

COMMON INTEREST COMMUNITY BOARD

Thursday, January 15, 2025 – 10:00 a.m.
2nd Floor – Board Room 3

Department of Professional and Occupational Regulation
9960 Mayland Drive
Richmond, Virginia 23233

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 (pg.3)
- b. Determination of Quorum (pg. 4)

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

- a. Common Interest Community Board Meeting, September 25, 2025 (pg. 5)
- b. Common Interest Community Manager Regulations - Public Hearing, October 14, 2025 (pg 13)

IV. WELCOME AND INTRODUCTIONS

V. PUBLIC COMMENT PERIOD *FIVE MINUTE PUBLIC COMMENT, PER PERSON*

VI. CASE FILES - NONE

VII. NEW BUSINESS

- a. Executive Director's Update
- b. Recovery Fund Transfer (pg. 23)
 - i. § 54.1-2354.5. Common Interest Community Management Recovery Fund (pg 28)
 - ii. § 54.1-2354.2. Common Interest Community Management Information Fund. (pg 31)
- c. General Review of Common Interest Community Manager Regulations –Final Stage (pg. 32)
- d. Review Public Comments and Draft Responses (pg 72)

VIII. OTHER BUSINESS

- a. Ombudsman Report (pg 76)

IX. COMPLETE CONFLICT OF INTEREST FORM AND TRAVEL VOUCHER

- a. Travel Voucher
- b. Conflict of Interest Form

X. ADJOURNMENT

NEXT MEETING SCHEDULED FOR THURSDAY, MARCH 5, 2026

- ❖ Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the Code of Virginia.
- ❖ Five-minute public comment per person, with the exception of any open disciplinary or application file.
- ❖ Individuals desiring to participate in the meeting and requiring special accommodation or interpretative services should contact the Department at (804) 367-2785, at least ten days prior to the meeting so that suitable arrangements can be made for appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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 Room 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.

DETERMINATION OF QUORUM:

- The Common Interest Community Board, consisting of eleven members, adheres to the requirement that a quorum, defined as the minimum number of members necessary to conduct official business, is constituted by six board members in accordance with [§ 54.1-2348](#).

COMMON INTEREST COMMUNITY BOARD
MINUTES OF MEETING
September 25, 2025

The Common Interest Community Board met at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia. The following members were present. All members in attendance were qualified to vote unless otherwise noted for disqualification. The Board consists of eleven (11) members, with six (6) members constituting a quorum pursuant to § 54.1-2348 of the Code of Virginia.

The following members were present:

Drew Mulhare, Vice Chair
Joshua Arthur
Deborah Casey (arrived at 10:15 A.M.)
Michael “Mac” Cummins (arrived at 10:01 A.M.)
Marcy Peacock
Melissa Shaheen
Meg Tunstall

The following members were absent:

Don Boswell
Tracey Talbert
Daniel Zickefoose
Catherine Noonan

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

James B. “Jeb” Wilkinson, Jr, Agency Director
Stephen Kirschner, LRPD Director
Tom Payne, CID Director
Anika Coleman, Executive Director
Joseph Haughwout, Regulatory Affairs Manager
Christina Dumas, CIC/Cemetery Manager
Gezelle Glasgow, Administrative Coordinator
Connor Davis, Budget Officer

Josh Laws from the Office of the Attorney General was present.

Mr. Mulhare determined a quorum was present and called the meeting to order at 10:00 A.M.

CALL TO ORDER

Ms. Coleman informed the Board of emergency evacuation procedures.

Emergency Egress

Ms. Tunstall moved to approve the agenda as presented. **Ms. Peacock seconded** the motion which was unanimously approved by members: Arthur, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

**APPROVAL OF
AGENDA**

Ms. Coleman conducted a professional development session on motions for the Board.

**PROFESSIONAL
DEVELOPMENT
SESSION**

Mr. Arthur moved to approve, as a block vote, the minutes from the June 5, 2025, Common Interest Community Board meeting; the August 20, 2025, Common Interest Community Board Public Hearing; and the August 28, 2025, Common Interest Community Board meeting. **Ms. Tunstall seconded** the motion which was approved by members: Arthur, Casey, Mulhare, Peacock, Tunstall, and Shaheen. **Mr. Cummins abstained**, as he was not present at the referenced meetings.

**APPROVAL OF
MINUTES AS A
BLOCK VOTE**

Mr. Mulhare welcomed guests of the audience and allowed Board members and Board staff to introduce themselves.

**WELCOME,
INTRODUCTIONS,
AND
RESOLUTIONS**

Mr. Mulhare read the following resolutions for consideration by the Board.

Department of Professional and Occupational Regulation

Common Interest Community Board

Resolution for

Matthew Durham

WHEREAS, **Matthew Durham** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation since 2021;

WHEREAS, **Matthew Durham**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Matthew Durham**, 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-fifth day of September 2025, that **Matthew Durham** be given all honors and respect due him for his outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of

the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Department of Professional and Occupational Regulation

Common Interest Community Board

Resolution for

Anne Sheehan

WHEREAS, **Anne Sheehan** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation since 2020;

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

WHEREAS, **Anne Sheehan**, 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-fifth day of September 2025, that **Anne Sheehan** 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.

Department of Professional and Occupational Regulation

Common Interest Community Board

Resolution for

Katherine Waddell

WHEREAS, **Katherine Waddell** did faithfully and diligently serve the Common Interest Community Board, and the Department of Professional and Occupational Regulation since 2017;

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

WHEREAS, **Katherine Waddell**, 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-fifth day of September 2025, that **Katherine Waddell** 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 resolution.

Ms. Cynthia Gale addressed the Board during the public comment period and requested that the Common Interest Community Management Recovery Fund reports reflect not only disbursements but also incoming funds. She further requested that the financials for the Common Interest Community Management Information Fund be included in the Board materials made available to the public. She also sought clarification regarding which individuals or entities are responsible for contributing to the fund, including associations, common interest community managers, certified principal or supervisory employees, or condominium registrations. In addition, she noted that lot sizes may vary from those identified in the original declaration submitted to the Board, with some larger lots reducing the total number of lots.

**PUBLIC
COMMENT**

CASE FILES

In the matter of **File Number 2025-01691 – Property Management Associates Inc**, the Board reviewed the Consent Order as seen and agreed to by Property Management Associates Inc. Property Management Associates Inc did not appear at the Board meeting in person, by counsel, or by any other qualified representative.

**File Number
2025-01691 –
Property
Management
Associates Inc**

Ms. Tunstall moved to accept the proposed Consent Order offer wherein Property Management Associates Inc admits to violations of **18VAC48-50-190.17** (Count 1, 2, & 3) of the Common Interest Community Manager Regulations:

Count 1: 18 VAC 48-50-190.17 \$ 750.00
Count 2: 18 VAC 48-50-190.17 \$ 750.00
Count 3: 18 VAC 48-50-190.17 \$2,000.00

Property Management Associates Inc agrees to Board costs of **\$150.00**.

Total fines and costs of **\$3,850.00**.

Ms. Peacock seconded the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

NEW BUSINESS

Ms. Coleman presented the Executive Director's report.

Executive Director's Update

Ms. Coleman updated the Board on staffing changes. Ms. Coleman noted that Christina Dumas joined the agency in July 2025 as the Common Interest Community (CIC) and Cemetery Manager, and Alex Karayanides also joined in July 2025 as a Licensing Specialist. Ms. Coleman also reported that Breanne Lindsey is no longer with the agency and that Gezelle Glasgow will conclude her role as Administrative Coordinator on October 24, 2025. Ms. Coleman added that the positions of Regulatory Operations Administrator and Administrative Coordinator have been posted for recruitment.

Ms. Casey recused herself for the following agenda item:

Recusal of Board Member

Determination of Compliance with §55.1-2220 and §55.1-2234

Determination of Compliance with §55.1-2220 and §55.1-2234

The Board considered a request from Melinda Livingston for a determination of compliance with §55.1-2220 and §55.1-2234 of the *Code of Virginia*, pursuant to §55.1-2230, regarding the Presidential Resort at Chancellorsville Timeshare. The request sought clarification on whether the Developer is meeting its statutory obligations.

Following review of the documents submitted by Ms. Livingston and Board staff, **Ms. Peacock moved** that the Board find the Presidential Resort at Chancellorsville Timeshare in compliance with §55.1-2220 and §55.1-2234 of the *Code of Virginia*. **Ms. Tunstall seconded** the motion which was approved by members: Arthur, Cummins, Mulhare, Peacock, Tunstall, and Shaheen.

Recovery Fund Discussion

Ms. Coleman reported that the current Common Interest Community Management Recovery Fund balance is \$891,365. She noted that claims for Rosewood Management Inc. and Tagare Corp. are scheduled for disbursement, and that a transfer from the Common Interest Community Management Information Fund will be required once those claims are paid. Pursuant to §§ 54.1-2354.5 and 54.1-2354.2 of the *Code of Virginia*, Ms. Coleman and Mr. Kirschner advised that Board approval will be needed to authorize a \$150,000.00 transfer from the CIC Management Information Fund to the CIC Management Recovery Fund.

Connor Davis, Budget Officer, was present to respond to questions from the Board.

Mr. Kirschner recommended deferring action until the December 8, 2025, meeting, at which time Finance will be able to provide a more precise snapshot of expenditures.

Tagare Corp Claims Procedure

Ms. Coleman requested that the Board review the documents submitted by the receiver, Mr. John Farnum, Esq., regarding the request for approval of the claims procedure, the proposed order for the claims procedure, and the proof of claim form. **Ms. Casey moved** to approve the request from the receiver to approve the claims procedure, claims procedure (proposed order, and proof of claim form. **Ms. Tunstall seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Ms. Coleman advised the Board to review the interim fee request submitted by the receiver, John Farnum Esq., for Rosewood Management Company, LLC and Tagare Corp., and, following review, to authorize Board staff to disburse payment to Mr. Farnum.

Rosewood Management Company, LLC – Interim Fee Request & Tagare Corp Interim Fee Request

Rosewood Management Company, LLC Interim Fee Request:

Total Professional Services	\$48,570.00
Total Disbursements Advanced	\$608.00
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TOTAL THIS INVOICE	\$49,178.00

Tagare Corp Interim Fee Request:

Total Professional Services	\$32,926.50
Total Disbursements Advanced	\$127.62
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TOTAL THIS INVOICE	\$33,054.12

Ms. Casey moved to authorize Board staff to disburse payment to Mr. Farnum for both the Rosewood Management Company, LLC and Tagare Corp interim fee requests. **Ms. Tunstall seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Mr. Haughwout informed the Board that Common Interest Community Manager Regulations were in the Virginia Register on September 22, 2025, and public comment would last for 60 days and then be brought back to the Board at the December meeting.

Regulatory Update

Mr. Haughwout presented draft proposed amendments to the Common Interest Community Association Registration Regulations for the Board's consideration. Following discussion, **Ms. Peacock moved** to adopt the proposed regulation as amended and to authorize Board staff to make any necessary technical or grammatical corrections and file the regulation. **Ms. Casey seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Mr. Haughwout presented the Board with the following guidance document to be amended:

- Procedure for Determination of Compliance with §55.1-2220 and §55.1-2234 (Guidance Document 6911)

Mr. Arthur moved to amend the guidance document as presented. **Ms. Peacock seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Mr. Haughwout presented the Board with the following guidance document to be repealed:

- Common Interest Community Association Registration – Interpretive Guidance for 18VAC 48-60-60 (Guidance Document 7092)

Ms. Peacock moved to repeal the guidance document as presented. **Ms. Tunstall seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Mr. Haughwout presented the Board with the following guidance documents to be repealed

effective upon the Board adopting the final Common Interest Community Manager Regulations at the meeting in December:

- Evidence of Proper Fidelity Bond or Dishonesty Insurance and Sufficient Coverage Obtained by CIC Manager Applicant (Guidance Document 4190)
- Regarding the Requirement to Obtain and Maintain a Separate Fidelity Bond or Insurance Policy Required for Common Interest Community Managers to Comply with § 54.1-2346(D) of the Code of Virginia and 18 VAC 48-50-30.E of the Board's Regulations (Guidance Document 5049)

Ms. Tunstall moved to repeal the guidance documents as presented. **Mr. Arthur seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Mr. Haughwout presented the Board with the following guidance documents to be withdrawn from the Virginia Regulatory Town Hall:

- Disclosure Form for Special Meeting to Extend Declarant Control Period (Guidance Document 6891)
- Bulletin Maximum Allowable Preparation Fees – Condominium Unit Owners', Property Owners', and Cooperative Proprietary Lessees' Association (Guidance Document 7545)
- Common Interest Community Association Resale Certificate (Guidance Document 7546)

Ms. Casey moved to withdraw the guidance documents as presented from the Virginia Regulatory Town Hall. **Ms. Peacock seconded** the motion which was unanimously approved by members: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

Mr. Haughwout presented the Board with the following guidance document to be amended:

- Summary of Board Interpretations, Policies and Guidance Documents (Guidance Document 6256)

In addition, the following guidance documents are to be repealed and incorporated into the Summary of Board Interpretations, Policies and Guidance Documents (Guidance Document 6256):

- Definition of Employee in Section 54.1-2347(A) (Guidance Document 4382)
- Applicability of the Common Interest Community Ombudsman Regulations on Solely Commercial Condominiums (Guidance Document 5048)
- Letters of Credit in Lieu of Bonds (Guidance Document 5308)
- Required Documentation to Accompany Disclosure of Personal Adverse Financial History (Guidance Document 5603)
- Determining Value of Blanket Surety Bonds Filed by Developers in Lieu of Escrow Deposits (Guidance Document 6390)
- Distribution of Time-Share Public Offering Statements and Purchaser Opportunity to Review Public Offering Statement Prior to Execution of a Contract (Guidance Document 6391)

Ms. Casey moved to amend the Summary of Board Interpretations, Policies and Guidance Documents (Guidance Document 6256) to incorporate the repealed guidance documents.

