

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
PERIMETER CENTER
9960 MAYLAND DRIVE
RICHMOND, VIRGINIA 23233**

COMMON INTEREST COMMUNITY BOARD

Tentative **AGENDA**

**THURSDAY, MARCH 3, 9:30 A.M.
2nd FLOOR, BOARD ROOM 4**

I. CALL TO ORDER

II. EMERGENCY EVACUATION PROCEDURES

III. APPROVAL OF AGENDA

- a. Board Agenda, March 3, 2022

IV. APPROVAL OF MINUTES

- a. Board Meeting, September 23, 2021
- b. CIC Manager Regulatory Review Committee, October 27, 2021
- c. CIC Manager Regulatory Review Committee, December 2, 2021
- d. CIC Manager Regulatory Review Committee, February 14, 2022

V. INTRODUCTION OF NEWLY APPOINTED AGENCY DIRECTOR

VI. INTRODUCTION OF NEW DEPUTY DIRECTOR

VII. PUBLIC COMMENT PERIOD*

VIII. REVIEW FILES AND DISCIPLINARY MATTERS

- a. Consider Temporary Cease and Desist Orders Regarding Condominium Registrations

IX. BOARD BUSINESS

- a. Update on Regulatory Actions
- b. Consider and Adopt Draft Proposed Amendments to CIC Manager Regulations
- c. Consider Legislative Recommendations from CIC Manager Regulatory Review Committee
- d. Consider Proposed Guidance Document on CIC Management Recovery Fund Claim Procedure

X. OTHER BUSINESS

- a. 2022 Legislative Update
- b. Ombudsman Report
- c. Board Financial Statements
- d. Consideration of Certificates of Appreciation for Service
- e. Staff Event Calendar
- f. Election of Officers
- g. Other Board Business

XI. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS

XII. ADJOURN

NEXT MEETING SCHEDULED FOR JUNE 9, 2022 at 9:30 A.M.

* Five minute public comment, per person, with the exception of any open disciplinary or application files.

** Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the *Code of Virginia*.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8510 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA

PERIMETER CENTER CONFERENCE CENTER
EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS
(Script to be read at the beginning of each meeting.)

PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

Board Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Room 2

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Board Rooms 3 and 4

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 1

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

Training Room 2

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board (Board) met on September 23, 2021, 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:

Drew Mulhare, Chair
Eileen M. Greenberg
Amanda Jonas
David S. Mercer, Vice-Chair
Lori Overholt
Anne M. Sheehan
Katherine E. Waddell

Board members Maureen Baker, Jim Foley, and Scott Sterling were not in attendance at the meeting.

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

Mary Broz-Vaughan, Director
Trisha L. Lindsey, Executive Director
Heather Gillespie, Ombudsman
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Tanya M. Pettus, Board Administrator

Joshua Laws, Assistant Attorney General with the Office of the Attorney General, was present.

Finding a quorum of the Board present, Mr. Mercer, Vice-Chair, called **Call to Order** the meeting to order at 9:40 a.m.

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

Ms. Greenberg moved to approve the agenda as presented. Ms. Jonas seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, Sheehan, and Waddell. **Approval of Agenda**

Ms. Waddell moved to approve the June 3, 2021, Board meeting minutes as presented. Ms. Sheehan seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, Sheehan, and **Approval of Minutes**

Waddell. Ms. Jonas moved to approve the August 4, 2021, CIC Manager Regulatory Review Committee meeting minutes as presented. Ms. Greenberg seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, Sheehan, and Waddell.

Ms. Lindsey presented to the Board a public comment submitted via email from Harry Campbell, in which he expressed his concern for the lack of enforcement of statutes and regulations governing time-shares and common interest communities. Specifically, Mr. Campbell is concerned about the ignorance of, or unwillingness to comply with, the requirement to conduct reserve fund studies among common interest communities, and feels that the Board should have a system in place to proactively measure and enforce reserve study requirements. Mr. Campbell's comment included several questions to the Board on the subject.

**Public Comment
Period**

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

Ms. Sheehan recused herself from the meeting for discussion and deliberation of File Number 2020-01680.

**Recusal of Board
Member**

In the matter of **File Number 2020-01680, Barkan Management LLC**, the Board members reviewed the record which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference.

**File Number 2020-
01680, Barkan
Management LLC**

The Board considered each of the charged Violations under Counts 1 through 5.

After review of the charged Violations under Count 1, Ms. Jonas moved to accept the recommendation of the Presiding Officer and find no violation as outlined in the Summary. Ms. Greenberg seconded the motion. After discussion, the motion was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

After review of the charged Violation under Count 2, Ms. Overholt moved to accept the recommendation of the Presiding Officer and find Barkan Management LLC in violation of 18VAC 48-50-160 as outlined in the Summary. Ms. Jonas seconded the motion. After brief discussion, the motion was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

After review of the charged Violations under Count 3, Ms. Greenberg moved to accept the recommendation of the Presiding Officer and find Barkan Management LLC in violation of 18VAC 48-50-190.12 under Violation 1, and find no violation under Violation 2 as outlined in the Summary. Ms. Jonas seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

After review of the charged Violations under Count 4, Ms. Jonas moved to accept the recommendation of the Presiding Officer and find Barkan Management LLC in violation of 18VAC 48-50-190.10 under Violation 1, Violation 2, Violation 4, Violation 5, and Violation 6, and find no violation under Violation 3 as outlined in the Summary. Ms. Greenberg seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

After review of the charged Violation under Count 5, Ms. Jonas moved to accept the recommendation of the Presiding Officer and find no violation as outlined in the Summary. Ms. Greenberg seconded the motion. After discussion, the motion was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

Ms. Broz-Vaughan briefed the Board on the methods used in determining sanctions for violations of the Board's regulations.

Ms. Greenberg moved to accept the recommended sanction for the violation of 18VAC 48-50-160 in Count 2 as outlined in the Summary as presented, which imposed a monetary penalty of \$250.00. Ms. Jonas seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

Ms. Jonas moved to accept the recommended sanction for the violation of 18VAC 48-50-190.12 in Count 3 as outlined in the Summary as presented, which imposed a monetary penalty of \$250.00. Ms. Greenberg seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

Ms. Waddell moved to accept the recommended sanctions for the violations of 18VAC 48-50-190.10 in Count 4 as outlined in the Summary as presented, which imposed a monetary penalty of \$250.00 for Violation 1, a monetary penalty of \$250.00 for Violation 2, a monetary penalty of \$1,000.00 for Violation 4, a monetary penalty of \$250.00 for Violation 5, and a monetary penalty of \$1,000.00 for Violation 6. Ms. Greenberg

seconded the motion. After discussion, the motion was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, and Waddell.

Mr. Mulhare arrived to the meeting at 9:52 a.m. and immediately recused himself for discussion and deliberation of File Number 2020-01680 and File Number 2020-02432.

Arrival of Board Member

Ms. Sheehan returned to the meeting.

Return of Board Member

In the matter of **File Number 2020-02432, Property Management Associates LLC dba PMA**, the Board members reviewed the record which consisted of the investigative file, the transcript, and exhibits from the Informal Fact-Finding Conference, and the Summary of the Informal Fact-Finding Conference.

File Number 2020-02432, Property Management Associates LLC dba PMA

After review of the charged Violations under Count 1, Ms. Sheehan moved to accept the recommendation of the Presiding Officer and find no violation as outlined in the Summary. Ms. Waddell seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Overholt, Sheehan, and Waddell.

Mr. Mulhare returned to the meeting and assumed Chair of the Board.

Return of Board Member

Mr. Haughwout asked the Board to consider issuance of a temporary cease and desist order against the condominium project registration of The Atrium at MetroWest Condominium, for failure of the declarant, Pulte Home Company, LLC to submit a complete annual report as required by § 55.1-1979 of the Code of Virginia, and Board Regulation 18 VAC 48-30-540. Ms. Sheehan moved to authorize staff to issue a temporary cease and desist order against the project registration of The Atrium at MetroWest, as failure to file an annual report would cause irreparable harm to the public. Ms. Overholt seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Mulhare, Overholt, Sheehan, and Waddell.

Consider Temporary Cease and Desist Orders Regarding Condominium Registrations

Mr. Haughwout asked the Board to consider issuance of a temporary cease and desist order against the condominium project registration of The Tiber, A Luxury Condominium, for failure of the declarant, Libbie Guthrie Company, LLC to submit a complete annual report as required by § 55.1-1979 of the Code of Virginia, and Board Regulation 18 VAC

48-30-540. Ms. Greenberg moved to authorize staff to issue a temporary cease and desist order against the project registration of The Tiber, A Luxury Condominium, as failure to file an annual report would cause irreparable harm to the public. Ms. Waddell seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Mulhare, Overholt, Sheehan, and Waddell.

Mr. Haughwout asked the Board to consider issuance of a temporary cease and desist order against the condominium project registration of Saunders Station, a Condominium, for failure of the declarant, Stanley Martin Homes LLC to submit a complete annual report as required by § 55.1-1979 of the Code of Virginia, and Board Regulation 18 VAC 48-30-540. Ms. Sheehan moved to authorize staff to issue a temporary cease and desist order against the project registration of Saunders Station, a Condominium, as failure to file an annual report would cause irreparable harm to the public. Ms. Overholt seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Mulhare, Overholt, Sheehan, and Waddell.

Mr. Haughwout asked the Board to consider issuance of a temporary cease and desist order against the condominium project registration of Summerhill at Stony Point Condominium, for failure of the declarant, RHS Management Corporation to submit a complete annual report as required by § 55.1-1979 of the Code of Virginia, and Board Regulation 18 VAC 48-30-540. Ms. Greenberg moved to authorize staff to issue a temporary cease and desist order against the project registration of Summerhill at Stony Point Condominium, as failure to file an annual report would cause irreparable harm to the public. Ms. Waddell seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Mulhare, Overholt, Sheehan, and Waddell.

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

**Update on
Regulatory Actions**

Final amendments to the CIC Management Information Fund Regulations became effective on September 1, 2021. The regulations are now titled Common Interest Community Association Registration Regulations.

A Notice of Intended Regulatory Action (NOIRA) for a general review of the CIC Manager Regulations was published in the Virginia Register on August 16, 2021, which commenced a 30-day public comment

period that concluded on September 15, 2021.

Mr. Haughwout provided the Board with an update on the CIC Manager Regulatory Review Committee whose formation was authorized by the Board at its March 4, 2021, meeting. The Committee held its first meeting on August 4, 2021. The Committee reviewed the regulatory review process and timeline, and discussed general items to be considered for amendment. The Committee's next meeting is scheduled for October 27, 2021.

**Update on CIC
Manager
Regulatory Review
Committee**

Ms. Lindsey asked the Board to consider authorizing staff to file an exempt action to amend several sections of the CIC Manager Regulations to comport with recent legislation legalizing marijuana. The amendment would exclude marijuana-related misdemeanor convictions from the disclosure and reporting requirements in the regulations. Ms. Lindsey advised the Board that this amendment would pertain to licensed common interest community managers, as well as principal or supervisory employee certificate holders. After discussion, Ms. Overholt moved to authorize staff to file an exempt action to amend the CIC Manager Regulations. Ms. Jonas seconded the motion which was unanimously approved by: Greenberg, Jonas, Mercer, Mulhare, Overholt, Sheehan, and Waddell.

**Consider Exempt
Action to Amend
CIC Manager
Regulations**

Mr. Haughwout asked the Board to consider adopting interpretive guidance clarifying the meaning of the phrase "lots or units subject to the declaration," as the term is used in the Common Interest Community Association Regulations, as Board staff has received inquiries seeking clarification regarding the number of lots or units in a community that are to be reported on association registration applications and annual reports. Ms. Jonas moved to adopt the following interpretive guidance:

**Request for
Interpretive
Guidance
Regarding 18VAC
48-60-60**

The phrase "lots or units subject to the declaration" as used in 18VAC48-60-60 means any lots or units within a development to which the provisions of the recorded declaration, as amended, for the common interest community are applicable.

Ms. Waddell seconded the motion. After discussion, the motion was unanimously approved by: Greenberg, Jonas, Mercer, Mulhare, Overholt, Sheehan, and Waddell.

Ms. Gillespie provided the Board with a report on 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.

Ombudsman Report

Discussion was held on the types of issues raised and complaints received attributed to modified procedures and routines due to COVID-19.

Ms. Lindsey provided the Board with the most recent financial statements. There have been no claims from the Recovery Fund.

Board Financial Statements

Ms. Gillespie provided a brief overview of upcoming events she is scheduled to attend virtually.

Staff Event Calendar

Ms. Lindsey advised the Board that preliminary planning for the Board Member Training Conference scheduled to take place in 2022 has begun.

Other Business

Ms. Lindsey advised the Board that Ms. Pettus has been promoted to Board Administrator and will be replaced as Administrative Assistant.

Ms. Lindsey advised the Board that a newly hired Deputy Director of Licensing and Compliance will join DPOR in September and will be attending Board meetings in the future.

The Board recessed from 11:00 a.m. to 11:11 a.m.

Recess

Board members completed biennial Board member conflict of interest training as required by the Virginia Conflict of Interest and Ethics Advisory Council.

Biennial Conflict of Interest Training

Ms. Lindsey reminded Board members to complete their conflict of interest forms and travel vouchers.

Complete Conflict of Interest Forms and Travel Vouchers

There being no further business, the meeting was adjourned at 11:39 a.m.

Adjourn

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

DRAFT AGENDA
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DRAFT AGENDA

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CIC MANAGER REGULATORY REVIEW COMMITTEE
OF THE
COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The CIC Manager Regulatory Review Committee of the Common Interest Community Board (Board) met on October 27, 2021 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia 23233.

The following members were present:

Lucia Anna (Pia) Trigiani, Chair
Jim Foley
Matt Durham
Drew Mulhare (Ex-officio)
Paul Orlando
Nan Piland
Anne Sheehan

Committee members Bonnie Herring, Amanda Jonas, and Chris Melson were not present at the meeting.

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

R. Thomas Payne, Deputy Director
Trisha L. Lindsey, Executive Director
Heather Gillespie, Ombudsman
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Lisa Robinson, Licensing Administrator
Tanya M. Pettus, Board Administrator

Ms. Trigiani, Chair, called the meeting to order at 10:05 a.m.

Call to Order

Ms. Lindsey and Ms. Trigiani introduced Tom Payne, DPOR Deputy Director.

**Introduction of
DPOR Deputy
Director**

Ms. Lindsey advised the Committee of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Mulhare moved to approve the agenda as presented. Mr. Foley seconded the motion which was unanimously approved by: Durham, Foley, Mulhare, Orlando, Piland, Sheehan, and Trigiani.

Approval of Agenda

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There were no members of the public present who wished to address the Committee.

Public Comment Period

Ms. Lindsey and Ms. Trigiani provided an overview of the responsibilities before the Committee.

