



Department of Professional and Occupational Regulation

COMMON INTEREST COMMUNITY BOARD  
TENTATIVE AGENDA  
Thursday, June 06, 2024 -10:00 a.m.  
2nd Floor – Board Room # 2 9960 Mayland Drive  
Richmond, Virginia 23233  
804-367-8526

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

**I. CALL TO ORDER**

- A. Emergency Egress
  - B. Determination of Quorum
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**II. APPROVAL OF DRAFT AGENDA**

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**III. APPROVAL OF MINUTES**

- A. Common Interest Community Board Meeting, March 28, 2024
  - B. Common Interest Community Board Condominium Regulatory Review Committee, April 10, 2024
- 

**IV. WELCOME AND INTRODUCTIONS**

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**V. RESOLUTIONS**

- A. Raven Cluster
- 

**VI. PUBLIC COMMENT PERIOD: \*FIVE MINUTE PUBLIC COMMENT, PER PERSON\***

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**VII. REVIEW FILES AND DISCIPLINARY MATTERS**

- A. Consent Order
    - 1. File Number 2024-00750 – Sentry Management Inc
- 

**VIII. NEW BUSINESS**

- A. Regulatory Update
- 

**IX. OTHER BOARD BUSINESS**

- A. Ombudsman Report
  - B. Board Financial Statement
  - C. Board Recovery Fund
  - D. Board Member Training Conference October 10-11, 2024
-

**X. COMPLETION OF PAPERWORK**

- A. Travel Voucher
- B. Conflict of Interest Form

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**XI. ADJOURNMENT**

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**NEXT MEETING SCHEDULED FOR FRIDAY SEPTEMBER 27, 2024**

\*\* 5-minute public comment, per person, on those items not included on the agenda with the exception of any open disciplinary files. No other public comment will be accepted by the Board during the meeting.

Persons desiring to participate in the meeting and requiring special accommodations or interpretive services should contact the Department at (804) 367-8552 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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DRAFT AGENDA

**PERIMETER CENTER CONFERENCE CENTER**  
**EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS**  
(Script to be read at the beginning of each meeting.)

**PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.**

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

**Board Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Room 2**

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Rooms 3 and 4**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 2**

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

# **APPROVAL OF DRAFT AGENDA**

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# **APPROVAL OF MINUTES**

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COMMON INTEREST COMMUNITY BOARD  
MINUTES OF MEETING

The Common Interest Community Board (Board) met on March 28, 2024, 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:

Matt Durham, Chair  
Maureen Baker, Vice-Chair  
Catherine Noonan  
Lori Overholt  
Anne M. Sheehan  
Tracey Talbert  
Margaret 'Meg' Tunstall  
Joyce Wolfe

Board members absent from the meeting:

Thomas Mazzei  
Katherine Waddell  
Deborah Casey

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

Kishore S. Thota, Director  
Brian Wolford, Chief Deputy Director  
Tom Payne, CID Deputy Director  
Stephen Kirschner, LRPD Deputy Director  
Anika Coleman, Executive Director  
Lee Bryant, CIC/Cemetery Board Administrator  
Breanne Lindsey, Regulatory Operations Administrator  
Jennifer Sayegh, Policy and Legislative Affairs Manager  
Joseph Haughwout, Regulatory Affairs Manager  
Gezelle Glasgow, Administrative Coordinator  
Lisa Robinson, Licensing Operations Administrator  
Rachel Harris, Administrative Coordinator

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

Finding a quorum of the Board present, Mr. Durham called the meeting **Call to Order** to Order at 10:00 A.M.

Mr. Durham reviewed the emergency evacuation procedures.

**Emergency Egress**

Ms. Wolfe moved to approve the agenda as presented. Ms. Tunstall seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

**Approval  
of Agenda**

Ms. Wolfe informed Board staff page four (4) of the minutes from the December 14, 2023, Common Interest Community Board meeting, to reflect that Ms. Noonan seconded the motions that were made for **File Number 2022-02691, Atlantic Community Management Corporation.**

**Approval of Minutes**

Ms. Tunstall moved to approve the minutes from the December 14, 2023, Common Interest Community Board meeting with the corrections. Ms. Overholt seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Ms. Noonan moved to approve the minutes from the February 06, 2024, Common Interest Community Board Condominium Regulatory Review Committee meeting. Ms. Tunstall seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Ms. Talbert moved to approve the minutes from the March 06, 2024, Common Interest Community Board Condominium Regulatory Review Committee meeting. Ms. Wolfe seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Ms. Noonan moved to approve the minutes from the March 14, 2024, Common Interest Community Board Timeshare Regulatory Review Community Committee meeting. Ms. Tunstall seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Mr. Durham allowed the Board and Board staff to introduce themselves due to recent reorganization changes.

