

Common Interest Communities
November 8, 2007
10:30 AM
House Room 1, Capitol Building
Meeting Summary

Members Present: Senator Whipple, Delegate Suit, Jay DeBoer, Frank Eck, Ron Kirby, Cynthia Schrier, Pia Trigiani and Thomas Perry

I. Welcome and Call to Order-Senator Whipple

II. Licensure of Management Companies-Jack Rust

1. Please refer to the Proposed Legislation (attached).
2. A group of people including Pia Trigiani, of this work group, worked on the language, although there is not a complete consensus on the content. However, the basic concepts are in place and the proposed bill works fairly well.
3. The bill creates a Common Interest Community Board which will be supervised by the Department of Professional and Occupational Regulation (DPOR).
4. It transfers the registration process for several entities into this one board.
5. It provides for a certification scheme for managers of common interest communities and creates a recovery fund from which to collect if there is a deficiency.
6. It also establishes a complaint system and a way to register those complaints with DPOR.
7. The complaint process would be internal to the associations themselves, but then allows the complainant, if not satisfied with the local association, to seek relief through DPOR.
8. VA Association of Realtors asks for two specific changes:
 - a. Resale Disclosure Act corrections would stand on its own and;
 - b. Real estate licensees would be certified with the real estate board.
9. Certification would be a requirement for individual managers as well as firm managers, but it would not be a licensure requirement.
10. Reviewed Proposed Legislation
 - a. **Del. Suit**-*Can the Common Interest Community Board revoke a certification of an individual? And is there a responsibility of the firm to report an employee that has been fired for inappropriate action affecting certification?*
 - b. Yes, the board can revoke the certification, but there is currently no mention of a requirement to report inappropriate action.
 - c. **Sen. Whipple**-*Should close that loop hole so rogue agents can't keep getting hired.*
 - d. **Del. Suit**-*If someone is terminated from a direct employment position, can there be a question on the certification asking about termination?*
 - e. **Sen. Whipple**-*Proper to leave association employees out of this requirement for certification, but should publicize to them that they can get the certification if they wish.*
 - f. There would be no limitation on who could get certified. It is voluntary and as long as you meet the requirements you are permitted to receive it.
 - g. **Del. Suit**-*Would like to see two citizen members added to the board.*

- h. **Jay DeBoar**-*Time line will have to be moved back. DPOR won't be able to get a board in place under this time frame.*
- i. **Sen. Whipple**-*Would like to see draft incorporating the changes discussed prior to the December 6th meeting.*

III. Contents of Association Disclosure Packets-Delegate Suit

This will be handled in a separate bill and was not discussed.

IV. Public Comment

No one in the audience had further comment.

V. Meeting adjourned at 11:50 am.