



Its been said before and we'll say it again – we've come a long way baby!

Homeowners, individuals and businesses have strengthened our combined reach across West Virginia's 55 counties. By partnering with the Commission on Common Ownership Communities our Organization benefited with free [Board of Director Training](#) developed with Community Associations Institute. The outcome for homeowners success is formally recognized with earned certification, an important credential to step into any planned community board of directors. The basics are critical, and this free training provides just that.



WVOHOA's Zoom access with monthly education sessions, board meetings, randomly scheduled discussions and continued research provided visual interaction which certainly proved to be one of the most successful activities of the Organization.

During the year WVOHOA provided 2-hour sessions through homeowners' interest & requests covering:

1. Delinquencies: Understanding/Comparing Covenant Violations & Annual Assessment Violations and the differences
2. Understanding HOA/Condo Line of Credit, Collateral, Capital & Bank Loans
3. HOA Board of Directors Corporate Governance
4. Board of Directors' Fiduciary Responsibilities
5. WV Delegate Jordan Maynor Learning About WV Code 36B & Attendees Open Forum
6. What Do WV Codes §31E and §36B Mean for Your HOA?
7. Homeowners' Open Forum & Discussion - good, bad & indifferent – lets talk it out
8. Navigating the Road Ahead: Strategic Planning for Your HOA
9. What are HOA Meetings and Which One to Use - understanding when, why, how & don't decisions
10. Developer Obligations and Duties to Purchasers & Homeowners Under WV Code §36B UCIOA (Uniform Common Interest Ownership Act)
11. HOA IRS Tax Forms 1120 and 1120-H - yes, HOAs file federal tax forms annually – followed with a discussion of West Virginia's legislative changes for individual property owners
12. Introduction to and Completing of Board of Director Training - how one community prepares & provides the tools for homeowner leadership



Additionally, we've learned when filing each year to remain current with the WV Secretary of State our planned community's BUSINESS PURPOSE is 8134 - Other Services (except Public Administration) - Religious/Grantmaking/Prof/Like Organizations - Civic and Social Organizations, and those forms filed by a management company should make the correction from 5313 - Real Estate and Rental and Leasing - Real Estate - Activities Related to Real Estate (property mgrs, appraisers) to 8134.

remember, your management company's business purpose is not your planned community's business purpose

We've interacted with many homeowners with questions about the different fiduciary responsibilities and what self-sufficient really means in the overall preservation and increase of property value of their individual community. Another elusive though challenging question was the actual merit of a community's Resale Certificate –many were unaware of their own HOAs misunderstanding and the benefit of that Resale Certificate's transparency.

These and other subjects have become the staple for the Organization on the level of much needed basics to thought-provoking challenges we are all attempting to unravel in one way or another. WVOHOA's completed sessions are available anytime online for our members in good standing anytime at: <https://wvohoa.org/education/enter-workshops-and-seminars/>



Our membership increased to Member HOAs : 140, with Individual & Business Memberships of 90 totaling 14,869 Homes and 21,584 Lots. That's an increase of 1,368 homes and 3,331 lots - success does begin with awareness for education !

WELCOME TO THE FOLLOWING NEW WVOHOA MEMBERS OF 2023:

