

COMMON INTEREST COMMUNITY BOARD

Thursday, June 04, 2026 – 10:00 a.m.
2nd Floor – Board Room 2

Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233

Mission: Our mission is to protect the health, safety and welfare of the public by licensing qualified individuals and businesses enforcing standards of professional conduct for professions and occupations as designated by statute.

I. CALL TO ORDER

- a. Emergency Egress (pg. 3)
- b. Determination of Quorum (pg. 4)

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- a. Common Interest Community Board Meeting, January 15, 2026 (pg. 5)

IV. WELCOME, INTRODUCTIONS, AND RESOLUTIONS

V. PUBLIC COMMENT PERIOD ***FIVE MINUTE PUBLIC COMMENT, PER PERSON***

VI. CASE FILES

DISCIPLINARY CASE FILES

1. File Number 2025-01940 - Association Community Service West, Inc. dba ACS West (pg. 9)
(Cummins, Mulhare, Tunstall)

CONSENT ORDERS

1. File Number 2026-00142 - Bluegreen Vacation Club Time-Share (pg. 344)
(Peacock)
2. File Number 2026-00278 - Bluegreen Vacation Club Time-Share (pg. 353)
(Peacock)
3. File Number 2026-00824 - Cavalier Management Inc (pg. 362)
(Talbert)

VII. NEW BUSINESS

- a. Executive Director's Update
- b. 2026 Board Member Training

VIII. OTHER BUSINESS

- a. Ombudsman Report
- b. Board Financials (pg. 374)
- c. Board Recovery Fund (pg. 375)

IX. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER

- a. Travel Voucher
- b. Conflict of Interest Form

X. ADJOURNMENT

NEXT MEETING SCHEDULED THURSDAY, SEPTEMBER 24, 2026

- ❖ 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.
- ❖ Five-minute public comment, per person, with the exception of any open disciplinary or application file.
- ❖ Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-2785 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.

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.

DETERMINATION OF QUORUM:

- The Common Interest Community Board, consisting of eleven members, adheres to the requirement that a quorum, defined as the minimum number of members necessary to conduct official business, is constituted by six board members in accordance with [§ 54.1-2348](#).

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

January 15, 2026

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

The following Board members were present:

Margaret “Meg” Tunstall, Chair
Catherine Noonan
Marcy Peacock
Tracey Talbert
Michael Cummins
Daniel Zickefoose
Joshua Arthur
Donald Boswell

The following Board members were absent:

Drew Mulhare (Vice Chair)
Melissa Shaheen
Deborah Casey

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

Jeb Wilkinson, Agency Director
Stephen Kirschner, LRPD Deputy Director
Tom Payne, CID Deputy Director
Anika Coleman, Executive Director
Joe Haughwot, Regulatory Affairs Manager
Christina Dumas, CIC/Cemetery Manager
Jennifer Plummer, Regulatory Operations Administrator
Shaifali Prajapati, Administrative Coordinator
Khang Le, Administrative Coordinator
Connor Davis, Budget Officer

Ms. Tunstall determined a quorum was present and called the meeting to order at 10:00 A.M.

CALL TO ORDER

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

Emergency Egress

Mr. Boswell moved to approve the agenda as presented. **Ms. Noonan seconded** the motion, which was unanimously approved by members: Arthur, Boswell, Cummins, Noonan, Peacock, Talbert, Tunstall, and Zickefoose.

**APPROVAL OF
AGENDA**

Mr. Arthur moved to approve the minutes from September 25, 2025, Common Interest Community Board meeting and October 14, 2025, Common Interest Community Board Public Hearing. **Mr. Boswell seconded** the motion, which was approved by members: Arthur, Boswell, Cummins, Noonan, Peacock, Talbert, Tunstall, and Zickefoose.

**APPROVAL OF
MINUTES**

Ms. Tunstall allowed board members and board staff to introduce themselves.

**Welcome and
Introductions**

Krista White addressed the Board by phone requesting consideration of remote participation options for the public. White requested live streaming of Board meetings to increase accessibility for constituents rather than having to rely on meeting information from Town Hall.

PUBLIC COMMENT

Robert French introduced himself in person as the Vice President of the Ashcreek Homeowner's Association, which had filed an approximately 70-page complaint against their former management company. Mr. French requested the Board to have staff expedite their submitted complaint, citing this management company has ongoing systemic issues that is affecting other HOAs. He requested staff reach out to update him regarding the status of the case.

Cynthia Gale addressed the Board in person concerning recovery fund requirements per the *Code of Virginia*. Another concern was brought up that the recovery fund does not bring in enough minimum balance to sustain itself. An additional concern was that there are inconsistencies with how some associations are collecting the Resale Certificate. Additionally, Ms. Gale indicated there was a timing conflict with registrations, Ms. Gale proposed legislation to alleviate this issue.

Public comment period concluded at 10:19AM.

