

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board met on Thursday, March 22, 2012, 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:

F. James Ahlberg
Pamela Coerse
Elena Ferranti
Kimberly B. Kacani, Vice Chair
Milton W. Matthews
Christiaan Melson
Douglas Rogers
Miyun Sung
Lucia Anna Trigiani, Chair
Katherine Waddell

Board member Enrico Cecchi was not in attendance.

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

Gordon Dixon, Director
Mark N. Courtney, Deputy Director of LRD
Trisha L. Henshaw, Executive Director
Heather Gillespie, Ombudsman
Ann-Marie Brigil, Hearing Officer
Kristin Clay, Legal Analyst
Thomas K. Perry, Property Registration Administrator
Betty C. Jones, Administrative Assistant
Earlyne Perkins, Legal Analyst

Steven Jack from the Office of the Attorney General was present.

Finding a quorum of the Board present, Ms. Trigiani, Chair, called the **Call to Order** meeting to order at 9:38 a.m.

Ms. Coerse moved to approve the revised agenda. Mr. Melson **Approval of Agenda** seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Ms. Kacani moved that the Board approve the minutes of the following meetings as amended:

**Approval of
Minutes**

- December 1, 2011, Board Meeting
- January 17, 2012, Condominium Regulatory Review Committee Meeting
- January 19, 2012, Informal Fact Finding Conferences
- March 1, 2012, Condominium Regulatory Review Committee Meeting
- March 21, 2012, Training Program Review Committee Meeting

Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Ms. Trigiani opened the floor for public comment. No members of the public present requested to speak.

**Public Comment
Period**

Mr. Dixon informed the Board that the agency is exploring ways to reduce costs and expenses, streamline and update the webpage to make it more user friendly, and place board agendas on a secure website for board members to access.

Director's Report

Regarding **File Number 2012-01314, Bailey & Company**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference, as well as the recommendation of the presiding officer. Ms. Kacani moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-150 D (Count 2); 18 VAC 48-50-190 A 6 (Count 3); and 18 VAC 48-50-220 D (Count 4). Mr. Melson seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

**File Number 2012-
01314, Bailey &
Company**

Mr. Matthews moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following:

- Count 1: \$500.00, for a total monetary penalty of \$500.00
- Count 2: \$500.00, for a total monetary penalty of \$500.00
- Count 3: \$500.00, for a total monetary penalty of \$500.00
- Count 4: \$1,000.00, for a total monetary penalty of \$1,000.00

The Board also imposed the following sanctions: Revocation of license for the violation of Count 1 and Count 4.

Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Regarding **File Number 2012-01315, Bradley Microcomputer Information Services**, the Board reviewed Ms. Sutherland's letter to request another Informal Fact-Finding Conference. Ms. Sutherland was present and addressed the Board concerning requirements for licensure. Ms. Kacani made a motion to remand the case to another Informal Fact-Finding Conference to consider new evidence and defer consideration of this matter to the June 7, 2012, Board meeting. Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

File Number 2012-01315, Bradley Microcomputer Information Services

Regarding **File Number 2012-01313, Appalachian Management & Maintenance, LLC**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference, as well as the recommendation of the presiding officer. Ms. Ferranti moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-150 D (Count 2); 18 VAC 48-50-190 A 6 (Count 3); and 18 VAC 48-50-220 D (Count 4). Mr. Melson seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

File Number 2012-01313, Appalachian Management & Maintenance, LLC

Ms. Kacani moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following:

- Count 1: \$500.00, for a total monetary fee of \$500.00
- Count 2: \$500.00, for a total monetary fee of \$500.00
- Count 3: \$500.00, for a total monetary fee of \$500.00
- Count 4: \$1,000.00, for a total monetary fee of \$1,000.00

The Board also imposed the following sanctions: Revocation of license for the violation of Count 1 and Count 4.