2023 YEAR IN REVIEW

WEST VIRGINIA ORGANIZATION OF HOMEOWNERS ASSOCIATIONS, INC.
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1. **Alpine Lake Property Owners Association** – 525 Homes 1,471 Lots, Preston County
2. **Apple Tree Farm Homeowner's Association** – 18 Homes 19 Lots, Berkeley County
3. **Barrett, Angela – Individual**, (Homeowner: The Redstone Mountain Property Owners Association) Hampshire County
4. **Cabin on the Mountain Property Owners Association** – 10 Homes 32 Lots, Hampshire County
5. **Cacapon Hills Homeowners Association** – 10 Homes 64 Lots, Hampshire County
6. **Cacapon Mountain Recreation Area Property Owners Association** – 7 Homes 24 Lots, Morgan County
7. **Carter, Thomas – Individual**, (Homeowner: Oaks Subdivision Property Owners Maintenance Association) Raleigh County
8. **Community Acres Homeowners Association** – 304 Homes 305 Lots, Wood County
9. **DeStephanis, Susan – Individual** (Homeowner: Beallair Community Conservancy) Jefferson County
10. **Federal Hill Homeowners Association** – 114 Homes 115 Lots, Berkeley County
11. **Fendley, James – Individual** (Homeowner: Deerfield Highlands Property Owner Association) Hampshire County
12. **Hampton Crossing Homeowners Association** – 14 Homes 14 Lots, Putnam County
13. **High Mountain Owners Association Corporation** – 16 Homes 58 Lots, Randolph County
14. **Lee, Katrina – Individual** (Homeowner: Sleepy Creek Mountain Retreat Subdivision Property Owners) Morgan – Berkeley County
15. **Mont Chateau Home Owners Association** – 40 Homes 50 Lots, Monongalia County
16. **Morrison, Paul – Individual** (Homeowner: Falconwood/Cacapon Estates Property Owners Association) Hampshire County
17. **Mountain View Farms Homeowners Association** – 28 Homes 55 Lots, Greenbrier County
18. **Parker's Towne Property Owners Association** – 80 Homes 3 Lots, Wood County
19. **Rockwood Forest Homeowners Association** – 11 Homes 11 Lots, Putnam County
20. **Rook, Diana (Dy) – Individual** (Homeowner: Falconwood/Cacapon Estates Property Owners Association) Hampshire County
21. **Sasser, Lucile AB – Individual** (Homeowner: The Woods Homeowners Association) Berkeley County
22. **Smith, Anna – Individual** (Homeowner: Engle Crossing HOA) Jefferson County
23. **Smolarek-Ussmiller, Mary Individual** (Homeowner: Mill Creek Knobs Lot Owners Association) Hampshire County
24. **Sterling Ridge Homeowners Association** – 20 Homes 20 Lots, Berkeley County
25. **Tomahawk Run Subdivision Homeowners Association** – 22 Homes 22 Lots, Berkeley County

All our members are listed since we began in 2009 at: <https://wvohoa.org/welcome-new-members>



WVOHOA's Legislative Review Committee (LRC) tracked issues through virtual discussions & phone conversations and several meetings with and including the National Law Commission, advocacy from Community Associations Institute, and letters of support from many homeowner members to their elected representatives.

WV House Bill 3558 was introduced at the 11th hour with an opt in/opt out clause requirement for WV Code 36B. We all know the choice is instituted by the declarant/developer prior to turning over the deed of transfer to us, the homeowners. The worst-case scenario is losing our homeowner community consumer protection! Fortunately, the following day HB 3558 was placed on the *inactive* calendar, essentially dead. Caution remains, it may be re-introduced in the 2024 legislative session.

and watching potential homeowner association related/proposed 2023 WV House and Senate Bills:

- [SB 35](#) – Limiting DEP employees entering private lands for environmental purposes only.
- [SB 71](#) – Relating to real property conveyed by land installment agreement.

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- [SB 190](#) – Allowing children and grandchildren of WV landowner to hunt and fish on private land without permit or license.
- [SB Bill 201](#) relating to increasing the Homestead Property Tax Exemption for homeowners from \$20,000 to \$40,000.
- [SB 229](#) – Limiting liability of landowners when land is used for noncommercial recreational purposes.
- [HB 2179](#) to require a written contract between a licensed contractor and owner or lessee of residential property and information to be contained in the written contract.
- [HB 2752](#) to amend 31E by adding the Non-Profit Transparency and Accountability Act by requiring that all nonprofit organizations that receive any part of their total operating funds from public sources, whether state or federal, shall be subject to Freedom of Information Act requests and bear the responsibility to respond to these requests under the same requirements as a public body.
- [HB 2307](#) – To ensure false claims on property titles are not fault of landowner .
- [HB 2365](#) – Creating a hunter access program for private landowners to enter an agreement with the state to allow hunters to use their property .
- [HB 2574](#) – Relating to warrantless entry of private lands .
- [HB 2575](#) – To expand recreational benefits to West Virginia Landowners to promote land ownership within the State, increase property value, bolster the State economy, and to provide additional benefits to West Virginia taxpayers.

