

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board (Board) met on March 9, 2023, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 3, Richmond, Virginia 23233.

The following members were present:

Maureen A. Baker
Matt Durham
Jim Foley
Eileen Greenberg
Thomas Mazzei
David Mercer
Anne M. Sheehan
Margaret Tunstall

Board members Lori Overholt, Scott Sterling, and Katherine E. Waddell were not in attendance at the meeting.

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

Kishore Thota, Chief Deputy Director
Trisha L. Lindsey, Executive Director
Stephen Kirschner, Licensing and Regulatory Programs Division Deputy Director
Heather Gillespie, Ombudsman
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Raven C. Custer, Administrative Coordinator

Joshua Laws from the Office of the Attorney General was present.

Finding a quorum of the Board present, Mr. Durham called the meeting to order at 10:00 a.m. **Call to Order**

Ms. Lindsey advised the Board of the emergency evacuation procedures. **Emergency Evacuation Procedures**

Mr. Foley moved to approve the agenda. Ms. Baker seconded the motion, which was unanimously approved by: Baker, Durham, Foley, Greenberg, Mazzei, Sheehan, and Tunstall. **Approval of Agenda**

Mr. Foley moved to approve the minutes of the December 8, 2022, Training Program Review Committee as presented. Ms. Tunstall seconded the motion. The following members voted in favor of the motion: Baker, Durham, Foley, Greenberg Sheehan, and Tunstall. Mr. Mazzei abstained. The motion to approve the minutes as presented passed by majority.

Approval of Minutes

Ms. Sheehan moved to approve the minutes of the December 8, 2022, Board Meeting as presented. Ms. Baker seconded the motion. The following Board Members voted in favor of the motion: Baker, Durham, Foley, Greenberg, Sheehan and Tunstall. Mr. Mazzei abstained. The motion to approve the minutes as presented passed by majority.

Mr. Mercer arrived at 10:03 a.m.

Arrival of Board Member

Ms. Lindsey introduced Mr. Mazzei and Ms. Tunstall.

Introduction of Board Members

The Board Members and Board staff introduced themselves.

No members of the public present came forward to address the Board.

Public Comment Period

Mr. Haughwout asked the Board to consider issuance of a temporary cease and desist order against the condominium project registration of Calvert Lofts, A Condominium, for failure of the declarant, Mariposa, LLC, to (i) submit an annual report as required by § 55.1-1979 of the Code of Virginia; and Board Regulation 18 VAC 48-30-540; (ii) post or maintain a bond or letter of credit to insure payment of assessments as required by § 55.1-1968 of the Code of Virginia; and (iii) comply with the requirements of Board Regulation 18 VAC 48-30-570.

Consider Temporary Cease & Desist Orders Regarding Condominium Registrations

After discussion, Mr. Mazzei moved to authorize staff to issue a temporary cease and desist order against the project registration of Calvert Lofts, A Condominium, and require Mariposa, LLC, to (i) submit the required annual report in accordance with the Code of Virginia and the Board's regulations; and (ii) either provide current evidence from the surety or financial institution of the bond or letter of credit required pursuant to § 55.1-1968 of the Code of Virginia, or submit a replacement bond or letter of credit; or provide a request for return of the assessment bond that meets the requirements of 18 VAC 48-30-570 within thirty (30) days of the order's effective date, as the Declarant's failure to comply with §§ 55.1-1979 and 55.1-1968 of the

Code of Virginia, and 18 VAC 48-30-570 would cause irreparable harm to the public interest . Mr. Foley seconded the motion which was unanimously approved by: Baker, Durham, Foley, Greenberg, Mazzei, Mercer, Sheehan, and Tunstall.

Mr. Haughwout provided an update on the current status of the regulatory review processes for the Board’s regulatory packages:

**Update on
Regulatory Actions**

The CIC Manager Regulatory Review Committee recommendations and draft proposed amendments to the CIC Manager Regulations were approved, with revisions, by the Board at the March 3, 2022 Board meeting. The proposed regulatory text was submitted for Executive Branch review on March 14, 2022.

The Board authorized filing of NOIRA and formation of a CIC Ombudsman Regulatory Review Committee on December 8, 2022, for conducting a general review of the Common Interest Community Ombudsman Regulations. The NOIRA is in development and the Committee is being formed.

Ms. Lindsey advised the Board that the SB 740 Structural Integrity and Reserves Workgroup has held one (1) meeting since the last Board meeting.

**Update on SB 740
Structural Integrity
and Reserves
Workgroup**

Ms. Lindsey provided an overview of the discussions from the Workgroup and reviewed the list of preliminary recommendations from the previous Workgroup meeting.

