

**COMMON INTEREST COMMUNITY BOARD
MINUTES OF MEETING**

December 5, 2024

The Common Interest Community Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. All members present were qualified to vote, except where a specific reason for disqualification is stated. There are eleven (11) members on this Board, in which six (6) constitutes a quorum pursuant to § 54.1-2348.

The following members were present:

Matt Durham, Chair
Drew Mulhare, Vice Chair
Deborah Casey
Catherine Noonan
Marcy Peacock
Anne Sheehan
Tracey Talbert
Meg Tunstall
Daniel Zickefoose

Board members absent from the meeting

Thomas Mazzei
Katherine Waddell

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

Brian P. Wolford, Agency Director
Stephen Kirschner, LRPD Deputy Director
Tom Payne, CIC Deputy Director
Anika Coleman, Executive Director
Breanne Lindsey, Regulatory Operations Administrator
Gezelle Glasgow, Administrative Coordinator
Donna Divers, Licensing Specialist
Lauren England, CIC and Cemetery Analyst
Justina Ehiawaguan, CIC Ombudsman

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

Mr. Durham determined a quorum was present and called the meeting to order at 10:01 A.M.

CALL TO ORDER

Emergency Egress

Ms. Coleman informed the Board of the emergency evacuation procedures.

Ms. Noonan moved to approve the agenda as presented. **Ms. Casey seconded** the motion which was unanimously approved by members: Casey, Durham, Mulhare, Noonan, Peacock, Sheehan, Talbert, Tunstall, and Zickefoose.

APPROVAL OF AGENDA

Ms. Talbert moved to approve the minutes from the October 03, 2024, Common Interest Community Board meeting. **Ms. Tunstall seconded** the motion which was approved by members: Casey, Durham, Mulhare, Noonan, Peacock, Sheehan, Talbert, Tunstall, and Zickefoose.

APPROVAL OF MINUTES

.

Mr. Durham allowed the Board and Board staff to introduce themselves due to recent reorganization changes and new Board members.

WELCOME AND INTRODUCTIONS

Mr. Durham read the following resolutions for Joyce Wolfe.

RESOLUTIONS

**Department of Professional and Occupational Regulation
Common Interest Community Board
Resolution for
Joyce Wolfe**

WHEREAS, **Joyce Wolfe** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation from 2023 to 2024

WHEREAS, **Joyce Wolfe**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Joyce Wolfe**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Common Interest Community Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Common Interest Community

Board this fifth day of December 2024, that **Joyce Wolfe** be given all honors and respect due her for her outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

The was no public comment.

PUBLIC COMMENT

**REVIEW FILES
AND
DISCIPLINARY
MATTERS**

Ms. Tunstall recused themselves for the following case file:
File Number: 2023-02594- River Creek Commons

**Recusal of Board
Member**

In the matter of **File Number: 2023-02594- River Creek Commons**, the Board members reviewed the record which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference. River Creek Commons A Condominium appeared at the Board meeting by counsel.

**File Number: 2023-
02594- River Creek
Commons**

Mr. Mulhare moved to accept the recommendation and find River Creek Commons A Condominium in violation of Board regulation **18 VAC 48-30-690.1** as provided in Count 1. **Ms. Sheehan seconded** the motion which was approved by: Casey, Durham, Mulhare, Noonan, Peacock, Sheehan, Talbert, and Zickefoose.

Mr. Mulhare moved to accept the sanctions as recommended and impose no monetary penalty and revoke River Creek Commons condominium registration, for the violation as provided in Count 1. **Ms. Talbert seconded** the motion which was approved by: Casey, Durham, Mulhare, Noonan, Peacock, Sheehan, Talbert, and Zickefoose.

Ms. Tunstall returned to the meeting.