Several of our WVOHOA members have shared a personal embarrassment when having to provide, as required, their governing documents to the new buyer of their home due to blatant discrimination included within their respective covenants. In the fall of 2023 the National Conference of Commissioners on Uniform Laws has approved and recommended enactment in all states the [Uniform Unlawful Restrictions in Land Records Act](#). The commission is a state-supported organization that represents true value for the states, providing services that most states could not otherwise afford or duplicate.

WVOHOA’s LRC continues the formidable task of reviewing & tracking WV’s 36B and other state & federal bills/laws relative to planned communities across our state – kudos to the entire Committee, well done.

WVOHOA Legislative Review Committee (LRC) laws@wvohoa.org

John Bsharah, Chairman*, Kanawha County

Sam Collins, Pocahontas County

Maggie Baker, Hampshire County

Carolyn Hefner, Raleigh County

Linda Horensavitz, Raleigh County

Phoebe Neseth, CAI Advocacy

Annual membership renewal and new member contributions boost the endeavors of WVOHOA by affording:

- Insurance for the Organization, the Board of Directors & Liability for our public outreach events
- SiteGround™ Hosting for WVOHOA.org website (maintenance & updates are volunteer accomplished)
- Dropbox™ Cloud Storage
- Advertisement & Marketing
- Banking Services
- US Post Office Box 911
- Administrative Expenses
- Providing video production of WVOHOA’s education sessions
- Events & Workshop Facilities
- Remaining current with the Secretary of State’s annual requirement for non-profit corporations
- Professional membership with Community Associations Institute (CAI)
- Interacting with our state legislature in Charleston, and
- Per diem travel for [road trips](#) to WV counties NEW IN 2024

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Benefits: by conscientious savings since the Organization began in 2009 – WVOHOA now has CDs to grow our account even more. Thanks to our Treasurer, Jim Campbell, Berkeley County and with assistance by Tom Moore, Mineral County.



Our [online payment](#) availability has become an instant hit with many of our members' annual renewal providing confidence & security. Yes, new members can also use this function when applying.

WVOHOA Board of Directors & Officers directors@wvohoa.org

- Nance Briscoe, President, Jefferson County
- Sam Collins, Vice President, Pocahontas County
- Lucile AB Sasser, Secretary, Berkeley County
- Jim Campbell, Treasurer, Berkeley County
- Linda Horensavitz, Director, Raleigh County
- Tom Moore, Director, Mineral County
- Maggie Baker, Director, Hampshire County

2024 UPCOMING



January 17, 2024 Wednesday 7PM Zoom
 "HOA Ethics & Conduct"

SCHEDULE Zoom links on our home page at <https://wvohoa.org>

- **WVOHOA education sessions** are on the 3rd Wednesday of each month at 7PM via Zoom. Registration is required, attendance is free.
 - **WVOHOA Board meetings** are held on the 4th Tuesday of the month at 2PM via Zoom.
- One-on-One Zoom discussions** can be scheduled upon request.



that's right, and check out our [broadcast](#).

WVOHOA road trips are based upon day-light hours, weather & highway conditions to be flexible to meet your schedule. Our 7-member Board of Directors will be participating depending upon schedules and county location.

So o o o o, it's up to you: which county, which weekend and which month of 2024 do you want WVOHOA to stop by?
 CONTACT WVOHOA Board of Directors: directors@WVOHOA.org or call (304) 728-2201

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