

DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
PERIMETER CENTER  
9960 MAYLAND DRIVE  
RICHMOND, VIRGINIA 23233

COMMON INTEREST COMMUNITY BOARD

*Tentative* AGENDA

THURSDAY, SEPTEMBER 21, 10:00 A.M.  
2<sup>nd</sup> FLOOR, BOARD ROOM 2

**I. CALL TO ORDER**

**II. EMERGENCY EVACUATION PROCEDURES**

**III. APPROVAL OF AGENDA**

- a. Board Agenda, September 21, 2023

**IV. APPROVAL OF MINUTES**

- a. Ombudsman Regulatory Review Committee Meeting, June 2, 2023
- b. Board Meeting, June 8, 2023

**V. INTRODUCTION OF NEW BOARD MEMBERS**

**VI. DPOR STAFF UPDATES**

**VII. PUBLIC COMMENT PERIOD\***

**VIII. REVIEW FILES AND DISCIPLINARY MATTERS**

- a. File Number 2021-02487, Atlantic Community Management Corporation  
Disciplinary
- b. File Number 2023-01113, Property Management Associates LLC, dba PMA  
Disciplinary
- c. File Number 2023-00417, Purple Sage Cluster Inc  
Consent Order
- d. File Number 2023-00259, Jeffrey O'Brien Bloxson  
Consent Order
- e. File Number 2023-02755, CJB Management LLC  
Licensing—IFF by Baker

**IX. BOARD BUSINESS**

- a. Update on Regulatory Actions
- b. Periodic Review of Board Regulations
- c. Consider Authorizing NOIRA and Committee Membership for Time-Share Regulations General Review
- d. Consider Authorizing NOIRA for CIC Association Registration Regulations General Review
- e. Consider Condominium Regulations Regulatory Review Committee Membership
- f. Consider CIC Manager Regulations Regulatory Review Committee Membership
- g. Consider Board Policy on Continuance of Case File Decisions

**X. OTHER BUSINESS**

- a. Ombudsman Report
- b. Litigation Update
- c. Discussion of Management Information Fund Transfer
- d. Board Financial Statements
- e. Consider 2024 Meeting Dates

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- f. Consider Resolutions for Service
- g. Consider Training Program Review Committee Membership
- h. Other Board Business

**XI. COMPLETE CONFLICT OF INTEREST FORMS AND TRAVEL VOUCHERS**

**XII. ADJOURN**

**NEXT MEETING SCHEDULED FOR DECEMBER 14, 2023 at 10:00 A.M.**

\* Five minute public comment, per person, with the exception of any open disciplinary or application files.

\*\* Agenda materials made available to the public do not include disciplinary case files or application files pursuant to §54.1-108 of the *Code of Virginia*.

Persons desiring to participate in the meeting and requiring special accommodations or interpretative services should contact the Department at (804) 367-8510 at least ten days prior to the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department fully complies with the Americans with Disabilities Act.

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**PERIMETER CENTER CONFERENCE CENTER**  
**EMERGENCY EVACUATION OF BOARD AND TRAINING ROOMS**  
(Script to be read at the beginning of each meeting.)

**PLEASE LISTEN TO THE FOLLOWING INSTRUCTIONS ABOUT EXITING THE PREMISES IN THE EVENT OF AN EMERGENCY.**

In the event of a fire or other emergency requiring the evacuation of the building, alarms will sound. When the alarms sound, leave the room immediately. Follow any instructions given by Security staff

**Board Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Room 2**

Exit the room using one of the doors at the back of the room. (Point) Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

You may also exit the room using the side door, turn **Right** out the door and make an immediate **Left**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Board Rooms 3 and 4**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **RIGHT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 1**

Exit the room using one of the doors at the back of the room. Upon exiting the room, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

**Training Room 2**

Exit the room using one of the doors at the back of the room. Upon exiting the doors, turn **LEFT**. Follow the corridor to the emergency exit at the end of the hall.

Upon exiting the building, proceed straight ahead through the parking lot to the fence at the end of the lot. Wait there for further instructions.

CIC OMBUDSMAN REGULATORY REVIEW COMMITTEE  
OF THE  
COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The CIC Ombudsman Regulatory Review Committee of the Common Interest Community Board (Board) met on June 2, 2023, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 4, Richmond, Virginia 23233.

