

Help for Eastern Panhandle HOAs

Wendy Sykes Mopsik

If you have ever lived in a homeowner association (HOA) development—either knowingly or by accident—you may have scratched your head and wondered, “What do all these rules and restrictions and assessments mean?” or “What is an HOA anyway, and what are the benefits for me?” You may even have been inquisitive enough to attend a meeting or two in the quest for understanding, only to leave feeling thoroughly confused and completely frustrated.

Fortunately for Berkeley and Jefferson County homeowners pondering these questions, an organization exists that grew out of similar concerns. Today the Eastern Panhandle Organization of Homeowners Associations (EPOHOA) is fully committed to assisting its more than 130 HOA members (with over 12,600 owners statewide), as well as individuals and businesses who may also join. Through monthly educational sessions, a website, and a board of directors that meets regularly, the organization pursues its mission of sharing information and increasing knowledge.

In 2009, aboard an early morning commuter train from Martinsburg to Washington, D.C., several agitated and persistent professionals began discussing their mutual concerns related to owning homes in an HOA. They all felt a lack of knowledge about HOAs and felt unable to solve common problems in their respective developments. Nance Briscoe, an associate curator at the Smithsonian Institution was part of the group. She had loved researching previously unknown topics and was eager to begin to unravel the HOA predicament. Soon Briscoe and her fellow commuters invited other area homeowners in HOA communities to a local restaurant, and interest mushroomed.

Briscoe lived in a small HOA with no common development amenities other than roads. Phyllis Smock, another initial member of the group, was in a large HOA community with a pool management company, a property manager, and a lawyer available to handle legal issues. Regardless of a community's size, all felt the need to know much



Gathered for a quarterly Saturday education seminar are EPOHOA members Gary Stewart and Keith Veler, and board officers Phyllis Smock, Bob Ayer, and Nance Briscoe.

more about local, state, and federal laws, including unique governing documents.

They formed the EPOHOA and began to develop a formal framework. As Smock explained, “Our goal was to create an alliance that would stimulate insightful, active, civil discussions among HOA homeowners, individuals, and businesses.”

The focus was to be on issues like understanding governing documents, electing knowledgeable board members, and becoming comfortable with budget planning. Charter members hoped to draw HOA homeowners from surrounding counties, not realizing that their mission would soon attract residents from beyond the Eastern Panhandle. By 2015, their rapid evolution required a more expansive long-range plan that included an annual calendar of events, increased activities and meetings, and a new fee structure for membership.

Nationwide, homeowners associations are an attractive way for developers to build self-sufficient communities. Today, more than 60 million Americans live in communities governed by an HOA or similar entity, up from 10,000 in 1970. Although they take different forms, all are operated as non-profits, are quasi-governmental, must be incorporated, are tasked with collecting assessments, and must enforce development restrictions as

stated in the individual governing documents. Laws applying to HOA's can be complex, and their impact is far reaching. Whether investing in a first home, dream house, or retirement home, owners can be passive bystanders or active informed participants.

Briscoe, now retired, is vice president and membership chair of EPOHOA. She explained some of the challenges.

“We try very hard” Briscoe said, “to reach out to our local and state legislators. Our organization was developed in response to the lack of representation, advocacy, mediation, and mitigation and really to simply understand where to go for assistance in helping HOA's. Recently, our board of directors joined the Community Associations Institute (CAI), an international group that provides information, education, and resources to homeowner volunteers, so we can all be more effective.”

An extensive website offers focused features to the general public and several password-protected options available only to members. The Frequently Asked Questions section, fastidiously researched by Briscoe, responds to myriad homeowner questions directed to EPOHOA.

“Although never providing legal counsel” Briscoe explains, “we do give

known information to increase HOA members' knowledge.”

This random selection of questions from the website is sure to pique any homeowner's interest:

My HOA doesn't show me the budget. How do I know what money is being spent or saved?

I don't want to be a member of an HOA, but my home is in one. How can I not be a member?

Do you have information about Maryland's HOA assessments?

My HOA won't let me fly my flag. Can it do that?

I'm concerned about fracking in my neighborhood. What is the law if oil is found on my property in West Virginia?

Drones? Really? Can drones be used in our HOA to spot violations?

Phyllis Smock, secretary of the EPOHOA, speaking on behalf of the board, says: “In January, 2019, we are changing our name to West Virginia Organization of Homeowners Associations (WVOHOA) to reflect the growing membership, which now expands across the state. An important future goal is to begin live streaming our meetings so that people living at greater distances will have the ability to interact at education sessions and workshops.”

EPOHOA meetings and education sessions are held at Hospice of the Panhandle Conference Center in Kearneysville on the third Wednesday of each month and are open to the public. The group holds quarterly workshops featuring professional speakers on the third Saturday of the month. Bring your association issues about property taxes and appeals, common area property, law enforcement, governing documents, covenants and liability, or simply log on to EPOHOA.org for answers.

Wendy Sykes Mopsik resides in Frederick, Maryland, where she is GNP Senior Correspondent for Places Not That Far Away.

PHOTOS BY PHYLLIS SMOCK

NOTES:

While meeting every other month at John's restaurant in Rippon during 2008 and early 2009 in Jefferson County, the newly formed group of homeowners began discussions to enter into a formal organization, registering with the WV Secretary of State as Jefferson County Organization of Homeowners Associations, Inc. and became official August 24, 2009.

2009 [BEGIN: JCOHOA – Jefferson County Organization of Homeowners Associations]

FIRST MEMBERS

- Blue Ridge Acres Civic Association – 325 Homes
Jefferson County
- Breckenridge Owners Association – 282 Homes
Jefferson County
- Cloverdale Heights Homeowners Association – 136 Homes 137 Lots
Jefferson County
- Gap View Village Homeowners Association – 178 Homes
Jefferson County
- Meadowbrook Farms Improvement Association – 94 Homes
Jefferson County

2010 Election:

President: Pete Appignani from Gap View

Vice President: Neal Nilson from River View Park

Secretary: Laura Taylor from Meadowbrook and Jacki Miliron from Breckenridge

Treasurer: Elliot Simon from Blue Ridge Acres

Membership Director: Nance Briscoe from Cloverdale Heights

Prior to the Organization's founding, general information & discussion meetings at John's Restaurant were arranged and led by Pete Appignani with Jefferson County Commissioner Jim Surkamp in attendance. Jim consistently stated he was not representing the Commission but gathering information about HOAs and tape recorded those few meetings. The recordings were never provided to the group. During those early discussions Ed Thomas, CEO of Community Associations Institute provided the leading information for establishing the Organization.