**INTRODUCTIONS  
AND  
RESOLUTIONS**

Mr. Durham presented the following resolutions to the previous Common Interest Community Board staff:

**Department of Professional and Occupational Regulation**

**Common Interest Community Board**

**Resolution for**

**Lisa Robinson**

WHEREAS, **Lisa Robinson** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation from 2008 to 2023;

WHEREAS, **Lisa Robinson**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Lisa Robinson**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the 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 Common Interest Community Board this twenty-eighth day of March 2024, that **Lisa Robinson** be given all honors and respect due her for her outstanding service to this Board and 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.

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**Department of Professional and Occupational Regulation  
Common Interest Community Board  
Resolution for  
Tanya Pettus**

WHEREAS, **Tanya Pettus** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation from 2008 to 2023;

WHEREAS, **Tanya Pettus**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Tanya Pettus**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the 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 Common Interest Community Board this twenty-eighth day of March 2024, that **Tanya Pettus** be given all honors and respect due her for her outstanding service to this Board and 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.

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**Department of Professional and Occupational Regulation  
Common Interest Community Board  
Resolution for  
Rachel Harris**

WHEREAS, **Rachel Harris** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation from 2023 to 2023;

WHEREAS, **Rachel Harris**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Rachel Harris**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the 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 Common Interest Community Board this twenty-eighth day of March 2024, that **Rachel Harris** be given all honors and respect due her for her outstanding service to this Board and 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.

The Board in consensus adopted the resolutions as written.

No members of the public present wished to address the Board.

**Public Comment**

Ms. Coleman informed the Board that recently there was action taken in regard to a request for Reconsideration of a case decision that impacted the Real Estate Board. Ms. Coleman provided the Board with details surrounding the case. The Real Estate Board issued a final order that resulted in the revocation of a regulant's license. The

**Executive Director's  
Updates**

regulant filed an appeal and submitted a Petition for Reconsideration which is statutorily driven. Virginia Code Section § 22.1-4023.1, has a provision that allows an authorized representative such as an agency director or the courts, to reconsider the Board's actions on cases.

Reconsideration does not constitute an instant reversal of the ruling or the sanctions that accompany the Board's decision. However, if a Reconsideration request is approved, the case is scheduled to be heard during an emergency Board meeting or at the next scheduled meeting. This all depends on whichever comes first. The agency has reviewed the statute and determined that Reconsiderations should be referred to the Executive Director of the Board for approval or denial. If denied, no further action is required, and the Board's ruling is upheld.

Ms. Coleman asked the Board to consider granting the authority to address Reconsiderations to the Executive Director, in accordance with the statute.

Ms. Noonan moved to grant the authority to address Reconsiderations to the Executive Director, in accordance with the statute. Ms. Tunstall seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Ms. Coleman and Mr. Bryant provided an update on regulatory actions.

**Update on  
Regulatory Actions**

General review of the CIC Condominium Regulations **18 VAC 48-30** submitted March 6, 2024. Currently in the Notice of Intended Regulatory Action (NOIRA) stage. Comment period is underway and will end on April 24, 2024.

General review of the Time-Share Regulations **18 VAC 48-45** submitted March 6, 2024. Currently in the NOIRA stage. Comment period is underway and will end on April 24, 2024.

CIC Manager Regulations **18 VAC 48-50** proposed regulations previously withdrawn on July 31, 2023. Per the December minutes need to file the proposed draft amendments to the CIC regulations.

General review of the CIC Association Registration Regulations **18 VAC 48-60 NOIRA** submitted February 12, 2024.

Mr. Haughwout informed the Board that at the December meeting, the Board voted to adopt CIC Ombudsman Regulations **18VAC48-70** proposed regulations and Board staff is working to get paperwork completed.