NEW BUSINESS

Ms. Coleman provided the Board with the Executive Director's Update, with notice of new regulations taking effect as of December 31, 2025. Additionally, the Department will re-establish Committees to continue Regulatory Reviews in 2026.

Executive Director's Update

Mr. Kirschner provided the Board with an update on the status of the Recovery Fund, noting that the Fund is currently operating above the statutory minimum. He cautioned, however, that recent Recovery Fund claims could significantly deplete the Fund, thereby necessitating a transfer from the Information Management Fund. Mr. Kirschner further explained the risks associated with the Fund operating below statutory minimum levels and outlined alternative options for replenishing the Fund. He also highlighted the statutory authority that permits the Agency Director to impose a special assessment on homeowners' associations (HOAs).

Recovery Fund Financial Statement

Mr. Davis, DPOR's Budget Officer, presented a financial update to the Board. He reported that the General Fund remains financially healthy, while the Recovery Fund is anticipated to experience a significant deficit due to upcoming claim payouts. Mr. Kirschner provided recommendations for expenditure adjustments, including potential fee increases. Mr. Davis recommended that the Board approve a transfer of \$250,000 from the Information Management Fund to the Recovery Fund.

Upon **motion by Mr. Arthur and seconded by Ms. Peacock**, the Board approved the transfer of \$250,000 to the Recovery Fund. Members voting in favor were Arthur, Boswell, Cummins, Noonan, Peacock, Talbert, Tunstall, and Zickefoose.

Mr. Haughwot presented to the Board the General Review of Common Interest Community Manager Regulations (18 VAC 48 - 50).

General Review of Common Interest Community Manager Regulations

After review, **Mr. Boswell moved** that public comments and draft responses are approved, and **Ms. Talbert seconded** the motion, which was approved by members Arthur, Boswell, Cummins, Noonan, Peacock, Talbert, Tunstall, and Zickefoose.

Review Public Comments and Draft Responses

After the vote on approval of public comments and draft responses, **Mr. Boswell moved** for adoption of final regulations as amended, **Ms. Noonan seconded** the motion, which was approved by members: Arthur, Boswell, Cummins, Noonan, Peacock, Talbert, Tunstall, and Zickefoose.

OTHER BUSINESS

Mr. Payne informed the Board that a candidate for Ombudsman position will begin in February with job interviews concluded. He also reported that complaints and phone calls have been up, with a suggestion to make complaints automated to streamline work processes. The Ombudsman Report was submitted in a timely manner to the General Assembly website.

Ombudsman Report

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

**COMPLETION OF
PAPERWORK**

There being no further business, the Board adjourned at 11:17 a.m.

ADJOURN

Margaret “Meg” Tunstall, Board Vice-Chair

Laura McClintock, Board Secretary

DRAFT

Board For Common Interest Community

Monthly Cash Activity

Starting cash on hand \$ 1,501,200.13 Starting date Jul 2025 Cash minimum balance alert \$ 300,240.03

	Jul 2025	Aug 2025	Sep 2025	Oct 2025	Nov 2025	Dec 2025	Jan 2026	Feb 2026	Mar 2026	Apr 2026	May 2026	Jun 2026	
Cash on hand (beginning of month)	\$ 1,501,200.13	\$ 1,538,718.63	\$ 1,532,924.81	\$ 1,566,388.66	\$ 1,537,387.49	#####	\$ 1,601,294.13	\$ 1,529,835.35	\$ 1,560,472.15	#####	#####	\$ -	Total

Cash receipts

Cash sales	\$ 56,420.00	\$ 51,665.00	\$ 34,865.00	\$ 56,904.42	\$ 38,360.00	\$ 53,590.00	\$ 37,230.00	\$ 79,812.61	\$ 96,210.00	\$ 62,635.00	\$ 7,455.00	\$ -	\$ 575,147.03
Returns and allowances	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total cash receipts	\$ 56,420.00	\$ 51,665.00	\$ 34,865.00	\$ 56,904.42	\$ 38,360.00	\$ 53,590.00	\$ 37,230.00	\$ 79,812.61	\$ 96,210.00	\$ 62,635.00	\$ 7,455.00	\$ -	\$ 575,147.03
Total cash available	\$ 1,557,620.13	\$ 1,590,383.63	\$ 1,567,789.81	\$ 1,623,293.08	\$ 1,575,747.49	#####	\$ 1,638,524.13	\$ 1,609,647.96	\$ 1,656,682.15	#####	#####	\$ -	