Mr. Ahlberg seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Regarding **File Number 2012-01312, Debra Simpson**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference, as well as the recommendation of the presiding officer. Ms. Simpson was present and addressed the Board. She indicated that she was no longer serving as a common interest community manager, had only served as a resident volunteer, did not wish to practice any longer, and did not believe she needed to submit the information: Ms. Kacani moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-150 D (Count 2); 18 VAC 48-50-190 A 6 (Count 3); and 18 VAC 48-50-220 D (Count 4). Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

File Number 2012-01312, Debra Simpson

Ms. Kacani made a motion to reject the recommendation of the presiding officer as contained in the Summary of the Informal Fact-Finding Conference as to the sanctions because of information provided by the regulant that the regulant had not been involved in the practice as a common interest community manager since June 30, 2011; and because of the change in statute effective July 1, 2011 which may have resulted in confusion about the requirements to maintain a license to practice. Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Ms. Kacani made a motion to revoke the license for the violation of Count 1 and Count 4, but to impose no sanction for the violation of the regulations as to Count 2 and Count 3. Mr. Rogers seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Ms. Trigiani suggested staff place an article in the *Common Interests*, the Board's newsletter, informing licensees that they need to notify the Board if they are no longer practicing.

The Board recessed for a break at 10:50 a.m. and reconvened at 11:13 a.m.

Break

Regarding **File Number 2012-01310, Eileen Carpenter**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference, as well as the recommendation of the presiding officer. Mr. Melson moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-150 D (Count 2); 18 VAC 48-50-190 A 6 (Count 3); and 18 VAC 48-50-220 D (Count 4). Mr. Matthews seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

File Number 2012-01310, Eileen Carpenter

Mr. Matthews moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following:

- Count 1: \$500.00, for a total monetary fee of \$500.00
- Count 2: \$500.00, for a total monetary fee of \$500.00
- Count 3: \$500.00, for a total monetary fee of \$500.00
- Count 4: \$1,000.00, for a total monetary fee of \$1,000.00

The Board also imposed the following sanctions: Revocation of license for the violation of Count 1 and Count 4.

Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Regarding **File Number 2012-01309, Value Properties Real Estate Management, Inc.**, the Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcript and exhibits, and the Summary of the Informal Fact-Finding Conference, as well as the recommendation of the presiding officer. Mr. Rogers moved to accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-150 D (Count 2); 18 VAC 48-50-190 A 6 (Count 3); and 18 VAC 48-50-220 D (Count 4). Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Rogers, Sung, Trigiani, and Waddell.

File Number 2012-01309, Value Properties Real Estate Management, Inc.

Ms. Sung moved to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference as to the sanctions

and impose the following:

- Count 1: \$500.00, for a total monetary fee of \$500.00
- Count 2: \$500.00, for a total monetary fee of \$500.00
- Count 3: \$500.00, for a total monetary fee of \$500.00
- Count 4: \$1,000.00, for a total monetary fee of \$1,000.00

The Board also imposed the following sanctions: Revocation of license for the violation of Count 1 and Count 4.

Mr. Matthews seconded the motion which was approved by: Ahlberg, Coerse, Kacani, Matthews, Rogers, Sung, Trigiani, and Waddell. Mr. Melson recused himself from the meeting and was not present during the discussion or vote. Member voting in opposition to the motion was Ms. Ferranti.

Regarding **File Number 2012-01316, Stephens & Company, Inc.**, the Board members reviewed the Consent Order as seen and agreed to by Stephens & Company, Inc. Ms. Perkins asked that a correction to the minutes be noted on page 2 of the Consent Order changing the Sub-Total (Monetary Penalties) from \$750.00 to \$700.00 and changing the Total from \$900.00 to \$850.00. Ms. Coerse moved to accept the Consent Order with the corrected fees which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-190.A.6 (Count 2); 18 VAC 48-50-220.D (2 violations) (Count 3). For these violations, Stephens & Company, Inc. agrees to pay the following monetary penalties: \$150.00 for the violation contained in Count 1; \$250.00 for the violation contained in Count 2; and \$300.00 (2 violations each at \$150.00) in Count 3; and \$150.00 in Board costs, for a total monetary penalty of \$850.00.

File Number 2012-01316, Stephens & Company, Inc.

For violation of Count 1, Stephens & Company, Inc. agrees to provide the Board within sixty (60) days of entry of this Order proof of a current bond or insurance policy, an annual assessment, and any and all other documentation required to bring Stephens & Company, Inc. provisional license into good standing. The Board agrees to waive Board Costs upon compliance of this Order as stipulated above.