Mr. Arthur seconded the motion which was unanimously approved by members: Arthur,

Casey, Cummins, Mulhare, Peacock, Tunstall and Shaheen.

**OTHER BOARD
BUSINESS**

Tom Payne, Compliance and Investigations Division Director, provided the Board with 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. Coleman opened the floor for nominations for the position of Chair of the Common Interest Community Board. Ms. Casey nominated Drew Mulhare, and Mr. Mulhare nominated Margaret “Meg” Tunstall. Both nominees accepted their nominations. Nominations were then closed.

Election of Officers

By majority vote, Ms. Tunstall was elected Chair of the Common Interest Community Board. Members voting “Yes”: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall, and Shaheen. By acclamation, Ms. Tunstall was confirmed as Board Chair.

Ms. Tunstall opened the floor for nominations for the position of Vice-Chair of the Common Interest Community Board. She nominated Drew Mulhare, who accepted the nomination. Nominations were then closed.

By majority vote, Mr. Mulhare was elected Vice-Chair of the Common Interest Community Board. Members voting “Yes”: Arthur, Casey, Cummins, Mulhare, Peacock, Tunstall, and Shaheen. By acclamation, Mr. Mulhare was confirmed as Board Vice-Chair.

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

**COMPLETION OF
PAPERWORK**

There being no further business, the Board adjourned at 11:36 A.M.

ADJOURN

Margaret “Meg” Tunstall, Board Chair

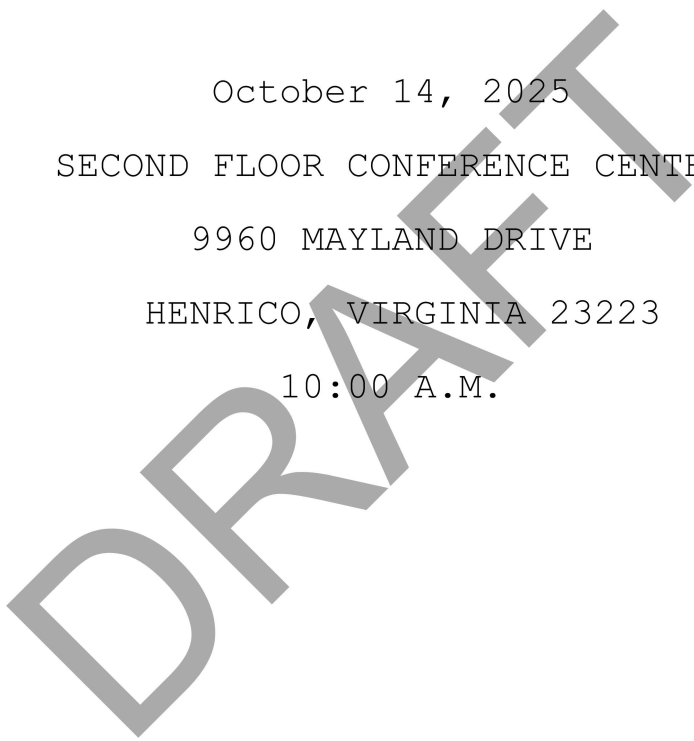
James B. “Jeb” Wilkinson, Jr., Board Secretary

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COMMONWEALTH OF VIRGINIA
DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
COMMON INTEREST COMMUNITY BOARD

IN RE: Public Hearing on the Proposed General Review of
Common Interest Community Manager Regulations

October 14, 2025
SECOND FLOOR CONFERENCE CENTER
9960 MAYLAND DRIVE
HENRICO, VIRGINIA 23223
10:00 A.M.



1 APPEARANCES :

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3 STAFF:

4 Christina Dumas

5 Gezelle Glasgow

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DRAFT

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2 MS. DUMAS: Good morning. My name is
3 Christina Dumas, and with me is Gezelle Glasgow. We
4 serve as staff to the Common Interest Community Board.

5 This is a public hearing held at the
6 Department of Professional and Occupational regulation,
7 9960 Mayland Drive, Richmond, Virginia.

8 This hearing is being held pursuant to
9 2.2-4007.01 of the Administrative Process Act of the
10 Code of Virginia for purposes of receiving public
11 comment on the Board's revised proposed regulation
12 published in the Virginia Register on September 22,
13 2025.

14 The list of interested parties and
15 organizations which were notified of the process and
16 invited to comment is available upon written request.

17 The staff of the Department of
18 Professional and Occupational regulation will prepare a
19 report of all public comment received which will be
20 presented to the Board for consideration of any revision
21 to the revised proposed regulations.

22 Now, I would like to present the rules
23 for this public hearing.

24 Comments will be received from any member
25 of the public and initial comments will be limited to a

1 maximum of five minutes depending on the number of
2 individuals who wish to speak. If you have not signed
3 up to speak and wish to give testimony today, please
4 sign your name on the sign up sheet at this time.

5 Staff members may ask speaker questions
6 or to clarify statements. However, this is not the
7 proper forum for questions to the Board. If you have a
8 question for the Board, please forward them in writing
9 to the Board.

10 Any speaker, who wishes to provide a
11 written statement in addition to his oral testimony, or
12 in lieu of oral testimony, may do so until November 21,
13 2025.

14 (A Brief Pause)

15 We did not receive any comments today.
16 The record of the public hearing will be kept open until
17 November 21, 2025, and written comments will be accepted
18 through 5:00 p.m., that day. This hearing is now
19 closed.

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CERTIFICATE OF COURT REPORTER

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I, Zelma M. Lee, a Notary
hereby certify that I was the Court Reporter at the
public hearing for the Common Interest Community Board,
heard in the County of Henrico, Virginia on October 14,
2025, at the time of the hearing herein.

I certify that the foregoing
transcript is to the best of my ability, a true and
accurate record of the testimony and incidents of the
hearing herein.

Given under my hand the 16th
day of October, 2025.

Zelma M. Lee

ZELMA M. LEE
Notary Registration No. 292473

My Commission expires:
September 30, 2030

WORD INDEX

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DRAFT

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1 COMMONWEALTH OF VIRGINIA

2 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION

3

4 COMMON INTEREST COMMUNITY BOARD

5

6 IN RE: Public Hearing on the Proposed General Review of

7 Common Interest Community Manager Regulations

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9 October 14, 2025

10 SECOND FLOOR CONFERENCE CENTER

11 9960 MAYLAND DRIVE

12 HENRICO, VIRGINIA 23223

13 10:00 A.M.

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1 MS. DUMAS: Good morning. My name is

2 Christina Dumas, and with me is Gezelle Glasgow. We

3 serve as staff to the Common Interest Community Board.

4 This is a public hearing held at the

5 Department of Professional and Occupational regulation,

6 9960 Mayland Drive, Richmond, Virginia.

7 This hearing is being held pursuant to

8 2.2-4007.01 of the Administrative Process Act of the

9 Code of Virginia for purposes of receiving public

10 comment on the Board's revised proposed regulation

11 published in the Virginia Register on September 22,

12 2025.

13

14 The list of interested parties and

15 organizations which were notified of the process and

16 invited to comment is available upon written request.

17 The staff of the Department of

18 Professional and Occupational regulation will prepare a

19 report of all public comment received which will be

20 presented to the Board for consideration of any revision

21 to the revised proposed regulations.

22 Now, I would like to present the rules

23 for this public hearing.

24 Comments will be received from any member

25 of the public and initial comments will be limited to a

Page 2

1 APPEARANCES:

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3 STAFF:

4 Christina Dumas

5 Gezelle Glasgow

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Page 4

1 maximum of five minutes depending on the number of

2 individuals who wish to speak. If you have not signed

3 up to speak and wish to give testimony today, please

4 sign your name on the sign up sheet at this time.

5 Staff members may ask speaker questions

6 or to clarify statements. However, this is not the

7 proper forum for questions to the Board. If you have a

8 question for the Board, please forward them in writing

9 to the Board.

10 Any speaker, who wishes to provide a

11 written statement in addition to his oral testimony, or

12 in lieu of oral testimony, may do so until November 21,

13 2025.

14 (A Brief Pause)

15 We did not receive any comments today.

16 The record of the public hearing will be kept open until

17 November 21, 2025, and written comments will be accepted

18 through 5:00 p.m., that day. This hearing is now

19 closed.

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25 CERTIFICATE OF COURT REPORTER

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I, Zelma M. Lee, a Notary
hereby certify that I was the Court Reporter at the
public hearing for the Common Interest Community Board,
heard in the County of Henrico, Virginia on October 14,
2025, at the time of the hearing herein.

I certify that the foregoing
transcript is to the best of my ability, a true and
accurate record of the testimony and incidents of the
hearing herein.

Given under my hand the 16th
day of October, 2025.

ZELMA M. LEE
Notary Registration No. 292473

My Commission expires:
September 30, 2030

DRAFT

DEPARTMENT OF PROFESSIONAL
& OCCUPATIONAL REGULATION

**VIRGINIA COMMON INTEREST
COMMUNITY MANAGEMENT
RECOVERY FUND**

FINANCIAL STATEMENTS

Cash Basis

For the Month Ended

9/30/2025

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND
BALANCE SHEET
GOVERNMENTAL FUNDS
09/30/25

	Special Revenue Funds		
	Principal	Interest	Totals
ASSETS			
Cash and Cash Equivalents	\$ 858,168	\$ 34,680	\$ 892,847
Total Assets	\$ 858,168	\$ 34,680	\$ 892,847
 FUND BALANCES			
Reserved for Payment of Future Claims	\$ 858,168	\$	\$ 858,168
Reserved for Administration of Recovery Act		34,680	34,680
Total Fund Balances	\$ 858,168	\$ 34,680	\$ 892,847

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 09/30/2025**

	CURRENT MONTH			YEAR TO DATE		
	Principal Fund	Interest Fund	Totals	Principal Fund	Interest Fund	Totals
REVENUES:						
Assessments	\$ 900	\$	\$ 900	\$ 2,700	\$	\$ 2,700
Investment Income		582	582		1,794	1,794
Total Revenues:	<u>900</u>	<u>582</u>	<u>1,482</u>	<u>2,700</u>	<u>1,794</u>	<u>4,494</u>
EXPENDITURES:						
Claims Expense				\$		
Administrative Expenses						
Receivership Expense						
Other Operating Expense						
Total Expenses:	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Net Change in Fund Balance	<u>900</u>	<u>582</u>	<u>1,482</u>	<u>2,700</u>	<u>1,794</u>	<u>4,494</u>
Beginning Fund Balance	<u>857,268</u>	<u>34,097</u>	<u>891,365</u>	<u>855,468</u>	<u>32,886</u>	<u>888,353</u>
Ending Fund Balance	<u>\$858,168</u>	<u>\$34,680</u>	<u>\$ 892,847</u>	<u>\$858,168</u>	<u>\$34,680</u>	<u>\$892,847</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
 September 30, 2025

lcLAIMs PAID:	Number of Payments	Dollar Amount of Claims Paid	Related Recoveries	Net Payments	
July 1, 2025 - June 30, 2026	0	\$0.00	\$0.00	\$0.00	
July 1, 2024 - June 30, 2025	0	\$0.00	\$0.00	\$0.00	
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	
Total	1	\$239,466.76	1	\$0.00	\$239,466.76

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.

**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUNDS
NOTES TO FINANCIAL STATEMENTS
9/30/2025**

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 Tara Hasan, Accounting Specialist. Please contact me at Tara.Hasan@dpor.virginia.gov if you have questions.

Code of Virginia
Title 54.1. Professions and Occupations
Chapter 23.3. Common Interest Communities

§ 54.1-2354.5. Common Interest Community Management Recovery Fund.

A. There is hereby created the Common Interest Community Management Recovery Fund, referred to in this section as "the Fund," to be used in the discretion of the Board to protect the interests of associations.

B. Each common interest community manager, at the time of initial application for licensure, and each association filing its first annual report after the effective date shall be assessed \$25, which shall be specifically assigned to the Fund. Initial payments may be incorporated in any application fee payment or annual filing fee and transferred to the Fund by the Director within 30 days.