The following members were present:

Maureen Baker  
Matt Durham (Ex-officio)  
Heather Gillespie  
Chad Rinard  
Phil Rodenberg  
Michael Zupan

Committee members Eileen Greenberg and David Mercer were not present at the meeting.

DPOR staff present for all or part of the meeting included:

Trisha L. Lindsey, Executive Director  
Joseph C. Haughwout, Jr., Board and Regulatory Administrator  
Raven Custer, Administrative Coordinator

Ms. Baker, called the meeting to order at 10:04 a.m.

**Call to Order**

Ms. Baker advised the Committee of the emergency evacuation procedures.

**Emergency  
Evacuation  
Procedures**

Mr. Durham moved to approve the agenda as presented. Mr. Zupan seconded the motion which was unanimously approved by: Baker, Durham, Gillespie, Rinard, Rodenberg, and Zupan.

**Approval of Agenda**

There were no members of the public present who wished to address the Committee.

**Public Comment  
Period**

Ms. Lindsey provided an overview of the responsibilities before the Committee.

**Review Purpose of  
Committee**

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Ms. Lindsey provided the Committee with an overview of the regulatory review process and timeline.

Ms. Lindsey introduced staff and Committee members.

The Committee was provided with the Common Interest Community Ombudsman Regulations, current versions of applicable laws, regulations and guidance documents, as well as Senate Bill 1042.

Ms. Gillespie thanked the Committee for meeting to review the Common Interest Community Ombudsman Regulations.

Ms. Lindsey presented the Committee with draft proposed amendments to Parts I through IV of the Common Interest Community Ombudsman Regulations, for review and consideration.

Discussion was held on association complaint procedure requirements, as well as provisions for filing notice of final adverse decision.

The Committee recessed from 11:52 a.m. to 12:25 p.m.

The Committee continued to consider regulatory amendments to Parts I through IV of the Common Interest Community Ombudsman Regulations.

After discussion Mr. Rinard moved to approve the draft proposed regulations as amended. Mr. Durham seconded the motion which was unanimously approved by: Baker, Durham, Gillespie, Rinard, Rodenberg, and Zupan.

The Committee discussed potential amendments to the regulations that would require statutory changes.

There being no further business, the meeting adjourned at 1:27 p.m.

**Members and Staff**

**Resources and Information**

**Consider Regulatory Amendments to Parts I through IV**

**Recess**

**Consider Regulatory Amendments to Parts I through IV, Continued**

**Other Business**

**Adjourn**

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Drew Mulhare, Chair

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Demetrios J. Melis, Secretary

DRAFT AGENDA  
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COMMON INTEREST COMMUNITY BOARD

MINUTES OF MEETING

The Common Interest Community Board (Board) met on June 8, 2023, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 3, Richmond, Virginia 23233.

The following members were present:

Maureen A. Baker  
Matt Durham, Chair  
Eileen Greenberg  
Thomas Mazzei  
Lori Overholt  
Anne M. Sheehan  
Katherine E. Waddell

Board members Jim Foley, David Mercer, Scott Sterling, and Margaret Tunstall were not in attendance at the meeting.

DPOR staff present for all or part of the meeting included:

Demetrios J. Melis, Director  
Stephen Kirschner, Licensing and Regulatory Programs Division Deputy Director  
Trisha L. Lindsey, Executive Director  
Heather Gillespie, Ombudsman  
Lisa Robinson, Licensing Administrator  
Raven C. Custer, Administrative Coordinator  
Lee Bryant, Programs Administrative Specialist

Joshua Laws from the Office of the Attorney General was present.

Finding a quorum of the Board present, Mr. Durham called the meeting **Call to Order** to order at 10:00 a.m.

Mr. Durham advised the Board of the emergency evacuation procedures. **Emergency Evacuation Procedures**

Ms. Lindsey requested the Board amend the agenda to remove item "Consider Temporary Cease and Desist Orders." Ms. Overholt moved to approve the agenda as amended. Mr. Mazzei seconded the motion, which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell. **Approval of Agenda**

Ms. Greenberg moved to approve the minutes of the March 9, 2023, Board Meeting as amended. Ms. Sheehan seconded the motion. The following members voted in favor of the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

**Approval of Minutes**

Ms. Sheehan moved to approve the minutes of the March 15, 2023, SB 740 Structural Integrity and Reserves Work Group Meeting, the April 10, 2023, Board Meeting, and the April 25, 2023, Board Meeting as presented. Ms. Baker seconded the motion. The following Board Members voted in favor of the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

No members of the public present came forward to address the Board.