Overview

Ms. Lindsey provided the Committee with an overview of the regulatory review timeline. The Notice of Intended Regulatory Action (NOIRA) for the review of the CIC Manager regulations was published on August 16, 2021. Committee recommendations for amendments to the regulations are expected to be presented to the Board for review at its March 2022 Board meeting.

The Committee was provided with current versions of applicable laws, regulations, and guidance documents, as well as community manager licensing requirements from other states, an overview of community management industry credentials, and current training and education requirements applicable to common interest community manager licensees and certified principal or supervisory employees.

Resources and Information

The Committee discussed whether individuals directly employed by common interest community associations to provide management services should continue to be exempt from licensure or certification under § 54.1-2347 of the Code of Virginia, and the types of employees that could potentially be required to need certification. After lengthy discussion, Mr. Durham moved to recommend to the Board that a study be conducted on removing the current exemption from licensure or certification for employees of common interest community associations. Mr. Orlando seconded the motion which was unanimously approved by: Durham, Foley, Mulhare, Orlando, Piland, Sheehan, and Trigiani.

Discussion and Review of Regulatory Review Topics

The Committee considered draft proposed amendments to current definitions, including discussion of the terms “qualifying individual” and “responsible person.”

The Committee considered the requirement for licensure of firms and certification of principal or supervisory employees. Discussion was held on the time-frame for which individuals who have principal responsibility for providing management services to common interest communities, or supervise those who directly provide management services must obtain a certificate from the Board.

The Committee considered proposed draft amendments to application procedures, including discussion of requirements to notify Board staff of any changes to the information provided on an application prior to

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the issuance of the license.

Discussion was held on the requirements for audits of management companies, and ways in which those audits may be verified by the Board.

The Committee considered the current requirement that an applicant for a management license hold an active designation as an Accredited Association Management Company (AAMC) by the Community Associations Institute. After discussion, the Committee agreed by consensus to recommend to the Board that the AAMC designation be accepted as qualification for licensure, but not required.

The Committee agreed by consensus to continue discussion of entry requirements at its next meeting, and begin discussion of requirements for renewal and reinstatement, and education and examinations.

**Discuss Topics for
Next Meeting**

Ms. Lindsey advised the Committee that staff will provide dates for consideration by Committee members for the next meeting. The Committee will be notified of the date when it has been confirmed.

**Set Next Meeting
Date**

There being no further business, the meeting was adjourned at 2:17 p.m.

Adjourn

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

CIC MANAGER REGULATORY REVIEW COMMITTEE
OF THE
COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The CIC Manager Regulatory Review Committee of the Common Interest Community Board (Board) met on December 2, 2021 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:

Lucia Anna (Pia) Trigiani, Chair
Matt Durham
Bonnie Herring
Amanda Jonas
Chris Melson
Paul Orlando
Nan Piland
Anne Sheehan

Committee members Jim Foley and Drew Mulhare were not present at the meeting.

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

Trisha L. Lindsey, Executive Director
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Lisa Robinson, Licensing Administrator
Tanya M. Pettus, Board Administrator

Mr. Orlando called the meeting to order at 10:10 a.m.

Call to Order

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

**Emergency
Evacuation
Procedures**

Mr. Durham moved to approve the agenda as presented. Ms. Jonas seconded the motion which was unanimously approved by: Durham, Herring, Jonas, Melson, Orlando, Piland, and Sheehan.

Approval of Agenda

There were no members of the public present who wished to address the Committee.

**Public Comment
Period**

December 2, 2021

Pg. 2

Mr. Haughwout provided the Committee with a summary of the committee's review from the October 27, 2021, meeting.

**Summary of
Committee Items
from October 27,
2021 Meeting**

The Committee reviewed comments submitted in writing by Mr. Mulhare regarding audit requirements for management companies. The Committee agreed by consensus to table discussion of the comments until its next scheduled meeting.

Mr. Haughwout advised the Committee of updated resource materials, as well as the inclusion of Code of Virginia § 54.1-311, for informational purposes. The Committee was also provided with a regulatory review information guide.

Ms. Trigiani arrived to the meeting at 10:22 a.m.

**Arrival of
Committee Member**

The committee resumed discussion of entry requirements for common interest community managers.

**Discussion and
Review of
Regulatory Review
Topics**

The Committee discussed minimum coverage requirements for fidelity bonds and employee dishonesty insurance policies for common interest community managers under § 54.1-2346 of the Code of Virginia. After discussion, the Committee agreed by consensus to recommend to the Board to consider requesting legislative amendments to specify that calculation of an association's reserve balances for the purpose of the management company's insurance coverage be based on all cash, certificates of deposit, and investments held by the association at the end of the most recent fiscal year.

Discussion was held on whether insurance policies specific to employee dishonesty offer sufficient protection against financial malfeasance.

The Committee considered proposed draft amendments to entry requirements for certified principal or supervisory employees, specifically, education and experience requirements, and credentialing from community management industry organizations.

Discussion was held on grounds for denial of an application.

The Committee recessed from 12:00 p.m. to 12:22 p.m.

Recess

Ms. Jonas departed the meeting at 12:22 p.m.

**Departure of
Committee Member**

The Committee discussed extending the period of licensure for common interest community managers from one year to two years, and

**Discussion and
Review of**

corresponding adjustment of license application and renewal fees. The Committee also reviewed proposed amendments for procedures for renewal and reinstatement of licenses and certificates.

**Regulatory Review
Topics, Continued.**

The Committee considered potential changes to education requirements for initial licensure and certification, and renewal of certificates. After discussion, the Committee agreed by consensus to recommend to the Board the addition of a module that will cover Virginia CIC laws and regulations, resale requirements, CIC complaint procedure, and fair housing statutes and regulations as part of initial licensure and certification. In addition, the Committee recommended changing continuing education requirements for principal and supervisory employee certificate holders. Certificate holders would be required to complete a total of six (6) contact hours toward renewal of a certificate to include two (2) hours of fair housing, two (2) hours of statutory and regulatory updates, and two (2) hours of miscellaneous topics approved by the Board. All courses must be Board-approved, and provide a minimum of one (1) contact hour of education.

Discussion was held on criteria for virtual, online, and/or electronic means of conducting courses.

The Committee agreed by consensus to begin discussion of standards of practice and conduct at its next meeting.

**Discuss Topics for
Next Meeting**

There being no further business, the meeting was adjourned at 2:13 p.m.

Adjourn

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

CIC MANAGER REGULATORY REVIEW COMMITTEE
OF THE
COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The CIC Manager Regulatory Review Committee of the Common Interest Community Board (Board) met on February 14, 2022 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members were present:

Lucia Anna (Pia) Trigiani, Chair
Matt Durham
Bonnie Herring
Christopher Melson
Drew Mulhare (Ex-officio)
Paul Orlando
Nan Piland
Anne Sheehan

Committee members Jim Foley and Amanda Jonas were not present at the meeting.

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
Tanya M. Pettus, Board Administrator

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

Call to Order

Ms. Lindsey advised the Committee of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Mr. Orlando introduced Committee member Bonnie Herring.

**Introduction of
Committee Member**

Ms. Lindsey and Ms. Trigiani introduced Demetrios “Mitch” Melis, DPOR Director.

**Introduction of
Newly-Appointed
DPOR Director**

Mr. Durham moved to approve the agenda as presented. Ms. Herring seconded the motion which was unanimously approved by: Durham, Herring, Melson, Mulhare, Orlando, Piland, Sheehan, and Trigiani.

Approval of Agenda

There were no members of the public present who wished to address the Committee.

Public Comment Period

The Committee was provided with current versions of applicable laws, regulations, and guidance documents, as well as community manager licensing requirements from other states, an overview of community management industry credentials, and current training and education requirements applicable to common interest community manager licensees and certified principal or supervisory employees.

Resources and Information

Mr. Haughwout provided the Committee with statistics information on disciplinary cases that were closed administratively by staff during 2020 and 2021.

The Committee reviewed a summary of items discussed and considered at the Committee's previous meetings.

Summary of Committee Items from December 2, 2021

Discussion was held on audits of management companies and fidelity insurance as entry requirements for the protection of the public. The Committee discussed provisions in the Code of Virginia pertaining to reviews and audits of common interest community manager financial statements; and fidelity bond or employee dishonest insurance requirements for both common interest community managers and associations. The Committee discussed recommendations for possible legislative changes.

The Committee reviewed draft amendments made to Parts I through IV of the regulation, including definitions, necessity for licensure, and entry, renewal, and reinstatement requirements, including revisions made as a result of the Committee's discussions during its December 2, 2021 meeting.

Review of Draft Amendments from December 2, 2021

The Committee began discussion of proposed draft amendments of Parts V and VI of the regulation, including standards of practice and conduct, and training programs and examinations.

Discussion and Review of Regulatory Review Topics

The Committee recessed from 12:35p.m. to 1:01p.m.

Recess

The Committee discussed prohibited acts, including conflicts of interest and remuneration common interest community managers may receive

Discussion and Review of Regulatory Review

CIC Manager Regulatory Review Committee
February 14, 2022

from vendors, independent contractors, service providers, and others who provide goods or services to the associations managed by them.

Ms. Trigiani left the meeting at 2:34 p.m. Mr. Orlando assumed Chair of the Committee.

Ms. Piland left the meeting at 2:35 p.m.

Discussion continued on prohibited acts and other standards of practice and conduct, including a review of resale packet requirements standards for managers who provide services related to preparation and distribution of association disclosure packets and condominium resale certificates, and discussion of regulant responsibilities to the public.

Ms. Trigiani returned to the meeting at 2:52 p.m. and resumed as Chair of the Committee.

Mr. Melson left the meeting at 2:53 p.m.

The Committee reviewed and discussed proposed draft amendments to requirements for training programs and modules, including the establishment of a Virginia common interest community laws and regulations training module, as well as training program topics for holders of principal or supervisory employee certificates.

The Committee reviewed a list of recommended legislative changes discussed during the Committee's meetings, to be presented to the Board, as a result of the regulatory review.

Mr. Durham moved to recommend to the Board draft proposed amendments to the CIC Manager Regulations, as discussed and amended, as well as suggested legislative changes developed as a result of the regulatory review. Ms. Herring seconded the motion which was unanimously approved by: Durham, Herring, Mulhare, Orlando, Sheehan, and Trigiani.

Discussion was held on the process by which Committee meeting minutes are reviewed and approved.

There being no further business, the meeting adjourned at 3:33p.m.

Topics, Continued

**Departure of
Committee
Members**

**Discussion and
Review of
Regulatory Review
Topics, Continued**

**Return of
Committee Member**

**Departure of
Committee Member**

**Discussion and
Review of
Regulatory Review
Topics, Continued**

**Review of
Recommendations
for Changes to
Statute**

Other Business

Adjourn

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA

DRAFT

INTRODUCTION OF NEWLY
APPOINTED AGENCY DIRECTOR

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board action
DRAFT AGENDA

INTRODUCTION OF NEW DEPUTY DIRECTOR

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

PUBLIC COMMENT PERIOD

Five minute public comment, per person, with the exception of any open disciplinary or application files.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

Common Interest Community Board

Update on Regulatory Actions

(as of February 18, 2022)

Action: CIC Manager Regulations – General Review

Current Stage: NOIRA

- Board authorized filing of NOIRA and formation of regulatory review committee on 3/4/21.
- NOIRA submitted for Executive Branch review on 6/11/21.
- Executive Branch review completed on 7/22/21.
- Submitted to Registrar on 7/22/21.
- Published in Virginia Register on 8/16/21. Public comment period concluded on 9/15/21. No comments received.
- Regulatory review committee meetings held on 8/4/21, 10/27/21, 12/2/21, and 2/14/22. Committee approved recommended amendments on 2/14/22.

Next Step: Proposed Stage

- Board reviews committee recommendations for proposed amendments.
- Board adopts proposed amendments.
- Submission of proposed amended regulation for Executive Branch review.
- Submission to Registrar upon completion of Executive Branch review.
- Publication in the Virginia Register and 60-day public comment period, to include public hearing.

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Common Interest Community Board

General Review

Chapter 50

COMMON INTEREST COMMUNITY MANAGER REGULATIONS

Part I

General

18VAC48-50-10. Definitions.

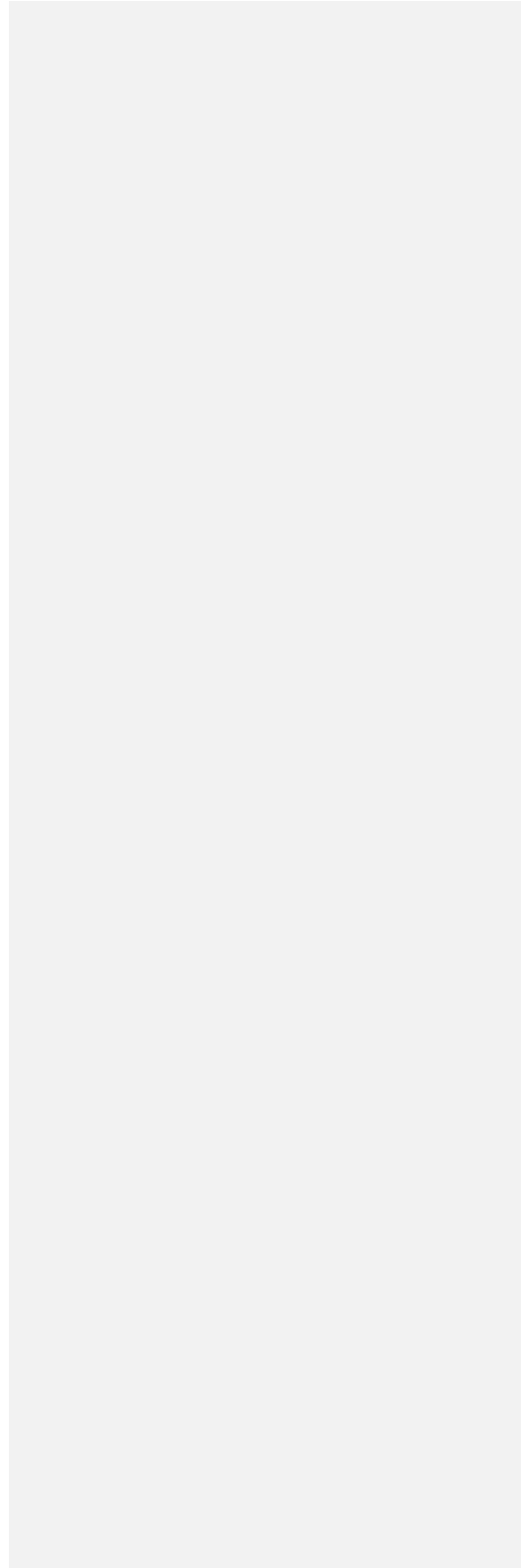
A. Section 54.1-2345 of the Code of Virginia provides definitions of the following terms and phrases as used in this chapter:

- "Association"
- "Board"
- "Common interest community"
- "Common interest community manager"
- "Declaration"
- "Governing board"
- "Lot"
- "Management services"

B. The following words, terms, and phrases when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Active status" means the status of for a certificated person who is in the employ of a common interest community manager.