All assessments, except initial assessments, for the Fund shall be deposited within three business days after their receipt by the Director, in one or more federally insured banks, savings and loan associations, or savings banks located in the Commonwealth. Funds deposited in banks, savings institutions, or savings banks in excess of insurance afforded by the Federal Deposit Insurance Corporation or other federal insurance agency shall be secured under the Virginia Security for Public Deposits Act (§ [2.2-4400](#) et seq.). The deposit of these funds in federally insured banks, savings and loan associations, or savings banks located in the Commonwealth shall not be considered investment of such funds for purposes of this section. Funds maintained by the Director may be invested in securities that are legal investments for fiduciaries under the provisions of § [64.2-1502](#).

Interest earned on the deposits constituting the Fund shall be used for administering the Fund. The remainder of this interest, at the discretion of the Board, may be transferred to the Common Interest Community Management Information Fund, established pursuant to § [54.1-2354.2](#), or accrue to the Fund.

C. On and after July 1, 2011, the minimum balance of the Fund shall be \$150,000. Whenever the Director determines that the principal balance of the Fund is or will be less than such minimum principal balance, the Director shall immediately inform the Board. At the same time, the Director may recommend that the Board transfer a fixed amount from the Common Interest Community Management Information Fund to the Fund to bring the principal balance of the Fund to the amount required by this subsection. Such transfer shall be considered by the Board within 30 days of the notification of the Director.

D. If any such transfer of funds is insufficient to bring the principal balance of the Fund to the minimum amount required by this section, or if a transfer to the Fund has not occurred, the Board shall assess each association and each common interest community manager, within 30 days of notification by the Director, a sum sufficient to bring the principal balance of the Fund to the required minimum amount. The amount of such assessment shall be allocated among the associations and common interest community managers in proportion to each payor's most recently paid annual assessment, or if an association or common interest community manager has not paid an annual assessment previously, in proportion to the average annual assessment most recently paid by associations or common interest community managers, respectively. The Board may order an assessment at any time in addition to any required assessment. Assessments made pursuant to this subsection may be issued by the Board (i) after a determination made by it or (ii) at the time of license renewal.

Notice to common interest community managers and the governing boards of associations of these assessments shall be by first-class mail, and payment of such assessments shall be made by first-class mail addressed to the Director within 45 days after the mailing of such notice.

E. If any common interest community manager fails to remit the required payment within 45 days of the mailing, the Director shall notify the common interest community manager by first-class mail at the latest address of record filed with the Board. If no payment has been received by the Director within 30 days after mailing the second notice, the

license shall be automatically suspended. The license shall be restored only upon the actual receipt by the Director of the delinquent assessment.

F. If any association fails to remit the required payment within 45 days of the mailing, the Director shall notify the association by first-class mail at the latest address of record filed with the Board. If no payment has been received by the Director within 30 days after mailing the second notice, it shall be deemed a knowing and willful violation of this section by the governing board of the association.

G. At the close of each fiscal year, whenever the balance of the Fund exceeds \$5 million, the amount in excess of \$5 million shall be transferred to the Virginia Housing Trust Fund established pursuant to Chapter 9 (§ [36-141](#) et seq.) of Title 36. Except for payments of costs as set forth in this article and transfers pursuant to this subsection, there shall be no transfers out of the Fund, including transfers to the general fund, regardless of the balance of the Fund.

H. A claimant may seek recovery from the Fund subject to the following conditions:

1. A claimant may file a verified claim in writing to the Director for a recovery from the Fund.

2. Upon proper application to the Director, in those cases in which there are not sufficient funds to pay an award of reasonable fees, costs, and expenses to the receiver or to restore all funds that were or ought to have been held in a fiduciary capacity by the subject common interest community manager, the Director shall report to the Board the amount of any shortfall to the extent that there are not sufficient funds (i) to pay any award of fees, costs, and expenses pursuant to subsection H of § [54.1-2353](#) by the court appointing the receiver; or (ii) to restore all funds that were or ought to have been held in a fiduciary capacity by the subject common interest community manager, as certified by the court appointing the receiver.

3. If the Board finds there has been compliance with the required conditions, the Board shall issue a directive ordering payment of the amount of such shortfall to the claimant from the Fund, provided that in no event shall such payment exceed the balance in the Fund. When the Fund balance is not sufficient to pay the aggregate amount of such shortfall, the Board shall direct that payment be applied first in satisfaction of any award of reasonable fees, costs, and expenses to the receiver and second to restore the funds that were or ought to have been held in a fiduciary capacity by the subject common interest community manager. If the Board has reason to believe that there may be additional claims against the Fund, the Board may withhold any payment from the Fund for a period of not more than one year. After such one-year period, if the aggregate of claims received exceeds the Fund balance, the Fund balance shall be prorated by the Board among the claimants and paid in the above payment order from the Fund in proportion to the amounts of claims remaining unpaid.

4. The Director shall, subject to the limitations set forth in this subsection, pay to the claimant from the Fund such amount as shall be directed by the Board upon the execution and delivery to the Director by such claimant of an assignment to the Board of the claimant's rights on its behalf and on behalf of the associations receiving distributions from the Fund against the common interest community manager to the extent that such rights were satisfied from the Fund.

5. The claimant shall be notified in writing of the findings of the Board. The Board's findings shall be considered a case decision as defined in § [2.2-4001](#), and judicial review of these findings shall be in accordance with § [2.2-4025](#) of the Administrative Process Act (§ [2.2-4000](#) et seq.).

6. Notwithstanding any other provision of law, the Board shall have the right to appeal a decision of any court that is contrary to any distribution recommended or authorized by it.

7. Upon payment by the Director to a claimant from the Fund as provided in this subsection, the Board shall immediately revoke the license of the common interest community manager whose actions resulted in payment from the Fund. The common interest community manager whose license was so revoked shall not be eligible to apply for a license as a common interest community manager until he has repaid in full the amount paid from the Fund on his account, plus interest at the judgment rate of interest from the date of payment from the Fund.

8. Nothing contained in this subsection shall limit the authority of the Board to take disciplinary action against any common interest community manager for any violation of statute or regulation, nor shall the repayment in full by a common interest community manager of the amount paid from the Fund on such common interest community manager's account nullify or modify the effect of any disciplinary proceeding against such common interest community manager for any such violation.

2008, cc. [851](#), [871](#), § 55-530.1; 2009, c. [557](#); 2013, c. [754](#); 2019, c. [712](#); 2025, c. [105](#).

Code of Virginia
Title 54.1. Professions and Occupations
Chapter 23.3. Common Interest Communities

§ 54.1-2354.2. Common Interest Community Management Information Fund.

A. There is hereby created the Common Interest Community Management Information Fund, referred to in this section as "the Fund," to be used in the discretion of the Board to promote the improvement and more efficient operation of common interest communities through research and education. The Fund shall be established on the books of the Comptroller. The Fund shall consist of money paid into it pursuant to §§ [54.1-2349](#), [55.1-1835](#), [55.1-1980](#), and [55.1-2182](#), and such money shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but, at the discretion of the Board, shall remain in the Fund or shall be transferred to the Common Interest Community Management Recovery Fund established pursuant to § [54.1-2354.5](#).

B. Expenses for the operations of the Office of the Common Interest Community Ombudsman, including the compensation paid to the Common Interest Community Ombudsman, shall be paid first from interest earned on deposits constituting the Fund and the balance from the moneys collected annually in the Fund. The Board may use the remainder of the interest earned on the balance of the Fund and of the moneys collected annually and deposited in the Fund for financing or promoting the following:

1. Information and research in the field of common interest community management and operation;
2. Expedient and inexpensive procedures for resolving complaints about an association from members of the association or other citizens;
3. Seminars and educational programs designed to address topics of concern to community associations; and
4. Other programs deemed necessary and proper to accomplish the purpose of this article.

C. Following the close of any biennium, when the Common Interest Community Management Information Fund shows expenses allocated to it for the past biennium to be more than 10 percent greater or less than moneys collected on behalf of the Board, the Board shall revise the fees levied by it for placement into the Fund so that the fees are sufficient but not excessive to cover expenses. A fee established pursuant to § [55.1-1835](#), [55.1-1980](#), or [55.1-2182](#) shall not exceed \$25 unless such fee is based on the number of units or lots in the association.

1993, c. 958, § 55-529; 2008, cc. [851](#), [871](#); 2019, cc. [391](#), [712](#).

1 **Project 6830 - Final**

2 **Common Interest Community Board**

3 **General Review of Common Interest Community Manager Regulations**

4 **18VAC48-50-10. Definitions.**

5 A. Section 54.1-2345 of the Code of Virginia provides definitions of the following terms and
6 phrases as used in this chapter:

7 "Association"

8 "Board"

9 "Common interest community"

10 "Common interest community manager"

11 "Declaration"

12 "Governing board"

13 "Lot"

14 "Management services"

15 B. The following words, terms, and phrases when used in this chapter [~~shall~~] have the
16 following meanings unless the context clearly indicates otherwise:

17 "Active status" means the status of for a certificated person who is in the employ of a common
18 interest community manager.

19 "Address of record" means the mailing address designated by the regulant to receive notices
20 and correspondence from the board. Notice mailed to the address of record by certified mail,
21 return receipt requested, ~~shall~~ will be deemed valid notice.

22 "Applicant" means a common interest community manager who has submitted an application
23 for licensure or an individual who has submitted an application for certification.

24 "Application" means a completed, board-prescribed form submitted with the appropriate fee
25 and other required documentation.

26 "Certified principal or supervisory employee" refers to any individual who has principal
27 responsibility for management services provided to a common interest community or who has
28 supervisory responsibility for employees who participate directly in the provision of management
29 services to a common interest community, and who holds a certificate issued by the board.

30 "Contact hour" means 50 minutes of instruction.

31 "Department" means the ~~Virginia~~ Department of Professional and Occupational Regulation.

32 "Direct supervision" means exercising oversight and direction of, and control over, the work
33 of another.

34 "Firm" means a sole proprietorship, association, partnership, corporation, limited liability
35 company, limited liability partnership, or any other form of business organization recognized under
36 the laws of the Commonwealth of Virginia and properly registered, as may be required, with the
37 Virginia State Corporation Commission.

38 "Principal responsibility" means having the primary obligation for the direct provision of
39 management services provided to a common interest community.

40 "Qualifying individual" means the supervisory employee, officer, owner, manager, or principal,
41 howsoever denominated, involved in all aspects of the management services offered and
42 provided by the firm who is designated by the firm to qualify for licensure as a common interest
43 community manager as permitted under 18VAC48-50-30 K.

44 "Regulant" means a common interest community manager ~~as defined in § 54.1-2345 of the~~
45 ~~Code of Virginia~~ who holds a license issued by the board or an individual who holds a certificate
46 issued by the board.

47 "Reinstatement" means the process and requirements through which an expired license or
48 certificate can be made valid without the regulant having to apply as a new applicant.

49 "Renewal" means the process and requirements for periodically approving the continuance of
50 a license or certificate.

51 "Responsible person" means the employee, officer, manager, owner, or principal, howsoever
52 denominated, of the firm who ~~shall~~ will be designated by each firm to ensure compliance with
53 Chapter 23.3 (§ 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia, and all regulations of the
54 board, and to receive communications and notices from the board that may affect the firm. ~~In the~~
55 ~~case of a sole proprietorship, the sole proprietor shall have the responsibilities of the responsible~~
56 ~~person.~~

57 "Sole proprietor" means any individual, not a corporation or other registered business entity,
58 who is trading under ~~his~~ the individual's own name, or under an assumed or fictitious name
59 pursuant to the provisions of Chapter 5 (§ 59.1-69 et seq.) of Title 59.1 (~~§ 59.1-69 et seq.~~) of the
60 Code of Virginia.

61 "Supervisory responsibility" means providing formal supervision of the work of at least one
62 other person. The individual who has supervisory responsibility directs the work of another
63 employee ~~or other employees~~, has control over the work performed, exercises examination and
64 evaluation of the employee's performance, or has the authority to make decisions personally that
65 affect the management services provided.

66 **18VAC48-50-15. Necessity for licensure of firms and certification of employees.**

67 A. Unless exempted by § 54.1-2347 of the Code of Virginia, any firm offering management
68 services to a common interest community must hold a license as a common interest community
69 manager.

70 B. In accordance with § 54.1-2346 C of the Code of Virginia, all employees of a licensed
71 common interest community manager who have principal responsibility for management services
72 provided to a common interest community or who have supervisory responsibility for employees
73 who participate directly in the provision of management services to a common interest community
74 must, within two years after employment with the common interest community manager, hold a
75 certificate issued by the board certifying the person possesses the character and minimum skills
76 to engage properly in the provision of management services to a common interest community or
77 must be under the direct supervision of a certified employee of the common interest community
78 manager.

79 **18VAC48-50-20. Application procedures.**

80 A. All applicants ~~firms or individuals~~ seeking licensure or certification shall ~~shall~~ must submit an
81 application with the appropriate fee specified in 18VAC48-50-60. Application shall ~~shall~~ will be made
82 on forms provided by the board or ~~its~~ the board's agent.

83 1. By submitting the application to the department, the applicant certifies that the applicant
84 has read and understands the applicable statutes and the board's regulations.

85 2. The receipt of an application and the deposit of fees by the board does not indicate
86 approval by the board.