Mr. Bryant and Mr. Durham informed the Board, that Mr. Robert Diamond, CIC attorney on the Condominium Regulatory Review Committee, had expressed concerns about the Resale Disclosure Act amendments based on legislation. Mr. Bryant proposed to the Board that an appendix section can be added to make document more user friendly. Mr. Bryant will provide this to the Board at the next meeting and encouraged Board members to make any recommendations; changes are needed by July 1, 2024.

**CIC Association  
Resale Certificate**

Mr. Bryant requested the Board consider Exempt Action to Amend CIC Association Regulations – The Property Owners Association will also be citing the Cooperative Act and the Condominium Act.

**Exempt Action to  
Amend CIC  
Association  
Registration  
Regulations**

Ms. Wolfe moved to amend the Resale Disclosure certificate language to reflect statutory changes and user ability changes. Ms. Baker seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Mr. Bryant requested the Board consider Exempt Action to Amend CIC Association Registration Regulations because of the Resale Disclosure certificate.

Ms. Talbert moved to amend the Association Registration Regulation language to reflect statutory changes. Ms. Wolfe seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Mr. Bryant informed the Board that the Condominium Regulatory Review Committee recommended the Board discuss removing **18VAC48-30-50.A** and creating a guidance document.

**Proposed changes to  
18 VAC 48-30-50.A**

Ms. Talbert moved to approve the Committee's recommendation to remove **18 VAC 48-30-50.A** be removed and a guidance document be

created. Ms. Noonan seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

Mr. Bryant informed the Board that the Condominium Regulatory Review Committee recommended the Board discuss removing **18VAC48-30-80.B** since the declarant is legally bound by this.

**Proposed changes to  
18 VAC 48-30-80.B**

Ms. Tunstall moved to approve the Committee's recommendation to remove **18 VAC 48-30-50.B** be removed and a guidance document be created. Ms. Wolfe seconded the motion which was unanimously approved by members: Baker, Durham, Noonan, Overholt, Sheehan, Talbert, Tunstall, and Wolfe.

**OTHER BUSINESS**

Ms. Sayegh, Policy and Legislative Affairs Manager provided the Board with an update on the 2024 General Assembly.

**2024 Legislative  
Update**

General Assembly adjourned on March 9, 2024. 279 bills were introduced and 38 of those bills were from DPOR. 28 passed of those bills were passed; recommendations have been sent to the Governor Youngkin. Governor Youngkin has until midnight April 9, 2024, to make decisions. General Assembly will reconvene on April 17, 2024.

**HB 105 (Reaser)**

**Resale Disclosure Act; resale certificate, fees.**

**HB 105**

HB 105 makes a technical correction to § 55.1-2316.E of the Resale Disclosure Act enacted last year (HB 2235 & SB 1222). The original act omitted references to the annual report filing requirements for condominium unit owners' associations and associations in real estate cooperatives in a provision requiring that these associations be registered with the CIC Board to collect fees for the preparation and delivery of resale certificates. The legislation corrects the statute to include references to the applicable sections of the Virginia

Condominium Act (§ 55.1-1980) and Virginia Real Estate Cooperative Act (§ 55.1-2182) that require these associations to file an annual report with the CIC Board.

### **HB 214 (Watts)**

### **HB 214**

#### **Common interest communities; residents providing certain services exemption.**

This bill amends § 54.1-2347 of the Code of Virginia to specify that a resident of a common interest community (CIC) who provides bookkeeping, billing, or recordkeeping services for compensation for that CIC shall be presumed to be an independent contractor. The legislation also provides that none of the exemptions from licensure should be construed as contradicting the worker misclassification provisions in Virginia's tax laws (Chapter 19 of Title 58.1 of the Code of Virginia). HB 214 also amends § 60.2-210 of the Code of Virginia to provide a carve out in the Unemployment Compensation Act for CIC managers that employ a resident of a CIC for bookkeeping, billing, or recordkeeping services. It does not appear that this legislation will necessitate any change in processes by Board staff. However, the proposal will likely result in an increase in calls, emails, and other communications to staff which they cannot answer as taxation and unemployment compensation are beyond the scope of DPOR's authority.

