final meeting of the Committee will be education, prohibited acts, and the regulations related to the insurance and bond requirement provisions. These changes will be discussed at the next Committee meeting. **Plan for January 13,
2009, Final
Committee Meeting**

The Board members serving on the Committee were reminded to complete their conflict of interest forms and travel vouchers. **Conflict of Interest
and Travel Voucher
Forms**

There being no further business, the meeting was adjourned at 2:21 p.m. **Adjourn**



Lucia Anna Trigiani, Chair



Jay W. DeBoer, Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Kimberly B. Kacani
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Regulatory Review Committee Meeting December 11, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

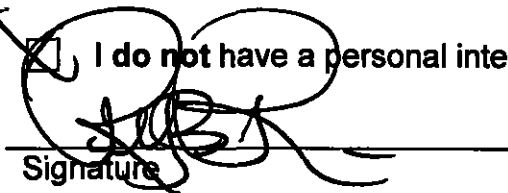
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

12-11-08

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: F. James Ahlberg
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Regulatory Review Committee Meeting December 11, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

F. J. Ahlberg
Signature

12/11/08
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Douglas M. Kleine
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Regulatory Review Committee Meeting December 11, 2008

5. I have a personal interest in the following transaction:

PCAM emeritus

Nature of Personal Interest Affected by Transaction:

I am PCAM emeritus

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. W. M. Kleine do not have a personal interest in any transactions taken at this meeting.

W. M. Kleine
Signature

12/11/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: R. Lee Merritt
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Regulatory Review Committee Meeting December 11, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

R. Lee Merritt
Signature

12/11/08
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Scott M. Gaeser
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Regulatory Review Committee Meeting December 11, 2008

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

12-11-08
Date