

## **RIGHTS AND RESPONSIBILITIES for Better Community**

More than a destination at the end of the day, a community is a place people want to call home and where they feel at home. This goal is best achieved when homeowners, residents, and association leaders recognize and accept their rights and responsibilities. This entails striking a reasonable balance between the preferences of individual homeowners and the best interests of the community as a whole. It is with this challenge in mind that Community Associations Institute developed Rights and Responsibilities for Better Communities.

Rights and Responsibilities can serve as an important guidepost for all those involved in the community—board and committee members, community managers, staff members, homeowners, tenants, family members, and guests.

### **Homeowners have the right to:**

- A responsive and competent community association.
- Honest, fair, and respectful treatment by community leaders and managers.
- Participate in governing the community association by attending meetings, voting, serving on committees, and standing for election.
- Access appropriate association financial books and records.
- Prudent expenditure of assessments.
- Live in a community where the property is maintained according to established standards. Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans.
- Receive all documents that address rules and regulations governing the community association prior to purchase and settlement and upon joining the community.
- Appeal to appropriate community leaders those decisions affecting nonroutine financial responsibilities or property rights.

### **Homeowners have the responsibility to:**

- Read and comply with the governing documents of the community.
- Stay informed by attending meetings and reading materials provided by the association. Maintain their property according to established standards.
- Treat association leaders with respect and honesty.
- Vote in community elections and on other issues.
- Pay association assessments and charges on time.
- Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
- Request reconsideration of material decisions that personally affect them.
- Provide current contact information to association leaders or managers to help ensure they receive information from the community.
- Ensure that those who reside on their property (e.g., tenants, relatives, and friends) adhere to all rules and regulations.
- Respect the privacy of community leaders at their homes and during leisure time in the community.

**Community leaders have the right to:**

- Expect homeowners to meet their financial obligations to the community.
- Expect residents (homeowners, tenants, and others) to know and comply with the rules and regulations of the community.
- Expect residents to stay informed by reading materials provided by the association.
- Respectful and honest treatment.
- Conduct meetings in a positive and constructive atmosphere.
- Receive support and constructive input from residents.
- Personal privacy at home and during leisure time in the community.
- Take advantage of educational opportunities (e.g., publications and training workshops) that are directly related to their responsibilities and as approved by the association.

**Community leaders have the responsibility to:**

- Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
- Exercise sound business judgment and follow established management practices.
- Balance the needs and obligations of the community as a whole with those of individual residents.
- Understand the association's governing documents, become educated with respect to applicable state and local laws, and manage the community association accordingly.
- Obtain input from residents through open meetings, committees, surveys, and other methods.
- Conduct open, fair, and well-publicized elections.
- Welcome and educate new members of the community.
- Encourage events that foster neighborliness and a sense of community.
- Conduct business in a transparent manner when feasible and appropriate.
- Allow homeowners access to appropriate community records when requested.
- Collect all monies due from homeowners.
- Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.
- Provide a process that residents can use to appeal decisions affecting their nonroutine financial responsibilities or property rights where permitted by law and the association's governing documents.
- Initiate foreclosure proceedings only as a measure of last resort.
- Make covenants, conditions, and restrictions as understandable as possible, adding clarifying language or supplementary materials when drafting or revising the documents.
- Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders. (Community associations may want to develop a code of ethics.)