

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board met on Monday, September 16, 2013, and Tuesday, September 17, 2013 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 1, Richmond, Virginia 23233.

The following members were present on Monday, September 16, 2013:

Elena Ferranti
Christiaan Melson
Douglas Rogers
Lucia Anna Trigiani, Chair

Board members Enrico Cecchi, Kimberly B. Kacani, Jacquelyn Riggs, and Katherine Waddell were not in attendance.

The following members were present on Tuesday, September 17, 2013:

Enrico Cecchi
Elena Ferranti
Kimberly B. Kacani
Christiaan Melson
Douglas Rogers
Lucia Anna Trigiani, Chair
Katherine Waddell (arrived at 9:46 a.m.)

Board member Jacquelyn Riggs was not in attendance.

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

Gordon Dixon, Director
Mark N. Courtney, Senior Director for Regulatory and Public Affairs
Nick Christner, Deputy Director for Licensing, Investigations and Compliance
Trisha L. Henshaw, Executive Director
Heather Gillespie, Ombudsman
Jill Hrynciw, Board Administrator
Betty C. Jones, Administrative Assistant

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

Ms. Trigiani, Chair, called the meeting to order at 1:08 p.m. A quorum **Call to Order** of the Board was not present.

Ms. Trigiani advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

As no quorum was present, the Board agreed by consensus to defer consideration of this matter to the next day.

Approval of Agenda

As no quorum was present, the Board agreed by consensus to defer consideration of this matter to the next day.

**Approval of
Minutes**

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

**Public Comment
Period**

Ms. Henshaw provided the Board with a draft of the Common Interest Community Board Time-Share Regulations as recommended by the Time-Share Regulatory Review Committee. Ms. Henshaw reminded the Board that it must adopt and staff must file the proposed text for Executive Branch Review before November 18, 2013.

**Review Draft Time-
Share Regulations
Recommended by
Time-Share
Regulatory Review
Committee**

The Board began its review with Part I, General, Part II, General Application Requirements, and Part III, Marketing/Advertising, of the draft Time-Share Regulations. No changes were made to the draft text.

The Board began to review Part IV, Application for Time-Share Project Registration, of the draft Time-Share Regulations. The Board completed the review of Part IV, suggested revisions, and made changes to the draft text.

The Board continued its review with Part V, Public Offering Statement, of the draft Time-Share Regulations. Ms. Trigiani suggested adding a new narrative section on financial matters and expanding the narrative section on insurance. The Board completed the review of Part V, suggested revisions, and made additional changes to the draft text.

The Board continued its review with Part VI, Time-Share Project Post-Registration Provisions, of the draft Time-Share Regulations. The Board completed the review of Part VI, suggested revisions, and made changes to the draft text.

The Board recessed for a break at 3:04 p.m. and reconvened at 3:17 p.m.

Break

The Board continued its review with Part VII, Alternative Purchase Registration, and Part VIII, Exchange Program Registration, of the draft Time-Share Regulations. The Board completed the review of Part VII

**Review Draft Time-
Share Regulations
Recommended by**

and Part VIII, suggested revisions, and made additional changes to the draft text.

**Time-Share
Regulatory Review
Committee**

The Board continued its review with Part IX, Time-Share Reseller Registration, of the draft Time-Share Regulations. The Board discussed insurance/bond requirements for time-share resellers. The Board completed the review of Part IX, suggested revisions, and made additional changes to the draft text.

The Board continued its review with Part X, Board Authority and Standards of Conduct, of the draft Time-Share Regulations. The Board completed the review of Part X, suggested revisions, and made additional changes to the draft text.

After the Board members present completed review of the text recommended by the Committee, Mr. Melson acknowledged to the Board the exceptional commitment and effort of the Committee members, and applauded the efficiency and collaboration with which they worked.

Staff will prepare a final draft of the Time-Share Regulations in accordance with the Board's comments for the next meeting.

There being no further business, the meeting recessed at 4:20 p.m.

Recess

The Common Interest Community Board reconvened on Tuesday, September 17, 2013, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 1, Richmond, Virginia 23233.

**Reconvene,
Tuesday, September
17, 2013**

Finding a quorum of the Board present, Ms. Trigiani, Chair, called the meeting to order at 9:42 a.m.