**Public Comment Period**

In the matter of **File Number 2023-00261, Bethелеhem G. Getachew**, the Board members reviewed the record which consisted of the Notice of Prima Facie Case, Report of Findings, evidence, and the Recommendation. Ms. Waddell moved to accept the Recommendation and find Bethелеhem G. Getachew in violation of 18 VAC 48-50-190.1 as outlined in Count 1. Ms. Greenberg seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

**File Number 2023-00261 Bethелеhem G. Getachew**

Ms. Greenberg moved to accept the Recommendation and impose a monetary penalty of \$1,500.00, and license revocation for violation of Count 1. Ms. Waddell seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

Ms. Lindsey provided an update on the current status of the regulatory review processes for the Board's regulatory packages:

**Update on Regulatory Actions**

The CIC Manager Regulatory Review Committee recommendations and draft proposed amendments to the CIC Manager Regulations were approved, with revisions, by the Board at the March 3, 2022, Board meeting. The proposed regulatory text was submitted for Executive Branch review on March 14, 2022. Ms. Lindsey advised that the Board will be asked to consider authorizing staff to reconvene the CIC

Manager Regulatory Review Committee to revisit the proposed amendments at the request of the Governor's office later in the meeting

The Board authorized filing of the NOIRA and formation of a CIC Ombudsman Regulatory Review Committee on December 8, 2022, for conducting a general review of the Common Interest Community Ombudsman Regulations. The NOIRA is in development and the Committee met on June 2, 2023.

Ms. Lindsey advised that the Board will be asked to consider authorizing staff to form a committee for the general review of the CIC Condominium Association Registration Regulations and to draft a NOIRA later in the meeting.

The notice of CIC Condominium Regulations Periodic Review is currently in the filing stage. Once the notice of periodic review is filed a 21-day public comment period will commence.

Ms. Lindsey informed the Board that the Resale Disclosure Certificate will be distributed to various stakeholders ahead of its, effective date in order to allow those affected to remain in compliance come July 1, 2023.

**Resale Disclosure Certificate Update**

Ms. Lindsey provided an update on the SB 740 Structural Integrity and Reserves Work Group. The Work Group held its final meeting on March 15, 2023. The final report has been submitted.

**Update on SB 740 Structural Integrity and Reserves Work Group**

Ms. Lindsey provided an update on the CIC Ombudsman Regulatory Review Committee. The Committee met on June 2, 2023, and discussed amendments to the CIC Ombudsman Regulations.

**Update on CIC Ombudsman Regulatory Review Committee**

Ms. Lindsey requested that the Board authorize staff to develop the NOIRA and form a committee for the general review of the Condominium Association Registration Regulations. After discussion, Mr. Mazzei moved to authorize staff to develop the NOIRA and form a committee for the general review of the Condominium Association Registration Regulations. Ms. Greenberg seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

**Discussion on General Review of Condominium Regulations**

Ms. Lindsey asked the Board to consider authorizing staff to reconvene the CIC Manager Regulatory Review Committee to revisit proposed

**Discussion of Proposed**



amendments at the request of the Governor's office. After discussion Ms. Sheehan moved to authorize staff to reconvene the CIC Manager Regulatory Review Committee. Ms. Waddell seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

**Regulations for  
Common Interest  
Community  
Manager**

Ms. Lindsey provided the Board with a list of potential legislative items to be considered during the 2024 General Assembly session. Mr. Mazzei moved to approve the list of legislative items as presented. Ms. Waddell seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

**2024 Legislative  
Discussion**

The Board was provided with a report from the Office of the Common Interest Community Ombudsman. The report contains statistics on complaints received by the Ombudsman's office, as well as compliance and enforcement statistics.

**Ombudsman Report**

Ms. Lindsey provided the Board with the most recent financial statements.

**Board Financial  
Statements**

Board members considered the following resolutions for Trisha L. Lindsey.

**Consider  
Resolutions for  
Service**

**Trisha L. Lindsey**

WHEREAS, **Trisha L. Lindsey** did faithfully and diligently serve the Common Interest Community Board and the Department of Professional and Occupational Regulation;

WHEREAS, **Trisha L. Lindsey**, did devote generously of her time, talent and leadership to the Board;

WHEREAS, **Trisha L. Lindsey**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Common Interest Community Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Common Interest Community Board this eighth day of June 2023, that **Trisha L. Lindsey**

be given all honors and respect due her for her outstanding service to this Board and the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held by this Board.