Mr. Matthews seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Sung, Trigiani, and Waddell. Mr. Melson recused himself from the meeting and was not present during the discussion or vote as he provided technical review of this matter. Mr. Rogers was not present during the discussion or vote.

Regarding **File Number 2012-01311, Elite Community Management, LLC**, the Board members reviewed the Consent Order as seen and agreed to by Elite Community Management, LLC. Ms. Perkins asked that a correction to the minutes be noted on page 2 of the Consent Order changing the Sub-Total (Monetary Penalties) from \$750.00 to \$700.00 and changing the Total from \$900.00 to \$850.00. Ms. Ferranti moved to accept the Consent Order with the corrected fees which cites the following violations of the Board's regulations: 18 VAC 48-50-80 (Count 1); 18 VAC 48-50-190.A.6 (Count 2); 18 VAC 48-50-220.D (2 violations) (Count 3). For these violations, Elite Community Management, LLC agrees to pay the following monetary penalties: \$150.00 for the violation contained in Count 1; \$250.00 for the violation contained in Count 2; \$300.00 (2 violations each at \$150.00) in Count 3; and \$150.00 in Board costs, for a total monetary penalty of \$850.00.

File Number 2012-01311, Elite Community Management, LLC

For violation of Count 1, Elite Community Management, LLC agrees to provide the Board within sixty (60) days of entry of this Order proof of a current bond or insurance policy, an annual assessment, and any and all other documentation required to bring Elite Community Management, LLC's provisional license into good standing. The Board agrees to waive Board Costs upon compliance of this Order as stipulated above.

Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Sung, Trigiani, and Waddell. Mr. Melson recused himself from the meeting and was not present during the discussion or vote as he provided technical review of this matter. Mr. Rogers was not present during the discussion or vote.

The Board discussed the Agreement for Registration for The Nolde Bakery Condominiums at Church Hill located in the City of Richmond, Virginia to re-register the condominium project. Michael Inman, attorney for the Declarant, Nolde Bakery, LLC, was present and addressed the Board. After reviewing the application and Agreement for Registration, Ms. Kacani made a motion to amend the Agreement for Registration and require the Declarant to submit an appropriate fee and bond to re-register all 77 units in the condominium project instead of just the 54 unsold units. Ms. Kacani further moved that the Agreement for Registration be signed and returned within 14 days after notice; and the appropriate fees and bond be received within 30 days after notice. Ms. Coerse seconded the motion which was unanimously approved by: Ahlberg, Coerse, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell. Ms. Ferranti recused herself from the meeting and was not present during the discussion or vote.

Consider Agreement for Registration - Nolde Bakery Condominiums at Church Hill, Registration Number 12-103

The Board recessed for lunch from 12:00 p.m. to 12:35 p.m.

Lunch

Mr. Perry provided a summary of the Training Program Review Committee meeting which was held on March 21, 2012. The Training Program Review Committee last met on June 2, 2010 and has not met since because the Board has not received any further requests for training program approval.

Report from March 21, 2012, Training Program Review Committee

On July 1, 2012, the Common Interest Community Board, as authorized by § 54.1-2346.C of the Code of Virginia, will begin certifying principal or supervisory employees of Common Interest Community Managers. New Common Interest Community Manager Regulations that became effective March 1, 2012 require these individuals to complete a Board-approved Virginia common interest community law and regulation training program, as well as a Board-approved fair housing training program that encompasses Virginia fair housing laws related to management of common interest communities as a condition to renew their certifications. The Committee reviewed the approval process for not only the Introductory Training Program and Comprehensive Training Program, but also the two new training programs required for certification renewal.

The Committee unanimously recommended the following for the Board's consideration as requirements for both a Common Interest Community Law and Regulation Training Program and a Fair Housing Training Program:

1. Training should provide samples of recent case law relating to common interest communities.
2. Training should review changes to the Code of Virginia relating to common interest communities.
3. Training should review changes to Virginia Regulations relating to common interest communities.

The Board accepted the Committee's recommendations by unanimous consent. Ms. Coerse, Committee Chair, thanked the Committee members for their participation and input.