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA



22 "Address of record" means the mailing address designated by the regulant to receive notices
23 and correspondence from the board. Notice mailed to the address of record by certified mail,
24 return receipt requested, ~~shall~~ will be deemed valid notice.

25 "Applicant" means a common interest community manager who has submitted an application
26 for licensure or an individual who has submitted an application for certification.

27 "Application" means a completed, board-prescribed form submitted with the appropriate fee
28 and other required documentation.

29 "Certified principal or supervisory employee" refers to any individual who has principal
30 responsibility for management services provided to a common interest community or who has
31 supervisory responsibility for employees who participate directly in the provision of management
32 services to a common interest community, and who holds a certificate issued by the board.

33 "Contact hour" means 50 minutes of instruction.

34 "Department" means the Virginia Department of Professional and Occupational Regulation.

35 "Direct supervision" means exercising oversight and direction of, and control over, the work
36 of another.

37 "Firm" means a sole proprietorship, association, partnership, corporation, limited liability
38 company, limited liability partnership, or any other form of business organization recognized under
39 the laws of the Commonwealth of Virginia and properly registered, as may be required, with the
40 Virginia State Corporation Commission.

41 "Principal responsibility" means having the primary obligation for the direct provision of
42 management services provided to a common interest community.

43 "Qualifying individual" means the supervisory employee, officer, owner, manager, or principal,
44 howsoever denominated, involved in all aspects of the management services offered and

45 ~~provided by the firm who is designated by the firm to qualify for licensure as a common interest~~
46 ~~community manager as permitted under 18VAC48-50-30 K.~~

47 "Regulant" means a common interest community manager ~~as defined in § 54.1-2345 of the~~
48 ~~Code of Virginia~~ who holds a license issued by the board or an individual who holds a certificate
49 issued by the board.

50 "Reinstatement" means the process and requirements through which an expired license or
51 certificate can be made valid without the regulant having to apply as a new applicant.

52 "Renewal" means the process and requirements for periodically approving the continuance of
53 a license or certificate.

54 "Responsible person" means the employee, officer, manager, owner, or principal, ~~howsoever~~
55 ~~denominated~~, of the firm who shall be designated by each firm to ensure compliance with Chapter
56 23.3 (§ 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia, and all regulations of the board,
57 and to receive communications and notices from the board that may affect the firm. ~~In the case~~
58 ~~of a sole proprietorship, the sole proprietor shall have the responsibilities of the responsible~~
59 ~~person.~~

60 "Sole proprietor" means any individual, not a corporation or other registered business entity,
61 who is trading under his own name, or under an assumed or fictitious name pursuant to the
62 provisions of Chapter 5 of Title 59.1 (§ 59.1-69 et seq.) of the Code of Virginia.

63 "Supervisory responsibility" means providing formal supervision of the work of at least one
64 other person. The individual who has supervisory responsibility directs the work of another
65 employee or other employees, has control over the work performed, exercises examination and
66 evaluation of the employee's performance, or has the authority to make decisions personally that
67 affect the management services provided.

Commented [VP1]: Refers to the person who has requisite training and experience to qualify a common interest community management company for licensure in lieu of the firm holding an active designation as an Accredited Association Management Company.

Commented [VP2]: Redundant. Definition of common interest community manager is incorporated by reference.

Commented [VP3]: This provision was removed because it is unnecessary.

68 **18VAC48-50-15. Necessity for licensure of firms and certification of employees.**

69 A. Unless exempted by § 54.1-2347 of the Code of Virginia, any firm offering management
70 services to a common interest community must hold a license as a common interest community
71 manager.

72 B. In accordance with § 54.1-2346 C of the Code of Virginia, all employees of a licensed
73 common interest community manager who have principal responsibility for management services
74 provided to a common interest community or who have supervisory responsibility for employees
75 who participate directly in the provision of management services to a common interest community
76 must, within two years after employment with the common interest community manager, hold a
77 certificate issued by the board certifying the person possesses the character and minimum skills
78 to engage properly in the provision of management services to a common interest community or
79 must be under the direct supervision of a certified employee of the common interest community
80 manager.

81 Part II

82 Entry

83 **18VAC48-50-20. Application procedures.**

84 A. All ~~applicants~~ firms or individuals seeking licensure or certification ~~shall~~ must submit an
85 application with the appropriate fee specified in 18VAC48-50-60. Application ~~shall~~ will be made
86 on forms provided by the board or its agent.

87 1. By submitting the application to the department, the applicant certifies that the applicant
88 has read and understands the applicable statutes and the board's regulations.

89 2. The receipt of an application and the deposit of fees by the board does not indicate
90 approval by the board.

Commented [VP4]: New section created to clarify that firms providing management services to common interest communities must be licensed as a common interest community manager, and that principal or supervisory employees must hold a certificate.

91 B. The board may make further inquiries and investigations with respect to the applicant's
92 qualifications to confirm or amplify information supplied. All applications shall must be completed
93 in accordance with the instructions contained ~~herein~~ in this section and on the application.
94 Applications will not be considered complete until all required documents are received by the
95 board.

96 C. ~~An individual or firm~~ The applicant will be notified within 30 days of the board's receipt of
97 an initial application if the application is incomplete. ~~An individual or firm~~ A firm or individual that
98 fails to complete the application process within 12 months of receipt of the application in the
99 board's office must submit a new application and fee.

100 D. The applicant must immediately report, in writing, all changes in information supplied with
101 the application prior to issuance of the license or certificate or expiration of the application.

Commented [VP5]: Provision added to make the regulation consistent with other DPOR regulations.

102 **18VAC48-50-30. Qualifications for licensure as a common interest community manager.**

103 A. ~~Firms that provide common interest community management services shall submit an~~
104 ~~application on a form prescribed by the board and shall~~ Each firm applying for a common interest
105 community manager license must meet the requirements set forth in § 54.1-2346 of the Code of
106 Virginia, as well as the additional qualifications of this section.

Commented [VP6]: Removed because this requirement is already covered by 18VAC48-50-20.

107 B. ~~Any firm offering management services as defined in § 54.1-2345 of the Code of Virginia~~
108 ~~shall hold a license as a common interest community manager. All names under which the~~
109 ~~common interest community manager conducts business shall be disclosed on the application.~~

Commented [VP7]: This requirement has been moved to the new section 18VAC48-50-15.

110 ~~The name under which the firm conducts business and holds itself out to the public (i.e., the trade~~
111 ~~or fictitious name) shall also be disclosed on the application. Firms shall must be organized as~~
112 business entities under the laws of the Commonwealth of Virginia or otherwise authorized to
113 transact business in Virginia. ~~Firms shall register any trade or fictitious names with the State~~

Commented [VP8]: This requirement was moved to the new subsection C of this section.

114 Corporation Commission in accordance with Chapter 5 of Title 59.1 (§ 59.1-69 et seq.) of the
115 Code of Virginia before submitting an application to the board.

Commented [VP9]: This requirement was moved to the new subsection C of this section.

116 C. The applicant for a common interest community manager license must disclose the name
117 under which the firm conducts business and holds itself out to the public. The firm must register
118 any trade or fictitious names with the State Corporation Commission in accordance with Chapter
119 5 of Title 59.1 (§ 59.1-69 et seq.) of the Code of Virginia before submitting an application to the
120 board.

121 ~~C. D.~~ The applicant for a common interest community manager license ~~shall~~ must disclose
122 the firm's mailing address, and the firm's physical address, ~~and the address of the office from~~
123 ~~which the firm provides management services to Virginia common interest communities.~~ A post
124 office box is only acceptable as a mailing address when a physical address is also provided.

Commented [VP10]: This provision is being removed to reduce regulatory requirements.

125 ~~D. E.~~ In accordance with § 54.1-204 of the Code of Virginia, each applicant for a common
126 interest community manager license ~~shall~~ must disclose the following information about the firm,
127 the responsible person, the qualifying individual, and any of the principals of the firm:

128 1. All felony convictions.

129 2. All misdemeanor convictions, except marijuana convictions, ~~in any jurisdiction that~~
130 ~~occurred~~ within three years of the date of application.

131 ~~3. Any plea of nolo contendere or finding of guilt regardless of adjudication or deferred~~
132 ~~adjudication shall be considered a conviction for the purposes of this section. The record~~
133 ~~of conviction certified or authenticated in such form as to be admissible in evidence under~~
134 ~~the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of~~
135 ~~such guilt.~~

Commented [VP11]: This language is being removed from DPOR regulations, as it potentially conflicts with § 54.1-204, and is unnecessary.

136 The board, in its discretion, may deny licensure to an applicant in accordance with § 54.1-204
137 of the Code of Virginia.

Commented [VP12]: This provision is added to make the regulation consistent with other DPOR regulations.

138 E. ~~E.~~ The applicant for a common interest community manager license shall must submit
139 evidence acceptable to the board of having obtained a blanket fidelity bond or employee
140 dishonesty insurance policy in accordance with § 54.1-2346 D of the Code of Virginia and
141 18VAC48-50-33. Proof of current bond or insurance policy with the firm as the named bondholder
142 or insured must be submitted in order to obtain or renew the license. The bond or insurance policy
143 must be in force no later than the effective date of the license and shall remain in effect through
144 the date of expiration of the license.

Commented [VP13]: This provision is being moved to the new section 18VAC48-50-33.

145 F. ~~G.~~ The applicant for a common interest community manager license shall must be in
146 compliance with the standards of conduct and practice set forth in Part V (18VAC48-50-140 et.
147 seq.) of this chapter at the time of application, while the application is under review by the board,
148 and at all times when the license is in effect.

149 ~~G.~~ The applicant for a common interest community manager license, the responsible person,
150 and any principals of the firm shall be in good standing in Virginia and in every jurisdiction and
151 with every board or administrative body where licensed, certified, or registered and the board, in
152 its discretion, may deny licensure to any applicant who has been subject to, or whose principals
153 have been subject to, or any firm in which the principals of the applicant for a common interest
154 community manager license hold a 10% or greater interest have been subject to, any form of
155 adverse disciplinary action, including reprimand, revocation, suspension or denial, imposition of
156 a monetary penalty, required to complete remedial education, or any other corrective action, in
157 any jurisdiction or by any board or administrative body or surrendered a license, certificate, or
158 registration in connection with any disciplinary action in any jurisdiction prior to obtaining licensure
159 in Virginia.

Commented [VP14]: These provisions are being replaced by a new subsection H, which clarifies disciplinary actions that must be disclosed in an application for licensure.

The provisions pertaining to percentage of ownership being removed to reduce regulatory requirements.

160 H. The applicant for a common interest community manager license must report any
161 disciplinary action taken by any board or administrative body in any jurisdiction against a
162 professional or occupational license, certification, or registration issued to the firm, its principals,

163 the qualifying individual, and the responsible person, to include any reprimand, suspension,
164 revocation, or surrender of a license, certification, or registration, imposition of a monetary penalty
165 or requirement to take remedial education or other corrective action. The board, in its discretion,
166 may deny licensure to any applicant based on disciplinary action taken by any board or
167 administrative body in any jurisdiction.

168 H. I. The applicant for a common interest community manager license shall ~~must~~ provide all
169 relevant information about the firm, the responsible person, the qualifying individual, and any of
170 the principals of the firm for the seven years prior to application on any outstanding judgments,
171 past-due tax assessments, defaults on bonds, or pending or past bankruptcies and specifically
172 shall ~~must~~ provide all relevant financial information related to providing management services as
173 defined in § 54.1-2345 of the Code of Virginia. ~~The applicant for a common interest community~~
174 ~~manager license shall further disclose whether or not one or more of the principals who~~
175 ~~individually or collectively own more than a 50% equity interest in the firm are or were equity~~
176 ~~owners holding, individually or collectively, a 10% or greater interest in any other entity licensed~~
177 ~~by any agency of the Commonwealth of Virginia that was the subject of any adverse disciplinary~~
178 ~~action, including revocation of a license, within the seven year period immediately preceding the~~
179 ~~date of application.~~

180 I. ~~An~~ J. The applicant for a common interest community manager license shall ~~must~~ hold an
181 active designation as an Accredited Association Management Company by the Community
182 Associations Institute.

183 ~~J. Prior to July 1, 2012, in lieu of the provisions of subsection I of this section, an application~~
184 ~~for a common interest community manager license may be approved provided the applicant~~
185 ~~certifies to the board that the applicant has:~~

Commented [VP15]: This provision is added to clarify that the individual who may qualify a firm for licensure must disclose past financial issues.

Commented [VP16]: These provisions are being removed to reduce regulatory requirements.

186 1. At least one supervisory employee, officer, manager, owner, or principal of the firm who
187 is involved in all aspects of the management services offered and provided by the firm and
188 who has satisfied one of the following criteria:

189 a. Holds an active designation as a Professional Community Association Manager by
190 Community Associations Institute;

191 b. Has successfully completed a comprehensive training program as described in
192 18VAC48-50-250 B, as approved by the board, and has at least three years of
193 experience in providing management services, the quality of which demonstrates to
194 the board that the individual is competent to have supervisory responsibility or principal
195 responsibility for management services;

196 c. Has successfully completed an introductory training program as described in
197 18VAC48-50-250 A, as approved by the board, and has at least five years of
198 experience in providing management services, the quality of which demonstrates to
199 the board that the individual is competent to have supervisory responsibility or principal
200 responsibility for management services; or

201 d. Has not completed a board-approved training program but who, in the judgment of
202 the board, has obtained the equivalent of such training program by documented course
203 work that meets the requirements of a board-approved comprehensive training
204 program as described in Part VI (18VAC48-50-230 et seq.) of this chapter and has at
205 least 10 years of experience in providing management services, the quality of which
206 demonstrates to the board that the individual is competent to have supervisory
207 responsibility or principal responsibility for management services.