Ms. Greenberg moved to adopt the resolution as written. Ms. Waddell seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

Board members considered the following resolutions for Joseph Haughwout, Jr.

**Joseph Haughwout, Jr.**

WHEREAS, **Joseph Haughwout, Jr.**, did faithfully and diligently serve as a member of the Common Interest Community Board from 2016 to 2023;

WHEREAS, **Joseph Haughwout, Jr.**, did devote generously of his time, talent and leadership to the Board;

WHEREAS, **Joseph Haughwout, Jr.**, did endeavor at all times to render decisions with fairness and good judgement in the best interest of the citizens of the Commonwealth and these professions; and

WHEREAS, the Common Interest Community Board wishes to acknowledge its gratitude for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth;

NOW THEREFORE BE IT RESOLVED, by the Common Interest Community Board this eighth day of June 2023, that **Joseph Haughwout, Jr.** be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens; and

BE IT FURTHER RESOLVED, that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held by this Board.

Ms. Baker moved to adopt the resolution as written. Ms. Overholt seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

Board members considered resolutions for the following SB 740 Structural Integrity and Reserves Work Group Members who devoted their time and effort for the Common Interest Community:

Walter Alcorn  
Jon Bach  
John Bailey  
Michelle Baldry  
Gary L. Beveridge  
Jeffrey Brown  
Steven Y. Brumfield  
Ron Clements  
Walter Diercks  
Mark D. Dix  
Lee Frame  
Heather Gillespie  
Colin A. Horner  
Kimberly B. Kacani  
Erin Kormann  
Rafael A. Martinez  
Theresa Melson  
Phoebe E. Neseth  
Edward J. O'Connell  
John Olivieri  
Phoebe Rolén  
Anne Sheehan  
Christ Stone  
Lucia Ann Trigiani  
Lynette Wuensch

Ms. Greenberg moved to adopt the resolutions as written. Mr. Mazzei seconded the motion which was unanimously approved by: Baker, Durham, Greenberg, Mazzei, Overholt, Sheehan, and Waddell.

There was no other business for the Boar to discuss.

Mr. Durham reminded Board members to complete their conflict of interest forms.

**Other Board  
Business**

**Complete Conflict  
of Interest Forms  
and Travel  
Vouchers**

There being no further business, the meeting was adjourned at 11:10  
a.m.

**Adjourn**

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Matt Durham, Chair

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Demetrios J. Melis, Secretary

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# **INTRODUCTION OF NEW BOARD**

## **MEMBERS**

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# **DPOR STAFF UPDATES**

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# **PUBLIC COMMENT PERIOD**

Five minute public comment, per person, with the exception of any open disciplinary or application files.

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# Update on Regulatory Actions

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# **Periodic Review of Board** **Regulations**

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**Consider Authorizing NOIRA and  
Committee Membership for Time-  
Share Regulations General  
Review**

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**Consider Authorizing NOIRA for CIC**  
**Association Registration Regulations**  
**General Review**

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**Consider Condominium Regulations**  
**Regulatory Review Committee**  
**Membership**

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### Common Interest Community Manager Regulatory Review Committee Members

|                            |  |
|----------------------------|--|
| <b>Pia Trigiani, Chair</b> | Former CIC Board Chair, CIC Attorney                   |
| <b>Jim Foley</b>           | CIC Board Member, CC Manager                           |
| <b>Amanda Jonas</b>        | CIC Board Member, CIC Manager/Developer representative |
| <b>Anne Sheehan</b>        | CIC Board Member, CPA                                  |
| <b>Chris Melson</b>        | Former CIC Board Member, CIC Manager                   |
| <b>Paul Orlando</b>        | Former CIC Board Member, CIC Manager                   |
| <b>Nan Piland</b>          | Real Estate Board Member                               |
| <b>Matt Durham</b>         | Community Association Governing Board Member           |
| <b>Bonnie Herring</b>      | CIC Manager  |
| <b>Drew Mulhare</b>        | CIC Board Chair, Ex-officio                            |

### DPOR/Common Interest Community Board Staff

|                       |                                    |
|-----------------------|------------------------------------|
| <b>Trisha Lindsey</b> | Executive Director                 |
| <b>Joe Haughwout</b>  | Board and Regulatory Administrator |
| <b>Tanya Pettus</b>   | Board Administrator                |