87 B. The board may make further inquiries and investigations with respect to the applicant's
88 qualifications to confirm or amplify information supplied. All applications shall ~~shall~~ must be completed
89 in accordance with the instructions contained ~~herein~~ in this section and on the application.

90 Applications will not be considered complete until all required documents are received by the
91 board.

92 ~~An individual or firm~~ C. The applicant will be notified within 30 days of the board's receipt of
93 an initial application if the application is incomplete. An individual or firm that fails to complete the
94 application process within 12 months of receipt of the application in the board's office must submit
95 a new application and fee.

96 D. The applicant must immediately report in writing all changes in information supplied with
97 the application prior to issuance of the license or certificate or expiration of the application.

98 **18VAC48-50-30. Qualifications for licensure as a common interest community manager.**

99 ~~A. Firms that provide~~ Each firm applying for a common interest community ~~management~~
100 ~~services shall submit an application on a form prescribed by the board and shall~~ manager license
101 must meet the requirements set forth in § 54.1-2346 of the Code of Virginia, as well as the
102 additional qualifications of this section.

103 ~~B. Any firm offering management services as defined in § 54.1-2345 of the Code of Virginia~~
104 ~~shall hold a license as a common interest community manager. All names under which the~~
105 ~~common interest community manager conducts business shall be disclosed on the application.~~
106 ~~The name under which the firm conducts business and holds itself out to the public (i.e., the trade~~
107 ~~or fictitious name) shall also be disclosed on the application. Firms shall~~ must be organized as
108 business entities under the laws of the Commonwealth of Virginia or otherwise authorized to
109 transact business in Virginia.

110 ~~Firms shall~~ C. The applicant for a common interest community manager license must disclose
111 the name under which the firm conducts business and holds itself out to the public. The firm must
112 register any trade or fictitious names with the State Corporation Commission in accordance with

113 Chapter 5 (§ 59.1-69 et seq.) of Title 59.1 (~~§ 59.1-69 et seq.~~) of the Code of Virginia before
114 submitting an application to the board.

115 ~~C. D.~~ The applicant for a common interest community manager license shall must disclose
116 the firm's mailing address, and the firm's physical address, ~~and the address of the office from~~
117 ~~which the firm provides management services to Virginia common interest communities.~~ A post
118 office box is only acceptable as a mailing address when a physical address is also provided.

119 ~~D. E.~~ In accordance with § 54.1-204 of the Code of Virginia, each applicant for a common
120 interest community manager license shall must disclose the following information about the firm,
121 the responsible person, the qualifying individual, and any of the principals of the firm:

- 122 1. All felony convictions.
- 123 2. All misdemeanor convictions, except marijuana convictions, ~~in any jurisdiction that~~
124 ~~occurred~~ within three years of the date of application.
- 125 3. ~~Any plea of nolo contendere or finding of guilt regardless of adjudication or deferred~~
126 ~~adjudication shall be considered a conviction for the purposes of this section. The record~~
127 ~~of conviction certified or authenticated in such form as to be admissible in evidence under~~
128 ~~the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of~~
129 ~~such guilt.~~

130 The board, in its discretion, may deny licensure to an applicant in accordance with § 54.1-204
131 of the Code of Virginia.

132 ~~E. F.~~ The applicant for a common interest community manager license shall must submit
133 evidence acceptable to the board of having obtained a blanket fidelity bond or employee
134 dishonesty insurance policy in accordance with § 54.1-2346 D of the Code of Virginia and
135 18VAC48-50-33. ~~Proof of current bond or insurance policy with the firm as the named bondholder~~
136 ~~or insured must be submitted in order to obtain or renew the license. The bond or insurance policy~~

137 ~~must be in force no later than the effective date of the license and shall remain in effect through~~
138 ~~the date of expiration of the license.~~

139 F. G. The applicant for a common interest community manager license shall must be in
140 compliance with the standards of conduct and practice set forth in Part V (18VAC48-50-140 et.
141 seq.) of this chapter at the time of application, while the application is under review by the board,
142 and at all times when the license is in effect.

143 G. H. The applicant for a common interest community manager license, ~~the responsible~~
144 ~~person, and any principals of the firm shall be in good standing in Virginia and in every jurisdiction~~
145 ~~and with every board or administrative body where licensed, certified, or registered and the board,~~
146 ~~in its discretion, may deny licensure to any applicant who has been subject to, or whose principals~~
147 ~~have been subject to, or any firm in which the principals of the applicant for a common interest~~
148 ~~community manager license hold a 10% or greater interest have been subject to, must report any~~
149 ~~form of adverse disciplinary action, including taken by any board or administrative body in any~~
150 ~~jurisdiction against a professional or occupational license, certification, or registration issued to~~
151 ~~the firm, the firm's principals, the qualifying individual, and the responsible person, to include any~~
152 ~~reprimand, suspension, revocation, ~~suspension or denial~~, surrender of a license, certification, or~~
153 ~~registration; imposition of a monetary penalty, ~~required~~; or requirement to complete take remedial~~
154 ~~education, or any other corrective action, in any jurisdiction or by any board or administrative body~~
155 ~~or surrendered a license, certificate, or registration in connection with any disciplinary action in~~
156 ~~any jurisdiction prior to obtaining licensure in Virginia. The board, in its discretion, may deny~~
157 ~~licensure to any applicant based on disciplinary action taken by any board or administrative body~~
158 ~~in any jurisdiction.~~

159 H. I. The applicant for a common interest community manager license shall must provide all
160 ~~relevant~~ information about the firm, the responsible person, the qualifying individual, and any of
161 the principals of the firm for the seven years prior to application on any outstanding judgments,

162 past-due tax assessments, defaults on bonds, or pending or past bankruptcies and specifically
163 shall must provide all relevant financial information related to providing management services as
164 defined in § 54.1-2345 of the Code of Virginia. ~~The applicant for a common interest community~~
165 ~~manager license shall further disclose whether or not one or more of the principals who~~
166 ~~individually or collectively own more than a 50% equity interest in the firm are or were equity~~
167 ~~owners holding, individually or collectively, a 10% or greater interest in any other entity licensed~~
168 ~~by any agency of the Commonwealth of Virginia that was the subject of any adverse disciplinary~~
169 ~~action, including revocation of a license, within the seven year period immediately preceding the~~
170 ~~date of application.~~

171 ~~I. An~~ J. The applicant for a common interest community manager license shall must hold an
172 active designation as an Accredited Association Management Company by the Community
173 Associations Institute.

174 ~~J. Prior to July 1, 2012, in lieu of the provisions of subsection I of this section, an application~~
175 ~~for a common interest community manager license may be approved provided the applicant~~
176 ~~certifies to the board that the applicant has:~~

177 ~~1. At least one supervisory employee, officer, manager, owner, or principal of the firm who~~
178 ~~is involved in all aspects of the management services offered and provided by the firm and~~
179 ~~who has satisfied one of the following criteria:~~

180 ~~a. Holds an active designation as a Professional Community Association Manager by~~
181 ~~Community Associations Institute;~~

182 ~~b. Has successfully completed a comprehensive training program as described in~~
183 ~~18VAC48-50-250 B, as approved by the board, and has at least three years of~~
184 ~~experience in providing management services, the quality of which demonstrates to~~

185 the board that the individual is competent to have supervisory responsibility or principal
186 responsibility for management services;

187 c. Has successfully completed an introductory training program as described in
188 18VAC48-50-250 A, as approved by the board, and has at least five years of
189 experience in providing management services, the quality of which demonstrates to
190 the board that the individual is competent to have supervisory responsibility or principal
191 responsibility for management services; or

192 d. Has not completed a board-approved training program but who, in the judgment of
193 the board, has obtained the equivalent of such training program by documented course
194 work that meets the requirements of a board-approved comprehensive training
195 program as described in Part VI (18VAC48-50-230 et seq.) of this chapter and has at
196 least 10 years of experience in providing management services, the quality of which
197 demonstrates to the board that the individual is competent to have supervisory
198 responsibility or principal responsibility for management services.

199 2. At least 50% of persons in the firm with principal responsibility for management services
200 to a common interest community in the Commonwealth of Virginia have satisfied one of
201 the following criteria:

202 a. Hold an active designation as a Professional Community Association Manager and
203 certify having provided management services for a period of 12 months immediately
204 preceding application;

205 b. Hold an active designation as a Certified Manager of Community Associations by
206 the National Board of Certification for Community Association Managers and certify
207 having two years of experience in providing management services. Of the required

208 ~~two years of experience, a minimum of 12 months of experience must have been~~
209 ~~gained immediately preceding application;~~

210 ~~c. Hold an active designation as an Association Management Specialist and certify~~
211 ~~having two years of experience in providing management services. Of the required~~
212 ~~two years of experience, a minimum of 12 months of experience must have been~~
213 ~~gained immediately preceding application; or~~

214 ~~d. Have completed a comprehensive or introductory training program, as set forth in~~
215 ~~18VAC48-50-250 A or B, and passed a certifying examination approved by the board~~
216 ~~and certify having two years of experience in providing management services. Of the~~
217 ~~required two years of experience, a minimum of 12 months of experience must have~~
218 ~~been gained immediately preceding application.~~

219 ~~K. Effective July 1, 2012, the applicant for a common interest community manager license~~
220 ~~shall attest that all employees of the firm who have principal responsibility for management~~
221 ~~services provided to a common interest community or who have supervisory responsibility for~~
222 ~~employees who participate directly in the provision of management services to a common interest~~
223 ~~community shall, within two years after employment with the common interest community~~
224 ~~manager, hold a certificate as a certified principal or supervisory employee issued by the board~~
225 ~~or shall be under the direct supervision of a certified principal or supervisory employee.~~

226 ~~L. Effective July 1, 2012, in K. In lieu of the provisions of subsection I-J of this section, an~~
227 ~~application for a common interest community manager license may be approved provided the~~
228 ~~applicant certifies to the board that the applicant has at least one supervisory employee, officer,~~
229 ~~manager, owner, or principal of the firm who is involved in all aspects of the management services~~
230 ~~offered and provided by the firm and applicant for a common interest community manager license~~
231 ~~may designate a qualifying individual who has satisfied one of the following criteria:~~

- 232 1. Holds an active designation as a Professional Community Association Manager by
233 Community Associations Institute;
- 234 2. Has successfully completed a comprehensive training program as described in
235 18VAC48-50-250 B, as approved by the board, and has at least three years of experience
236 in providing management services, the quality of which demonstrates to the board that the
237 individual is competent to have supervisory responsibility or principal responsibility for
238 management services;
- 239 3. Has successfully completed an introductory training program as described in 18VAC48-
240 50-250 A, as approved by the board, and has at least five years of experience in providing
241 management services, the quality of which demonstrates to the board that the individual
242 is competent to have supervisory responsibility or principal responsibility for management
243 services; or
- 244 4. Has not completed a board-approved training program but, in the judgment of the board,
245 has obtained the equivalent of such training program by documented coursework that
246 meets the requirements of a board-approved comprehensive training program as
247 described in Part VI (18VAC48-50-230 et seq.) of this chapter and has at least 10 years
248 of experience in providing management services, the quality of which demonstrates to the
249 board that the individual is competent to have supervisory responsibility or principal
250 responsibility for management services.

251 The board, in its discretion, may consider other types of management experience that are
252 substantially equivalent in nature to management services as defined in § 54.1-2345 of the Code
253 of Virginia to fulfill the requirements of this subsection.

254 L. In accordance with § 54.1-2346 C of the Code of Virginia, the applicant for a common
255 interest community manager license must disclose and provide the dates of employment for all

256 employees of the firm who have principal responsibility for management services provided to a
257 common interest community or who have supervisory responsibility for employees who participate
258 directly in the provision of management services to a common interest community.

259 M. The firm ~~shall~~ must designate a responsible person.

260 N. The responsible person and qualifying individual, when applicable, must have completed
261 the Virginia common interest community laws and regulations training module as described in
262 18VAC48-50-252.

263 **18VAC48-50-33. Blanket fidelity bond or employee dishonesty insurance policy to be**
264 **obtained by common interest community manager.**

265 A. In accordance with § 54.1-2346 D of the Code of Virginia, a common interest community
266 manager must obtain and maintain a blanket fidelity bond or employee dishonesty insurance
267 policy insuring the common interest community manager against losses resulting from theft or
268 dishonesty committed by the officers, directors, and persons employed by the common interest
269 community manager. The bond or insurance policy must include coverage for losses of clients of
270 the common interest community manager resulting from theft or dishonesty committed by the
271 officers, directors, and persons employed by the common interest community manager. Such
272 bond or insurance policy must provide coverage in an amount equal to the lesser of \$2 million or
273 the highest aggregate amount of the operating and reserve balances of all associations under the
274 control of the common interest community manager during the prior fiscal year of the common
275 interest community manager. The minimum coverage amount must be \$10,000. The surety
276 company or insurance company must be authorized to do business in Virginia.