208 ~~2. At least 50% of persons in the firm with principal responsibility for management services~~
209 ~~to a common interest community in the Commonwealth of Virginia have satisfied one of~~
210 ~~the following criteria:~~

211 ~~a. Hold an active designation as a Professional Community Association Manager and~~
212 ~~certify having provided management services for a period of 12 months immediately~~
213 ~~preceding application;~~

214 ~~b. Hold an active designation as a Certified Manager of Community Associations by~~
215 ~~the National Board of Certification for Community Association Managers and certify~~
216 ~~having two years of experience in providing management services. Of the required~~
217 ~~two years of experience, a minimum of 12 months of experience must have been~~
218 ~~gained immediately preceding application;~~

219 ~~c. Hold an active designation as an Association Management Specialist and certify~~
220 ~~having two years of experience in providing management services. Of the required~~
221 ~~two years of experience, a minimum of 12 months of experience must have been~~
222 ~~gained immediately preceding application; or~~

223 ~~d. Have completed a comprehensive or introductory training program, as set forth in~~
224 ~~18VAC48-50-250 A or B, and passed a certifying examination approved by the board~~
225 ~~and certify having two years of experience in providing management services. Of the~~
226 ~~required two years of experience, a minimum of 12 months of experience must have~~
227 ~~been gained immediately preceding application.~~

228 ~~K. Effective July 1, 2012, the applicant for a common interest community manager license~~
229 ~~shall attest that all employees of the firm who have principal responsibility for management~~
230 ~~services provided to a common interest community or who have supervisory responsibility for~~
231 ~~employees who participate directly in the provision of management services to a common interest~~

Commented [VP17]: These provisions are being removed because they are no longer applicable.

232 ~~community shall, within two years after employment with the common interest community~~
233 ~~manager, hold a certificate as a certified principal or supervisory employee issued by the board~~
234 ~~or shall be under the direct supervision of a certified principal or supervisory employee.~~

235 ~~L. Effective July 1, 2012, in lieu of the provisions of subsection I of this section, an~~
236 ~~application for a common interest community manager license may be approved provided the~~
237 ~~applicant certifies to the board that the applicant has at least one supervisory employee, officer,~~
238 ~~manager, owner, or principal of the firm who is involved in all aspects of the management services~~
239 ~~offered and provided by the firm and applicant for a common interest community manager license~~
240 ~~may designate a qualifying individual who has satisfied one of the following criteria:~~

241 1. Holds an active designation as a Professional Community Association Manager by
242 Community Associations Institute;

243 2. Has successfully completed a comprehensive training program as described in
244 18VAC48-50-250 B, and a Virginia common interest community laws and regulations
245 training module as described in 18VAC48-50-252, as approved by the board, and has at
246 least three years of experience in providing management services, the quality of which
247 demonstrates to the board that the individual is competent to have supervisory
248 responsibility or principal responsibility for management services;

249 3. Has successfully completed an introductory training program as described in 18VAC48-
250 50-250 A, and a Virginia common interest community laws and regulations training module
251 as described in 18VAC48-50-252, as approved by the board, and has at least five years
252 of experience in providing management services, the quality of which demonstrates to the
253 board that the individual is competent to have supervisory responsibility or principal
254 responsibility for management services; or

Commented [VP18]: These provisions are being replaced by new subsection L that requires applicant to disclose all employees who have principal responsibility for management services or who supervise those who directly provide management services.

Commented [VP19]: These provisions are covered by the new definition for "qualifying individual" in 18VAC48-50-10.

Commented [VP20]: The regulatory review committee recommends adding a proposed Virginia-specific training module for those who complete the Board-approved comprehensive or introductory training program in order to become the qualifying individual for a firm.

The content of the proposed training module is detailed in new section 18VAC48-50-252.

255 4. Has not completed a board-approved training program but, in the judgment of the board,
256 has obtained the equivalent of such training program by documented coursework that
257 meets the requirements of a board-approved comprehensive training program as
258 described in Part VI (18VAC48-50-230 et seq.) of this chapter and has at least 10 years
259 of experience in providing management services, the quality of which demonstrates to the
260 board that the individual is competent to have supervisory responsibility or principal
261 responsibility for management services.

262 The board, in its discretion, may consider other types of management experience that are
263 substantially equivalent in nature to management services as defined in § 54.1-2345 of the Code
264 of Virginia to fulfill the requirements of this subsection.

265 L. In accordance with § 54.1-2346 C of the Code of Virginia, the applicant for a common
266 interest community manager license must disclose and provide the dates of employment for all
267 employees of the firm who have principal responsibility for management services provided to a
268 common interest community or who have supervisory responsibility for employees who participate
269 directly in the provision of management services to a common interest community.

270 M. The firm ~~shall~~ must designate a responsible person.

271 18VAC48-50-33. Blanket fidelity bond or employee dishonesty insurance policy to be
272 obtained by common interest community manager.

273 A. In accordance with § 54.1-2346 D of the Code of Virginia, a common interest community
274 manager must obtain and maintain a blanket fidelity bond or employee dishonesty insurance
275 policy insuring the common interest community manager against losses resulting from theft or
276 dishonesty committed by the officers, directors, and persons employed by the common interest
277 community manager. The bond or insurance policy must include coverage for losses of clients of
278 the common interest community manager resulting from theft or dishonesty committed by the

Commented [VP21]: This provision has been added to permit the Board to consider management experience other than managing CIC's that an applicant may have in order to reduce barrier to entry.

Commented [VP22]: This provision is being added to conform regulation to agency practice, which requires applicant disclose names and dates of employment of those employees who have principal responsibility for management services, or who supervise those who directly provide management services.

Commented [VP23]: This new section is added to comprehensively address requirements for a common interest community manager to obtain and maintain insurance required by statute. Incorporates previous Board guidance on insurance requirements.

279 officers, directors, and persons employed by the common interest community manager. Such
280 bond or insurance policy must provide coverage in an amount equal to the lesser of \$2 million or
281 the highest aggregate amount of the operating and reserve balances of all associations under the
282 control of the common interest community manager during the prior fiscal year of the common
283 interest community manager. The minimum coverage amount must be \$10,000. The surety
284 company or insurance company must be authorized to do business in Virginia.

285 B. A common interest community manager must provide the board with proof of current bond
286 or insurance policy with the firm named as the bondholder or insured in order to obtain or renew
287 a license. A bond or insurance policy complying with this chapter must be in force no later than
288 the effective date of the license and remain in force during the period of licensure. Such proof
289 must include (i) the name of the surety company or insurance carrier; (ii) the dollar amount of the
290 bond or insurance policy; (iii) a description of coverage as it applies to the requirements in § 54.1-
291 2346 D of the Code of Virginia; and (iv) the expiration date of the bond or insurance policy. The
292 board may require a certified statement from the surety company or insurance carrier that the
293 common interest community manager has sufficient coverage.

294 C. The bond or insurance policy obtained by the common interest community manager is
295 separate from any insurance policy required for associations under the Property Owners'
296 Association Act (§ 55.1-1800 et seq. of the Code of Virginia) or the Virginia Condominium Act (§
297 55.1-1900 et seq. of the Code of Virginia).

298 **18VAC48-50-35. Qualifications for certification as a certified principal or supervisory**
299 **employee effective July 1, 2012.**

300 A. Principal or supervisory employees requiring certification pursuant to § 54.1-2346 of the
301 Code of Virginia shall meet the requirements of this section and submit an application for
302 certification on or after July 1, 2012. Each applicant for a principal or supervisory employee

Commented [VP24]: These provisions have been relocated from 18VAC48-50-30.E.

Commented [VP25]: Incorporates Board guidance from: Guidance Document: Evidence of Proper Fidelity Bond or Dishonesty Insurance and Sufficient Coverage Obtained by CIC Manager Applicant. (adopted 3/2/2010)

Commented [VP26]: Incorporates Board guidance from: Guidance Document: Regarding the Requirement to Obtain and Maintain a Separate Fidelity Bond or Insurance Policy Required for Common Interest Community Managers to Comply with § 54.1-2346(D) of the Code of Virginia and 18 VAC 48-50-30.E of the Board's Regulations. (adopted 9/20/2012)

Commented [VP27]: These provisions are already covered under 18VAC48-50-20 and new section 18VAC48-50-15.

303 certificate must meet the requirements set forth in § 54.1-2346 of the Code of Virginia, and the
304 additional qualifications of this section.

305 B. The applicant for certification ~~shall~~ must be at least 18 years of age.

306 C. The applicant for certification ~~shall~~ must have a high school diploma or its equivalent.

307 D. The applicant for certification ~~shall~~ must provide a mailing address. A post office box is only
308 acceptable as a mailing address when a physical address is also provided. The mailing address
309 provided ~~shall~~ will serve as the address of record.

310 E. In accordance with § 54.1-204 of the Code of Virginia, each applicant for certification ~~shall~~
311 must disclose the following information:

312 1. All felony convictions.

313 2. All misdemeanor convictions, except marijuana convictions, ~~that occurred in any~~
314 ~~jurisdiction~~ within three years of the date of application.

315 ~~3. Any plea of nolo contendere or finding of guilt regardless of adjudication or deferred~~
316 ~~adjudication shall be considered a conviction for the purposes of this section. The record~~
317 ~~of conviction certified or authenticated in such form as to be admissible in evidence under~~
318 ~~the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of~~
319 ~~such guilt.~~

320 The board, in its discretion, may deny licensure to an applicant in accordance with § 54.1-
321 204 of the Code of Virginia.

322 F. The applicant for certification ~~shall~~ must be in compliance with the standards of conduct
323 and practice set forth in Part V (18VAC48-50-140 et seq.) of this chapter at the time of application,
324 while the application is under review by the board, and at all times when the certificate is in effect.

Commented [VP28]: This language is being removed from DPOR regulations, as it potentially conflicts with § 54.1-204, and is unnecessary.

Commented [VP29]: This provision is added to make the regulation consistent with other DPOR regulations.

~~G. The applicant for certification shall be in good standing in Virginia and in every jurisdiction and with every board or administrative body where licensed, certified, or registered to provide management or related services; and the board, in its discretion, may deny certification to any applicant for certification who has been subject to any form of adverse disciplinary action, including reprimand, revocation, suspension or denial, imposition of a monetary penalty, requirement to complete remedial education, or any other corrective action, in any jurisdiction or by any board or administrative body or surrendered a license, certificate, or registration in connection with any disciplinary action in any jurisdiction prior to obtaining certification in Virginia.~~

G. The applicant for certification must report any disciplinary action taken by any board or administrative body in any jurisdiction against a professional or occupational license, certification, or registration issued to the applicant to include any reprimand, suspension, revocation, or surrender of a license, certification, or registration, imposition of a monetary penalty, or requirement to take remedial education or other corrective action. The board, in its discretion, may deny certification to any applicant based on disciplinary action taken by any board or administrative body in any jurisdiction.

~~H. The applicant for certification shall must provide all relevant information for the seven years prior to application on any outstanding judgments, past-due tax assessments, defaults on bonds, or pending or past bankruptcies, all as related to providing management services as defined in § 54.1-2345 of the Code of Virginia. The applicant for certification shall further disclose whether or not he was the subject of any adverse disciplinary action, including revocation of a license, certificate, or registration within the seven-year period immediately preceding the date of application.~~

~~I. An~~ The applicant for certification may be certified provided the applicant provides must provide proof to the board that the applicant meets one of the following:

Commented [VP30]: These provisions are being replaced by a new subsection G, which clarifies disciplinary actions that must be disclosed in an application for certification.

Commented [VP31]: This provision is being removed to reduce regulatory requirements.

349 1. Holds an active designation as a Professional Community Association Manager by
350 Community Associations Institute ~~and certifies having provided management services for~~
351 ~~a period of three months immediately preceding application;~~

Commented [VP32]: This provision is being removed to reduce regulatory requirements.

352 2. Holds an active designation as a Certified Manager of Community Associations by the
353 ~~National Board of Certification for Community Association Managers~~ Community
354 Association Managers International Certification Board and certifies having two years of
355 experience in providing management services. ~~Of the required two years of experience, a~~
356 ~~minimum of six months of experience must have been gained immediately preceding~~
357 ~~application;~~

Commented [VP33]: Updating organization name.

358 3. Holds an active designation as an Association Management Specialist by Community
359 Associations Institute and certifies having two years of experience in providing
360 management services. ~~Of the required two years of experience, a minimum of three~~
361 ~~months of experience must have been gained immediately preceding application;~~ or

Commented [VP34]: This provision is being removed to reduce regulatory requirements.

362 4. Has completed an introductory or comprehensive training program as set forth in
363 18VAC48-50-250 A or B ~~and completed a Virginia common interest community laws and~~
364 ~~regulations training module as described in 18VAC48-50-252,~~ and passed a certifying
365 examination approved by the board and certifies having two years of experience in
366 providing management services. ~~Of the required two years of experience, a minimum of~~
367 ~~six months of experience must have been gained immediately preceding application;~~

Commented [VP36]: The regulatory review committee recommends adding a proposed Virginia-specific training module for those who complete the Board-approved comprehensive or introductory training program in order to receive a principal or supervisory employee certificate.

The content of the proposed training module is detailed in new section 18VAC48-50-252.

368 J. The applicant for certification ~~shall~~ must provide the name of ~~his~~ the applicant's employing
369 common interest community manager, if applicable.

Commented [VP37]: This provision is being removed to reduce regulatory requirements.

370 **18VAC48-50-37. Licensure and certification by reciprocity. Firms or individuals licensed or**
371 **certified in another jurisdiction.**

372 A. The board may waive the requirements of ~~18VAC48-50-30 I, J, and L~~ 18VAC48-50-30 J
373 and K and issue a license as a common interest community manager to an applicant who holds
374 an active, current license, certificate, or registration in another state, the District of Columbia, or
375 any other territory or possession of the United States provided the requirements and standards
376 under which the license, certificate, or registration was issued are substantially equivalent to those
377 established in this chapter and related statutes.

378 B. ~~Effective July 1, 2012, the~~ The board may waive the requirements of 18VAC48-50-35 I and
379 issue a certificate as a certified employee to an applicant who holds an active, current license,
380 certificate, or registration in another state, the District of Columbia, or any other territory or
381 possession of the United States provided the requirements and standards under which the
382 license, certificate, or registration was issued are substantially equivalent to those established in
383 this chapter and related statutes.

384 **18VAC48-50-40. Application denial.**

385 A. The board may refuse initial licensure or certification due to an applicant's failure to comply
386 with entry requirements or for any of the reasons for which the board may discipline a regulant.

387 B. The applicant has the right to request further review of any such action by the board under
388 the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

Commented [VP38]: This is being revised for purposes of clarity. There is no reciprocity with other jurisdictions.

Commented [VP39]: This provision is being added to make the regulation consistent with other DPOR regulations.

389

Part III

390

Fees

391 **18VAC48-50-50. General fee requirements.**

392 All fees are nonrefundable and ~~shall will~~ not be prorated. The date on which the fee is received
393 by the department or its agent will determine whether the fee is on time. Checks or money orders
394 ~~shall must~~ be made payable to the Treasurer of Virginia.

395 **18VAC48-50-60. Fee schedule.**

Fee Type	Fee Amount	Recovery Fund Fee* Assessment* (if applicable)	Total Amount Due	When Due
Initial Common Interest Community Manager Application	\$100 \$200	+ 25	\$125 \$225	With application
Common Interest Community Manager Renewal	\$100 \$200		\$100 \$200	With renewal application
Common Interest Community Manager Reinstatement (includes a \$200 reinstatement fee in addition to the regular \$100 renewal fee)	\$300		\$300	With renewal application
Certified Principal or Supervisory Employee Initial Application	\$75		\$75	With application
Certified Principal or Supervisory Employee Renewal	\$75		\$75	With renewal application
Certified Principal or Supervisory Employee Reinstatement (includes a \$75 reinstatement fee in addition to the regular \$75 renewal fee)	\$150		\$150	With renewal application

Commented [VP40]: Initial license application fee and renewal fee for a CIC manager license is adjusted to account for the proposed two year term of license. There is no net change in the amount that would be due from a licensee to obtain/renew a license, and is not considered a fee increase.