Call to Order

Ms. Trigiani advised the Board of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Miss Ferranti moved to approve the revised agenda. Mr. Rogers seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

Approval of Agenda

Mr. Melson moved that the Board approve the minutes of the June 27, 2013, Board meeting. Mr. Cecchi seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

**Approval of
Minutes**

Mr. Melson moved that the Board approve the minutes of the July 23, 2013, Time-Share Regulatory Review Committee meeting. Mr. Rogers seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

Ms. Waddell arrived at 9:46 a.m.

Arrival of Board Member

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

Public Comment Period

The Board reviewed a memorandum from staff dated September 3, 2013, to consider issuance of a temporary cease and desist order against Cascade Condos, LLC, the declarant of Condos at Cascade.

Consideration of Temporary Cease and Desist Order Regarding Condominium Registration Number 07-166, Condos at Cascade

The Board received a letter from NewBridge Bank stating that it would not renew the letter of credit Cascade Condos, LLC, had established in May 2007 pursuant to § 55-79.84:1 of the *Code of Virginia*. A letter was subsequently mailed by Board staff to Kenneth Schowald, contact of record for Cascade Condos, LLC, requesting a replacement letter of credit or bond. The previously filed letter of credit expired on May 17, 2013. At this time, the Declarant has neither a letter of credit nor bond on file with the Board as required by § 55-79.84:1 of the *Code of Virginia*. Although Mr. Schowald has been in contact with Board staff multiple times since April regarding this matter, a replacement letter of credit or bond has not been received.

After reviewing the facts and information, the Board determined that the declarant has neither a current assessment bond nor a current letter of credit on file with the Board as required by § 55-79.84:1 of the *Code of Virginia*. The declarant's failure to comply with § 55-79.84:1 of the *Code of Virginia* removes protections afforded the condominium unit owners' association through coverage provided by an assessment bond or letter of credit and is a failure to comply with the registration requirements pursuant to the Condominium Act and the Board's Condominium Regulations.

After discussion, Ms. Kacani made a motion that, in the interest of protecting the public from harm, the Board enter a temporary cease and desist order in accordance with § 55-79.100(b) of the *Code of Virginia*. The Board ordered Cascade Condos, LLC, the declarant of Condos at Cascade, to cease and desist from the sale of units in the condominium project until proof of an assessment bond or letter of credit that is in compliance with § 55-79.84:1 of the *Code of Virginia* is submitted and

determined to be acceptable by the Board. An assessment bond or letter of credit shall be submitted within thirty days in a form acceptable to the Board. Ms. Kacani amended the date to September 30, 2013. If the declarant of Condos at Cascade fails to cease and desist the unlawful practice after entry of the Order, the Board may refer the matter for enforcement, and/or impose sanctions. This order will remain in effect until the declarant submits acceptable documentation to the Board that it has taken the affirmative actions necessary to correct the deficiencies or the matter is adjudicated, whichever is later.

Miss Ferranti seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, Trigiani, and Waddell.

The Board reviewed a memorandum from staff dated September 3, 2013, to consider issuance of a temporary cease and desist order against Edgewood East Homeowners Association.

**Consideration of
Temporary Cease
and Desist Order
Regarding
Edgewood East
Homeowners
Association**

After reviewing the facts and information, the Board determined that the association has not filed a completed annual report as required by § 55-516.1 of the *Code of Virginia*. The association's failure to comply with § 55-516.1 of the *Code of Virginia* does not assure the public that the association is in compliance with the Property Owners' Association Act and the Board's Common Interest Community Management Information Fund Regulations.

After discussion, Miss Ferranti made a motion that, in the interest of protecting the public from harm, the Board enter a temporary cease and desist order in accordance with § 54.1-2352.B of the *Code of Virginia*. The Board ordered Edgewood East Homeowners Association to cease and desist from portraying itself as a registered property owners association until the association submits a completed annual report in compliance with § 55-516.1 of the *Code of Virginia* and the completed annual report is determined to be acceptable by the Board. A completed annual report shall be submitted by October 15, 2013. Miss Ferranti amended the date to September 30, 2013. If Edgewood East Homeowners Association fails to cease and desist the unlawful practice after entry of the Order, the Board may refer the matter for enforcement, and/or impose sanctions. This order will remain in effect until the association submits acceptable documentation to the Board that it has taken the affirmative actions necessary to correct the deficiencies or the matter is adjudicated, whichever is later.