### **HB 876 (Bulova) and SB 526 Graves)**

### **HB 876/SB 526**

#### **Resale Disclosure Act; delivery of resale certificate, remedies.**

Last year, the General Assembly enacted the Resale Disclosure Act. The Act provides one place within Common Interest Community law to find all information on resale disclosure, which is required when a property located within a common interest community is sold. The Act also set forth the requirements for contract disclosures, formatting and contents of the resale certificate, applicable fees, termination rights, and liability. Since its enactment last summer, issues have been seen in practice that require some further clarification. This clean-up bill seeks to clarify issues with delivery of the resale certificate, questions about whether a purchaser can waive receipt of the resale certificate, how fees are paid for the financial update and exemptions for new

construction. The most significant amendments involve changes to the provisions for delivery of resale certificates and the right of cancellation for failure to deliver a resale certificate.

**HB 880 (Bulova) and SB 341 (Surovell)**

**HB 880/SB 341**

**Common interest communities; foreclosure remedy.**

The legislation originated as a recommendation of the Virginia Housing Commission. The bill aims to provide protection for homeowners by limiting the enforcement of certain liens on primary residences, especially for smaller amounts of assessments. Specifics of the legislation include protection for primary residencies, monetary limits for enforcement (\$5000), recordkeeping requirements, and recording of liens.

**HB 1209 (Bulova)**

**HB 1209**

**Common interest communities; reserve studies, special assessment rescission or reduction.**

The legislation includes 3 recommendations from the DPOR/Housing Commission Study on Common Interest Communities reserves, completed in 2023. This legislation makes several changes to the Property Owners' Association Act and the Virginia Condominium Act by removing certain provisions that previously allowed associations governed by these acts to rescind or reduce assessments related to the maintenance and upkeep of common areas and other association responsibilities, including the maintenance, repair, and replacement of capital components. This will give association governing boards in POAs and condominiums greater ability to fund reserves and pay for needed capital projects.

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**HB 1241 (Wilt) and SB 600 (Obenshain)**

**HB 1241/SB 600**

**Virginia Real Estate Time-Share Act; partial termination of certain time-shares.**

The bill amends and reenacts sections of the Virginia Real Estate Time-Share Act to allow for the partial termination of a time-share project under § 55.1-2216. The proposal would allow the developer or the association of the time-share to terminate just a portion (for example, a phase or building) of a time-share. The proposal also specifies the possibility of termination upon a vote of the time-share owners having at least 51 percent of the time-shares in addition to a "written agreement" or vote of the owners. The bill introduces a one-year limitation on legal actions for any dispute arising out of any termination of a time-share project in accordance with the provisions of the Virginia Real Estate Time-Share Act.

**SB 672 (Ebbin)**

**SB 672**

**Property Owners' Association Act or Virginia Condominium Act; assessments for legal obligations.**

The bill restores order after confusion resulting from a recent Virginia Court of Appeals decision - Burkholder vs. Palisades Park Owners Association, Inc. The legislation introduces clarifications and restrictions related to assessments, charges, and fees within the framework of the Property Owners' Association Act and the Virginia Condominium Act. The legislation includes: clarification on the use of assessments, restrictions on charges against unit owners, and prohibition of unauthorized charges or assessments.

**HB723 Property Owners' Association Act; meeting of board of directors. This bill was assigned to DHCD.**

**HB 723**

**Property Owners' Association Act; meetings of the board of directors; inconsistent provisions.** Provides that the provisions of the Property Owners' Association Act govern the conduct of meetings of the board of the directors without regard to whether the property owners' association is incorporated or unincorporated. The bill clarifies that such provisions shall not be interpreted to supersede



corporate authorities otherwise established by law or governing documents.

Mr. Payne Compliance and Investigations Division Deputy Director, provided the Board with the 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**

Mr. Durham informed the Board that the most recent financial statements were provided for the Board to review. Mr. Durham noted that the \$750,000 from the Management Information Fund to the Recovery wasn't shown on the statements. Mr. Kirschner informed the Board that the transfer did occur and that the report will reflect the updated balance.

**Board Financial Statements**

Ms. Peay provided a litigation update to the Board on Rosewood Management & Consulting Services LLC.