Training Program Provider Initial Application	\$100		\$100	With application
Training Program Provider Additional Program	\$50		\$50	With application
*In accordance with § 54.1-2354.5 of the Code of Virginia.				

396 **18VAC48-50-90. Renewal required.**

397 ~~A license~~ Licenses and certificates issued under this chapter shall will expire ~~one year two~~
 398 ~~years~~ from the last day of the month in which it was issued. ~~A certificate issued under this chapter~~
 399 ~~shall expire two years from the last day of the month in which it was issued. A fee shall be required~~
 400 ~~for renewal.~~

401 **18VAC48-50-95. Training required for certified principal or supervisory employees.**

402 A. Each certified principal or supervisory employee must complete six contact hours of
 403 training, all as approved by the board pursuant to Part VI (18VAC48-50-230 et seq.) of this
 404 chapter, during each certificate renewal cycle in accordance with the requirements of this section.

405 B. Each certified principal or supervisory employee must complete two contact hours of
 406 common interest community legal updates training, and two contact hours of fair housing training.

407 C. In addition to the requirements of subsection B, each certified principal or supervisory
 408 employee must complete two contact hours of training on any of the following subject areas as
 409 they relate to common interest communities and associations:

- 410 1. Governance, legal matters, and communications;
- 411 2. Financial matters, including budgets, reserves, investments, internal controls, and
- 412 assessments;
- 413 3. Contracting;
- 414 4. Risk management and insurance;

Commented [VP41]: The term of licensure is being extended to two years since licensees are no longer required to pay annual assessments on gross receipts. A two-year term of licensure is consistent with many other DPOR licensure programs.

Certified principal or supervisory employees currently have a two-year term for their certifications, so there is no change certificate holders.

Commented [VP42]: This provision is redundant, as it is covered under 18VAC48-50-100.

Commented [VP43]: This is a new section added to reflect the committee's recommendation that certified principal or supervisory employees complete six contact hours of training (up from the current four contact hours) as follows:

- Two (2) contact hours of Board-approved CIC legal updates (prev. CIC law and regulation)
- Two (2) contact hours of Board-approved Fair Housing.
- Two (2) contact hours of other training on Board-approved subjects.

415 5. Management ethics for common interest community managers;

416 6. Facilities maintenance; or

417 7. Human resources.

418 **18VAC48-50-97. Maintenance of training records.**

419 A. Each certified principal or supervisory employee must maintain evidence of the satisfactory
420 completion of training for at least three years following the end of the certificate renewal cycle for
421 which the training was taken. Such documentation must be provided to the board or its duly
422 authorized agents upon request. The following must be maintained by the certificateholder to
423 document completion of the hours of training specified in 18VAC48-50-95:

424 1. Evidence of completion that must contain the name, address, and contact information
425 of the training provider;

426 2. The dates the certificate holder participated in the training;

427 3. Descriptive material of the subject matter presented documenting that it covers the
428 subject areas described in 18VAC48-50-95; and

429 4. A statement from the provider verifying the number of contact hours completed.

430 **18VAC48-50-100. Expiration and Procedures for renewal.**

431 A. Prior to the expiration date shown on the license, ~~licenses shall be renewed upon a licensee~~
432 desiring to renew a common interest community manager license must return to the board (i)
433 ~~completion of the a completed~~ renewal application, (ii) ~~submittal of~~ proof of current bond or
434 insurance policy as ~~detailed in 18VAC48-50-30 E~~ required by 18VAC48-50-30 F and 18VAC48-
435 50-33, and (iii) ~~payment of the fees~~ the appropriate fee specified in 18VAC48-50-60.

436 B. Prior to the expiration date shown on the certificate, ~~certificates shall be renewed upon a~~
437 certificateholder desiring to renew a principal or supervisory employee certificate must return to

Commented [VP44]: This new section stipulates that certificate holders must keep documentation of completing training.

Commented [VP45]: The provisions in this section are being revised to reflect current agency practice and to make the language consistent with other DPOR regulations.

438 the board (i) ~~completion of the a completed~~ renewal application; (ii) ~~submittal of proof of~~
439 ~~completion of two six hours of fair housing training as it relates to the management of common~~
440 ~~interest communities and two hours of Virginia common interest community law and regulation~~
441 ~~training in accordance with 18VAC48-50-95, both as approved by the board and completed within~~
442 ~~the two year certificate period immediately prior to the expiration date of the certificate; and (iii)~~
443 ~~payment of the fees the appropriate fee~~ specified in 18VAC48-50-60.

Commented [VP46]: This provision is revised to require certificate holders to provide proof of completing six contact hours of training.

444 C. The board will mail a renewal notice to the regulant at the ~~last known mailing~~ address of
445 record. Failure to receive this notice ~~shall~~ does not relieve the regulant of the obligation to renew.
446 If the regulant fails to receive the renewal notice, a copy of the license or certificate may be
447 submitted with the required fees and any other required documentation as an application for
448 renewal. By submitting an application for renewal, the regulant is certifying continued compliance
449 with the Standards of Conduct and Practice in Part V (18VAC48-50-140 et seq.) of this chapter.

Commented [VP47]: This provision is revised to clarify that renewal applicants must still submit other documents (e.g. proof of insurance, training certificates) to renew when submitting returned license.

Commented [VP48]: This provision is being moved to the new subsection D.

450 D. The date on which the renewal application is received by the department or its agent will
451 determine whether the renewal application was received on time. By submitting an application for
452 renewal, the regulant is certifying continued compliance with the Standards of Conduct and
453 Practice in Part V (18VAC48-50-140 et seq.) of this chapter.

454 ~~D. E.~~ E. Applicants for renewal ~~shall~~ must continue to meet all of the qualifications for licensure
455 and certification set forth in Part II (18VAC48-50-20 et seq.) of this chapter.

456 F. The board may conduct an audit of any regulant to ensure the regulant's continued
457 compliance with the requirements for licensure or certification, as applicable, established by
458 Chapter 23.3 of Title 54.1 of the Code of Virginia and this chapter.

Commented [VP49]: This provision is added to permit the Board to conduct audit to determine compliance with licensure or certification requirements.

459 **18VAC48-50-110. Reinstatement of common interest community manager license and**
460 **certified principal or supervisory employee certificate required.**

461 A. If all of the requirements for renewal of a license as specified in 18VAC48-50-100 A are not
462 completed within 30 days of the license ~~after the~~ expiration date on the license, the licensee ~~shall~~
463 will be required to reinstate the license by meeting all renewal requirements and by paying the
464 reinstatement fee specified in 18VAC48-50-60.

465 B. If all of the requirements for renewal of a certificate as specified in 18VAC48-50-100 B are
466 not completed within 30 days of the certificate ~~after the~~ expiration date on the certificate, the
467 certificateholder ~~shall~~ will be required to reinstate the certificate by meeting all renewal
468 requirements and by paying the reinstatement fee specified in 18VAC48-50-60.

469 C. A license or certificate may be reinstated for up to ~~six months~~ one year following the
470 expiration date. After ~~six months~~ one year, the license or certificate may not be reinstated under
471 any circumstances and the firm or individual must apply as a new applicant and meet all current
472 entry requirements ~~and apply as a new applicant~~ at the time of submittal of the new application.

473 ~~D. Any regulated activity conducted subsequent to the license expiration date may constitute~~
474 ~~unlicensed activity and be subject to prosecution under Chapter 1 (§ 54.1-100 et seq.) of Title~~
475 ~~54.1 of the Code of Virginia.~~

476 **18VAC48-50-120. Status of license or certificate during the period prior to reinstatement.**

477 A. A regulant who applies for reinstatement of a license or certificate ~~shall~~ will be subject to
478 all laws and regulations as if the regulant had been continuously licensed or certified. The regulant
479 ~~shall~~ will remain under and be subject to the disciplinary authority of the board during this entire
480 period.

Commented [VP50]: This provision is revised to extend the reinstatement period to one year, which is consistent with other DPOR license programs.

481 B. Any regulated activity conducted subsequent to the license or certificate expiration date
482 may constitute unlicensed activity and be subject to prosecution under Chapter 1 (§ 54.1-100 et
483 seq.) of Title 54.1 of the Code of Virginia.

484 **18VAC48-50-130. Board discretion to deny renewal or reinstatement.**

485 A. The board may deny renewal or reinstatement of a license or certificate for the same
486 reasons as the board may refuse initial licensure or certification pursuant to 18VAC48-50-40, or
487 discipline a regulant pursuant to 18VAC48-50-140.

488 B. The board may deny renewal or reinstatement of a license or certificate if the regulant has
489 been subject to a disciplinary proceeding by the board and has not met the terms of an agreement
490 for licensure or certification, has not satisfied all sanctions, or has not fully paid any monetary
491 penalties and costs imposed by the board.

492 C. The regulant has the right to request further review of any such action by the board under
493 the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

494 Part V
495 Standards of Conduct and Practice

496 **18VAC48-50-140. Grounds for disciplinary action.**

497 The board may ~~place a regulant on probation,~~ impose a monetary penalty in accordance with
498 § 54.1-202 A of the Code of Virginia, or revoke, suspend, or refuse to renew any license or
499 certificate, or place a regulant on probation in accordance with § 54.1-201 A 7 of the Code of
500 Virginia, when the regulant has been found to have violated or cooperated with others in violating
501 any ~~provisions~~ provision of the regulations of the board or Chapter 23.3 (§ 54.1-2345 et seq.) of
502 Title 54.1 of the Code of Virginia.

Commented [VP51]: These provisions are revised to reference sections in the regulation pertaining to the Board's authority to deny an application for licensure/certification, and to impose discipline.

Commented [VP52]: This provision is being added to make the regulation consistent with other DPOR regulations.

Commented [VP53]: This provision is revised to cite the statutory authority to impose probation on a regulant.

503 **18VAC48-50-150. Maintenance of license or certificate.**

504 A. No license or certificate issued by the board shall ~~may~~ be assigned or otherwise transferred.

505 ~~B. A regulant shall report, in writing, all changes of address to the board within 30 days of the~~
506 ~~change and shall return the license or certificate to the board. In addition to the address of record,~~
507 ~~a physical address is required for each license or certificate. If the regulant holds more than one~~
508 ~~license, certificate, or registration, the regulant shall inform the board of all licenses, certificates,~~
509 ~~and registrations affected by the address change.~~

510 ~~C. Any change in any of the qualifications for licensure or certification found in 18VAC48-50-~~
511 ~~30 or 18VAC48-50-35 shall be reported to the board within 30 days of the change.~~

512 ~~B. A licensed common interest community manager must report to the board, in writing, any~~
513 ~~change in the firm's name or trade or fictitious name within 30 days of the change. A certified~~
514 ~~principal or supervisory employee must report to the board, in writing, any change in the~~
515 ~~certificateholder's legal name within 30 days of the change. Such report must be accompanied by~~
516 ~~documentation acceptable to the board that verified the name change.~~

517 C. A regulant must report to the board, in writing, any change of address, to include the
518 physical address, as applicable, within 30 days of the change. The board is not responsible for
519 the regulant's failure to receive notices, communications, and correspondence caused by the
520 regulant's failure to report to the board any change of address.

521 D. A licensee must report to the board, in writing, any change in the firm's principals, qualifying
522 individual, or responsible person within 30 days of the change.

523 ~~D. Notwithstanding the provisions of subsection C of this section, a~~ E. A licensee shall must
524 report to the board, in writing, the cancellation, amendment, expiration, or any other change of
525 any bond or insurance policy submitted in accordance with 18VAC48-50-30 E within five days of
526 the change.

Commented [VP54]: This section was revised to make the maintenance requirements more consistent with those in other DPOR programs.

Commented [VP55]: Address change requirements have been moved to a new subsection C.

Commented [VP56]: This provisions is removed as it is unnecessary and does not align with current agency practice.

Commented [VP57]: This provision is removed as it is not applicable. A physical address is only required if the regulant has a post office box for a mailing address.

Commented [VP58]: This provision is removed as it is unnecessary and does not align with current agency practice.

Commented [VP59]: This provision is being moved to the end of this section, and revised.

Commented [VP60]: These provisions added to specify a licensee/certificate holder is required to report a change of name.

Commented [VP61]: This provision is added to clarify a licensee must report any change in qualifying individual, responsible person, and principals. Provision aligns the regulation to current agency practice.

527 F. A licensee that qualified for licensure pursuant to 18VAC48-50-30 J must report to the
528 board, in writing, any change in the status of the licensee's active designation as an Accredited
529 Association Management Company by the Community Associations Institute, to include loss of
530 such designation, within 30 days of the change.

Commented [VP62]: This provision is added to require a firm licensed by way of having an AAMC to report any change in the status of the credential. To the extent a licensee qualified with an AAMC, but may no longer meet requirements for an AAMC, the licensee may no longer meet requirements for licensure.

531 ~~E. G.~~ A licensee shall report to the board, in writing, the discharge or termination of active
532 status of an employee holding a certificate within 30 days of the discharge or termination of active
533 status.

534 ~~F. H.~~ A certified principal or supervisory employee shall must report to the board, in writing, a
535 change in employing common interest community manager within 30 days of the change.

536 I. A licensed common interest community manager must report to the board, in writing, any
537 change in the licensee's qualifications for licensure under 18VAC48-50-30 within 30 days of the
538 change. A certified principal or supervisory employee must report to the board, in writing, any
539 change in the certificateholder's qualifications for certification under 18VAC48-50-35 within 30
540 days of the change.

Commented [VP63]: This requirement was previously subsection C of this section. The provisions have been revised to clarify what a regulant must report.

541 **18VAC48-50-160. Maintenance and management of accounts.**

Commented [VP64]: This section was revised to make the requirements clearer and to better conform with the provisions in the statute.

542 ~~Licensed firms shall~~ A licensee must maintain all funds from associations received and held
543 on behalf of any association to which it provides management services in accordance with § 54.1-
544 2353 A of the Code of Virginia. Funds that belong to such association or others that are held as
545 a result of the fiduciary relationship shall must be labeled as such to clearly distinguish funds that
546 belong to others from those funds of maintained in a fiduciary trust account in an FDIC-insured
547 financial institution separate from the funds of the common interest community manager or other
548 associations managed by the common interest community manager.

