

COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board (Board) met on September 22, 2022, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 3, Richmond, Virginia 23233.

The following members were present:

Drew Mulhare, Chair
Maureen A. Baker
Matt Durham
Jim Foley
Eileen M. Greenberg
David S. Mercer, Vice-Chair
Lori Overholt
Anne M. Sheehan
Scott Sterling
Katherine E. Waddell

Board member Amanda Jonas was not in attendance at the meeting.

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

Demetrios J. Melis, Director
Trisha L. Lindsey, Executive Director
Heather Gillespie, Ombudsman
Joseph C. Haughwout, Jr., Board and Regulatory Administrator
Stephen Kirschner, Licensing and Regulatory Programs Division Deputy Director
Raven C. Custer, Administrative Coordinator

Elizabeth Peay, Assistant Attorney General with the Office of the Attorney General, was present.

Finding a quorum of the Board present, Mr. Mulhare called the meeting **Call to Order** to order at 10:32 a.m.

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

Mr. Durham moved to approve the agenda. Ms. Greenberg seconded the motion which was unanimously approved by: Baker, Durham, Foley, Greenberg, Mercer, Mulhare, Sheehan, Sterling and Waddell. **Approval of Agenda**

Ms. Lindsey introduced to the Board Licensing and Regulatory Programs Division Deputy Director Stephen Kirschner.

Introduction of Staff

Mr. Durham moved to approve the June 9, 2022, Board meeting minutes as presented. Ms. Greenberg seconded the motion which was unanimously approved by: Baker, Durham, Foley, Greenberg, Mercer, Mulhare, Sheehan, Sterling and Waddell.

Approval of Minutes

Ms. Overholt moved to approve the August 9, 2022, SB 693 Committee meeting minutes as presented. Ms. Greenberg seconded the motion which was unanimously approved by: Baker, Durham, Foley, Greenberg, Mercer, Mulhare, Sheehan, Sterling and Waddell.

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

Public Comment Period

Mr. Mulhare and Mr. Mercer recused themselves from the meeting during the discussion and deliberation of File Number 2022-00949.

Recusal Board Members

In the matter of File Number **2022-00949, Purple Sage Cluster, Inc.**, the Board members reviewed the Consent Order. Purple Sage Cluster, Inc. admits to a violation of 18 VAC 48-70-50.4 as outlined in Count 1, and a violation of 18 VAC 48-70-50.7 as outlined in Count 2. Purple Sage Cluster, Inc. consents to the imposition of a monetary penalty of \$450.00 for violation of Count 1, and a monetary penalty of \$250.00 for violation of Count 2, for total monetary penalties of \$700.00 and Board costs of \$150.00. Ms. Waddell moved to approve the Consent Order as presented. Mr. Foley seconded the motion which was unanimously approved by: Baker, Durham, Foley, Greenberg, Sheehan, Sterling and Waddell.

File Number 2022-00949, Purple Sage Cluster, Inc.

Mr. Mulhare and Mr. Mercer returned to the Board meeting.

Return of Board Members

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

Update on Regulatory Actions

Mr. Haughwout advised that the CIC Manager Regulatory Review Committee recommendations and draft proposed amendments to the CIC Manager Regulations were approved, with revisions, by the Board at the March 3, 2022 Board meeting. The proposed regulatory text was submitted for Executive Branch review on March 14, 2022.

Ms. Lindsey presented the Board with the agenda from the Workgroup meeting on August 5 and provided the roster and schedule for the Workgroup.

**Update on SB 740
Structural Integrity
and Reserves
Workgroup**

Ms. Lindsey provided an overview of the discussions from the Workgroup.

The next meeting for the Structural Integrity and Reserves Workgroup will be in Roanoke on October 19, 2022.

Mr. Haughwout provided an update on the SB 693 Committee and presented the Board with the Committee Report.

Update on SB 693

After discussion, Ms. Sheehan moved to adopt the Committee's findings and conclusion as presented in the report. Based on the Committee's conclusion, the Board recommends against any legislative or regulatory changes to allow for the submission of audio and video recordings with a notice of final adverse decision. Mr. Foley seconded the motion which was unanimously approved by: Baker, Durham, Foley, Greenberg, Mercer, Mulhare, Sheehan, Sterling and Waddell.

**Review and
Consider SB 693
Report**

The Board received a report from the Office of the Common Interest Community Ombudsman. The report contains statistics on complaints received by the Ombudsman's office, as well as compliance and enforcement statistics.

Ombudsman Report

Ms. Lindsey provided the Board with the most recent financial statements. The Board recovery fund has been replenished following the recovery claim at the June 9, 2022 Board meeting.

**Board Financial
Statements**

Ms. Lindsey provided the Board with information on the 2022 Board Member Training Conference.

**2022 Board Member
Training
Conference**

Ms. Lindsey provided information regarding the passing of former Board Member Doug Rogers to the Board.

**Other Board
Business**

Mr. Custer provided the Board with information regarding the new procedure for the distribution of meeting agendas.

Mr. Mulhare reminded Board members to complete their conflict of interest forms.

**Complete Conflict
of Interest Forms
and Travel
Vouchers**

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

Adjourn



Matt Durham, Chair



Demetrios J. Melis, Secretary

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

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

1. Name: Anne Sheehan
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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.

Anne Sheehan
Signature

9/22/2022
Date

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

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

1. Name: Maureen A. Baker
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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.

Maureen A. Baker
Signature

9/22/2022
Date

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

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

1. Name: Scott E. Sterling
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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

Scott E. Sterling

Date

22 Sept. 2022.

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

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

1. Name: David Mercer
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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

File # 2022-60949

Nature of Personal Interest Affected by Transaction:

Legal Counsel for Association

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

9/22/22

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

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

1. Name: Eileen Greenberg
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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.

Eileen Greenberg
Signature

Sept. 22, 2022
Date

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

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

1. Name: Lori Overholt
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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

None

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:

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.

Lori Overholt
Signature

9/22/2022
Date

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

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

1. Name: Jim Foley
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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

NONE

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:

Common Interest Community Management

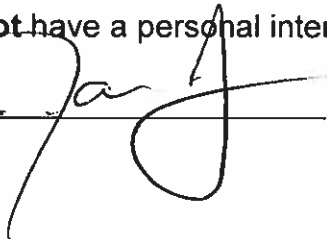
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

9/22/22

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

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

1. Name: Matt Durham
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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

Nature of Personal Interest Affected by Transaction:

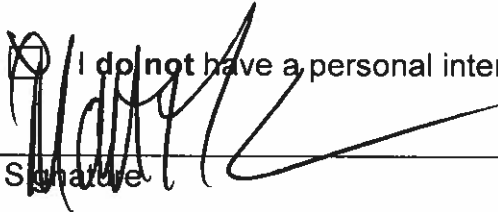
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

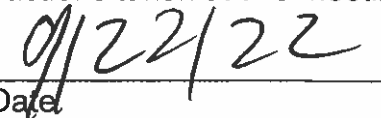
I am able to participate in this transaction fairly, objectively, and in the public interest.

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: Drew R. Mulhare
2. Title: Board Member
3. Agency: Common Interest Community Board
4. Meeting/IFF Date: Board Meeting September 22, 2022

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:

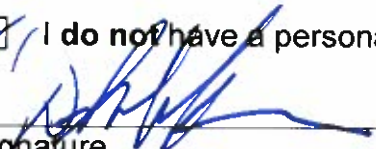
I am able to participate in this transaction fairly, objectively, and in the public interest.

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

9/22/22

**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 22, 2022

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

Katherine E. Waddell

Date

9/22/2022