277 B. A common interest community manager must provide the board with proof of current bond
278 or insurance policy with the firm named as the bondholder or insured in order to obtain or renew
279 a license. A bond or insurance policy complying with this chapter must be in force no later than

280 the effective date of the license and remain in force during the period of licensure. Such proof
281 must include (i) the name of the surety company or insurance carrier, (ii) the dollar amount of the
282 bond or insurance policy, (iii) a description of coverage as it applies to the requirements in § 54.1-
283 2346 D of the Code of Virginia, and (iv) the expiration date of the bond or insurance policy. The
284 board may require a certified statement from the surety company of
285 common interest community manager has sufficient coverage.

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Consider comment from Paul Orlando on
this provision.

286 C. The bond or insurance policy obtained by the common interest
287 separate from any insurance policy required for associations under
288 Association Act (§ 55.1-1800 et seq. of the Code of Virginia) or the Virginia
289 55.1-1900 et seq. of the Code of Virginia).

The common interest community manager is
under the Property Owners'
Virginia Condominium Act (§

290 **18VAC48-50-35. Qualifications for certification as a certified principal or supervisory**
291 **employee effective July 1, 2012.**

292 A. Principal Each applicant for a principal or supervisory employees requiring certification
293 pursuant to employee certificate must meet the requirements set forth in § 54.1-2346 of the Code
294 of Virginia shall meet the requirements of this section and submit an application for certification
295 on or after July 1, 2012 and the additional qualifications of this section.

296 B. The applicant for certification shall must be at least 18 years of age.

297 C. The applicant for certification shall must have a high school diploma or its equivalent.

298 D. The applicant for certification shall must provide a mailing address. A post office box is only
299 acceptable as a mailing address when a physical address is also provided. The mailing address
300 provided shall will serve as the address of record.

301 E. In accordance with § 54.1-204 of the Code of Virginia, each applicant for certification shall
302 must disclose the following information:

303 1. All felony convictions.

304 2. All misdemeanor convictions, except marijuana convictions, ~~that occurred in any~~
305 ~~jurisdiction~~ within three years of the date of application.

306 3. ~~Any plea of nolo contendere or finding of guilt regardless of adjudication or deferred~~
307 ~~adjudication shall be considered a conviction for the purposes of this section. The record~~
308 ~~of conviction certified or authenticated in such form as to be admissible in evidence under~~
309 ~~the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of~~
310 ~~such guilt.~~

311 The board, in its discretion, may deny licensure to an applicant in accordance with § 54.1-204
312 of the Code of Virginia.

313 F. The applicant for certification shall must be in compliance with the standards of conduct
314 and practice set forth in Part V (18VAC48-50-140 et seq.) of this chapter at the time of application,
315 while the application is under review by the board, and at all times when the certificate is in effect.

316 G. ~~The applicant for certification shall be in good standing in Virginia and in every jurisdiction~~
317 ~~and with every board or administrative body where licensed, certified, or registered to provide~~
318 ~~management or related services; and the board, in its discretion, may deny certification to any~~
319 ~~applicant for certification who has been subject to must report any form of adverse disciplinary~~
320 ~~action, including taken by any board or administrative body in any jurisdiction against a~~
321 ~~professional or occupational license, certification, or registration issued to the applicant to include~~
322 ~~any reprimand, suspension, revocation, suspension or denial, surrender of a license, certification,~~
323 ~~or registration; imposition of a monetary penalty; or requirement to ~~complete~~ take remedial~~
324 ~~education, or any other corrective action, in any jurisdiction or by any board or administrative body~~
325 ~~or surrendered a license, certificate, or registration in connection with any The board, in its~~
326 ~~discretion, may deny certification to any applicant based on disciplinary action taken by any board~~
327 ~~or administrative body in any jurisdiction prior to obtaining certification in Virginia.~~

328 H. The applicant for certification shall must provide all ~~relevant~~ information for the seven years
329 prior to application on any outstanding judgments, past-due tax assessments, defaults on bonds,
330 or pending or past bankruptcies, all as related to providing management services as defined in §
331 54.1-2345 of the Code of Virginia. ~~The applicant for certification shall further disclose whether or~~
332 ~~not he was the subject of any adverse disciplinary action, including revocation of a license,~~
333 ~~certificate, or registration within the seven year period immediately preceding the date of~~
334 ~~application.~~

335 I. An The applicant for certification ~~may be certified provided the applicant provides~~ must
336 provide proof to the board that the applicant has completed a Virginia common interest community
337 laws and regulations training module as described in 18VAC48-50-252 and meets one of the
338 following:

339 1. Holds an active designation as a Professional Community Association Manager by
340 Community Associations Institute and ~~certifies having provided management services for~~
341 ~~a period of three months immediately preceding application;~~

342 2. Holds an active designation as a Certified Manager of Community Associations by the
343 ~~National Board of Certification for Community Association Managers~~ Community
344 Association Managers International Certification Board and certifies having two years of
345 experience in providing management services. ~~Of the required two years of experience, a~~
346 ~~minimum of six months of experience must have been gained immediately preceding~~
347 ~~application;~~

348 3. Holds an active designation as an Association Management Specialist by Community
349 Associations Institute and certifies having two years of experience in providing
350 management services. ~~Of the required two years of experience, a minimum of three~~
351 ~~months of experience must have been gained immediately preceding application; or~~

352 4. Has completed an introductory or comprehensive training program as set forth in
353 18VAC48-50-250 A or B and passed a certifying examination approved by the board and
354 certifies having two years of experience in providing management services. ~~Of the~~
355 ~~required two years of experience, a minimum of six months of experience must have been~~
356 ~~gained immediately preceding application.~~

357 J. The applicant for certification shall must provide the name of ~~his~~ the applicant's employing
358 common interest community manager, if applicable.

359 **18VAC48-50-37. ~~Licensure and certification by reciprocity~~ Firms or individuals licensed or**
360 **certified in another jurisdiction.**

361 A. The board may waive the requirements of 18VAC48-50-30 ~~I, J,~~ and ~~L~~ K and issue a license
362 as a common interest community manager to an applicant who holds an active, current license,
363 certificate, or registration in another state, the District of Columbia, or any other territory or
364 possession of the United States provided the requirements and standards under which the
365 license, certificate, or registration was issued are substantially equivalent to those established in
366 this chapter and related statutes.

367 B. ~~Effective July 1, 2012, the~~ The board may waive the requirements of 18VAC48-50-35 I and
368 issue a certificate as a certified employee to an applicant who holds an active, current license,
369 certificate, or registration in another state, the District of Columbia, or any other territory or
370 possession of the United States provided the requirements and standards under which the
371 license, certificate, or registration was issued are substantially equivalent to those established in
372 this chapter and related statutes.

373 **18VAC48-50-40. Application denial.**

374 A. The board may refuse initial licensure or certification due to an applicant's failure to comply
375 with entry requirements or for any of the reasons for which the board may discipline a regulant.

376 B. The applicant has the right to request further review of any such action by the board under
 377 the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

378 **18VAC48-50-50. General fee requirements.**

379 All fees are nonrefundable and ~~shall~~ will not be prorated. The date on which the fee is received
 380 by the department or ~~its~~ the department's agent will determine whether the fee is on time. Checks
 381 or money orders ~~shall~~ must be made payable to the Treasurer of Virginia.

382 **18VAC48-50-60. Fee schedule.**

383 The following fee schedule will apply:

Fee Type	Fee Amount		Recovery Fund Fee* <u>Assessment*</u> (if applicable)	Total Amount Due	When Due
Initial Common Interest Community Manager Application	\$100 <u>\$200</u>	+	25	\$125 <u>\$225</u>	With application
Common Interest Community Manager Renewal	\$100 <u>\$200</u>			\$100 <u>\$200</u>	With renewal application
Common Interest Community Manager Reinstatement (includes a \$200 <u>\$100</u> reinstatement fee in addition to the regular \$100 <u>\$200</u> renewal fee)	\$300			\$300	With renewal application
Certified Principal or Supervisory Employee Initial Application	\$75			\$75	With application
Certified Principal or Supervisory Employee Renewal	\$75			\$75	With renewal application
Certified Principal or Supervisory Employee	\$150			\$150	With renewal application

Reinstatement (includes a \$75 reinstatement fee in addition to the regular \$75 renewal fee)				
Training Program or Training Module Provider Initial Application	\$100		\$100	With application
Training Program or Training Module Provider Additional Program	\$50		\$50	With application

*In accordance with § 54.1-2354.5 of the Code of Virginia.


384 18VAC48-50-90. Renewal required.

~~385 A license~~ Licenses and certificates issued under this chapter ~~shall~~ will expire ~~one year~~ two
386 years from the last day of the month in which it was issued. ~~A certificate issued under this chapter~~
387 ~~shall expire two years from the last day of the month in which it was issued. A fee shall be required~~
388 ~~for renewal.~~

389 18VAC48-50-95. Training required for certified principal or supervisory employees.

390 A. Each certified principal or supervisory employee must complete six contact hours of
391 training, all as approved by the board pursuant to Part VI (18VAC48-50-230 et seq.) of this
392 chapter, during each certificate renewal cycle in accordance with the requirements of this section.

393 B. Each certified principal or supervisory employee must complete two contact hours of
394 common interest community legal updates training and two contact hours of fair housing training.

395  C. In addition to the requirements of subsection B of this section, each certified principal or
396 supervisory employee must complete two contact hours of training on any of the following subject
397 areas as they relate to common interest communities and associations:

- 398 1. Governance, legal matters, and communications;
- 399 2. Financial matters, including budgets, internal controls, and

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Consider comments from Paul Orlando on these provisions.

- 400 3. Reserves, reserve studies, and investments;
- 401 4. Contracting;
- 402 5. Risk management and insurance;
- 403 6. Management ethics for common interest community managers;
- 404 7. Facilities maintenance; or
- 405 8. Human resources.

406 **18VAC48-50-100. ~~Expiration and~~ Procedures for renewal.**

407 A. Prior to the expiration date shown on the license, ~~licenses shall be renewed upon a licensee~~
408 ~~desiring to renew a common interest community manager license must return to the board~~ (i)
409 ~~completion of the~~ a completed renewal application, (ii) ~~submittal of~~ proof of current bond or
410 insurance policy as ~~detailed in 18VAC48-50-30 E~~ required by 18VAC48-50-30 F and 18VAC48-
411 50-33, and (iii) ~~payment of the fees~~ the appropriate fee specified in 18VAC48-50-60.

412 B. Prior to the expiration date shown on the certificate, ~~certificates shall be renewed upon a~~
413 ~~certificateholder desiring to renew a principal or supervisory employee certificate must return to~~
414 ~~the board~~ (i) ~~completion of the~~ a completed renewal application; (ii) ~~submittal of~~ proof of
415 completion of ~~two~~ six hours of fair housing training as it relates to the management of common
416 interest communities and two hours of Virginia common interest community law and regulation
417 training, ~~both as approved by the board and completed within the two year certificate period~~
418 ~~immediately prior to the expiration date of the certificate~~ in accordance with 18VAC48-50-95; and
419 (iii) ~~payment of the fees~~ the appropriate fee specified in 18VAC48-50-60.

420 C. The board will ~~mail~~ send a renewal notice to the regulant at ~~the last known mailing address~~
421 ~~of record.~~ Failure to receive this notice shall does not relieve the regulant of the obligation to
422 renew. If the regulant fails to receive the renewal notice, a copy of the license or certificate may

423 be submitted with the required fees and any other required documentation as an application for
424 renewal.

425 D. The date on which the renewal application is received by the department or the
426 department's agent will determine whether the renewal application was received on time. By
427 submitting an application for renewal, the regulant is certifying continued compliance with the
428 Standards of Conduct and Practice in Part V (18VAC48-50-140 et seq.) of this chapter.

429 ~~D. E.~~ Applicants for renewal ~~shall~~ must continue to meet all of the qualifications for licensure
430 and certification set forth in Part II (18VAC48-50-20 et seq.) of this chapter.

431 F. The board may conduct an audit of any regulant to ensure the regulant's continued
432 compliance with the requirements for licensure or certification, as applicable, established by
433 Chapter 23.3 (§ 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia and this chapter.

434 **18VAC48-50-110. Reinstatement of common interest community manager license and**
435 **certified principal or supervisory employee certificate required.**

436 A. If all of the requirements for renewal of a license as specified in 18VAC48-50-100 A are not
437 completed within 30 days ~~of the license~~ after the expiration date on the license, the licensee ~~shall~~
438 will be required to reinstate the license by meeting all renewal requirements and by paying the
439 reinstatement fee specified in 18VAC48-50-60.

440 B. If all of the requirements for renewal of a certificate as specified in 18VAC48-50-100 B are
441 not completed within 30 days ~~of the certificate~~ after the expiration date on the certificate, the
442 certificateholder ~~shall~~ will be required to reinstate the certificate by meeting all renewal
443 requirements and by paying the reinstatement fee specified in 18VAC48-50-60.

444 C. A license or certificate may be reinstated for up to ~~six months~~ one year following the
445 expiration date. After ~~six months~~ one year, the license or certificate may not be reinstated under

446 any circumstances and the firm or individual must apply as a new applicant and meet all current
447 entry requirements ~~and apply as a new applicant~~ at the time of submittal of the new application.