549 **18VAC48-50-170. Change of business entity requires a new license.**

550 A. Licenses are issued to firms as defined in this chapter and are not transferable. Whenever
551 the legal business entity holding the license is dissolved or altered to form a new business entity,
552 the license becomes void and ~~shall~~ **must** be returned to the board within 30 days of the change.

553 Such changes include ~~but are not limited to:~~

554 1. Cessation of the business or the voluntary termination of a sole proprietorship or general
555 partnership;

556 2. Death of a sole proprietor;

557 3. Formation, reformation, or dissolution of a general partnership, limited partnership,
558 corporation, limited liability company, association, or any other business entity recognized
559 under the laws of the Commonwealth of Virginia; or

560 ~~4. The suspension or~~ **Suspension, revocation, termination of the corporation's existence**
561 **or cancellation by the State Corporation Commission.**

562 ~~B. When a new firm is formed, the new firm shall apply for~~ **must obtain** a new license ~~on a~~
563 ~~form provided by~~ **from** the board before engaging in any activity regulated by Chapter 23.3 (§
564 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia or the regulations of the board.

565 **18VAC48-50-180. Notice of adverse action.**

566 ~~A. Licensed firms shall~~ **A licensee must** notify the board of the following actions against the
567 firm, the responsible person, ~~the~~ **qualifying individual,** and any principals of the firm:

568 1. Any disciplinary action taken by any jurisdiction, board, or administrative body of
569 competent jurisdiction, including any reprimand, ~~license or certificate~~ revocation,
570 suspension, ~~or denial of a license, certificate, or registration,~~ **imposition of a** monetary
571 penalty, or requirement ~~for~~ **to take** remedial education or other corrective action.

Commented [VP65]: This provision is revised to make clearer, and include other avenues by which an entity may be made no longer valid by SCC.

Commented [VP66]: This provision is revised to make clear a new entity must become licensed in order to provide management services.

Commented [VP67]: The provisions in this section are revised to clarify disciplinary action includes action taken against a certificate or registration.

Provisions are also removed to make the regulation consistent with changes in 18VAC48-50-30 and 18VAC48-50-35 pertaining to pleas of nolo contendere and requirements for certified record of conviction, which may be contrary to § 54.1-204 of the Code of Virginia.

Commented [VP68]: This provision added since action against the qualifying individual of a firm may have a bearing on the firm's fitness to be a licensee.

572 2. Any voluntary surrendering of a license, certificate, or registration done in connection
573 with a disciplinary action ~~in another taken by any jurisdiction, board or administrative body~~
574 ~~of competent jurisdiction.~~

Commented [VP69]: Revised to clarify that any voluntary surrendering taken by any regulatory body (including Virginia) in connection with a disciplinary action.

575 3. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred
576 adjudication, in any jurisdiction of the United States of any misdemeanor, ~~except~~
577 ~~marijuana convictions involving moral turpitude, sexual offense, non-marijuana drug~~
578 ~~distribution, or physical injury,~~ or any felony, there being no appeal pending therefrom or
579 the time for appeal having lapsed. Review of convictions ~~shall~~ will be subject to the
580 requirements of § 54.1-204 of the Code of Virginia. ~~Any plea of nolo contendere shall be~~
581 ~~considered a conviction for the purpose of this section.~~

Commented [VP70]: Revised to include any misdemeanor (except marijuana convictions), instead of categories of offenses.

This makes the misdemeanor conviction reporting requirement consistent with the disclosure requirements for applicants for licensure/certification.

582 B. ~~Certified~~ A certified principal or supervisory ~~employees shall~~ employee must notify the
583 board, and must notify the responsible person of the employing firm, if applicable, of the following
584 actions against the certified principal or supervisory employee:

585 1. Any disciplinary action taken by any jurisdiction, board, or administrative body of
586 competent jurisdiction, including any reprimand, ~~license or certificate~~ revocation,
587 suspension, or denial of a license, certificate, or registration, imposition of a monetary
588 penalty, or requirement ~~for~~ to take remedial education, or other corrective action.

589 2. Any voluntary surrendering of a license, certificate, or registration done in connection
590 with a disciplinary action ~~in another taken by any jurisdiction, board, or administrative body~~
591 ~~of competent jurisdiction.~~

Commented [VP71]: Revised to clarify that any voluntary surrendering taken by any regulatory body (including Virginia) in connection with a disciplinary action.

592 3. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred
593 adjudication, in any jurisdiction of the United States of any misdemeanor, ~~except~~
594 ~~marijuana convictions involving moral turpitude, sexual offense, non-marijuana drug~~
595 ~~distribution, or physical injury,~~ or any felony, there being no appeal pending therefrom or

Commented [VP72]: Revised to include any misdemeanor (except marijuana convictions), instead of categories of offenses.

This makes the misdemeanor conviction reporting requirement consistent with the disclosure requirements for applicants for licensure/certification.

596 the time for appeal having lapsed. Review of convictions shall will be subject to the
597 requirements of § 54.1-204 of the Code of Virginia. ~~Any plea of nolo contendere shall be~~
598 ~~considered a conviction for the purpose of this section.~~

599 C. The notice must be ~~made given~~ to the board, and to the responsible person of the
600 employing firm, when applicable, in writing within 30 days of the action. A copy of the order or
601 other supporting documentation must accompany the notice. ~~The record of conviction, finding, or~~
602 ~~case decision shall be considered prima facie evidence of a conviction or finding of guilt.~~

603 **18VAC48-50-190. Prohibited acts.**

604 The following acts are prohibited and any violation may result in disciplinary action by the
605 board:

606 1. Violating, inducing another to violate, or cooperating with others in violating any of the
607 provisions of any of the regulations of the board; Chapter 23.3 (§ 54.1-2345 et seq.) of
608 Title 54.1 of the Code of Virginia; or Chapter 18 (§ 55.1-1800 et seq.), Chapter 19 (§ 55.1-
609 1900 et seq.), or Chapter 21 (§ 55.1-2100 et seq.) of Title 55.1 of the Code of Virginia or
610 engaging in any acts enumerated in §§ 54.1-102 and 54.1-111 of the Code of Virginia.

611 2. Allowing a license or certificate issued by the board to be used by another.

612 3. Obtaining or attempting to obtain a license or certificate by false or fraudulent
613 representation, or maintaining, renewing, or reinstating a license or certificate by false or
614 fraudulent representation, or furnishing substantially inaccurate or incomplete information
615 to the board in obtaining, renewing, reinstating, or maintaining a license or certificate.

616 4. A regulant having been convicted, found guilty, or disciplined in any jurisdiction of any
617 offense or violation enumerated in 18VAC48-50-180.

Commented [VP73]: This provision is added in order to complement the requirement that a certificate holder report an adverse action to the employing common interest community manager.

Commented [VP74]: Most of the prohibited acts in the section are being re-ordered to group similar types of offenses together.

Commented [VP75]: Added to include potential cases where a regulant's intent may not have been to deceive or misrepresent to the Board, but failure to provide accurate or complete information to the Board caused harm.

618 5. Failing to inform the board, and the responsible person of the employing firm, if
619 applicable, in writing within 30 days that the regulant was convicted, found guilty, or
620 disciplined in any jurisdiction of any offense or violation enumerated in 18VAC48-50-180.

621 6. Failing to report a change as required by 18VAC48-50-150 or 18VAC48-50-170.

622 7. ~~The intentional and unjustified failure to comply with the terms of the management~~
623 ~~contract, operating agreement, or association governing documents.~~ Operating or
624 advertising in any name other than the name in which the license or certificate was issued.

625 8. ~~Engaging in dishonest or fraudulent conduct in providing management services.~~ Failure
626 to use a contract that complies with 18VAC48-50-195.

627 9. ~~Failing to satisfy any judgments or restitution orders entered by a court or arbiter of~~
628 ~~competent jurisdiction.~~ Failing to disclose to the association material facts related to the
629 association's property or concerning management services of which the regulant has
630 actual knowledge.

631 10. ~~Egregious or repeated violations of generally accepted standards for the provision of~~
632 ~~management services.~~ Failing upon written request of the association to provide
633 association books and records such that the association can perform pursuant to §§ 55.1-
634 1815 (Property Owners' Association Act), 55.1-1945 (Virginia Condominium Act), and
635 55.1-2151 (Virginia Real Estate Cooperative Act) of the Code of Virginia.

636 11. ~~Failing to handle association funds in accordance with the provisions of § 54.1-2353~~
637 ~~A of the Code of Virginia or 18VAC48-50-160.~~ Failing to provide complete records related
638 to the association's management services to the association within 30 days of any written
639 request by the association or within 30 days of the termination of the contract unless
640 otherwise agreed to in writing by both the association and the common interest community
641 manager.

Commented [VP76]: This provision is added in order to complement the requirement that a certificate holder report an adverse action to the employing common interest community manager.

Commented [VP77]: Moved to #16 and revised.

Commented [VP78]: Moved from #18 and revised to include operating under a different name; and adding certificate.

Commented [VP79]: Moved to #17.

Commented [VP80]: New provision that replaces existing #19 and #20. Standards for management contracts moved to a new section -195.

Commented [VP81]: Moved to #18.

Commented [VP82]: Moved from #13.

Commented [VP83]: This prohibited act is being removed as it is not necessary.

Commented [VP84]: Moved from #15.

Commented [VP85]: Moved to #12.

Commented [VP86]: Moved from #14.

642 12. ~~Failing to account in a timely manner for all money and property received by the~~
643 ~~regulant in which the association has or may have an interest. Failing to handle association~~
644 ~~funds in accordance with the provisions of § 54.1-2353 A of the Code of Virginia or~~
645 ~~18VAC48-50-160.~~

Commented [VP87]: Moved to #13.

646 13. ~~Failing to disclose to the association material facts related to the association's property~~
647 ~~or concerning management services of which the regulant has actual knowledge. Failing~~
648 ~~to account in a timely manner for all money and property received by the licensee in which~~
649 ~~the association has or may have an interest.~~

Commented [VP88]: Moved from #11.

Commented [VP89]: Moved to #9.

Commented [VP90]: Moved from #12.

650 14. ~~Failing to provide complete records related to the association's management services~~
651 ~~to the association within 30 days of any written request by the association or within 30~~
652 ~~days of the termination of the contract unless otherwise agreed to in writing by both the~~
653 ~~association and the common interest community manager. Commingling the funds of any~~
654 ~~association by the firm's principal, employees, or associates with the principal's own funds,~~
655 ~~those of the firm, or any other association managed by the common interest community~~
656 ~~manager.~~

Commented [VP91]: Moved to #11.

Commented [VP92]: Moved from #16 and revised to make clearer.

657 15. ~~Failing upon written request of the association to provide books and records such that~~
658 ~~the association can perform pursuant to §§ 55.1-1815 (Property Owners' Association Act),~~
659 ~~55.1-1945 (Virginia Condominium Act), and 55.1-2151 (Virginia Real Estate Cooperative~~
660 ~~Act) of the Code of Virginia. Failing to act in providing management services in a manner~~
661 ~~that safeguards the interests of the public.~~

Commented [VP93]: Moved to #10.

Commented [VP94]: Moved from #17.

662 16. ~~Commingling the funds of any association by a principal, his employees, or his~~
663 ~~associates with the principal's own funds or those of his firm. The unjustified failure to~~
664 ~~comply with the terms of the management contract, or association governing documents.~~

Commented [VP95]: Moved to #14.

Commented [VP96]: Moved from #7. Revised to remove the word "intentional." The term "operating agreement" is also removed.

665 17. ~~Failing to act in providing management services in a manner that safeguards the~~
666 ~~interests of the public; Engaging in improper, dishonest, or fraudulent conduct in providing~~
667 ~~management services.~~

Commented [VP97]: Moved to #15.

668 18. ~~Advertising in any name other than the name in which licensed; Failing to satisfy any~~
669 ~~judgment or restitution order entered by a court or arbiter of competent jurisdiction, or as~~
670 ~~agreed upon in mediation.~~

Commented [VP98]: Moved from #8. Revised to include "improper" conduct.

Commented [VP99]: Moved to #7.

671 19. ~~Failing to make use of a legible, written contract clearly specifying the terms and~~
672 ~~conditions of the management services to be performed by the common interest~~
673 ~~community manager; comply with the requirements of 18VAC48-50-220. The contract shall~~
674 ~~include the following:~~

Commented [VP100]: Moved from #9, and revised to include agreements made in mediation.

675 a. ~~Beginning and ending dates of the contract;~~

Commented [VP101]: The provisions in #19 regarding minimum requirements for contracts moved to a new section -195.

676 b. ~~Cancellation rights of the parties;~~

This subdivision was revised to provide a prohibited act for failing to comply with requirements to respond to inquiries of the Board.

677 c. ~~Record retention and distribution policy;~~

678 d. ~~A general description of the records to be kept and the bookkeeping system to be~~
679 ~~used; and~~

680 e. ~~The common interest community manager's license number.~~

681 ~~20. Performing management services or accepting payments prior to the signing of the~~
682 ~~contract by an authorized official of the licensed firm and the client or the client's~~
683 ~~authorized agent.~~

Commented [VP102]: These requirements have been moved to a new section -195.

684 **18VAC48-50-195. Management services contracts.**

Commented [VP103]: This new section outlines requirements for management services contracts. This merges provisions that were in subdivisions #19 and #20 of section -190.

685 A. For the protection of both the association and the licensee, a licensee must make use of
686 legible, written contract clearly specifying the terms and conditions of the management services
687 to be performed by the licensee. Prior to the performing of management services or acceptance

688 of payments, the contract must be signed by an authorized official of the association, or an
689 authorized agent of the association, and an authorized official of the licensee. The licensee must
690 make prompt delivery to the association, or the association's authorized agent, a fully executed
691 copy of the contract in compliance with this section before providing management services. Any
692 modification to the contract which changes the cost, term of the contract, cancellation rights of
693 the parties, or scope of management services to be provided must be in writing and signed by all
694 parties.

Commented [VP104]: Added requirement to enhance protection of public.

Commented [VP105]: Added requirement to enhance protection of public.

695 B. At a minimum, the written contract must include:

696 1. The common interest community manager's license number;

697 2. Beginning and ending dates of the contract;

698 3. Cancellation rights of the parties;

699 4. Record retention and distribution policy;

700 5. A general description of the records to be kept and the bookkeeping system to be used;

701 6. Insurance requirements for both the common interest community manager and the
702 association; and

Commented [VP106]: Added minimum provision.

703 7. Disclosure of relationships with other firms that provide services to common interest
704 communities, or to either of the parties, that may give rise to a conflict of interest for the
705 common interest community manager.

Commented [VP107]: Added minimum provision.

706 **18VAC48-50-200. Establishment of code of conduct.**

707 The ~~firm shall~~ licensee must establish and distribute to the firm's employees, principals, and
708 agents a written code of conduct to address business practices ~~including~~ including, to include the
709 appropriateness of giving and accepting gifts, bonuses, or other remuneration to and from
710 common interest communities or providers of services to common interest communities. In

711 accordance with clause (ii) of § 54.1-2346 E of the Code of Virginia, the code of conduct for
712 officers, directors, and employees shall must also address disclosure of relationships with other
713 firms that provide services to common interest communities and that may give rise to a conflict of
714 interest.