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Department of Professional and Occupational Regulation

## MEMORANDUM

**TO:** Members, Common Interest Community Board

**FROM:** Tanya M. Pettus, Board Administrator  
Virginia Board for Asbestos, Lead, and Home Inspectors  
Board for Waterworks and Wastewater Works Operators and Onsite  
Sewage System Professionals

**DATE:** September 21, 2023

**SUBJECT:** Granting Continuances for Disciplinary and Licensing Cases  
Brought Before the Board

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### I. Background

As other Boards within the Agency have received inquiries from respondents regarding requesting a continuance of the Board's review and decision of their disciplinary cases, it was determined that the CIC Board does not currently have a policy on granting continuances for disciplinary or licensing cases.

### II. Applicable Regulation

§2.2-4021.B of the Code of Virginia requires that, "in any informal fact-finding, formal proceeding, or summary case decision proceeding in which a hearing officer is not ... not empowered to recommend a finding, the board, commission, or agency personnel responsible for rendering a decision shall render that decision within 90 days from the date of the informal fact-finding, formal proceeding, or completion of a summary case decision proceeding, or from a later date agreed to by the named party and the agency..."

### III. Consideration of Policy

As the Code of Virginia provides a means for respondents or their attorneys to request case decisions to be rendered later than the 90-day timeframe from the date of the informal fact-finding conference, staff recommends the Board adopt the following policy governing continuances for disciplinary and licensing cases. This will ensure consistency in considering requests for continuance going forward.

1. All requests for a continuance of a case must be in writing.
2. Requests for a continuance of a licensing case may be granted administratively by the Board's Executive Director or designee.
3. Requests for a continuance for disciplinary cases in which the recommended sanction does not include license revocation may be granted administratively by the Board's Executive Director or designee. The Executive Director may only grant one continuance to the next meeting for any case. Any further requests for a continuance may only be granted by vote of the Board at the next meeting in which the case is to be considered.
4. Requests for a continuance for disciplinary cases in which the recommended sanction includes license revocation may only be granted by vote of the Board at the meeting in which the case is scheduled to be considered.

# **OMBUDSMAN REPORT**

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# Litigation Update

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Code of Virginia

Title 54.1. Professions and Occupations

Subtitle II. Professions and Occupations Regulated by the Department of Professional and Occupational Regulation and Boards within the Department

Chapter 23.3. Common Interest Communities

Article 2. Common Interest Community Management Information Fund; Common Interest Community Ombudsman; Common Interest Community Management Recovery Fund

## § 54.1-2354.2. Common Interest Community Management Information Fund

A. There is hereby created the Common Interest Community Management Information Fund, referred to in this section as "the Fund," to be used in the discretion of the Board to promote the improvement and more efficient operation of common interest communities through research and education. The Fund shall be established on the books of the Comptroller. The Fund shall consist of money paid into it pursuant to §§ 54.1-2349, 55.1-1835, 55.1-1980, and 55.1-2182, and such money shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but, at the discretion of the Board, shall remain in the Fund or shall be transferred to the Common Interest Community Management Recovery Fund established pursuant to § 54.1-2354.5

B. Expenses for the operations of the Office of the Common Interest Community Ombudsman, including the compensation paid to the Common Interest Community Ombudsman, shall be paid first from interest earned on deposits constituting the Fund and the balance from the moneys collected annually in the Fund. The Board may use the remainder of the interest earned on the balance of the Fund and of the moneys collected annually and deposited in the Fund for financing or promoting the following:

1. Information and research in the field of common interest community management and operation;
2. Expeditious and inexpensive procedures for resolving complaints about an association from members of the association or other citizens;
3. Seminars and educational programs designed to address topics of concern to community associations; and
4. Other programs deemed necessary and proper to accomplish the purpose of this article.

C. Following the close of any biennium, when the Common Interest Community Management Information Fund shows expenses allocated to it for the past biennium to be more than 10 percent greater or less than moneys collected on behalf of the Board, the Board shall revise the fees levied by it for placement into the Fund so that the fees are sufficient but not excessive to cover expenses. A fee established pursuant to § 55.1-1835, 55.1-1980, or 55.1-2182 shall not exceed \$25 unless such fee is based on the number of units or lots in the association.

1993, c. 958, § 55-529; 2008, cc. 851, 871; 2019, cc. 391, 712.