448 ~~D. Any regulated activity conducted subsequent to the license expiration date may constitute~~
449 ~~unlicensed activity and be subject to prosecution under Chapter 1 (§ 54.1-100 et seq.) of Title~~
450 ~~54.1 of the Code of Virginia.~~

451 **18VAC48-50-120. Status of license or certificate during the period prior to reinstatement.**

452 A. A regulant who applies for reinstatement of a license or certificate ~~shall~~ will be subject to
453 all laws and regulations as if the regulant had been continuously licensed or certified. The regulant
454 ~~shall~~ will remain under and be subject to the disciplinary authority of the board during this entire
455 period.

456 B. Any regulated activity conducted subsequent to the license or certificate expiration date
457 may constitute unlicensed activity and be subject to prosecution under Chapter 1 (§ 54.1-100 et
458 seq.) of Title 54.1 of the Code of Virginia.

459 **18VAC48-50-130. Board discretion to deny renewal or reinstatement.**

460 A. The board may deny renewal or reinstatement of a license or certificate for the same
461 reasons as the board may refuse initial licensure or certification, ~~pursuant to 18VAC48-50-40~~ or
462 discipline a regulant pursuant to 18VAC48-50-140.

463 B. The board may deny renewal or reinstatement of a license or certificate if the regulant has
464 been subject to a disciplinary proceeding by the board and has not met the terms of an agreement
465 for licensure or certification, has not satisfied all sanctions, or has not fully paid any monetary
466 penalties and costs imposed by the board.

467 C. The regulant has the right to request further review of any such action by the board under
468 the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

469 **18VAC48-50-140. Grounds for disciplinary action.**

470 A. The board may ~~place a regulant on probation,~~ impose a monetary penalty in accordance
471 with § 54.1-202 A of the Code of Virginia, ~~or,~~ revoke, suspend, or refuse to renew any license or
472 certificate; or place a regulant on probation in accordance with § 54.1-201 A 7 of the Code of
473 Virginia when the regulant has been found to have violated or cooperated with others in violating
474 any ~~provisions~~ provision of the regulations of the board or Chapter 23.3 (§ 54.1-2345 et seq.) of
475 Title 54.1 of the Code of Virginia.

476 B. In accordance with § 55.1-2314 D of the Code of Virginia, the board may assess a monetary
477 penalty or issue a cease and desist order against a common interest community manager for
478 failure to deliver a resale certificate or updated resale certificate as required by Chapter 23.1 (§
479 55.1-2307 et seq.) of Title 55.1 of the Code of Virginia.

480 **18VAC48-50-150. Maintenance of license or certificate.**

481 A. No license or certificate issued by the board ~~shall~~ may be assigned or otherwise transferred.

482 B. A ~~regulant shall~~ licensee must report to the board, in writing, ~~all changes of address to the~~
483 ~~board within 30 days of the change and shall return the license or certificate to the board.~~ In
484 addition to the address of record, ~~a physical address is required for each license or certificate.~~ If
485 the regulant holds more than one license, certificate, or registration, the regulant shall inform the
486 board of all licenses, certificates, and registrations affected by the address change. any of the
487 following events:

488 1. Any change in the firm's name or trade or fictitious name;

489 2. Any change in address, to include the physical address, as applicable. The board is not
490 responsible for the licensee's failure to receive notices, communications, and
491 correspondence caused by the licensee's failure to report to the board any change of
492 address;

- 493 3. Any change in the firm's principals, qualifying individual, or responsible person;
494 4. Any change in active designation as an Accredited Association Management Company
495 by the Community Associations Institute, to include loss of such designation; and
496 5. Any discharge or termination of active status of an employee holding a certificate.

497 C. ~~Any change in any of the qualifications for licensure or certification found in 18VAC48-50-~~
498 ~~30 or 18VAC48-50-35 shall be reported~~ A certified principal or supervisory employee must report
499 to the board in writing within 30 days of the change. any of the following events:

- 500 1. Any change in the certificateholder's legal name;
501 2. Any change of address, to include the physical address, as applicable. The board is not
502 responsible for the certificateholder's failure to receive notices, communications, and
503 correspondence caused by the certificateholder's failure to report to the board any change
504 of address; and

505 3. A change in employing common interest community manager.

506 D. ~~Notwithstanding the provisions of subsection C of this section, a~~ A licensee shall must
507 report to the board in writing the cancellation, amendment, expiration, or any other change of any
508 bond or insurance policy submitted in accordance with 18VAC48-50-30 ~~E E~~ within five days of
509 the change.

510 ~~E. A licensee shall report to the board the discharge or termination of active status of an~~
511 ~~employee holding a certificate within 30 days of the discharge or termination of active status.~~

512 ~~F. A certified principal or supervisory employee shall report a change in employing common~~
513 ~~interest community manager within 30 days of the change.~~

514 18VAC48-50-160. Maintenance and management of accounts.

515 ~~Licensed firms shall~~ A licensee must maintain all funds ~~from associations~~ received and held
516 on behalf of any association to which the licensee provides management services in accordance
517 with § 54.1-2353 A of the Code of Virginia. Funds that belong to such association or others that
518 are held as a result of the fiduciary relationship ~~shall~~ must be labeled as such to clearly distinguish
519 funds that belong to others from those funds of the common interest community manager.

520 18VAC48-50-170. Change of business entity requires a new license.

521 A. Licenses are issued to firms as defined in this chapter and are not transferable. Whenever
522 the legal business entity holding the license is dissolved or altered to form a new business entity,
523 the license becomes void and ~~shall be returned to~~ the business entity must notify the board within
524 30 days of the change. Such changes include ~~but are not limited to:~~

525 1. Cessation of the business or the voluntary termination of a sole proprietorship or general
526 partnership;

527 2. Death of a sole proprietor;

528 3. Formation, reformation, or dissolution of a general partnership, limited partnership,
529 corporation, limited liability company, association, or any other business entity recognized
530 under the laws of the Commonwealth of Virginia; or

531 4. ~~The suspension or~~ Suspension, revocation, termination ~~of the corporation's existence,~~
532 or cancellation by the State Corporation Commission.


533 B. When a new firm is formed, the new firm ~~shall apply for~~ must obtain a new license ~~on a~~
534 ~~form provided by~~ from the board before engaging in any activity regulated by Chapter 23.3 (§
535 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia or the regulations of the board.

536 **18VAC48-50-180. Notice of adverse action.**

537 A. ~~Licensed firms shall~~ A licensee must notify the board of the following actions against the
538 firm, the responsible person, the qualifying individual, and any principals of the firm:

539 1. Any disciplinary action taken by any jurisdiction, board, or administrative body of
540 competent jurisdiction, including any reprimand, ~~license or certificate~~ revocation,
541 suspension, or denial; of a license, certificate, or registration; imposition of a monetary
542 penalty; ~~or requirement for~~ to take remedial education or other corrective action.

543 2. Any voluntary surrendering of a license, certificate, or registration done in connection
544 with a disciplinary action ~~in another~~ taken by any jurisdiction, board, or administrative body
545 of competent jurisdiction.

546  3. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred
547 adjudication, in any jurisdiction of the United States of any misdemeanor [involving] moral
548 turpitude [fraudulent or dishonest acts, sexual offense, non-
549 or physical injury], except marijuana convictions, or any felony, ~~there being no appeal~~
550 pending therefrom or the time for appeal having lapsed. ~~Revised per Board on 8/28/25 to restore~~
551 be subject to the requirements of § 54.1-204 of the Code of ~~Virginia. Any plea of nolo~~
552 ~~contendere shall be considered a conviction for the purpose of~~ this section.

553 B. ~~Certified~~ A certified principal or supervisory ~~employees shall~~ employee must notify the
554 board; and must notify the responsible person of the employing firm, if applicable, of the following
555 actions against the certified principal or supervisory employee:

556 1. Any disciplinary action taken by any jurisdiction, board, or administrative body of
557 competent jurisdiction, including any reprimand, ~~license or certificate~~ revocation,
558 suspension, or denial; of a license, certificate, or registration; imposition of a monetary
559 penalty; ~~or requirement for~~ to take remedial education, or other corrective action.

Haughwout, Joseph (DPOR)
2025-11-25 16:47:00
Revised per Board on 8/28/25 to restore reporting of specific types of misdemeanors. Any plea of nolo contedere shall be considered a conviction for the purpose of this section.

560 2. Any voluntary surrendering of a license, certificate, or registration done in connection
561 with a disciplinary action ~~in another~~ taken by any jurisdiction, board, or administrative body
562 of competent jurisdiction.

563 3. Any conviction, finding of guilt, or plea of guilty, regardless of adjudication or deferred
564 adjudication, in any jurisdiction of the United States of any misdemeanor [involving] ~~moral~~
565 ~~turpitude~~ [fraudulent or dishonest acts, sexual offense, non-marijuana drug distribution,
566 or physical injury], except marijuana convictions, or any felony, there being no appeal
567 pending therefrom or the time for appeal having lapsed. Review of convictions ~~shall~~ will
568 be subject to the requirements of § 54.1-204 of the Code of Virginia. ~~Any plea of nolo~~
569 ~~contendere shall be considered a conviction for the purpose of this section.~~

570 C. The notice must be ~~made~~ given to the board and, when applicable, to the responsible
571 person of the employing firm in writing within 30 days of the action. A copy of the order or other
572 supporting documentation must accompany the notice. ~~The record of conviction, finding, or case~~
573 ~~decision shall be considered prima facie evidence of a conviction or finding of guilt.~~

574 **18VAC48-50-190. Prohibited acts.**

575 The following acts are prohibited and any violation may result in disciplinary action by the
576 board:

577 1. Violating, inducing another to violate, or cooperating with others in violating any of the
578 provisions of any of the regulations of the board; Chapter 23.3 (§ 54.1-2345 et seq.) of
579 Title 54.1 of the Code of Virginia; or Chapter 18 (§ 55.1-1800 et seq.), Chapter 19 (§ 55.1-
580 1900 et seq.), Chapter 21 (§ 55.1-2100 et seq.), or Chapter 23.1 (§ 55.1-2307 et seq.) of
581 Title 55.1 of the Code of Virginia or engaging in any acts enumerated in §§ 54.1-102 and
582 54.1-111 of the Code of Virginia.

583 2. Allowing a license or certificate issued by the board to be used by another.

- 584 3. Obtaining or attempting to obtain a license or certificate by false ~~or~~, fraudulent, or
585 incomplete representation, or maintaining, renewing, or reinstating a license or certificate
586 by false ~~or~~, fraudulent, or incomplete representation.
- 587 4. A regulant having been convicted, found guilty, or disciplined in any jurisdiction of any
588 offense or violation enumerated in 18VAC48-50-180.
- 589 5. Failing to inform the board and, if applicable, the responsible person of the employing
590 firm in writing within 30 days that the regulant was convicted, found guilty, or disciplined
591 in any jurisdiction of any offense or violation enumerated in 18VAC48-50-180.
- 592 6. Failing to report a change as required by 18VAC48-50-150 or 18VAC48-50-170.
- 593 7. ~~The intentional and unjustified failure to comply with the terms of the management~~
594 ~~contract, operating agreement, or association governing documents~~ Operating or
595 advertising in any name other than the name in which the license or certificate was issued.
- 596 8. ~~Engaging in dishonest or fraudulent conduct in providing management services~~ Failing
597 to disclose to the association material facts related to the association's property or
598 concerning management services of which the regulant has actual knowledge.
- 599 9. ~~Failing to satisfy any judgments or restitution orders entered by a court or arbiter of~~
600 ~~competent jurisdiction~~ upon written request of the association to provide association books
601 and records such that the association can perform pursuant to §§ 55.1-1815 (Property
602 Owners' Association Act), 55.1-1945 (Virginia Condominium Act), and 55.1-2151 (Virginia
603 Real Estate Cooperative Act) of the Code of Virginia.
- 604 10. ~~Egregious or repeated violations of generally accepted standards for the provision of~~
605 ~~management services~~ Failing to provide complete records related to the association's
606 management services to the association within 30 days of any written request by the


607 association or within 30 days of the termination of the contract unless otherwise agreed to
608 in writing by both the association and the common interest community manager.

609 11. Failing to handle association funds in accordance with the provisions of § 54.1-2353
610 A of the Code of Virginia or 18VAC48-50-160 or commingling the funds of any association
611 by the firm's principal, employees, or associates with the principal's own funds, those of
612 the firm, or any other association managed by the common interest community manager.

613 12. Failing to account in a timely manner for all money and property received by the
614 regulant licensee in which the association has or may have an interest.

615 13. Failing to disclose to the association material facts related to the association's property
616 or concerning management services of which the regulant has actual knowledge act in
617 providing management services in a manner that safeguards the interests of the public.

618 14. Failing to provide complete records related to the association's management services
619 to the association within 30 days of any written request by the association or within 30
620 days of the termination of the contract unless otherwise agreed to in writing by both the
621 association and the common interest community manager The unjustified failure to comply
622 with the terms of the management contract or association governing documents.