715 **18VAC48-50-205. Remuneration.**

716 Unless authorized in writing by the governing board of the association, no common interest
717 community manager may accept remuneration from vendors, independent contractors, service
718 providers, or others providing goods or services to the association, whether in the form of
719 commissions, finders fees, services fees, discounts, or otherwise.

720 **18VAC48-50-210. Establishment of internal accounting controls.**

721 The firm shall licensee must establish written internal accounting controls to provide adequate
722 checks and balances over the firm's financial activities and to manage the risk of fraud and illegal
723 acts. The internal accounting controls shall must be in accordance with generally accepted
724 accounting practices.

725 **18VAC48-50-215. Association disclosure packets and condominium resale certificates.**

726 Any common interest community manager that, on behalf of an association, performs the
727 duties imposed on the association by Article 2 of the Property Owners' Association Act (§ 55.1-
728 1808 et seq. of the Code of Virginia) or Article 5 of the Virginia Condominium Act (§ 55.1-1990 et
729 seq. of the Code of Virginia) is responsible for ensuring the association's compliance with the
730 provisions of law applicable to the association.

731 **18VAC48-50-220. Response to inquiry and provision of records.**

732 A. A regulant must respond, in writing, within 10 days to a request by the board or any of its
733 agents regarding any complaint filed with the department.

Commented [VP108]: New section added to address concerns regarding remuneration to managers from vendors, contractors, and other service providers who provide goods or services to the client association.

Commented [VP109]: This new section is added to address POA disclosure packets and condominium resale certificates prepared by management company on behalf of association.

734 B. Unless otherwise specified by the board or its agent, a regulant of the board ~~shall~~ must
735 produce to the board or any of its agents within 10 days of the request any document, book, or
736 record concerning any transaction pertaining to a complaint filed in which the regulant was
737 involved, or for which the regulant is required to maintain records for inspection and copying by
738 the board or its agents. The board or its agent may extend such time frame upon a showing, in
739 writing, of extenuating circumstances prohibiting delivery within such 10-day period.

740 C. A regulant ~~shall~~ must not provide a false, misleading, or incomplete response to the board
741 or any of its agents seeking information in the investigation of a complaint filed with the board.

742 D. With the exception of the requirements of subsections A and B of this section, a regulant
743 must respond, in writing, to an inquiry by the board or its agent within 21 days.

744 **18VAC48-50-225. Regulant's responsibility.**

745 A. The primary obligation of the regulant is to the public.

746 B. A regulant must not knowingly associate in a business venture with, or permit the use of
747 the regulant's name by, any person or firm where there is reason to believe that person or firm is
748 engaging in activity of a fraudulent or dishonest nature or is violating any law or regulation of the
749 board.

750 C. A regulant who has direct knowledge that another individual or firm may have violated, or
751 may be violating, any provision of this chapter, or the provisions of Chapter 23.3 (§ 54.1-2345 et
752 seq.) of Title 54.1 of the Code of Virginia, or Chapters 18 (§ 55.1-1800 et seq.), 19 (§ 55.1-1900
753 et seq.), or 21 (§ 55.1-2100 et seq.) of Title 55.1 of the Code of Virginia must immediately inform
754 the board in writing and must cooperate in furnishing any further information or assistance that
755 may be required by the board or any of its agents.

Commented [VP110]: This new section is added to address regulant's obligation to the public, including duty to report violations to laws/regulations to the Board.

756

Part VI

757

Training Programs, Training Modules, and Examination

Commented [VP111]: This part is revised to add provisions for training module approval by the Board.

758

18VAC48-50-230. Training programs and training modules generally.

759

All training programs and training modules proposed for the purposes of meeting the

760

requirements of this chapter must be approved by the board. ~~Any or all of the approved~~ Approved

761

~~training programs can be met and training modules may be delivered~~ using distance, virtual, or

762

online education technology. Training programs and training modules may be approved

Commented [VP112]: Revised to make clearer, and incorporate virtual learning.

763

retroactively; however, no applicant will receive credit for the training program or training module

764

until such approval is granted by the board.

765

18VAC48-50-240. Approval of common interest community manager training programs

766

and training modules.

767

Each provider of a training program ~~shall~~ or training module must submit an application for

768

program or module approval on a form provided by the board. In addition to the appropriate fee

769

provided in 18VAC48-50-60, the application ~~shall~~ must include ~~but is not limited to:~~

770

1. The name of the provider;

771

2. Provider contact person, address, and telephone number;

772

3. Program or module contact hours;

773

4. ~~Schedule of training program, if established, including dates, times, and locations~~

Commented [VP113]: Removed as it not necessary.

774

Method of delivery;

Commented [VP114]: Added to reflect agency practice which requires disclosure of method of delivery.

775

5. Instructor information, including name, license or certificate number(s), if applicable,

776

and a list of trade-appropriate designations, as well as a professional resume with a

777

summary of teaching experience and subject-matter knowledge and qualifications

778

acceptable to the board;

779 6. A summary of qualifications and experience in providing training under this chapter;

780 7. ~~Training program and material fees~~ Materials to be provided to participants; ~~and~~

781 8. Fees for the training program or module and materials; and

782 ~~8.~~ 9. Training program or module syllabus.

783 **18VAC48-50-250. Introductory and comprehensive training program requirements.**

784 A. In order to qualify as an introductory training program under 18VAC48-50-30 or 18VAC48-
785 50-35, the introductory training program must include a minimum of 16 contact hours and the
786 syllabus ~~shall~~ must encompass all of the subject areas set forth in subsection C of this section.

787 B. In order to qualify as a comprehensive training program under 18VAC48-50-30 or
788 18VAC48-50-35, the comprehensive training program must include a minimum of 80 contact
789 hours and the syllabus ~~shall~~ must include at least 40 contact hours encompassing all of the subject
790 areas set forth in subsection C of this section and may also include up to 40 contact hours in other
791 subject areas approved by the board.

792 C. The following subject areas as they relate to common interest communities and
793 associations ~~shall~~ must be included in all comprehensive and introductory training programs. The
794 time allocated to each subject area must be sufficient to ensure adequate coverage of the subject
795 as determined by the board.

796 1. Governance, legal matters, and communications;

797 2. Financial matters, including budgets, reserves, investments, internal controls, and
798 assessments;

799 3. Contracting;

800 4. Risk management and insurance;

801 5. Management ethics for common interest community managers;

Commented [VP115]: Moved to #8 and revised to make clearer.

Commented [VP116]: Added to reflect agency practice which requires training materials to be included in application.

802 6. Facilities maintenance; and

803 7. Human resources.

804 D. All In accordance with subdivisions A 2 and A 3 of § 54.1-2349 of the Code of Virginia,
805 introductory and comprehensive training programs are required to have a final, written
806 examination.

Commented [VP117]: Revised to clarify requirement that introductory and comprehensive programs have an examination.

807 18VAC48-50-252. Virginia common interest community laws and regulations training
808 module.

Commented [VP118]: New section to establish requirements for Virginia module.

809 A. In order to qualify as a Virginia common interest community laws and regulations training
810 module under 18VAC48-50-30 and 18VAC48-50-35, the training module must include a minimum
811 of four contact hours, and the syllabus must encompass all of the subject areas set forth in
812 subsection B of this section.

813 B. The following subject areas must be included in all Virginia common interest community
814 laws and regulations training modules. The time allocated to each subject area must be sufficient
815 to ensure adequate coverage of the subject as determined by the board.

816 1. Overview of Virginia common interest community statutes and regulations.

817 a. Property Owners' Association Act (Chapter 18 of Title 54.1 of the Code of Virginia).

818 b. Virginia Condominium Act (Chapter 19 of Title 54.1 of the Code of Virginia).

819 c. Virginia Real Estate Cooperative Act (Chapter 22 of Title 54.1 of the Code of
820 Virginia).

821 d. Horizontal Property Act (Chapter 20 of Title 54.1 of the Code of Virginia) and
822 Subdivided Land Sales Act (Chapter 23 of Title 54.1 of the Code of Virginia).

823 e. Chapter 23.3 of Title 54.1 of the Code of Virginia.

824 f. Common Interest Community Manager Regulations (18VAC48-50).

- 825 g. Common Interest Community Association Registration Regulations (18VAC48-60).
- 826 h. Common Interest Community Ombudsman Regulations (18VAC48-70).
- 827 i. Roles and responsibilities of the Common Interest Community Board.
- 828 j. Governance, operation, and administration of common interest communities.
- 829 2. Virginia requirements for the operation and management of associations.
- 830 a. Access to association books and records.
- 831 b. Meetings of members, governing boards, committees, and sub-committees.
- 832 (1) Notice of meeting.
- 833 (2) Rights of owners to attend and comment.
- 834 (3) Executive session.
- 835 (4) Elections and voting, including proxies, absentee ballots, and in-person voting.
- 836 (5) Minutes of meetings.
- 837 (6) Guidelines for virtual meetings.
- 838 c. Budgets, assessments, and reserves.
- 839 (1) Budgets and assessments.
- 840 (2) Reserves and reserve studies.
- 841 (3) Additional and special assessments, and fees for services.
- 842 (4) Declarant assessments and bonds for condominiums.
- 843 d. Management of common areas and common elements.
- 844 e. Adoption and enforcement of rules.
- 845 f. Association registration and annual reports.

- 846 3. Virginia fair housing laws as related to common interest communities.
- 847 4. Resale of lots or units.
- 848 (1) Process and time frames; inspections.
- 849 (2) Contents of disclosure packets and resale certificates.
- 850 (3) Fees for preparation of disclosure packets and resale certificates.
- 851 5. Common interest community association complaint procedure.
- 852 (1) Role of the office of the common interest community ombudsman.
- 853 (2) Requirements for association complaint procedure.
- 854 (3) Records of complaints.
- 855 (3) Final adverse decisions.
- 856 6. Standards of conduct and practice for common interest community managers.
- 857 (1) Section 54.1-2353 of the Code of Virginia.
- 858 (2) Part V (18VAC48-50-140 et seq.) of Common Interest Community Manager
- 859 Regulations.

860 **18VAC48-50-253. Virginia common interest community law and regulation legal updates**

861 **training program requirements.**

862 A. In order to qualify as a Virginia common interest community law and regulation legal

863 updates training program for renewal of certificates issued by the board, the common interest

864 community law and regulation legal updates program must include a minimum of ~~two~~ one contact

865 hours hour and the syllabus shall must encompass updates to Virginia laws and regulations

866 directly related to common interest communities the topics set forth in subsection B of this section,

867 and may include the topics set forth in subsection C of this section. The time allocated to each

Commented [VP119]: Revised to make this training program a legal updates. Requires program include updates re: Virginia CIC laws and regulations. Allows program provider to include other legal topics.

Commented [VP120]: Reduced to minimum one contact hour.

868 subject area must be sufficient to ensure adequate coverage of the subject as determined by the
869 board.

870 B. All common interest community legal updates training programs must include legal updates
871 directly related to common interest communities to include as applicable:

872 1. Changes to statutes or regulations;

873 2. Recent court decisions; and

874 3. Recent significant determinations of the Common Interest Community Ombudsman.

875 C. A common interest community legal updates training program may include other legal
876 topics or legal updates that pertain to common interest communities.

877 **18VAC48-50-255. Fair housing training program requirements.**

878 In order to qualify as a fair housing training program for renewal of certificates issued by the
879 board, the fair housing training program must include a minimum of ~~two one contact hours~~ hour
880 and the syllabus ~~shall~~ must encompass updates to Virginia fair housing laws and any updates, all
881 as related to common interest communities.

882 **18VAC48-50-256. Miscellaneous topics training programs.**

883 In order to qualify as a training program for training required by subsection C of 18VAC48-50-
884 95, the training program must include a minimum of one contact hour and cover any of the
885 following subject areas as they relate to common interest communities:

886 1. Governance, legal matters, and communications;

887 2. Financial matters, including budgets, internal controls, and assessments;

888 3. Reserves, reserve studies, and investments;

889 4. Contracting;

Commented [VP121]: Reduced to minimum one contact hour.

Commented [VP122]: Added to require that FH training only include updates to fair housing laws.

Commented [VP123]: New section to address training programs for miscellaneous topics.

890 5. Risk management and insurance;

891 6. Management ethics for common interest community managers;

892 7. Facilities maintenance; or

893 8. Human resources.

894 The time allocated to each subject area must be sufficient to ensure adequate coverage of
895 the subject as determined by the board.

896 **18VAC48-50-257. Documentation of training program and training module completion**
897 **required.**

898 All training program and training module providers must provide each ~~student~~ participant with
899 a certificate of training program or training module completion, as applicable, or other
900 documentation that the ~~student~~ participant may use as proof of training program or training
901 module completion. Such documentation ~~shall~~ must contain the contact hours completed.

902 **18VAC48-50-260. Maintenance of records.**

903 All providers must establish and maintain a record for each ~~student~~ participant. The record
904 ~~shall~~ must include the ~~student's~~ participant's name and address, the training program or training
905 module name and hours attended, the training program or training module syllabus or outline, the
906 name or names of the instructors, the date of successful completion, and the board's approved
907 training program ~~code or module identification number~~. Records ~~shall~~ must be available for
908 inspection during normal business hours by authorized representatives of the board. Providers
909 must maintain these records for a minimum of five years.

910 **18VAC48-50-270. Reporting of changes.**

911 Any change in the information provided in 18VAC48-50-240 must be reported to the board, in
912 writing, within 30 days of the change ~~with the exception of changes in the schedule of training~~

Commented [VP124]: Revised for clarity.

913 ~~program offerings, which must be reported within 10 days of the change.~~ Any change in
914 information submitted will be reviewed to ensure compliance with the provisions of this chapter.

Commented [VP125]: Removed as it is not necessary.

915 **18VAC48-50-275. Board authority to audit approved training programs and training**
916 **providers.**

Commented [VP126]: New section added to permit Board to audit approved training programs and providers.

917 The board may conduct an audit of any board-approved training program or module or training
918 program provider to ensure continued compliance with this chapter.

919 **18VAC48-50-280. Withdrawal of approval.**

920 The board may withdraw approval of any training program or training module for the following
921 reasons:

922 1. The training program or training module being offered no longer meets the standards
923 established by the board.

924 2. The provider, through an agent or otherwise, advertises its services in a fraudulent or
925 deceptive way.

926 3. The provider, instructor, or designee of the provider falsifies any information relating to
927 the application for approval, training program or module information, or ~~student participant~~
928 records or fails to produce records required by 18VAC48-50-260.

929 4. A change in the information provided that results in noncompliance with 18VAC48-50-
930 240, ~~except for subdivision 4 of 18VAC48-50-240.~~

Commented [VP127]: Removed as it is no longer necessary.