Ms. Henshaw discussed the changes to the Common Interest Community Manager Regulations which became effective March 1, 2012 and the application review process. In an effort to communicate the regulatory changes to the regulants and general population, staff has

Discuss CIC Manager Regulations Effective March 1,

updated forms and applications, mailed letters to provisional licensees, sent post cards to the managers holding a standard license, prepared an announcement for the Internet, and provided announcements for the Board's newsletter, *Common Interests*, and the Real Estate Board's newsletter, *VREB Speaking*.

**2012 and
Application Process**

As an alternative to completion of a Board-approved comprehensive training program, the new training requirements allow an applicant for Common Interest Community Manager to obtain a license having credentials obtained through documented coursework equivalent to a Board-approved comprehensive training program. Ms. Henshaw suggested that following staff review, these applications be independently reviewed by the three common interest community manager representatives on the board. If at least two of the three members concur that the program is equivalent, Board staff would issue the license.

Ms. Coerse made a motion to approve the review process for applicants with equivalent training, with a caveat that the Executive Director in consultation with the chair could appoint a third reviewer, if needed. Mr. Melson seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Mr. Melson made a motion to adopt Certificates of Appreciation for the public members of the Condominium Regulatory Review Committee as follows:

**Adoption and
Presentation of
Certificates of
Appreciation**

CERTIFICATE OF APPRECIATION TO:

Thomas J. Colucci

WHEREAS, **Thomas J. Colucci**, did faithfully and diligently serve as a member of the Condominium Regulatory Review Committee of the Virginia Common Interest Community Board from April 2011 to March 2012; and

WHEREAS, **Thomas J. Colucci**, did devote generously of his time, talent and knowledge to the Committee; and

WHEREAS, **Thomas J. Colucci**, 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 Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **Thomas J. Colucci**, 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.

CERTIFICATE OF APPRECIATION TO:

Robert M. Diamond

WHEREAS, **Robert M. Diamond**, did faithfully and diligently serve as a member of the Condominium Regulatory Review Committee of the Virginia Common Interest Community Board from April 2011 to March 2012; and

WHEREAS, **Robert M. Diamond**, did devote generously of his time, talent and knowledge to the Committee; and

WHEREAS, **Robert M. Diamond**, 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 Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **Robert M. Diamond**, 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.

CERTIFICATE OF APPRECIATION TO:

Michael A. Inman

WHEREAS, **Michael A. Inman**, did faithfully and diligently serve as a member of the Condominium Regulatory Review Committee of the Virginia Common Interest Community Board from April 2011 to March 2012; and

WHEREAS, **Michael A. Inman**, did devote generously of his time, talent and knowledge to the Committee; and

WHEREAS, **Michael A. Inman**, 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 Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **Michael A. Inman**, 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.

CERTIFICATE OF APPRECIATION TO:

Mark Kinser

WHEREAS, **Mark Kinser**, did faithfully and diligently serve as a member of the Condominium Regulatory Review Committee of the Virginia Common Interest Community Board from April 2011 to March 2012; and

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

WHEREAS, **Mark Kinser**, 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 Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **Mark Kinser**, 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.

CERTIFICATE OF APPRECIATION TO:

David S. Mercer

WHEREAS, **David S. Mercer**, did faithfully and diligently serve as a member of the Condominium Regulatory Review Committee of the Virginia Common Interest Community Board from April 2011 to March 2012; and

WHEREAS, **David S. Mercer**, did devote generously of his time, talent and knowledge to the Committee; and

WHEREAS, **David S. Mercer**, 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 Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **David S. Mercer**, 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.

CERTIFICATE OF APPRECIATION TO:

Michelle L. Thompson

WHEREAS, **Michelle L. Thompson**, did faithfully and diligently serve as a member of the Condominium Regulatory Review Committee of the Virginia Common Interest Community Board from April 2011 to March 2012; and

WHEREAS, **Michelle L. Thompson**, did devote generously of her time, talent and knowledge to the Committee; and

WHEREAS, **Michelle L. Thompson**, 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 Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **Michelle L. Thompson**, 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.

Ms. Coerce seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell. As Ms. Thompson was in attendance at the meeting, Ms. Trigiani presented the certificate to her and the Board thanked her for her service. The Certificates of Appreciation for the members who could not attend will be mailed.

The following resolution was presented for consideration by the Board.