Ms. Sheehan spoke regarding her participation in the Workgroup.

The next, and final, meeting for the Structural Integrity and Reserves Workgroup will be in Richmond on March 15, 2023.

Ms. Lindsey provided the Board with an update on legislation passed during the 2023 General Assembly session that may impact the Board.

**2023 Legislative
Update**

The Board discussed the need for a special CIC Board meeting to address specific legislation the Board will be required to implement.

Ms. Gillespie introduced Ben Tyree, the CIC Administrative Support Specialist.

Ombudsman Report

The Board received a report from the Office of the Common Interest Community Ombudsman. The report contains statistics on complaints

received by the Ombudsman's office, as well as compliance and enforcement statistics.

Ms. Lindsey provided the Board with the most recent financial statements.

Board Financial Statements

Ms. Lindsey informed that Board that the Department is preparing for the Board Member Training Conference in 2024.

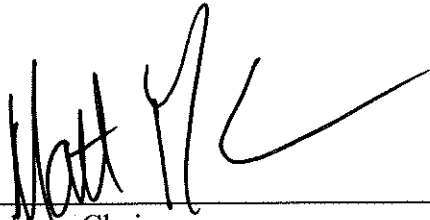
Other Board Business

Mr. Durham reminded Board members to complete their conflict of interest forms.

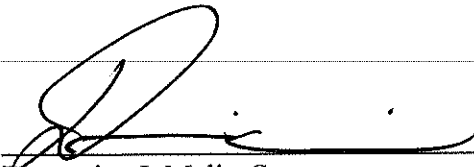
Complete Conflict of Interest Forms and Travel Vouchers

There being no further business, the meeting was adjourned at 10: 55 a.m.

Adjourn



Matt Durham, Chair



Demetrios J. Melis, Secretary

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

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

1. Name Maureen A. Baker
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023
5. Do you have a personal interest in the following transaction?
 No; I **do not** have a personal interest in any transactions taken at this meeting.
 Yes - If yes, please answer the following questions.
- A. _____
(Agenda Item)
- B. Nature of Personal Interest Affected by Transaction:
- C. I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
 I did not participate in the transaction.

6. Signature of Board Member:

Maureen A. Baker
Signature

3/9/2023.
Date

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

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

1. Name Thomas Mazzei
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

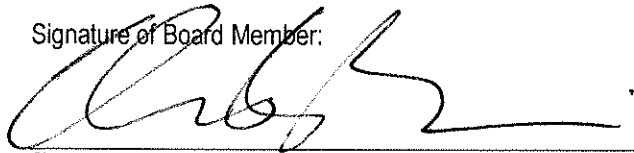
B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:



Signature

Date

3/9/23

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

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

1. Name Eileen M. Greenberg
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
- I did not participate in the transaction.

6. Signature of Board Member:

Eileen Greenberg 3/9/23
Signature Date

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

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

1. Name Margaret Tunstall
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A.

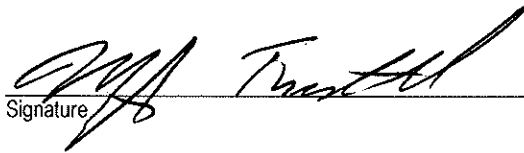
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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6. Signature of Board Member:


Signature

3/9/23
Date

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

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

1. Name Anne M. Sheehan
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. _____
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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- D. I am able to participate in this transaction fairly, objectively, and in the public interest. or
- I did not participate in the transaction.

6. Signature of Board Member:


Signature

3/9/2023
Date

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

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

1. Name Jim Foley
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

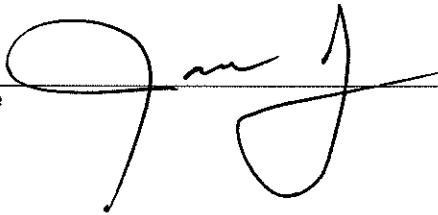
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D. I am able to participate in this transaction fairly, objectively, and in the public interest. or

I did not participate in the transaction.

6. Signature of Board Member:

Signature



Date

3/9/23

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name David Mercer
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Common Interest Community Board
(Name of Board)
4. Meeting/IFF Date: 03/09/2023

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

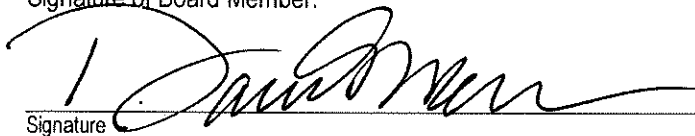
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I did not participate in the transaction.

6. Signature of Board Member:

Signature



Date

3/9/23