Mr. Rogers seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, Trigiani, and Waddell.

Ms. Trigiani indicated there are a number of associations not registered with the Board and this is a critical matter which may need legislative changes.

The Board discussed a process for contacting and, if necessary referring for further action, unregistered associations. The Board agreed by consensus to direct staff as follows upon the discovery of an unregistered association:

- 1) Send notice to association with a 30-day timeframe for compliance.
- 2) If no compliance within the 30-day timeframe, staff sends a final notice giving an additional 30-day timeframe. The final notice also advises that the matter is being referred for a temporary cease and desist order at the next Board meeting.

Ms. Henshaw gave an update on the current status of the regulatory review processes for several of the Board's regulatory packages.

**Update on
Regulatory Review
Processes**

The Common Interest Community Board Condominium Regulations are currently undergoing review by the Governor's office.

The Common Interest Community Board Time-Share Regulations are currently in the Notice of Intended Regulatory Action stage. The public comment period ended on May 22, 2013. No public comment was received.

Ms. Henshaw provided the Board with a final draft of the Common Interest Community Board Time-Share Regulations as recommended by the Time-Share Regulatory Review Committee and with changes made by the Board during the meeting on the previous day. The Board reviewed the changes to the draft text.

**Review and Adopt
as Proposed the
Draft Time-Share
Regulations**

Ms. Trigiani provided an overview of the suggested changes made to the draft text the previous day. The Board discussed the suggestion to add insurance coverage to protect deposits received as a requirement for time-share reseller registration. After discussion, Ms. Trigiani directed staff to make a determination whether the appropriate vehicle in the marketplace to cover all deposits and monies received for resale services is an insurance policy, bond, or letter of credit.

The Board recessed for a break at 11:17 a.m. and reconvened at 11:44 a.m. Ms. Waddell left the meeting at 11:21 a.m.

**Break/Departure of
Board Member**

Ms. Trigiani thanked Mr. Melson for serving as Chair of the Time-Share Regulatory Review Committee.

**Review and Adopt
as Proposed the
Draft Time-Share
Regulations**

Mr. Melson thanked the Committee for its work and the time dedicated by the members to conduct such a comprehensive review of the Time-Share Regulations.

After final review and revision of the draft regulations, Mr. Melson made a motion to adopt the text, as amended in the draft of the Common Interest Community Board Time-Share Regulations, as proposed regulations and to authorize staff, in consultation with the Board chair, to make any minor changes necessary to gain the approval of the proposed regulations during the executive branch review. Miss Ferranti seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

The Board discussed a memorandum from Ms. Hrynciw regarding a request for interpretation of the definition of "Alternative Purchase." In a letter dated July 16, 2013, the requestor described a program that in summary will not be sold during the visit to the resort but will be marketed to potential purchasers days after they have left the resort. The requestor sought an interpretation by the Board as to whether the program described constituted an alternative purchase as defined in 55-362 of the Virginia Time-Share Act. The Virginia Time-Share Act defines an alternative purchase as "...anything valued in excess of \$100 which is offered to a potential purchaser by the developer during the developer's sales presentation...and shall include, without limitation, vacation packages (howsoever denominated) and exit programs...". After discussion, Ms. Kacani made a motion that the program does not appear to meet the definition of alternative purchase based exclusively on the description provided in the letter. Mr. Cecchi seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

**Consider Request
for Interpretation of
Definition of
Alternative
Purchase (§ 55-362)**

The Board reviewed the draft amendments to the Association Disclosure Packet Notice prepared by staff. There were legislative amendments during the 2013 Session of the General Assembly that resulted in changes to the content of the association disclosure packet notice effective July 1, 2013. After discussion, Mr. Melson made a motion to adopt and approve the form as revised. Ms. Kacani seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

**Consider
Amendment of
Association
Disclosure Packet
Notice**

The Board considered a memorandum from staff regarding requests for waiver of the filing fee for notices of final adverse decision. In

**Consider Guidance
Document**

accordance with 18 VAC 48-70-100 of the Common Interest Community Ombudsman Regulations, the Board may waive or refund the \$25 filing fee that must accompany the Notice of Final Adverse Decision. Such waiver or refund is permitted if the Board finds that the payment of the filing fee will cause undue harm or financial hardship. The Request for Waiver of Filing Fee form currently requests an explanation as to why paying the filing fee would cause undue financial hardship.