**Litigation Update**

Ms. Coleman informed the Board members of the Board Member Training Conference on October 10-11, 2024; more information will be sent at a later date.

**Board Member Training Conference**

Ms. Tunstall asked Board staff about training classes for Fair Housing and legal updates. Board staff informed Ms. Tunstall that they will research and ensure updates are made to the CIC Approved Training Programs list.

**Other Business**

Mr. Durham 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 Board adjourned at 11:25 am.

**Adjourn**

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Matt Durham, Board Chair

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Kishore S. Thota, Board Secretary

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**COMMON INTEREST COMMUNITY BOARD**  
**CONDOMINIUM REGULATORY REVIEW COMMITTEE**  
**MINUTES OF MEETING**

The Common Interest Community Board, Regulatory Review Committee met on Wednesday, April 10, 2024, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 1, Richmond, Virginia.

The following Committee members were present:

Deborah Casey (arrived at 10:05AM; departed at 12:20PM)  
Robert "Bob" Diamond  
Matt Durham  
Amanda Jonas (departed at 12:30PM)  
Lucia Anna "Pia" Trigiani

The following Committee member were not present:

Mike Kieffer  
Catherine Noonan  
Thomas Mazzei  
Paul Orlando, Chair

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

Stephen Kirschner, LRPD Deputy Director  
Anika Coleman, Executive Director  
Joseph Haughwout, Regulatory Affairs Manager  
Lee Bryant, CIC/Cemetery Board Administrator  
Breanne Lindsey, Regulatory Operations Administrator  
Gezelle Glasgow, Administrative Coordinator

A representative from the Office of the Attorney General was not present for the meeting.

Mr. Durham, called the Common Interest Community Board, Condominium Regulatory Review Committee meeting to order at 10:01 AM.

**Call to Order**

The Committee reviewed the Condominium Regulations to determine if the regulation is necessary to protect the health, welfare, and safety of the public. The regulation was amended or removed if it does not currently meet those requirements. The Committee reviewed regulation 18VAC48-30-250.C through regulation 18VAC48-30-470.

**Discussion and Review of Regulations**

The Committee will independently review regulation **18VAC48-30-480** prior to the next Regulatory Review Committee meeting.

There was no other business.

**Other Business**

There were no public comments.

**Public Comment**

The next scheduled Regulatory Review Committee meeting will be determined.

**Schedule Next Regulatory Review Committee Meeting**

There being no further business, the meeting adjourned at 2:27 p.m.

**Adjourn**

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Matt Durham, Board Chair

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Kishore S. Thota, Board Secretary

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# **WELCOME AND INTRODUCTIONS**

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# **RESOLUTION**

- Raven Cluster

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# Public Comment Period

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## **NEW BUSINESS**

- Regulatory update

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## **OTHER BOARD BUSINESS**

- Ombudsman Report
- Board Financial Statement
- Board Recovery Fund
- Board Member Training Conference October 10-11, 2024

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Department of Professional and Occupational Regulation  
Statement of Financial Activity

**Common Interest Community Board  
954520**

2022-2024 Biennium

March 2024

	March 2024 Activity	Biennium-to-Date Comparison	
		July 2020 - March 2022	July 2022 - March 2024
<b>Cash/Revenue Balance Brought Forward</b>			0
<b>Revenues</b>	54,230	1,059,681	384,623
<b>Cumulative Revenues</b>			384,623
<b>Cost Categories:</b>			
<b>Board Expenditures</b>	27,040	738,040	626,193
<b>Board Administration</b>	0	0	0
<b>Administration of Exams</b>	0	0	0
<b>Enforcement</b>	9,395	256,703	365,970
<b>Legal Services</b>	1,119	4,936	4,479
<b>Information Systems</b>	14,396	140,137	149,287
<b>Facilities and Support Services</b>	7,635	132,794	137,166
<b>Agency Administration</b>	9,820	91,080	148,360
<b>Other / Transfers</b>	0	5,006	4,415
<b>Total Expenses</b>	69,406	1,368,696	1,435,870
<b>Transfer To/(From) Cash Reserves</b>	(24,093)	0	(1,068,047)
<b>Ending Cash/Revenue Balance</b>			16,800