623  15. Failing upon written request of the association to provide books and records such that
624 the association can perform pursuant to §§ 55.1-1815 (Property Owners' Association Act),
625 55.1-1945 (Virginia Condominium Act), and 55.1-2151 (Virginia Real Estate Cooperative
626 Act) of the Code of Virginia Engaging in improper, dishonest, or fraudulent conduct in
627 providing management services.

628 16. Commingling the funds of any association by a principal, a
629 principal's associates with the principal's own funds or those of

Haughwout, Joseph (DPOR)
2025-11-25 16:18:00

Consider comment from Paul Orlando on
this prohibited act.

of the principal's firm Failing

630 to satisfy any judgment or restitution order entered by a court or arbiter of competent
631 jurisdiction or as agreed upon in mediation.

632 ~~17. Failing to act in providing management services in a manner that safeguards the~~
633 ~~interests of the public.~~

634 ~~18. Advertising in any name other than the name in which licensed.~~

635 ~~19. Failing to make use of a legible, written contract clearly specifying the terms and~~
636 ~~conditions of the management services to be performed by the common interest~~
637 ~~community manager. The contract shall include the following:~~

638 ~~a. Beginning and ending dates of the contract;~~

639 ~~b. Cancellation rights of the parties;~~

640 ~~c. Record retention and distribution policy;~~

641 ~~d. A general description of the records to be kept and the bookkeeping system to be~~
642 ~~used; and~~

643 ~~e. The common interest community manager's license number.~~

644 ~~20. Performing management services or accepting payments prior to the signing of the~~
645 ~~contract by an authorized official of the licensed firm and the client or the client's~~
646 ~~authorized agent.~~

647 **18VAC48-50-195. Management services contracts.**

648 A. For the protection of both the association and the licensee, a licensee must make use of a
649 legible, written contract clearly specifying the terms and conditions of the management services
650 to be performed by the licensee. Prior to the performing of management services or acceptance
651 of payments, the contract must be signed by an authorized official of the association or an
652 authorized agent of the association and an authorized official of the licensee. The licensee must

653 make prompt delivery to the association or the association's authorized agent, a fully executed
654 copy of the contract in compliance with this section before providing management services. Any
655 modification to the contract that changes the cost, term of the contract, cancellation rights of the
656 parties, or scope of management services to be provided must be in writing and signed by all
657 parties.

658 B. At a minimum, the written contract must include:

659 1. The common interest community manager's license number;

660 2. Beginning and ending dates of the contract;

661 3. Cancellation rights of the parties;

662 4. Record retention and distribution policy;

663 5. A general description of the records to be kept and the bookkeeping system to be used;

664 6. Insurance requirements for both the common interest community manager and the
665 association; and

666 7. Disclosure of relationships with other firms that provide services to common interest
667 communities or to either of the parties that may give rise to a conflict of interest for the
668 common interest community manager.

669 **18VAC48-50-200. Establishment of code of conduct.**


670 The ~~firm shall~~ licensee must establish and distribute to the firm's employees, principals, and
671 agents a written code of conduct to address business practices ~~including,~~ to include the
672 appropriateness of giving and accepting gifts, bonuses, or other remuneration to and from
673 common interest communities or providers of services to common interest communities. In
674 accordance with clause (ii) of § 54.1-2346 E of the Code of Virginia, the code of conduct for
675 officers, directors, and employees ~~shall~~ must also address disclosure of relationships with other

676 firms that provide services to common interest communities and that may give rise to a conflict of
677 interest.

678 **18VAC48-50-205. Remuneration.**

679 Unless authorized in writing by the governing board of the association, no common interest
680 community manager may accept remuneration from vendors, independent contractors, service
681 providers, or others providing goods or services to the association, whether in the form of
682 commissions, finders fees, services fees, discounts, or otherwise.

683 **18VAC48-50-210. Establishment of internal accounting controls.**

684 The ~~firm shall~~ licensee must establish written internal accounting controls to provide adequate
685 checks and balances over the firm's financial activities and to manage the risk of fraud and illegal
686 acts.  ~~The~~ internal accounting controls ~~shall~~ must be in accordance with generally accepted
687 accounting practices.

688 **18VAC48-50-220. Response to inquiry and provision of records.**

689 A. A regulant must respond in writing within 10 days to a request by
690 board's agents regarding any complaint filed with the department.

691 B. Unless otherwise specified by the board or the board's agent, a
692 must produce to the board or any of ~~its~~ the board's agents within 10

693 document, book, or record concerning any transaction pertaining to a complaint filed in which the
694 regulant was involved, or for which the regulant is required to maintain records for inspection and
695 copying by the board or ~~its~~ the board's agents. The board or the board's agent may extend such
696 ~~time frame~~ timeframe upon a showing in writing of extenuating circumstances prohibiting delivery
697 within such 10-day period.

Haughwout, Joseph (DPOR)
2025-11-24 21:24:00

Consider revising language at final regulation. Option: add definition? Generally accepted accounting principles established by FASB. Article 2 of UCC - "course of performance."
regulant of the board shall

10 days of the request any

698 C. A regulant ~~shall~~ must not provide a false, misleading, or incomplete response to the board
699 or any of ~~its~~ the board's agents seeking information in the investigation of a complaint filed with
700 the board.

701 D. With the exception of the requirements of subsections A and B of this section, a regulant
702 must respond in writing to an inquiry by the board or ~~its~~ the board's agent within 21 days.

703 **18VAC48-50-225. Regulant's responsibility.**

704 A. The primary obligation of the regulant is to the public.

705 B. A regulant must not knowingly associate in a business venture with or permit the use of the
706 regulant's name by any person or firm where there is reason to believe that person or firm is
707 engaging in activity of a fraudulent or dishonest nature or is violating any law or regulation of the
708 board.

709 C. A regulant who has direct knowledge that another individual or firm may have violated or
710 may be violating any provision of this chapter; the provisions of Chapter 23.3 (§ 54.1-2345 et seq.)
711 of Title 54.1 of the Code of Virginia; or Chapter 18 (§ 55.1-1800 et seq.), 19 (§ 55.1-1900 et seq.),
712 or 21 (§ 55.1-2100 et seq.) of Title 55.1 of the Code of Virginia must immediately inform the board
713 in writing and must cooperate in furnishing any further information or assistance that may be
714 required by the board or any of the board's agents.

715 Part VI

716 Training Programs, Training Modules, and Examination

717 **18VAC48-50-230. Training programs generally.**

718 All training programs and training modules proposed for the purposes of meeting the
719 requirements of this chapter must be approved by the board. ~~Any or all of the approved~~ Approved
720 training programs ~~can be met~~ and training modules may be delivered using distance, virtual, or

721 online education technology. Training programs and training modules may be approved
722 retroactively; however, no applicant will receive credit for the training program or training module
723 until such approval is granted by the board.

724 **18VAC48-50-240. Approval of common interest community manager training programs**
725 **and training modules.**

726 Each provider of a training program ~~shall~~ or training module must submit an application for
727 program or module approval on a form provided by the board. In addition to the appropriate fee
728 provided in 18VAC48-50-60, the application ~~shall~~ must include ~~but is not limited to:~~

- 729 1. The name of the provider;
- 730 2. Provider contact person, address, and telephone number;
- 731 3. Program or module contact hours;
- 732 4. ~~Schedule of training program, if established, including dates, times, and locations~~
733 Method of delivery;
- 734 5. Instructor information, including name, license or certificate ~~number(s)~~ number, if
735 applicable, and a list of trade-appropriate designations, as well as a professional resume
736 with a summary of teaching experience and subject-matter knowledge and qualifications
737 acceptable to the board;
- 738 6. A summary of qualifications and experience in providing training under this chapter;
- 739 7. ~~Training program and material fees~~ Materials to be provided to participants; and
- 740 8. Fees for the training program or module and materials; and
- 741 9. Training program or module syllabus.

742 18VAC48-50-250. Introductory and comprehensive training program requirements.

743 A. In order to qualify as an introductory training program under 18VAC48-50-30 or 18VAC48-
744 50-35, the introductory training program must include a minimum of 16 contact hours and the
745 syllabus ~~shall~~ must encompass all of the subject areas set forth in subsection C of this section.

746 B. In order to qualify as a comprehensive training program under 18VAC48-50-30 or
747 18VAC48-50-35, the comprehensive training program must include a minimum of 80 contact
748 hours, and the syllabus ~~shall~~ must include at least 40 contact hours encompassing all of the
749 subject areas set forth in subsection C of this section and may also include up to 40 contact hours
750 in other subject areas approved by the board.

751 C. The following subject areas as they relate to common interest communities and
752 associations ~~shall~~ must be included in all comprehensive and introductory training programs. The
753 time allocated to each subject area must be sufficient to ensure adequate coverage of the subject
754 as determined by the board.

- 755** 1. Governance, legal matters, and communications;
- 756** 2. Financial matters, including budgets, reserves, investments, internal controls, and
757 assessments;
- 758** 3. Contracting;
- 759** 4. Risk management and insurance;
- 760** 5. Management ethics for common interest community managers;
- 761** 6. Facilities maintenance; and
- 762** 7. Human resources.

763 D. ~~All~~ In accordance with § 54.1-2349 A 2 and A 3 of the Code of Virginia, introductory and
764 comprehensive training programs are required to have a final, written examination.

765 **18VAC48-50-252. Virginia common interest community laws and regulations training**
766 **module.**

767 A. In order to qualify as a Virginia common interest community laws and regulations training
768 module under 18VAC48-50-30 and 18VAC48-50-35, the training module must include a minimum
769 of four contact hours.

770 B. The syllabus must encompass the subject areas set forth in subdivisions B 1, B 3, and B 5
771 of this section and may include the subject areas set forth in subdivisions B 2, B 4, and B 6 of this
772 section. The time allocated to each subject area must be sufficient to ensure adequate coverage
773 of the subject as determined by the board.

774 1. Overview of Virginia common interest community statutes and regulations.

775 a. Property Owners' Association Act (§ 55.1-1800 et seq. of the Code of Virginia).

776 b. Virginia Condominium Act (§ 55.1-1900 et seq. of the Code of Virginia).

777 c. Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq. of the Code of Virginia).

778 d. Horizontal Property Act (§ 55.1-2000 of the Code of Virginia) and Subdivided Land
779 Sales Act (§ 55.1-2300 et seq. of the Code of Virginia).

780 e. Chapter 23.3 (§ 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia.

781 f. This chapter.

782 g. Common Interest Community Association Registration Regulations (18VAC48-60).

783 h. Common Interest Community Ombudsman Regulations (18VAC48-70).

784 i. Roles and responsibilities of the Common Interest Community Board.

785 j. Governance, operation, and administration of common interest communities.

786 2. Virginia requirements for the operation and management of associations.

- 787 a. Access to association books and records.
- 788 b. Meetings of members, governing boards, committees, and subcommittees.
- 789 (1) Notice of meeting.
- 790 (2) Rights of owners to attend and comment.
- 791 (3) Executive session.
- 792 (4) Elections and voting, including proxies, absentee ballots, and in-person voting.
- 793 (5) Minutes of meetings.
- 794 (6) Guidelines for virtual meetings.
- 795 c. Budgets, assessments, and reserves.
- 796 (1) Budgets and assessments.
- 797 (2) Reserves and reserve studies.
- 798 (3) Additional and special assessments and fees for services.
- 799 (4) Declarant assessments and bonds for condominiums.
- 800 d. Management of common areas and common elements.
- 801 e. Adoption and enforcement of rules.
- 802 f. Association registration and annual reports.
- 803 3. Virginia fair housing laws as related to common interest communities.
- 804 4. Resale of lots or units.
- 805 a. Process and timeframes and inspections.
- 806 b. Contents of disclosure packets and resale certificates.
- 807 c. Fees for preparation of disclosure packets and resale certificates.

- 808 5. Common interest community association complaint procedure.
- 809 a. Role of the office of the common interest community ombudsman.
- 810 b. Requirements for association complaint procedure.
- 811 c. Records of complaints.
- 812 d. Final adverse decisions.
- 813 6. Standards of conduct and practice for common interest community managers.
- 814 a. Section 54.1-2353 of the Code of Virginia.
- 815 b. Part V (18VAC48-50-140 et seq.) of this chapter.
- 816 **18VAC48-50-253. Virginia common interest community ~~law and regulation~~ legal updates**
- 817 **training program requirements.**
- 818 A. In order to qualify as a Virginia common interest community ~~law and regulation~~ legal
- 819 updates training program for renewal of certificates issued by the board, the common interest
- 820 community ~~law and regulation~~ legal updates program must include a minimum of ~~two~~ one contact
- 821 hours ~~hour,~~ and the syllabus ~~shall~~ must encompass ~~updates to Virginia laws and regulations~~
- 822 directly related to common interest communities the topics set forth in subsection B of this section,
- 823 and may include the topics set forth in subsection C of this section. The time allocated to each
- 824 subject area must be sufficient to ensure adequate coverage of the subject as determined by the
- 825 board.
- 826 B. All common interest community legal updates training programs must include legal updates
- 827 directly related to governance, operations, and maintenance of common interest communities to
- 828 include as applicable:
- 829 1. Changes to statutes or regulations;
- 830 2. Recent court decisions; and

831 3. Statutory and regulatory violation determinations of the Common Interest Community
832 Ombudsman.

