

SIMPLY THE BEST

Great community association board members have the right attitude, embrace and prepare for the role, and know when it's time to move on. They aren't born for the role, they're made in the HOA.

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A community association is no better than the board of directors that leads it. The board serves as the community's voice and guide.

If an association is to be excellent, willing volunteers must be developed. Truly exceptional volunteer governance is not a happy accident, and it often has little to do with a volunteer's background, training, and experience. Instead, it is the result of hard work and the pursuit of proper values, foundational understandings, and perspectives.

HAVE THE RIGHT ATTITUDE

Excellent board members understand that their position is one of service rather than control. They serve their neighbors; they don't supervise them. A service-forward attitude results in a less defensive perspective in which new ideas and opinions are welcomed and not perceived as insults or threats.

The best know that board service is not an accomplishment or distinction to be defended and preserved. A board member seeing his or her position as an achievement will be less likely to receive criticism and new ideas in a healthy manner, may be less willing to listen to the advice of others, will be threatened rather than encouraged by new ideas, and will be more deeply offended by criticism. Directors concerned about their status may be prone to focus too much on preserving their reputation rather than focusing on the association's welfare.

A director has got to know his or her limitations. The best accept that they do not know everything; they rely upon managers, consultants, and committees. Such directors handle board disagreements much better by accepting the possibility that another sees or knows something that they do not. A director who accepts that they don't know everything will be a better listener in board meetings; such a person expects they will learn from their board colleagues. Such a director also will make much better use of open forum input from members, instead of viewing the opinions of others as a nuisance to be endured.

EMBRACE THE VERY DIFFERENT WORLD OF ASSOCIATION SERVICE

Outstanding directors have learned that much of what worked for them in their day job will likely work poorly in the context of board governance. The chain of command is completely different in a community association. In the workplace, there is almost always somebody who is the boss, somebody who is your immediate supervisor, and often someone you supervise. In the association, no single person is in charge. Decisions are made by the board, so the chain of command is horizontal and less hierarchical. The president has far less power in most nonprofit

corporations since all important decisions are made by the board, and so the president's vote is no more valuable than any other.

In this very different paradigm, the individual director typically has no power. Once directors embrace the framework of the board as decision-maker, they understand that they cannot make individual promises. This restraint can be very freeing since no individual is responsible for the association and its actions. Any decision is made by group consensus.

Directors failing to adapt to the group decision-making process will often stray outside of corporate authority and are also prone to unilateral actions without waiting for input from their board colleagues. Such directors often view themselves as action-oriented, but their actions without board authority can be precipitous, create exposure to liability, and engender conflict with the remaining directors.

A director's role is in the title; he or she is a person who gives direction. Directors are not normally required or expected to act. The board directs its manager, employees, and service providers to act through association policy and individual decisions.

The best directors experience less stress, understanding that they are not called upon to do the work but to decide who will do it. Such directors are less likely to micromanage the association's community manager, if it has one. They allow—and insist that—the manager and service providers perform. They do not do the work of a failing manager or service provider; they find a new one when things aren't working out.

PREPARE FOR THE ROLE

Before seeking a board seat, the best candidates improve their readiness for the position. They should:

Read the governing documents at least once. The governing documents are the framework (along with applicable laws) within which the board must operate. Familiarize yourself with these important documents. One of your main tasks as a director is not only to enforce and implement those documents but also to educate and inform your neighbors, most of whom will not be familiar with them.

Join CAI. CAI is the only respected resource in the U.S. and around the world for homeowners to better understand effective community governance.

Download CAI publications. CAI offers excellent introductory publications: "Introduction to Community Association Living," "From Good To Great," and "Rights and Responsibilities for Better Association Communities." Each are free and available at www.caionline.org/homeownerleaders.

Take advantage of CAI's training courses. Your local CAI chapter offers courses to help you better serve your community. The Nevada and Illinois chapters offer classes and activities culminating in the Dedicated Community Association Leader designation. The Orange County Chapter has the Community Leadership Training Program, and other CAI chapters also offer

wonderful introductory courses in community association governance. www.caionline.org/chapters.

Use all of CAI's resources. In addition to the free downloads mentioned above, a volunteer wishing for a deeper dive may want to take the Board Leadership Development Workshop, a four hour interactive online seminar. CAI chapters also offer the workshop in person. www.caionline.org/bldw.