<b>Cash Reserve Beginning Balance</b>	1,656,240	0	2,700,194
<b>Change in Cash Reserve</b>	(24,093)	0	(1,068,047)
<b>Ending Cash Reserve Balance</b>	1,632,147	0	1,632,147

**Number of Regulators**

Current Month	7,612
Previous Biennium-to-Date	6,709

DEPARTMENT OF PROFESSIONAL  
& OCCUPATIONAL REGULATION

**VIRGINIA COMMON INTEREST  
COMMUNITY MANAGEMENT  
RECOVERY FUND**

**FINANCIAL STATEMENTS**

Cash Basis

For the Month Ended

3/31/2024

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**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**  
**VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND**  
**BALANCE SHEET**  
**GOVERNMENTAL FUNDS**  
 03/31/24

	Special Revenue Funds		
	Principal	Interest	Totals
<b>ASSETS</b>			
Cash and Cash Equivalents	\$ 906,730	\$ 23,326	\$ 930,057
	-	-	-
<b>Total Assets</b>	<u>\$ 906,730</u>	<u>\$ 23,326</u>	<u>\$ 930,057</u>
<b>FUND BALANCES</b>			
Reserved for Payment of Future Claims	\$ 906,730	\$ -	\$ 906,730
Reserved for Administration of Recovery Act	-	23,326	23,326
	-	-	-
<b>Total Fund Balances</b>	<u>\$ 906,730</u>	<u>\$ 23,326</u>	<u>\$ 930,057</u>

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The accompanying notes are an integral part of this statement.

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
 VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND  
 STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES  
 GOVERNMENTAL FUNDS  
 FOR THE MONTH ENDED 03/31/2024**

	CURRENT MONTH			YEAR TO DATE		
	Principal Fund	Interest Fund	Totals	Principal Fund	Interest Fund	Totals
<b>REVENUES:</b>						
Assessments	\$ 750,850	\$ -	\$ 750,850	\$ 758,900	\$ -	\$ 758,900
Investment Income		701	701		6,123	6,123
Total Revenues:	<u>750,850</u>	<u>701</u>	<u>751,551</u>	<u>758,900</u>	<u>6,123</u>	<u>765,023</u>
<b>EXPENDITURES:</b>						
Claims Expense	-	-	-	-	-	-
Administrative Expenses	-	-	-	-	-	-
Total Expenses:	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
	<u>750,850</u>	<u>701</u>	<u>751,551</u>	<u>758,900</u>	<u>6,123</u>	<u>765,023</u>
<b>Beginning Fund Balance</b>	<u>155,880</u>	<u>22,625</u>	<u>178,506</u>	<u>147,830</u>	<u>17,203</u>	<u>165,033</u>
<b>Ending Fund Balance</b>	<u>\$ 906,730</u>	<u>\$ 23,326</u>	<u>\$ 930,057</u>	<u>\$ 906,730</u>	<u>\$ 23,326</u>	<u>\$ 930,057</u>

The accompanying notes are an integral part of this statement.

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
 VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND  
 SUPPLEMENTAL SCHEDULE OF CLAIMS PAID**

March 31, 2024

<b>CLAIMS PAID:</b>	<b>Number of Payments</b>	<b>Dollar Amount of Claims Paid</b>	<b>Related Recoveries</b>	<b>Net Payments</b>
July 1, 2023 - June 30, 2024	0	\$0.00	\$0.00	\$0.00
July 1, 2022 - June 30, 2023	0	\$0.00	\$0.00	\$0.00
July 1, 2021 - June 30, 2022	1	\$239,466.76	\$0.00	\$239,466.76
July 1, 2020 - June 30, 2021	0	\$0.00	\$0.00	\$0.00
July 1, 2019 - June 30, 2020	0	\$0.00	\$0.00	\$0.00
July 1, 2018 - June 30, 2019	0	\$0.00	\$0.00	\$0.00
July 1, 2017 - June 30, 2018	0	\$0.00	\$0.00	\$0.00
July 1, 2016 - June 30, 2017	0	\$0.00	\$0.00	\$0.00
July 1, 2015 - June 30, 2016	0	\$0.00	\$0.00	\$0.00
July 1, 2014 - June 30, 2015	0	\$0.00	\$0.00	\$0.00
July 1, 2013 - June 30, 2014	0	\$0.00	\$0.00	\$0.00
July 1, 2012 - June 30, 2013	0	\$0.00	\$0.00	\$0.00
July 1, 2011 - June 30, 2012	0	\$0.00	\$0.00	\$0.00
July 1, 2010 - June 30, 2011	0	\$0.00	\$0.00	\$0.00
July 1, 2009 - June 30, 2010	0	\$0.00	\$0.00	\$0.00
July 1, 2008 - June 30, 2009	0	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>1</b>	<b>\$239,466.76</b>	<b>\$0.00</b>	<b>\$239,466.76</b>