833 C. A common interest community legal updates training program may include other legal
834 topics or legal updates that pertain to common interest communities.

835 **18VAC48-50-255. Fair housing training program requirements.**

836 In order to qualify as a fair housing training program for renewal of certificates issued by the
837 board, the fair housing training program must include a minimum of ~~two~~ one contact ~~hours~~ hour,
838 and the syllabus shall must encompass updates to Virginia fair housing laws ~~and any updates~~, all
839 as related to common interest communities.

840 **18VAC48-50-256. Miscellaneous topics training programs.**

841 In order to qualify as a training program for training required by 18VAC48-50-95 C, the training
842 program must include a minimum of one contact hour and cover any of the following subject areas
843 as the subject areas relate to common interest communities:

844 1. Governance, legal matters, and communications;

845 2. Financial matters, including budgets, internal controls, and assessments;

846 3. Reserves, reserve studies, and investments;

847 4. Contracting;

848 5. Risk management and insurance;

849 6. Management ethics for common interest community managers;

850 7. Facilities maintenance; or

851 8. Human resources.

852 The time allocated to each subject area must be sufficient to ensure adequate coverage of
853 the subject as determined by the board.

854 **18VAC48-50-257. Documentation of training program and training module completion**
855 **required.**

856 All training program and training module providers must provide each ~~student~~ participant with
857 a certificate of training program or training module completion, as applicable, or other
858 documentation that the ~~student~~ participant may use as proof of training program or training
859 module completion. Such documentation ~~shall~~ must contain the contact hours completed.

860 **18VAC48-50-260. Maintenance of records.**

861 All providers must establish and maintain a record for each ~~student~~ participant. The record
862 ~~shall~~ must include the ~~student's~~ participant's name and address, the training program or training
863 module name and hours attended, the training program or training module syllabus or outline, the
864 ~~name or~~ names of the instructors, the date of successful completion, and the board's approved
865 training program ~~code~~ or module identification number. Records ~~shall~~ must be available for
866 inspection during normal business hours by authorized representatives of the board. Providers
867 must maintain these records for a minimum of five years.

868 **18VAC48-50-270. Reporting of changes.**

869 Any change in the information provided in 18VAC48-50-240 must be reported to the board in
870 writing within 30 days of the change ~~with the exception of changes in the schedule of training~~
871 ~~program offerings, which must be reported within 10 days of the change.~~ Any change in
872 information submitted will be reviewed to ensure compliance with the provisions of this chapter.

873 **18VAC48-50-275. Board authority to audit approved training programs and training**
874 **providers.**

875 The board may conduct an audit of any board-approved training program or module or training
876 program provider to ensure continued compliance with this chapter.

877 **18VAC48-50-280. Withdrawal of approval.**

878 The board may withdraw approval of any training program or training module for the following
879 reasons:

880 1. The training program or training module being offered no longer meets the standards
881 established by the board.

882 2. The provider, through an agent or otherwise, advertises ~~its~~ the provider's services in a
883 fraudulent or deceptive way.

884 3. The provider, instructor, or designee of the provider falsifies any information relating to
885 the application for approval, training program or module information, or ~~student~~ participant
886 records or fails to produce records required by 18VAC48-50-260.

887 4. A change in the information provided that results in noncompliance with 18VAC48-50-
888 240, ~~except for subdivision 4 of 18VAC48-50-240.~~

889 5. Failure to comply with 18VAC48-50-270.

890 **18VAC48-50-290. ~~Examinations.~~ (Repealed.)**

891 ~~All examinations required for licensure or certification shall be approved by the board and~~
892 ~~administered by the board, a testing service acting on behalf of the board, or another~~
893 ~~governmental agency or organization.~~

Common Interest Community Board

Summary of Comments on the General Review of Common Interest Community Manager Regulations

Following is the summary of comments received during the public comment period (September 22, 2025, to November 21, 2025) regarding the Board’s regulatory action for the General Review of Common Interest Community Manager Regulations (18 VAC 48 - 50). The comments below represent the comments received on the proposed regulation. During the public comment period, the Board received comments from two (2) commenters.

	Regulation *#	Summary of Comment(s)	Draft Board Response
	Commenter		
1	50-15	<p>The commenter made several inquiries regarding the proposed language in subsection A of 18VAC48-50-15 (Necessity of licensure of firms and certification of employees).</p> <p>The commenter asked the following:</p> <ol style="list-style-type: none"> 1. Was it the Board’s intent to further highlight the exemption available under § 54.1-2347? 2. If so, is it the intent to further highlight the exemption for firms specified in § 54.1-2347(A)(9) of the Code of Virginia? 3. If not, is the Board’s intent to require licensed real estate brokerage firms, brokers, and salespersons to also be licensed with the Board when providing management services to CICs? 	<p>The Board thanks the commenter.</p> <p>The Board’s intention in including the proposed new section 18VAC48-50-15 is to make the regulation clearer to the regulated population and members of the public as to who is required to be licensed and certified. The change was made, in part, due to inquiries received by the Board’s office over the years regarding the applicability of licensure and certification requirements.</p> <p>The General Assembly, through § 54.1-2346 of the Code of Virginia, establishes the requirement for entities offering management services to a common interest community to be licensed by the Board. Section 54.1-2347 of the Code of Virginia enumerates several exemptions to this licensure requirement. Virginia Code § 54.1-2347(A)(9) provides an exemption for “[a] duly licensed real estate broker or agent from selling, leasing, renting, or managing lots within a common interest community.” This exemption applies to regulated real</p>
	Anonymous (Town Hall)		

DRAFT CONTINGENT ON BOARD REVIEW AND APPROVAL

		<p>4. Will the Board’s enforcement standards for firms who are required to be licensed change if or when the new regulations take effect?</p>	<p>estate activity that requires a license from the Real Estate Board. It does not apply to the offering of management services to common interest communities, which is regulated by the Common Interest Community Board and requires a common interest community manager license. Licensed real estate brokerage firms, offering management services to a common interest community, must hold a license issued by the Common Interest Community Board.</p> <p>The standards for enforcement of applicable laws and regulations pertaining to activity regulated by the Common Interest Community Board are not anticipated to change as a result of the regulatory change.</p>
2	50-33	<p>The commenter questioned the necessity of the following provision in subsection B of 18VAC48-50-33:</p>	<p>The Board thanks the commenter.</p> <p>The proposed provision in subsection B of 18VAC48-50-33 incorporates existing Board guidance (Guidance Document 4190) regarding evidence of proper fidelity bond or dishonesty insurance coverage. The provision allows for the Board to obtain from the surety or insurance company certification that the coverage provided to the common interest community manager is sufficient to meet statutory requirements.</p>
	Paul L. Orlando (Town Hall)	<p>“The board may require a certified statement from the surety company or insurance carrier that the common interest community manager has sufficient coverage.”</p> <p>The commenter inquired as to what information a surety or insurance company can “certify” than is already required by the provisions of the subsection. The commenter indicated that a surety or insurance company may be reluctant, and may even decline, to interpret statute and provide such a statement to an insured party.</p>	
3			<p>The Board thanks the commenter.</p>

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	50-95	<p>The commenter questioned whether the subject of “communications” in the proposed miscellaneous training topic in 18VAC48-50-95.C.1 – “Governance, legal matters, and communications” is intended to be directly related to “governance and legal matters.” The commenter suggested that, if not, then remove “communications” from this topic and create a new topic of “Communications and customer service.”</p> <p>The commenter suggested combining the topics in 18VAC48-50-95.C.4 (Contracting) and 18VAC48-50-95.C.7 (Facilities maintenance) as these relate to one another and any training regarding one will bring up the other.</p>	<p>The topics in the proposed miscellaneous training in 18VAC48-50-95.C are based on the topics established by the Board for introductory and comprehensive training programs in 18VAC48-50-250.C. The topic of “communications” 18VAC48-50-95.C.1 is intended to be related to the topics of “governance” and “legal matters.”</p>
4	50-100	<p>The commenter made several inquiries regarding the following proposed language in 18VAC48-50-100.F:</p> <p>“The board may conduct an audit of any regulant to ensure the regulant's continued compliance with the requirements for licensure or certification, as applicable, established by Chapter 23.3 (§ 54.1-2345 et seq.) of Title 54.1 of the Code of Virginia and this chapter.”</p> <p>The commenter inquired as to the Board’s meaning of the term “audit.” The commenter questioned when the Board might invoke the process and how it would go about conducting the process. The commenter questioned whether the</p>	<p>The Board thanks the commenter.</p> <p>The proposed provision in 18VAC48-50-100.F permits, but does not mandate, the Board to audit a regulant to ensure compliance with applicable statutes and regulations for licensure or certification. It is anticipated that an audit process may be used if Board staff have reason to believe that there may be non-compliance with applicable statute or regulation, including in the event of a regulatory investigation resulting from a complaint filed with the Board. Board staff anticipate developing a process for conducting an audit as part of implementation of the final regulation. Section 18VAC48-50-220 would be applicable in the event of an audit of a regulant.</p>

DRAFT CONTINGENT ON BOARD REVIEW AND APPROVAL

		provisions of 18VAC48-50-220 would possibly apply.	
5	50-190	The commenter suggested removing the word “improper” from the prohibited act in subdivision 15 of 18VAC48-50-190. The commenter stated the term “improper” is subjective. The commenter indicated that if the Board is attempting to insert language related to proper conduct in providing management services, then the Board should use language that refers to “generally accepted standards” as is being removed from subdivision 10 in 18VAC48-50-190.	<p>The Board thanks the commenter.</p> <p>The proposed prohibited act is intended to allow the Board to address bad conduct that may not necessarily be fraudulent or dishonest but is nonetheless harmful to the public. The Board would, through case decisions, interpret the prohibition on improper conduct and determine the type of bad conduct that violates this provision of the prohibited acts. A prohibition on “improper conduct” is a standard used by other regulatory boards at DPOR.</p>
	Paul L. Orlando (Town Hall)		

DRAFT

Office of the Common Interest Community Ombudsman

Date: December 1, 2025
To: Common Interest Community Board
From: R. Thomas Payne II, Interim CIC Ombudsman
RE: Report to the CIC Board

The current complaint/file statistics as of November 1, 2025, are as follows:

Report period: 11/01 - 10/31	Phone	Email	Complaints
2012-13 Annual Report	1,377	2,006	268
2013-14 Annual Report	1,697	2,195	235
2014-15 Annual Report	1,691	2,554	182
2015-16 Annual Report	1,602	2,238	182
2016-17 Annual Report	1,596	2,297	207
2017-18 Annual Report	1,622	2,598	224
2018-19 Annual Report	1,560	1,949	197
2019-20 Annual Report	1,301	2,730	186
2020-21 Annual Report	1,362	3,045	214
2021-22 Annual Report	1,485	2,318	173
2022-23 Annual Report	1,717	2,670	186
2023-24 Annual Report	1,122	2,420	171
2024-25 Annual Report	834	2,738	310
Total - 2008 to present	18,966	31,758	2,735

NFADs: 87 NFADs submitted this reporting year (69 last year); 28 active NFAD cases at the end of the reporting year; 16 NFAD determinations issued. We had to take a break from reviewing NFADs to prepare the CICO Annual Report to the General Assembly, but we are re-engaging with the open NFADs to provide determinations as soon as possible.

► Click [here](#) to be directed to NFADs issued in the state FY2025 and click [here](#) for NFADs issued in FY2026.

The number of Notices of Final Adverse Decision (NFAD) complaints is trending to slightly exceed the NFADs submitted in the prior reporting year, three major issues, request for records and books, communications, and notice of meetings, continue to dominate the number of complaints to our office. Last meeting, we reported that the CICO has seen an increase in the

number of communications from association members who are upset that association boards are citing the Code as the basis to make decisions or take action without open meetings. Va. Code § 55.1-1816(E). In particular, we have seen some associations use the Non-Stock Corporation Act language to support their doing business by emails and other communications rather than in board meetings. As we are seeing, this removal of decision-making to the shadows instead of in the sunlight is upsetting association members. In the eyes of CICO, this is far from a best practice and will continue to be noted as such. This complaint topic has faded a bit, but meetings and elections of boards were prominent issues, and that tied with access to records as the highest friction point other than complaint process issues.

Also, we are providing more detail in the issues covered in posted NFAD determination by providing both a narrative description of the issue and the citation(s) to the Virginia Code section(s) at issue in each determination. Once the new CIC Ombudsman has settled in, we will start to focus on updating information on the CIC Ombudsman webpage to be of greater use to the public.

UPDATES: The recruitment process for hiring a CIC Ombudsman is currently active, and we hope to have a new CIC Ombudsman in place in January 2026.

After the Agency terminated the new operational software project, several members of the CID team engaged in efforts to develop viable intermediate solutions as the Agency plans its next effort to obtain a long-term operational software solution. This team has made incredible progress and is now being aided by VITA. As soon as the systems are implemented with other teams, we plan to pivot to CICO to adapt those systems to CICO's workflows to create efficiencies within the Office.