Understand the business judgment rule. The business judgment rule separates careful board members from liability for the decisions they make while governing the association. Learn the boundaries of that rule. Even well-intentioned directors can step outside of the rule, exposing themselves to a potential disaster of personal liability.

Attend at least four board meetings. Familiarize yourself with board meeting procedures, and observe the current issues being addressed. This also demonstrates to the current directors that you are interested in the association's governance and will invest the time to listen and learn.

Talk to the community manager. Your manager may not be able to talk to everyone interested in board service, so be sensitive to their time. The manager may not endorse or oppose any board candidate (their ethics bars it), but he or she can tell you what makes a good director.

Read the annual budget. All too often, candidates for the board campaign on a platform that "assessments are too high" without ever bothering to read the budget. It is unfair to pursue this uninformed and preconceived notion. Study the budget and see where the association's money goes before you pass judgment on the current board.

Read the most recent reserve study. Is the association financially solvent? If the board has been reluctant to raise assessments in several years, and repairs aren't being made in the community, the board may have suspended reserve account deposits. An association with inadequate reserves may be effectively insolvent if the association does not have funds for major common area component repairs or refurbishment.

Avoid predetermined agendas. Your assumptions may be wrong. Board candidates often run on platforms that sound great but are based on inadequate information. The sitting board almost always has much more involvement and information than non-directors, so avoid making promises before you learn if you are right.

CONTRIBUTE TO MEETINGS

The most productive and efficient meetings are the result of committed and prepared volunteers, normally assisted by a great manager. To help bring about the best board meetings:

Read the agenda packet. Come to the meeting prepared, having already read the agenda. You are provided the packet in advance to help you be ready to make decisions. Reading it for the first time at the meeting disrespects your board colleagues and contributes to avoidable lengthening of the meeting.

Stay on topic. A single director can derail discussions by moving on to a different topic before the current one is concluded. Remind your colleagues when deliberations stray from the matter at hand.

Talk to the board, not the audience. Directors attend the meeting to deliberate with board colleagues, not the audience. Grandstanding by speaking to the audience disrespects board colleagues and encourages raucous meetings.

Ask the manager for input on most motions. The board's most frequent protector under the business judgment rule is the manager, so seek input from him or her. The manager often has years of experience and training; take advantage of that background. If a manager's input isn't being sought, why have them in the meeting?

Encourage open forum as an important part of meetings, and pay attention. Whether or not your jurisdiction requires open forum, it is always a good idea to set aside a part of the meeting to listen to the community. It reminds the directors that they are there to serve their community, and often helps the board to learn something they needed to know.

Don't comment on every motion. If there is a clear consensus and if other people have already said it, there is no need to say it again. Make sure your comments count. If there is nothing new to say, "I agree" is perfectly sufficient. Get the matter to a vote, and move on to the next decision.

Respect your board colleagues. Directors may disagree on one motion and agree on the next. Disagreement is not the same as disrespect. Don't make it personal. Someone may be the smartest, most prepared, and experienced person on the board, but if they do not exhibit respect and grace to their colleagues, that person will probably be the board's biggest problem and its worst director. Never forget that you are volunteers and neighbors trying to do your best. Set a high standard of behavior in board meetings and contribute to a culture of mutual respect. Please note that is not the same thing as consistent agreement.

HANDLE HOMEOWNER DISPUTES WITHOUT HOSTILITY

During your board service, there will occasionally be violations of the governing documents or other un-neighborly conduct. Try to work things out. Gentle escalation is almost always preferable to "going legal" right out of the gate. The lawyer will always be there later if needed, but it is hard to ratchet down conflict once a lawyer is involved.

Don't assume the violating homeowners are disrespecting the board. They might not understand their rights and responsibilities. Give them a chance to do the right thing. Many homeowners do not fully appreciate the tradeoff of rights and responsibilities in a common-interest community, so explain to them not just the "what" of a rule but also the "why." As an association attorney, I often find that the best initial assumption is that the homeowner didn't understand what they were required to do (or not do).

In addition, don't be too quick to take sides in a dispute between residents, unless there is independent corroboration of the problem. You may know one of the two disputants, but you may not know all the facts. Encourage residents to work things out as neighbors.

LET SOMEONE ELSE TAKE A TURN

Begin identifying and preparing your replacement on the board. Volunteer service should not be a life sentence. Committees are a great place to identify people who not only have the interest but will demonstrate commitment to the association and proper attitudes of service and governance. Don't just assume it always has to be you.

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