**Regarding Waiver
of Filing Fee for
Notice of Final
Adverse Decision**

In order to provide an objective method for determining the appropriateness of waiving or refunding the filing fee, the Board requested at its June 27, 2013, Board meeting that staff conduct research and prepare a recommendation wherein the federal poverty guidelines are used as the basis for determining financial hardship.

Staff recommends that the Board use the U. S. Department of Health & Human Services (HHS) Poverty Guidelines to establish the threshold for whether a filing fee will be waived or refunded as a result of financial hardship. The Poverty Guidelines for the most recent or current, whichever is applicable, calendar year will be used.

In order to determine whether an individual requesting the waiver or refund of the filing fee is at or below the HHS Poverty Guidelines, he shall be required to submit supporting documentation that provides proof of income. Such documentation may include:

- Recent tax refund form
- W-2 form
- Letter from an employer, welfare officer, case worker, or Social Security Administration office indicating annual income. Such letter must be on agency/company letterhead and must include the verifier's signature and contact phone number for verification purposes.

After discussion, Mr. Melson made a motion to adopt a guidance document which authorizes staff to approve a waiver or refund of the filing fee if proof of income submitted is at or below the then-current HHS Poverty Guidelines. Board staff may request additional information as needed in order to ensure compliance with this policy. Should Board staff be unable to satisfactorily affirm that the proof of income submitted complies with this policy, the request for waiver or refund will not be approved. The individual requesting a waiver or refund or Board staff, may request that the Board consider the request for waiver or refund in the event that the supporting documentation is not sufficient or a determination cannot be reasonably made based on

the information submitted. Mr. Rogers seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

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

**Adoption and
Presentation of
Certificates of
Appreciation**

CERTIFICATE OF APPRECIATION TO:

Tom Bell

WHEREAS, **Tom Bell**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Tom Bell**, 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 seventeenth** day of September 2013, that **Tom Bell**, 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:

Pamela Coerse

WHEREAS, **Pamela Coerse**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the

Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Pamela Coerse**, 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 seventeenth day of September 2013, that **Pamela Coerse**, 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.

CERTIFICATE OF APPRECIATION TO:

Robin Cronan

WHEREAS, **Robin Cronan**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Robin Cronan**, 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 seventeenth day of September 2013, that **Robin Cronan**, 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.

CERTIFICATE OF APPRECIATION TO:

Caroline Emswiler

WHEREAS, **Caroline Emswiler**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Caroline Emswiler**, 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 seventeenth day of September 2013, that **Caroline Emswiler**, 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.

CERTIFICATE OF APPRECIATION TO:

Christopher Nolen

WHEREAS, **Christopher Nolen**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Christopher Nolen**, 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 seventeenth day of September 2013, that **Christopher Nolen**, 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:

Lori Overholt

WHEREAS, **Lori Overholt**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Lori Overholt**, 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 seventeenth day of September 2013, that **Lori Overholt**, 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.

CERTIFICATE OF APPRECIATION TO:

Philip Richardson

WHEREAS, **Philip Richardson**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Philip Richardson**, 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 seventeenth day of September 2013, that **Philip Richardson**, 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:

Van Rouse

WHEREAS, **Van Rouse**, did faithfully and diligently serve as a member of the Time-Share Regulatory Review Committee of the Virginia Common Interest Community Board from February 2013 to July 2013; and

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

WHEREAS, **Van Rouse**, 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 seventeenth day of September 2013, that **Van Rouse**, 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.

Mr. Cecchi seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani.

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:

30 Notices of Final Adverse Decision since September 13, 2012

General Concerns and Observations:

Annual Reports that openly admit the complaint process has not been adopted-continues.

Reasonable timeframe language in Common Interest Community Ombudsman Regulations.

Confusion between manager complaints and association complaints.

Associations are not including Complainant's right to file with the Office of the Common Interest Community Ombudsman Office in their final decisions. Not providing much information in final decisions.

Ms. Henshaw provided a handout of the current regulant population as of August 2013. In addition to the most recent month available, data from one year ago was provided for comparison purposes.

