

CIC MANAGEMENT INFORMATION FUND REGULATORY REVIEW COMMITTEE
OF THE
COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The CIC Management Information Fund Regulatory Review Committee of the Common Interest Community Board (Board) met on September 27, 2018, 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:

Paul Orlando, Chair
Amanda Jonas
Drew Mulhare
Michael Rhodes
Doug Rogers
Lucia Anna (Pia) Trigiani (Ex-Officio)

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

Trisha L. Henshaw, Executive Director
Heather Gillespie, Ombudsman
Jeff Waite, Financial Services Director
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Tanya M. Pettus, Administrative Assistant

Mr. Orlando, Chair, called the meeting to order at 9:35 a.m.

Call to Order

Members of the Committee and Board staff introduced themselves.

**Introduction of
Committee
Members**

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

**Emergency
Evacuation
Procedures**

Ms. Jonas moved to approve the agenda as presented. Mr. Mulhare seconded the motion which was unanimously approved by: Jonas, Mulhare, Orlando, Rhodes, and Rogers.

Approval of Agenda

Cynthia Gale was present to address the Committee. Ms. Gale stated that she has attended several educational events that were heavily attended by members of self-managed associations. Ms. Gale asked the

**Public Comment
Period**

Committee to recommend to the Board that the remaining interest accrued on the moneys in the CIC Management Information Fund be used to fund education programs for common interest communities as described in § 55-530.D. of the Code of Virginia. Ms. Gale also suggested that improvements be made to the license lookup feature on the DPOR website.

Ms. Henshaw presented the Committee with an overview of the regulatory review process and advised the Committee's recommended amendments to the CIC Management Information Fund Regulations will be presented to the Board for review at its November 29, 2018, Board meeting.

Overview

The Committee was provided with current and previous versions of applicable laws and regulations, as well as Board association fees data for reference.

The Committee reviewed draft text of proposed amendments to the CIC Management Information Regulations in conjunction with comments received in 2017 from Board members.

Discussion of Draft Proposed Regulations

The Committee recessed from 11:25 a.m. to 12:03 p.m.

Recess

The Committee considered the following during its review of the draft regulations:

Continue Discussion of Proposed Regulations

- a 2006 study conducted by the Real Estate Board which recommended the model for the current tiered association registration fee structure in the regulations;
- the Callahan Act, and the requirement for licensing/registration fees to be within 10% of expenses;
- comments received in 2017 from Board members regarding the registration fee structure;
- submitting legislative proposals for consideration during a future General Assembly session to amend statutes governing associations to remove statutory annual payment requirements;
- definition of terms;
- House Bill 1031, which amends the statutes governing disclosure packets. HB 1031 was passed during the 2018 General Assembly session; and
- Senate Bill 328, effective on July 1, 2019, which amends the information required on the Disclosure Packet Notice.

Ms. Trigiani departed the meeting at 1:03 p.m.

Departure of Board Member

The Committee discussed registration expiration dates, and what is considered receipt of a completed renewal of a registration.

Continue Discussion of Proposed Regulations

In addition, based on previous discussion of the fee structure in the current regulations, Mr. Waite was available to answer questions regarding the Board's current and projected financial position over the next several biennia, current registration fee structure, and analysis for anticipated registration trends. After discussion, the Committee agreed to maintain the current tiered fee structure at this time, to include the temporary flat fee.

Ms. Trigiani returned to the meeting at 1:21 p.m.

Return of Board Member

The Committee continued review and discussion of the draft text of proposed amendments in conjunction with comments received in 2017 from Board members. Amendments were made to the draft, including:

Continue Discussion of Proposed Regulations

- addition of definitions for clarification;
- deleting "size" as it relates to associations and replace with "number of lots/units subject to the declaration";
- provisions related to annual report filings and necessity to file; and
- language regarding statutory provisions applicable to disclosure packets and resale certificates.

After discussion, Mr. Rhodes moved to adopt the proposed draft text as amended for recommendation to the Board, subject to final review of the amended draft text by the Committee. In addition, staff will work with the Committee Chair to finalize any amendments to the draft text prior to Board review. Mr. Rogers seconded the motion which was unanimously approved by: Jonas, Mulhare, Orlando, Rhodes, and Rogers.

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

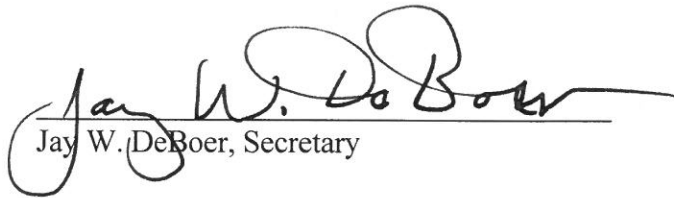
Complete Conflict of Interest Forms and Travel Vouchers

There being no further business, the meeting was adjourned at 2:02 p.m.

Adjourn



Lucia Anna Trigiani, Chair



Jay W. DeBoer, Secretary

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

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Paul Orlando
- 2. Title: Board Member
- 3. Agency: Common Interest Community Board
- 4. Meeting/IFF Date: Committee Meeting September 27, 2018

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.

P. L. Orlando
Signature

9-27-18 PO
~~9-27-18~~
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: Committee Meeting September 27, 2018

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

Nature of Personal Interest Affected by Transaction:

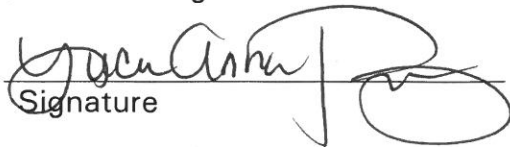
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

SEPTEMBER 27, 2018
Date