The chapters of the acts of assembly referenced in the historical citation at the end of this

section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

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**Department of Professional and Occupational Regulation  
Statement of Financial Activity**

**Common Interest Community Board  
954520**

2022-2024 Biennium

June 2023

|   | June 2023<br>Activity | Biennium-to-Date Comparison |                          |
|---|-----------------------|-----------------------------|--------------------------|
|   |                       | July 2020 -<br>June 2021    | July 2022 -<br>June 2023 |
| <b>Cash/Revenue Balance Brought Forward</b> |                       |                             | 0                        |
| <b>Revenues</b>                             | 77,100                | 608,379                     | 633,032                  |
| <b>Cumulative Revenues</b>                  |                       |                             | 633,032                  |
| <b>Cost Categories:</b>                     |                       |                             |                          |
| <b>Board Expenditures</b>                   | 30,453                | 423,709                     | 434,331                  |
| <b>Board Administration</b>                 | 0                     | 0                           | 0                        |
| <b>Administration of Exams</b>              | 0                     | 0                           | 0                        |
| <b>Enforcement</b>                          | 19,162                | 138,602                     | 188,137                  |
| <b>Legal Services</b>                       | 0                     | 2,092                       | 2,242                    |
| <b>Information Systems</b>                  | 11,319                | 78,437                      | 76,889                   |
| <b>Facilities and Support Services</b>      | 7,860                 | 74,811                      | 76,953                   |
| <b>Agency Administration</b>                | 6,523                 | 48,568                      | 81,261                   |
| <b>Other / Transfers</b>                    | 4,415                 | 5,023                       | 4,415                    |
| <b>Total Expenses</b>                       | 79,731                | 771,241                     | 864,228                  |
| <b>Transfer To/(From) Cash Reserves</b>     | (1,351)               | 0                           | (243,691)                |
| <b>Ending Cash/Revenue Balance</b>          |                       |                             | 12,495                   |

|                                       |           |   |           |
|---------------------------------------|-----------|---|-----------|
| <b>Cash Reserve Beginning Balance</b> | 2,457,854 | 0 | 2,700,194 |
| <b>Change in Cash Reserve</b>         | (1,351)   | 0 | (243,691) |
| <b>Ending Cash Reserve Balance</b>    | 2,456,503 | 0 | 2,456,503 |

|                            |       |
|----------------------------|-------|
| <b>Number of Regulants</b> |       |
| Current Month              | 7,835 |
| Previous Biennium-to-Date  | 7,369 |

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**DEPARTMENT OF PROFESSIONAL  
& OCCUPATIONAL REGULATION**

**VIRGINIA COMMON INTEREST  
COMMUNITY MANAGEMENT  
RECOVERY FUND**

**FINANCIAL STATEMENTS**

**Cash Basis**

**For the Month Ended**

**7/31/2023**

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**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**  
**VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND**  
**BALANCE SHEET**  
**GOVERNMENTAL FUNDS**  
**07/31/23**

**ASSETS**

Cash and Cash Equivalents

**Total Assets**

**FUND BALANCES**

Reserved for Payment of Future Claims

Reserved for Administration of Recovery Act

**Total Fund Balances**

|   | Special Revenue Funds |                  |                   |
|---|-----------------------|------------------|-------------------|
|   | Principal             | Interest         | Totals            |
| Cash and Cash Equivalents                   | \$ 148,980            | \$ 17,861        | \$ 166,841        |
|   | -                     | -                | -                 |
| <b>Total Assets</b>                         | <u>\$ 148,980</u>     | <u>\$ 17,861</u> | <u>\$ 166,841</u> |
| <b>FUND BALANCES</b>                        |                       |                  |                   |
| Reserved for Payment of Future Claims       | \$ 148,980            | -                | \$ 148,980        |
| Reserved for Administration of Recovery Act | -                     | 17,861           | 17,861            |
| <b>Total Fund Balances</b>                  | <u>\$ 148,980</u>     | <u>\$ 17,861</u> | <u>\$ 166,841</u> |

The accompanying notes are an integral part of this statement.