Licensing/
Registration
Statistics

Ms. Henshaw provided the Board a handout of the most recent financial statement for informational purposes.

Board Financial
Statements

A copy of the financial statement for the Common Interest Community Management Recovery Fund for the month ended on June 30, 2013. No claims have been filed.

Recovery Fund
Statements

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.

Staff Event
Calendar

Ms. Henshaw opened the floor for nominations of Chair and Vice Chair. Ms. Kacani made a motion to nominate Ms. Trigiani as Chair. Mr. Cecchi seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani. By acclamation, Ms. Trigiani was elected Chair.

Election of Officers

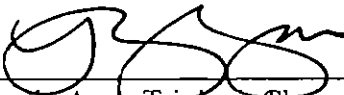
Mr. Rogers made a motion to nominate Mr. Melson as Vice Chair. Ms. Kacani seconded the motion which was unanimously approved by: Cecchi, Ferranti, Kacani, Melson, Rogers, and Trigiani. By acclamation, Mr. Melson was elected Vice Chair.

The Board members were reminded to complete their conflict of interest forms and travel vouchers.

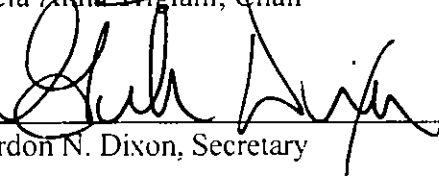
Complete Conflict
of Interest Forms

and Travel
Vouchers

There being no further business, the meeting was adjourned at 12:44 Adjourn
p.m.



Lucia Anna Trigliani, 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: Elena Ferranti
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 16, 2013

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

Elena Ferranti
Signature

9/16/13
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 September 16, 2013

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

N/A

Nature of Personal Interest Affected by Transaction:

N/A

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

N/A

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

9/16/13

**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 September 16, 2013

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 September 16, 2013

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

Nature of Personal Interest Affected by Transaction:

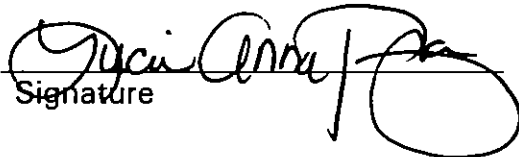
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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 16, 2013
Date

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

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

1. Name: Enrico Cecchi
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 17, 2013

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

Nature of Personal Interest Affected by Transaction:

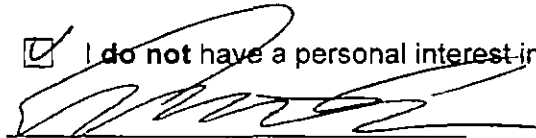
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

9/17/13

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: Board Meeting September 17, 2013

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.

Elena Ferranti
Signature

9/17/13
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 September 17, 2013

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:

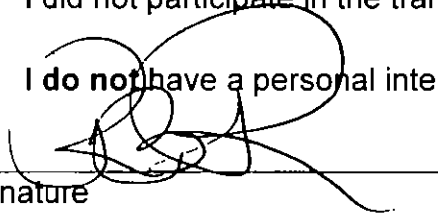
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

9-17-2013

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 September 17, 2013

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

N/A

Nature of Personal Interest Affected by Transaction:

N/A

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

N/A

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 9/17/13

**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 September 17, 2013

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

Nature of Personal Interest Affected by Transaction:

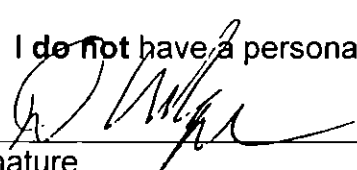
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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

9-17-13

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 September 17, 2013

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

Nature of Personal Interest Affected by Transaction:

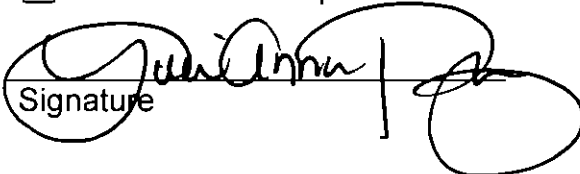
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

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 September 17, 2013

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

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

1. Name: Katherine E. Waddell
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 17, 2013

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.

Katherine E. Waddell
Signature

9/17/13
Date