Cash paid out

Overhead	\$ 11,223.55	\$ 24,373.63	\$ (0.00)	\$ 32,577.87	\$ 10,215.71	\$ (0.00)	\$ 39,630.65	\$ 20,298.28	\$ 23,251.16	\$ 9,670.59	\$ -	\$ -	\$ 171,241.44
Enforcement	\$ 8,732.49	\$ 12,180.92	\$ -	\$ 17,421.71	\$ 4,097.98	\$ -	\$ 23,389.14	\$ 8,847.12	\$ 23,820.85	\$ 11,639.67	\$ -	\$ -	\$ 110,129.88
Board Administration	\$ 8,013.37	\$ 13,902.61	\$ 125.30	\$ 17,557.88	\$ 3,714.46	\$ 5,001.26	\$ 22,810.02	\$ 10,886.61	\$ 11,384.39	\$ 6,498.83	\$ -	\$ -	\$ 99,894.73
Exams	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Direct Board	\$ 2,142.13	\$ 7,001.66	\$ 1,275.85	\$ 18,348.13	\$ 4,572.39	\$ 441.56	\$ 22,858.97	\$ 9,143.80	\$ 9,143.78	\$ 4,572.38	\$ -	\$ -	\$ 79,500.65
Cash Transfers	\$ (11,210.04)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (7,450.85)	\$ -	\$ -	\$ -	\$ (18,660.89)
Total cash paid out	\$ 18,901.50	\$ 57,458.82	\$ 1,401.15	\$ 85,905.59	\$ 22,600.54	\$ 5,442.82	\$ 108,688.78	\$ 49,175.81	\$ 60,149.33	\$ 32,381.47	\$ -	\$ -	\$ 442,105.81
Cash on hand (end of month)	\$ 1,538,718.63	\$ 1,532,924.81	\$ 1,566,388.66	\$ 1,537,387.49	\$ 1,553,146.95	#####	\$ 1,529,835.35	\$ 1,560,472.15	\$ 1,596,532.82	#####	#####	\$ -	

DEPARTMENT OF PROFESSIONAL
& OCCUPATIONAL REGULATION

**VIRGINIA COMMON INTEREST
COMMUNITY MANAGEMENT
RECOVERY FUND**

FINANCIAL STATEMENTS

Cash Basis

For the Month Ended

3/31/2026

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND
BALANCE SHEET
GOVERNMENTAL FUNDS
03/31/26**

	Special Revenue Funds		
	Principal	Interest	Totals
ASSETS			
Cash and Cash Equivalents	\$ 782,110	\$ 37,910	\$ 820,020
	-	-	-
Total Assets	\$ 782,110	\$ 37,910	\$ 820,020
 FUND BALANCES			
Reserved for Payment of Future Claims	\$ 782,110	\$ -	\$ 782,110
Reserved for Administration of Recovery Act	-	37,910	37,910
	-	-	-
Total Fund Balances	\$ 782,110	\$ 37,910	\$ 820,020

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 03/31/2026**

	CURRENT MONTH			YEAR TO DATE		
	Principal	Interest	Totals	Principal	Interest	Totals
	Fund	Fund		Fund	Fund	
REVENUES:						
Assessments	\$ 1,150	\$ -	\$ 1,150	\$ 8,875	\$ -	\$ 8,875
Investment Income		532	532		5,024	5,024
Total Revenues:	<u>1,150</u>	<u>532</u>	<u>1,682</u>	<u>8,875</u>	<u>5,024</u>	<u>13,899</u>
EXPENDITURES:						
Claims Expense	-	-	-	\$ -	-	-
Administrative Expenses	-	-	-	-	-	-
Receivership Expense	-	-	-	82,232	-	82,232
Other Operating Expense		-	-			-
Total Expenses:	<u>-</u>	<u>-</u>	<u>-</u>	<u>82,232</u>	<u>-</u>	<u>82,232</u>
Net Change in Fund Balance	<u>1,150</u>	<u>532</u>	<u>1,682</u>	<u>(73,357)</u>	<u>5,024</u>	<u>(68,333)</u>
Beginning Fund Balance	<u>780,960</u>	<u>37,378</u>	<u>818,339</u>	<u>855,468</u>	<u>32,886</u>	<u>888,353</u>
Ending Fund Balance	<u>\$782,110</u>	<u>\$37,910</u>	<u>\$ 820,020</u>	<u>\$782,110</u>	<u>\$37,910</u>	<u>\$820,020</u>

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**

March 31, 2026

CLAIMS PAID:	Number of Payments	Dollar Amount of Claims Paid	Related Recoveries	Net Payments
July 1, 2025 - June 30, 2026	0	\$0.00	\$0.00	\$0.00
July 1, 2024 - June 30, 2025	0	\$0.00	\$0.00	\$0.00
July 1, 2023 - June 30, 2024	0	\$0.00	\$0.00	\$0.00
July 1, 2022 - June 30, 2023	0	\$0.00	\$0.00	\$0.00
July 1, 2021 - June 30, 2022	1	\$239,466.76	\$0.00	\$239,466.76
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	1	\$239,466.76	\$0.00	\$239,466.76

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.

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
3/31/2026

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 Tara Hasan, Accounting Specialist. Please contact me at Tara.Hasan@dpor.virginia.gov if you have questions.