**Resolution for
Service**

RESOLUTION TO

Jesstina Adelman

WHEREAS, **Jesstina Adelman** has faithfully and diligently served

the Virginia Common Interest Community Board from May 2010 to February 2012;

WHEREAS, **Jesstina Adelman** has devoted generously of her time, talent and leadership to the Board;

WHEREAS, **Jesstina Adelman** has endeavored at all times to render assistance and advice to the Board with fairness and good judgement in the best interest of the citizens of the Commonwealth; and

WHEREAS, the Virginia 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 Virginia Common Interest Community Board this twenty-second day of March 2012, that **Jesstina Adelman** 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 Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Ms. Kacani made a motion to adopt the resolution. Ms. Waddell seconded the motion which was unanimously approved by: Ahlberg, Coerse, Ferranti, Kacani, Matthews, Melson, Rogers, Sung, Trigiani, and Waddell.

Ms. Trigiani recognized Ms. Adelman for her service as a staff member to the Common Interest Community Board.

Mr. Melson commended staff for their work on the Condominium Regulatory Review Committee in drafting the Condominium Regulations.

Ms. Henshaw provided a handout of active legislation affecting the Common Interest Community Board and common interest communities during the 2012 Virginia General Assembly session.

**Discussion of 2012
General Assembly
Session**

Ms. Gillespie provided a handout on the activities of the Office of the Common Interest Community Ombudsman, including statistical information on complaints filed with the Ombudsman's office. Specific information included:

**Ombudsman's
Report**

- The number of phone calls received,
- The number of emails received,
- The number of complaints filed, and
- The types of complaints received, including:

Common Interest Communities:

- 57% Board Actions – access to books and records (10%), assessments (5%), disclosure packets (3%)
- 11% Declarant actions (or non actions)

Time-Shares:

- 63% Misrepresentations during sales presentation
- 4.4% Time-share mortgage fraud
- 3.7% Unit not built

Ms. Henshaw provided a copy of statistical information regarding licensing and registration processing activities for February 2012. Specific information included:

Licensing/
Registration
Statistics

- The number of new applications processed;
- The number of annual reports and renewals processed;
- The number of phone calls and emails handled; and,
- The current regulant population segregated by program.

In addition to the most recent month available, data from one year ago was provided for comparison purposes. Ms. Henshaw indicated that the number of associations continues to rise; the number of condominium registration filings are down; provisional licenses are down because these managers have obtained standard licenses; and the certification program needs to be in place by July 1, 2012 so that staff can begin receiving applications and issuing certifications for supervisory and principal employees of common interest community managers.

Ms. Henshaw provided the Board a copy of the most recent financial statement for informational purposes. Also, a copy of the financial statement for the Common Interest Community Management Recovery Fund for the month ended on December 31, 2011 was provided. No claims have been filed.

Board Financial
Statements

After discussion, the Board moved to adopt the following 2013 Board and Training Program Committee meeting dates by consensus:

Set 2013 Meeting
Dates

- March 13, 2013 – Training Program Review Committee Meeting

- March 14, 2013 – Board Meeting
- June 26, 2013 – Training Program Review Committee Meeting
- June 27, 2013 - Board Meeting,
- September 16, 2013 – Training Program Review Committee Meeting
- September 17, 2013 – Board Meeting
- December 2, 2013 – Training Program Review Committee Meeting
- December 3, 2013 – Board Meeting

The Board previously requested that staff compile a calendar of the common interest community-related events and dates that staff and the Ombudsman attend. The requested information was provided to the Board with the agenda package for information purposes only. Ms. Henshaw added a date to the calendar. Both Ms. Henshaw and Ms. Gillespie will be attending the Washington Metro CAI Chapter Expo on March 31, 2012.

**Staff Event
Calendar**

The Board recessed for a break at 1:56 p.m. and reconvened at 2:12 p.m.

Break

Ms. Trigiani provided an overview of the process the Committee undertook to revise and update the Condominium Regulations. These regulations have not been reviewed since 1988. The Committee met eight times and made significant revisions to the Condominium Regulations. The Board members began reviewing the draft Condominium Regulations and the recommended changes and clarifications to the regulations presented by the Committee and staff. The Board members reviewed Part I and Part II of the draft Condominium Regulations. Ms. Trigiani suggested scheduling an additional Board meeting date for the Board to review the draft Condominium Regulations. Staff will check the agency calendar for a date and will notify the Board members. Staff will prepare a revised draft of the Condominium Regulations in accordance with the Board's comments for the next Board meeting. The Board will review the Committee's final recommendation for consideration at the June 7, 2012 Board meeting.