**Return of Board
Member**

Ms. Sheehan and Ms. Talbert recused themselves for the following case file:
File Number: 2024-01033–First Virginia Community Management Inc

**Recusal of Board
Members**

In the matter of **File Number: 2024-01033–First Virginia Community Management Inc**, the Board reviewed the Consent Order as seen and agreed to by First Virginia Community Management Inc. First Virginia Community Management Inc did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

File Number: 2024-01033–First Virginia Community Management Inc

Ms. Casey moved to accept the proposed Consent Order offer wherein First Virginia Community Management Inc admits to violations of **18 VAC 48-50-190.14** (Count 1) and **18 VAC 48-50-190.17** (Count 2), of the Common Interest Community Board Regulations and agrees to a monetary penalty of \$250.00 for the violation contained in Count 1, \$750.00 for the violation contained in Count 2 and \$150.00 for Board costs for a total of \$1,150.00.

Ms. Tunstall seconded the motion which was unanimously approved by members: Durham, Mulhare, Noonan, Tunstall, Waddell, and Zickefoose.

Ms. Sheehan and Ms. Talbert returned to the meeting.

Return of Board Members

NEW BUSINESS

Ms. Coleman provided the Board with the Executive Director's update.

Executive Director's Update

Ms. Coleman informed the Board of the following regulatory updates:

Regulatory Update

CIC Ombudsman Regulations – 18 VAC 48-70

The proposed regulations were approved by the Governor on 11/15/2024. They were submitted to the Registrar on 11/20/2024 and will be published on 12/16/2024. On this same date, the 60-day public comment period will begin and remain open through 2/14/2025. Please note that a public hearing is required during the comment period and is scheduled for 1/8/2025 at DPOR. Board members are not required to attend.

CIC Association Registration – 18 VAC 48-60

The proposed regulations are still in the submission process. Board staff are currently working on this regulatory package.

CIC Manager Regulations – 18 VAC 48-50

The proposed regulations need to be resubmitted. Board staff are actively working on this regulatory package.

Ms. Coleman informed the Board that in 2025, there will be a refresher training on various board-related topics at the end of each meeting.

Training Update

Ms. Coleman provided an update on the EPICx licensing database.

EPICx Update

The Board engaged in a discussion regarding the possibility of conducting meetings virtually. Mr. Kirschner informed the Board that the ability to hold virtual meetings is regulated by the Freedom of Information Act (FOIA) and noted that Board staff would be tasked with drafting a comprehensive policy for the Board's review and consideration. After a thorough discussion, the Board reached a consensus in favor of moving forward with this initiative.

Virtual Meetings

**OTHER BOARD
BUSINESS**

Ms. Ehiawaguan, Common Interest Community Ombudsman, provided the Board with the 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. The Common Interest Community Board annual report was provided as well.

Ombudsman Report

Mr. Durham informed the Board that the most recent financial statements were provided for the Board to review. No action was taken by the Board.

**Board Financial
Statements**

Mr. Durham informed the Board that the Board recovery fund documentation was provided for informational purposes. No action was taken by the Board.

Board Recovery Fund

Mr. Durham and Ms. Coleman informed the Board that they need to elect a Board Chair and Vice-Chair for the upcoming year. Mr. Durham opened the floor for nominations. **Ms. Tunstall nominated** Matt Durham for the position of Chair. The Board in consensus agreed upon the nomination. The nominations were closed. The motion was approved unanimously by members: Casey, Durham, Mulhare, Noonan, Peacock, Sheehan, Talbert, Tunstall, and Zickefoose. By acclamation, Matt Durham was named Board Chair.

Election Of Officers

Mr. Durham opened the floor for nominations. **Ms. Tunstall nominated** Drew Mulhare for the position of Vice-Chair. The Board in consensus agreed upon the nomination. The nominations were closed. The motion was approved unanimously by members: Casey, Durham, Mulhare, Noonan, Peacock, Sheehan, Talbert, Tunstall, and Zickefoose. By acclamation, Drew Mulhare was named Board Vice-Chair.

Mr. Durham reminded the Board members to complete their conflict-of-interest forms and travel vouchers.

**COMPLETION OF
PAPERWORK**

There being no further business, the Board adjourned at 10:43 a.m.

ADJOURN

Matt Durham, Board Chair

Brian P. Wolford, Board Secretary

DRAFT