This schedule is presented on a cash basis and represents aggregate claims paid and related recoveries. Recoveries are often received and reported in a different year from when the claim was paid.

The accompanying notes are an integral part of this statement.

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**  
**VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUNDS**  
**NOTES TO FINANCIAL STATEMENTS**  
3/31/2024

**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The following is a summary of certain significant accounting policies employed by the Department of Professional and Occupational Regulation in administering the Virginia Common Interest Community Management Recovery Fund.

**A. Basis of Presentation**

The accompanying financial statements have been prepared using governmental fund accounting as prescribed by the Governmental Accounting Standards Board (GASB). The financial statements are prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

**B. Reporting Entity**

These financial statements report the financial activity of the Virginia Common Interest Community Management Recovery Fund, which is administered by the Department of Professional and Occupational Regulation. The Department exercises oversight authority over other funds which are not included in these financial statements.

**C. Financial Statement Presentation**

Special Revenue Funds account for transactions related to resources received and used for restricted or specific purposes. The Virginia Common Interest Community Management Recovery Fund, which is reported as a special revenue fund, is established under Section 55-530.1 of the *Code of Virginia* to reimburse associations for losses that occur when their community manager fails to perform his or her fiduciary responsibilities.

**D. Measurement Focus and Basis of Accounting**

The governmental fund financial statements are reported using the current financial resources measurement focus and the cash basis of accounting. Revenues are recognized when cash is received and expenditures are recorded when paid. The Department uses the cash basis of accounting during the year and prepares financial statements in accordance with generally accepted accounting principles at year end.

**E. Cash and Cash Equivalents**

Cash and cash equivalents consist of cash on hand, demand deposits, and investments in the Local Government Investment Pool (LGIP). Investments in the Local Government Investment Pool are reported as cash equivalents since they are readily convertible to cash.

**2. RESTRICTED FUND BALANCES**

Assets held in the Virginia Common Interest Community Management Recovery Funds are restricted to the payment of claims in accordance with Section 55.530.1H of the *Code of Virginia*. Interest earned on the deposits are used to pay the expenses of administering the fund, to pay claims, or may be transferred to the Common Interest Community Management Information Fund.

**3. ASSESSMENTS**

The Common Interest Community Management Recovery Fund is financed through assessments. Each new common interest community manager pays a \$25 assessment into the Recovery Fund at the time of application. Each association pays \$25 into the Recovery Fund at the time of filing its first annual report. After July 1, 2011, the *Code of Virginia* requires the Board to transfer funds from the Common Interest Community Management Information Fund and/or assess each association and each common interest community manager additional fees whenever the principal balance of the Recovery Fund is less than \$150,000. If the principal balance of the fund exceeds \$5,000,000 on June 30 of any year, the Board must transfer the excess to the Virginia Housing Partnership Revolving Fund.

\*

These financial statements are prepared by Doris Economou, Accounting Specialist. Please call 804-367-2530 if you have questions.



## SAVE THE DATE!

2024 Board Member  
Training Conference

*The Spirit of Service & Innovation:  
Advancing Regulatory Excellence*

**October 10-11, 2024**

Great Wolf Lodge in Williamsburg.

The conference will include high profile guest speakers,  
relevant training sessions, breakout sessions,  
and networking opportunities.

Stay tuned— additional information regarding  
registration and reservations will be provided  
as we get closer to the date.



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**COMPLETE CONFLICT OF INTEREST  
FORMS AND TRAVEL VOUCHERS**

**PLEASE RETURN TO THE  
ADMINISTRATIVE COORDINATOR.**

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# **ADJOURNMENT**

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