**Review Draft CIC
Condominium
Regulations**

Ms. Trigiani thanked Mr. Melson for Chairing the Condominium Regulatory Review Committee.

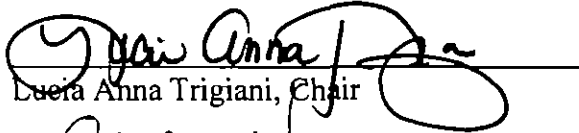
The Board members were reminded to complete their conflict of interest

Complete Conflict

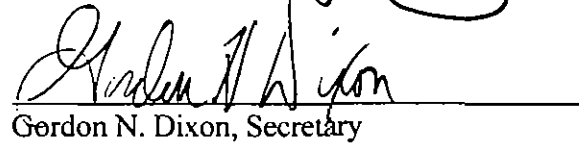
forms and travel vouchers.

**of Interest Forms
and Travel
Vouchers**

There being no further business, the meeting was adjourned at 3:12 p.m. **Adjourn**



Lucia Anna Trigiani, Chair



Gordon N. Dixon, Secretary

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

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

1. Name: F. James Ahlberg
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting March 22, 2012

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

Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

F. James Ahlberg
Signature

3/22/12
Date

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

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

1. Name: Pamela Coerse
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting March 22, 2012

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

Nature of Personal Interest Affected by Transaction:

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Pamela Coerse
Signature

3/22/12
Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Elena Ferranti
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: ~~Training Program Review Committee Meeting~~ ~~March 21, 2012~~ Board Mtg EM7
March 22, 2012 EM7

5. I have a personal interest in the following transaction:
Nolde Bakery Condominiums Agreement for Registration
Agenda Item VIII a.

Nature of Personal Interest Affected by Transaction:

4 years ago they were customers of my colleague's at Fox Rent
Media Solutions. The project is also on my list of potential customers
to solicit for business.

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Elena Ferranti
Signature

3/22/12
Date

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

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

1. Name: Kimberly B. Kacani
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting March 22, 2012

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

Nature of Personal Interest Affected by Transaction:

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

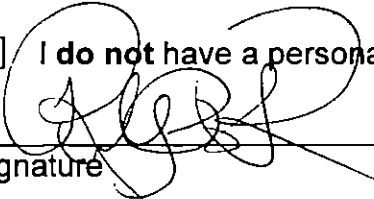
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date

3-22-2012

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

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

1. Name: Milton W. Matthews
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting March 22, 2012

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

Nature of Personal Interest Affected by Transaction:

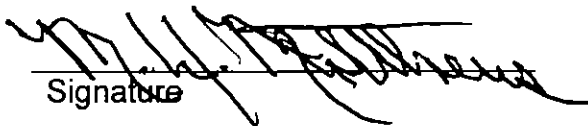
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Christiaan P. Melson
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting March 22, 2012

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

File # 2012-01309 VALVE PROPERTIES

Nature of Personal Interest Affected by Transaction:

I WAS A COMPETITOR OF THIS COMPANY ALTHOUGH I DON'T BELIEVE THERE IS AN ACTUAL CONFLICT I AM CONCERNED WITH A PERCEPTION OF CONFLICT

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

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

3/22/12
Date

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

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

1. Name: Douglas W. Rogers
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting March 22, 2012

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

Nature of Personal Interest Affected by Transaction:

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

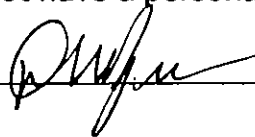
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date



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

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

- 1. Name: Lucia Anna Trigiani
- 2. Title: Board Member
- 3. Agency: Common Interest Community Board
- 4. Meeting/IFF Date: Board Meeting March 22, 2012

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

Nature of Personal Interest Affected by Transaction:

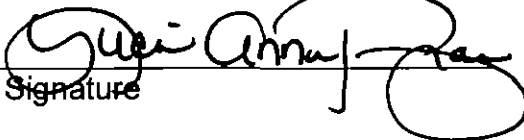
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

3/22/2012
Date

