

SB 693 COMMITTEE
OF THE
COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The SB 693 Committee of the Common Interest Community Board (Board) met on August 9, 2022 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:

Lori Overholt, Chair
Matt Durham
Heather Gillespie (Ex-officio, Non-voting)
Drew Mulhare (Ex-officio)
Paul Orlando
Sue Tarley
Jerry Wright

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

Demetrios J. Melis, Director
Trisha L. Lindsey, Executive Director
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Raven Custer, Administrative Coordinator

Ms. Overholt, Chair, called the meeting to order at 10:32 a.m.

Call to Order

Mr. Haughwout advised the Committee of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Durham moved to approve the agenda as presented. Mr. Orlando seconded the motion which was unanimously approved by: Durham, Mulhare, Orlando, Overholt, Tarley, and Wright. Ms. Gillespie did not vote as she is a non-voting member of the committee.

Approval of Agenda

There were no members of the public present who wished to address the Committee. Mr. Haughwout informed the Committee that a public hearing had been held before the Committee meeting and no members of the public were present to comment.

**Public Comment
Period**

Mr. Haughwout provided the Committee with an overview of the purpose of the Committee and legislative study guidelines.

Overview

Mr. Haughwout introduced the Committee Members and Board Staff.

**Introduction of
Members and Staff**

Mr. Haughwout provided an overview of the resources available to the Committee Members.

**Resources and
Information**

The Committee was provided with (i) applicable common interest community laws and regulations, including those related to the association complaint process; (ii) Senate Bill 693; (iii) background on creation of CIC Ombudsman Office; (iv) information on CIC complaint procedure, including a sample NFAD; (v) information on DPOR system capacity to receive audio and video recordings; (vi) Freedom of Information Act (FOIA) requirements for public records; and (vii) information about other states that have an community association ombudsman or similar office.

Ms. Gillespie provided a presentation on the association complaint process, including requirements for filing of a Notice of Final Adverse Decision (NFAD).

Discussion

The Committee discussed the Department's technical capacity to receive and review audio and visual recordings as part of an NFAD, and related requirements for submission of recordings. The Committee also discussed whether recordings would assist the Ombudsman in performing review of an NFAD and making a determination, and related issues.

The Committee Recessed from 12:27 p.m. to 12:38 p.m.

Recess

The Committee discussed public records requirements under FOIA and the Department's practices related to the release of information. The Committee also discussed privacy issues related to common interest communities, and how allowing for audio and video recordings may affect associations.

**Discussion
Continued**

Discussion was held on the next steps for the Committee.

Other Business

The Committee agreed by consensus to move forward and authorize staff to prepare a report of findings.

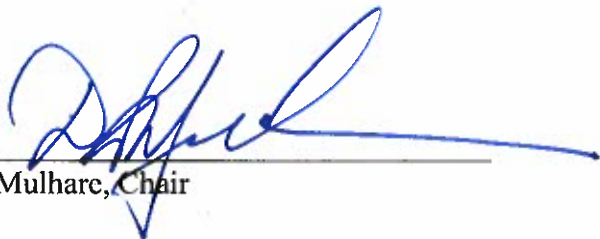
The Committee agreed to plan for the next meeting to be held in September 2022.

**Future Meeting
Date**

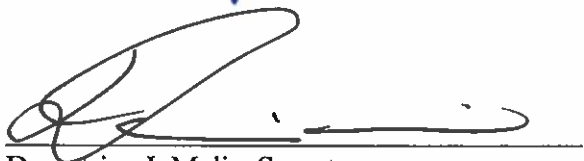
There being no further business, the meeting adjourned at 1:07 p.m.

Adjourn

SB 693 Committee
August 9, 2022



Drew Mulhare, 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: Matt Durham
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Committee Meeting August 9, 2022

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:

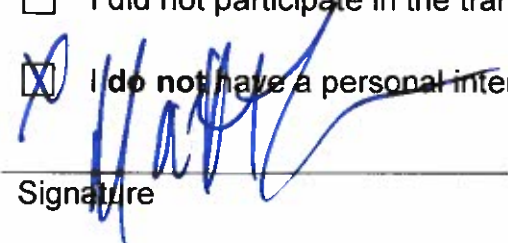
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

8/9/22

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

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

1. Name: Lori Overholt
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Committee Meeting August 9, 2022

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

None

Nature of Personal Interest Affected by Transaction:

None

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.

Lou Overholt
Signature

8/9/2022
Date

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

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

1. Name: Drew R. Mulhare
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Committee Meeting August 9, 2022

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

Nature of Personal Interest Affected by Transaction:

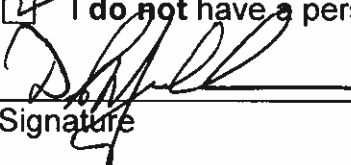
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

8/9/22
Date

