

Homeowners Organization Expands Statewide

Buying a home is one of the most important investments people make. Homeowners are often confused about who is in charge of the community, why do they have to pay annual assessments or why there are enforced restrictions. The West Virginia Organization of Homeowner Associations (WVOHOA), is the organization that can help you understand homeowner associations and the contract homeowners are obligated to follow.

According to the Community Associations Institute (CAI), a national advocacy and education group, there were 274,000 association-governed communities in the United States in 2005, with 22.1 million housing units and 54.6 million residents. In contrast, in 1970 there were only 10,000 such communities, with 701,000 housing units and 2.1 million residents.

The West Virginia Common Interest Ownership Act, 36B, was passed in 1984 and amended in 1986 to provide a way for developers to build self-sufficient communities. At settlement, homeowners sign a Planned Unit Development (PUD) contract to abide by the restrictions written by the developer and to pay an annual assessment collected for maintaining all the commonly owned properties in the community, such as the roads, swimming pools, tennis courts, any open landscaping areas, storm water management, and all the easements alongside the roads.

In 2009 nine homeowners met in Jefferson County to discuss issues relative to living in a homeowner association. These homeowners had become increasingly frustrated with their lack of knowledge and inability to solve common problems in their respective homeowner developments. What became clear to all members in the group was they needed to do research in Federal, State and County law to understand their responsibilities in protecting the largest investment they had made in purchasing a home in an HOA. As a result of their discussions, the West Virginia Organization of Homeowners Associations was created. Its mission is sharing information and increasing knowledge of homeowners needed to understand how to conduct the business of an HOA. The homeowners all realized they needed an organization that would draw together insightful, active, and civil discussions among HOA homeowners, individuals and businesses. The focus would be on issues relating to the preservation and promotion of the present and future welfare of homeowners representing counties throughout West Virginia.

HOAs are unique because they are quasi-governmental organizations. Operating as a non-profit, an HOA is incorporated and because they are collecting assessments, must file every year with the Secretary of State. Homeowners must adhere to Federal, State, and County laws and the Declarations of Restrictions, Covenants and Conditions (DCCR) written by the developer and filed with the county clerk. While the citizens living in a planned community can rely on the County Sheriff's Department or the State Police for law enforcement, there is no police force within the community for traffic violations or covenant violations. The collection of assessments and enforcement of restrictions is strictly the responsibility of the homeowner association according to its governing documents.

This becomes pretty mind-boggling when a homeowner is making the largest investment of their life for their family by simply buying their dream home. Then it becomes clear that volunteering is a necessary part of living in an HOA to protect their investment. Homeowners must elect a Board of Directors; volunteers are needed to serve on welcome committees and architectural review committees; records

must be kept; budgets must be prepared each year; audits must be performed; capital reserve studies must be done; and enforcement of restrictions must be evenly and fairly enforced. How do you do all that?

The West Virginia Organization of Homeowner Associations (WVOHOA) is trying to address these questions. First it has built an impressive and comprehensive website (www.wvohoa.org). On the website there is a FAQ section which answers many questions homeowners ask. More importantly, by joining WVOHOA, members have full access to all areas of the website including education sessions and workshops, archives, court of law and governing documents.

In the nearly 10 years, since WVOHOA organized, the membership has grown to more than 140 HOA members with over 13,100 owners statewide, as well as individuals and businesses who may also join. Education on topics such as understanding governing documents; electing board members; duties and responsibilities of board of directors; insurance coverage; budget planning; Capital Reserve Planning; collection of delinquent accounts; amending documents; and many more issues are scheduled throughout the year at monthly meetings held in the Conference Center at the Hospice of the Panhandle in Kearneysville, West Virginia. Every effort is made to get qualified experts such as attorneys, reserve study analysts, tax specialists, insurance professionals, asphalt specialists, communications writers, and property management experts to present relevant material on these topics.

With the growth of this organization spreading across the state of West Virginia, the organization has started to video tape its meetings and make the sessions available on the website to reach as many homeowners as possible. For more information on this organization visit www.wvohoa.org and learn how to participate.



WVOHOA Board of Directors:

L-R Gary Stewart, Keith Veler, Phyllis Smock, Bob Ayrer, Nance Briscoe