931 5. Failure to comply with 18VAC48-50-270.

932 **18VAC48-50-290. Examinations. (Repealed.)**

Commented [VP128]: Section repealed as this requirement is addressed in -250.

933 ~~All examinations required for licensure or certification shall be approved by the board and~~
934 ~~administered by the board, a testing service acting on behalf of the board, or another~~
935 ~~governmental agency or organization.~~

Common Interest Community Board

Common Interest Community Manager Regulatory Review Committee

Recommendations for Legislative Changes

During review of the Common Interest Community Manager Regulations, the Committee identified the following items that it recommends the Board consider making part of its requests for legislative changes:

1. Review exemptions from licensure under § 54.1-2347 of the Code of Virginia, with specific attention to the exemption under § 54.1-2347(A)(2) for an employee of an association who provides management services to the association.
2. Legislation to eliminate or reduce the two (2) year period outlined in § 54.1-2346(C) of the Code of Virginia for principal or supervisory employees of the firm to hold a principal or supervisory employee certificate issued by the Board after beginning employment with a common interest community manager.
3. Legislation to change § 54.1-2349(A)(2) of the Code of Virginia so that the Board's regulations may permit a management company's designation as an Accredited Association Management Company (AAMC) to be one of the criteria for licensure, rather than a mandated criterion.
4. Legislation to eliminate the requirement in §54.1-2346(E) of the Code of Virginia pertaining to CPA reviews or audits of financial statements for common interest community managers.
5. Review the provisions for fidelity/employee dishonesty insurance for common interest community managers in § 54.1-2346(D) of the Code of Virginia, and for property owners' associations and condominium unit owners' associations in §§ 55.1-1827(B) and 55.1-1963(B) of the Code of Virginia, respectively, to determine whether the nature of the insurance, persons covered, and amount of coverage are complementary and sufficient to protect the public welfare.
6. Legislation to change § 54.1-2346(D) of the Code of Virginia to clarify that the amount of the fidelity bond or employee dishonesty insurance be based on all association funds under the control of the common interest community manager at the end of the most recent fiscal year.
7. Legislation to change § 54.1-2353(A) of the Code of Virginia to remove the requirement that association funds held by a common interest community manager be held in a trust account.
8. Consider legislation to address the termination of the business of a sole proprietorship common interest community manager firm upon the death of the sole proprietor.

CONSIDER PROPOSED
GUIDANCE DOCUMENT ON CIC
MANAGEMENT RECOVERY FUND
CLAIM PROCEDURE

DRAFT AGENDA
Materials contained in this agenda are proposed for discussion
and are not to be construed as regulation of the Board
DRAFT AGENDA

2022 LEGISLATIVE UPDATE

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

OMBUDSMAN REPORT

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Common Interest Community Board
954520**

2020-2022 Biennium

January 2022

	January 2022 Activity	Biennium-to-Date Comparison	
		July 2018 - January 2020	July 2020 - January 2022
Cash/Revenue Balance Brought Forward			15,716
Revenues	47,513	1,202,887	949,817
Cumulative Revenues			965,533
Cost Categories:			
Board Expenditures	32,566	699,280	669,318
Board Administration	0	0	0
Administration of Exams	0	0	0
Enforcement	15,258	218,340	231,709
Legal Services	711	2,158	4,225
Information Systems	7,898	137,638	123,024
Facilities and Support Services	6,129	120,914	120,092
Agency Administration	4,382	82,748	81,133
Other / Transfers	0	8,513	5,006
Total Expenses	66,943	1,269,591	1,234,506
Transfer To/(From) Cash Reserves	(18,166)	0	(275,243)
Ending Cash/Revenue Balance			6,270

Cash Reserve Beginning Balance	2,884,397	0	3,141,474
Change in Cash Reserve	(18,166)	0	(275,243)
Ending Cash Reserve Balance	2,866,231	0	2,866,231

Number of Regulants	
Current Month	7,704
Previous Biennium-to-Date	7,552

DEPARTMENT OF PROFESSIONAL
& OCCUPATIONAL REGULATION

**VIRGINIA COMMON INTEREST
COMMUNITY MANAGEMENT
RECOVERY FUND**

FINANCIAL STATEMENTS

Cash Basis

For the Month Ended
December 31, 2021

The accompanying notes are an integral part of this statement.

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
 VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND
 SUPPLEMENTAL SCHEDULE OF CLAIMS PAID
 December 31, 2021**

CLAIMS PAID:	Number of Payments	Dollar Amount of Claims Paid	Related Recoveries	Net Payments
July 1, 2021 - June 30, 2022	0	\$0.00	\$0.00	\$0.00
July 1, 2020 - June 30, 2021	0	\$0.00	\$0.00	\$0.00
July 1, 2019 - June 30, 2020	0	\$0.00	\$0.00	\$0.00
July 1, 2018 - June 30, 2019	0	\$0.00	\$0.00	\$0.00
July 1, 2017 - June 30, 2018	0	\$0.00	\$0.00	\$0.00
July 1, 2016 - June 30, 2017	0	\$0.00	\$0.00	\$0.00
July 1, 2015 - June 30, 2016	0	\$0.00	\$0.00	\$0.00
July 1, 2014 - June 30, 2015	0	\$0.00	\$0.00	\$0.00
July 1, 2013 - June 30, 2014	0	\$0.00	\$0.00	\$0.00
July 1, 2012 - June 30, 2013	0	\$0.00	\$0.00	\$0.00
July 1, 2011 - June 30, 2012	0	\$0.00	\$0.00	\$0.00
July 1, 2010 - June 30, 2011	0	\$0.00	\$0.00	\$0.00
July 1, 2009 - June 30, 2010	0	\$0.00	\$0.00	\$0.00
July 1, 2008 - June 30, 2009	0	\$0.00	\$0.00	\$0.00
Total	0	\$0.00	\$0.00	\$0.00

This schedule is presented on a cash basis and represents aggregate claims paid and related recoveries. Recoveries are often received and reported in a different year from when the claim was paid.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND
BALANCE SHEET
GOVERNMENTAL FUNDS
December 31, 2021

	Special Revenue Funds		
	Principal	Interest	Totals
ASSETS			
Cash and Cash Equivalents	\$ 223,597	\$ 11,432	\$ 235,029
Total Assets	<u>\$ 223,597</u>	<u>\$ 11,432</u>	<u>\$ 235,029</u>
FUND BALANCES			
Reserved for Payment of Future Claims	\$ 223,597	\$ -	\$ 223,597
Reserved for Administration of Recovery Act	-	11,432	11,432
Total Fund Balances	<u>\$ 223,597</u>	<u>\$ 11,432</u>	<u>\$ 235,029</u>

The accompanying notes are an integral part of this statement.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE MONTH ENDED 12/31/2021

	CURRENT MONTH			YEAR TO DATE		
	Principal Fund	Interest Fund	Totals	Principal Fund	Interest Fund	Totals
REVENUES:						
Assessments	\$ 715	\$ -	\$ 715	\$ 3,750	\$ -	\$ 3,750
Investment Income		12	12		53	53
Total Revenues:	<u>715</u>	<u>12</u>	<u>727</u>	<u>3,750</u>	<u>53</u>	<u>3,803</u>
EXPENDITURES:						
Administrative Expenses	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Expenses:	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net Change in Fund Balances	<u>715</u>	<u>12</u>	<u>727</u>	<u>3,750</u>	<u>53</u>	<u>3,803</u>
Beginning Fund Balance	<u>222,882</u>	<u>11,420</u>	<u>234,302</u>	<u>219,847</u>	<u>11,379</u>	<u>231,226</u>
Ending Fund Balance	<u>\$ 223,597</u>	<u>\$ 11,432</u>	<u>\$ 235,029</u>	<u>\$ 223,597</u>	<u>\$ 11,432</u>	<u>\$ 235,029</u>

The accompanying notes are an integral part of this statement.

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUNDS
NOTES TO FINANCIAL STATEMENTS
12/31/2021

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The following is a summary of certain significant accounting policies employed by the Department of Professional and Occupational Regulation in administering the Virginia Common Interest Community Management Recovery Fund.

A. Basis of Presentation

The accompanying financial statements have been prepared using governmental fund accounting as prescribed by the Governmental Accounting Standards Board (GASB). The financial statements are prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

B. Reporting Entity

These financial statements report the financial activity of the Virginia Common Interest Community Management Recovery Fund, which is administered by the Department of Professional and Occupational Regulation. The Department exercises oversight authority over other funds which are not included in these financial statements.

C. Financial Statement Presentation

Special Revenue Funds account for transactions related to resources received and used for restricted or specific purposes. The Virginia Common Interest Community Management Recovery Fund, which is reported as a special revenue fund, is established under Section 55-530.1 of the *Code of Virginia* to reimburse associations for losses that occur when their community manager fails to perform his or her fiduciary responsibilities.

D. Measurement Focus and Basis of Accounting

The governmental fund financial statements are reported using the current financial resources measurement focus and the cash basis of accounting. Revenues are recognized when cash is received and expenditures are recorded when paid. The Department uses the cash basis of accounting during the year and prepares financial statements in accordance with generally accepted accounting principles at year end.

E. Cash and Cash Equivalents

Cash and cash equivalents consist of cash on hand, demand deposits, and investments in the Local Government Investment Pool (LGIP). Investments in the Local Government Investment Pool are reported as cash equivalents since they are readily convertible to cash.

2. RESTRICTED FUND BALANCES

Assets held in the Virginia Common Interest Community Management Recovery Funds are restricted to the payment of claims in accordance with Section 55.530.1H of the *Code of Virginia*. Interest earned on the deposits are used to pay the expenses of administering the fund, to pay claims, or may be transferred to the Common Interest Community Management Information Fund.

3. ASSESSMENTS

The Common Interest Community Management Recovery Fund is financed through assessments. Each new common interest community manager pays a \$25 assessment into the Recovery Fund at the time of application. Each association pays \$25 into the Recovery Fund at the time of filing its first annual report. After July 1, 2011, the *Code of Virginia* requires the Board to transfer funds from the Common Interest Community Management Information Fund and/or assess each association and each common interest community manager additional fees whenever the principal balance of the Recovery Fund is less than \$150,000. If the principal balance of the fund exceeds \$5,000,000 on June 30 of any year, the Board must transfer the excess to the Virginia Housing Partnership Revolving Fund.

*

These financial statements are prepared by Jordan Perryman, Fund Accountant. Please call 804-367-4003 if you have questions.

CONSIDERATION OF CERTIFICATES
OF APPRECIATION FOR SERVICE

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position
DRAFT AGENDA

Commonwealth of Virginia



Department of Professional and Occupational Regulation COMMON INTEREST COMMUNITY BOARD

Certificate of Appreciation to:

Bonnie Herring

WHEREAS, **Bonnie Herring** did faithfully and diligently serve as a member of the CIC Manager Regulatory Review Committee of the Common Interest Community Board from August 2021 to February 2022; and

WHEREAS, **Bonnie Herring** did devote generously of her time, talent and knowledge to the Committee; and

WHEREAS, **Bonnie Herring** did endeavor at all times to serve with fairness and good judgment in the best interest of the citizens of the Commonwealth; 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 third day of March 2022, that **Bonnie Herring** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and, be it

FURTHER RESOLVED, that this Certificate of Appreciation be presented to her and recognized in the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

Commonwealth of Virginia



Department of Professional and Occupational Regulation COMMON INTEREST COMMUNITY BOARD

Certificate of Appreciation to:

Christopher Melson

WHEREAS, **Chris Melson** did faithfully and diligently serve as a member of the CIC Manager Regulatory Review Committee of the Common Interest Community Board from August 2021 to February 2022; and

WHEREAS, **Chris Melson** did devote generously of his time, talent and knowledge to the Committee; and

WHEREAS, **Chris Melson** did endeavor at all times to serve with fairness and good judgment in the best interest of the citizens of the Commonwealth; 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 third day of March 2022, that **Chris Melson** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and, be it

FURTHER RESOLVED, that this Certificate of Appreciation be presented to him and recognized in the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

Commonwealth of Virginia



Department of Professional and Occupational Regulation COMMON INTEREST COMMUNITY BOARD

Certificate of Appreciation to:

Paul Orlando

WHEREAS, **Paul Orlando** did faithfully and diligently serve as a member of the CIC Manager Regulatory Review Committee of the Common Interest Community Board from August 2021 to February 2022; and

WHEREAS, **Paul Orlando** did devote generously of his time, talent and knowledge to the Committee; and

WHEREAS, **Paul Orlando** did endeavor at all times to serve with fairness and good judgment in the best interest of the citizens of the Commonwealth; 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 third day of March 2022, that **Paul Orlando** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and, be it

FURTHER RESOLVED, that this Certificate of Appreciation be presented to him and recognized in the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

Commonwealth of Virginia



Department of Professional and Occupational Regulation COMMON INTEREST COMMUNITY BOARD

Certificate of Appreciation to:

Nancy "Nan" Piland

WHEREAS, **Nan Piland** did faithfully and diligently serve as a member of the CIC Manager Regulatory Review Committee of the Common Interest Community Board from August 2021 to February 2022; and

WHEREAS, **Nan Piland** did devote generously of her time, talent and knowledge to the Committee; and

WHEREAS, **Nan Piland** did endeavor at all times to serve with fairness and good judgment in the best interest of the citizens of the Commonwealth; 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 third day of March 2022, that **Nan Piland** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and, be it

FURTHER RESOLVED, that this Certificate of Appreciation be presented to her and recognized in the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

Commonwealth of Virginia



Department of Professional and Occupational Regulation COMMON INTEREST COMMUNITY BOARD

Certificate of Appreciation to:

Lucia Anna "Pia" Trigiani

WHEREAS, **Pia Trigiani** did faithfully and diligently serve as a member of the CIC Manager Regulatory Review Committee of the Common Interest Community Board from August 2021 to February 2022; and

WHEREAS, **Pia Trigiani** did devote generously of her time, talent and knowledge to the Committee; and

WHEREAS, **Pia Trigiani** did endeavor at all times to serve with fairness and good judgment in the best interest of the citizens of the Commonwealth; 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 third day of March 2022, that **Pia Trigiani** be given all honors and respect due her for her outstanding service to the Commonwealth and its citizens; and, be it

FURTHER RESOLVED, that this Certificate of Appreciation be presented to her and recognized in the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Drew Mulhare, Chair

Demetrios J. Melis, Secretary

STAFF EVENT CALENDAR

March 12, 2022	Virtual Presentation: CA Day-SEVA	Heather
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ELECTION OF OFFICERS

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OTHER BUSINESS

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COMPLETE CONFLICT OF INTEREST **FORMS AND TRAVEL VOUCHERS**

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DRAFT AGENDA

ADJOURN

Please return your document folders to Tanya Pettus.

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