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**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION**  
**VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND**  
**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES**  
**GOVERNMENTAL FUNDS**  
**FOR THE MONTH ENDED 07/31/2023**

|                               | CURRENT MONTH     |                  |                   | YEAR TO DATE      |                  |                   |
|-------------------------------|-------------------|------------------|-------------------|-------------------|------------------|-------------------|
|                               | Principal<br>Fund | Interest<br>Fund | Totals            | Principal<br>Fund | Interest<br>Fund | Totals            |
| <b>REVENUES:</b>              |                   |                  |                   |                   |                  |                   |
| Assessments                   | \$ 1,150          | \$ -             | \$ 1,150          | \$ 1,150          | \$ -             | \$ 1,150          |
| Investment Income             |                   | 658              | 658               |                   | 658              | 658               |
| Total Revenues:               | <u>1,150</u>      | <u>658</u>       | <u>1,808</u>      | <u>1,150</u>      | <u>658</u>       | <u>1,808</u>      |
| <b>EXPENDITURES:</b>          |                   |                  |                   |                   |                  |                   |
| Claims Expense                | -                 | -                | -                 | -                 | -                | -                 |
| Administrative Expenses       | -                 | -                | -                 | -                 | -                | -                 |
| Total Expenses:               | <u>-</u>          | <u>-</u>         | <u>-</u>          | <u>-</u>          | <u>-</u>         | <u>-</u>          |
|                               | <u>1,150</u>      | <u>658</u>       | <u>1,808</u>      | <u>1,150</u>      | <u>658</u>       | <u>1,808</u>      |
| <b>Beginning Fund Balance</b> | <u>147,830</u>    | <u>17,203</u>    | <u>165,033</u>    | <u>147,830</u>    | <u>17,203</u>    | <u>165,033</u>    |
| <b>Ending Fund Balance</b>    | <u>\$ 148,980</u> | <u>\$ 17,861</u> | <u>\$ 166,841</u> | <u>\$ 148,980</u> | <u>\$ 17,861</u> | <u>\$ 166,841</u> |

The accompanying notes are an integral part of this statement.

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**DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
 VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUND  
 SUPPLEMENTAL SCHEDULE OF CLAIMS PAID  
 July 31, 2023**

| <b>CLAIMS PAID:</b>          | <b>Number of Payments</b> | <b>Dollar Amount of Claims Paid</b> | <b>Related Recoveries</b> | <b>Net Payments</b> |
|------------------------------|---------------------------|-------------------------------------|---------------------------|---------------------|
| July 1, 2022 - June 30, 2023 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2021 - June 30, 2022 | 1                         | \$239,466.76                        | \$0.00                    | \$239,466.76        |
| July 1, 2020 - June 30, 2021 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2019 - June 30, 2020 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2018 - June 30, 2019 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2017 - June 30, 2018 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2016 - June 30, 2017 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2015 - June 30, 2016 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2014 - June 30, 2015 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2013 - June 30, 2014 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2012 - June 30, 2013 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2011 - June 30, 2012 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2010 - June 30, 2011 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2009 - June 30, 2010 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| July 1, 2008 - June 30, 2009 | 0                         | \$0.00                              | \$0.00                    | \$0.00              |
| <b>Total</b>                 | <b>1</b>                  | <b>\$239,466.76</b>                 | <b>\$0.00</b>             | <b>\$239,466.76</b> |

This schedule is presented on a cash basis and represents aggregate claims paid and related recoveries. Recoveries are often received and reported in a different year from when the claim was paid.

The accompanying notes are an integral part of this statement.

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DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION  
VIRGINIA COMMON INTEREST COMMUNITY MANAGEMENT RECOVERY FUNDS  
NOTES TO FINANCIAL STATEMENTS  
7/31/2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The following is a summary of certain significant accounting policies employed by the Department of Professional and Occupational Regulation in administering the Virginia Common Interest Community Management Recovery Fund.

**A. Basis of Presentation**

The accompanying financial statements have been prepared using governmental fund accounting as prescribed by the Governmental Accounting Standards Board (GASB). The financial statements are prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

**B. Reporting Entity**

These financial statements report the financial activity of the Virginia Common Interest Community Management Recovery Fund, which is administered by the Department of Professional and Occupational Regulation. The Department exercises oversight authority over other funds which are not included in these financial statements.

**C. Financial Statement Presentation**

Special Revenue Funds account for transactions related to resources received and used for restricted or specific purposes. The Virginia Common Interest Community Management Recovery Fund, which is reported as a special revenue fund, is established under Section 55-530.1 of the *Code of Virginia* to reimburse associations for losses that occur when their community manager fails to perform his or her fiduciary responsibilities.

**D. Measurement Focus and Basis of Accounting**

The governmental fund financial statements are reported using the current financial resources measurement focus and the cash basis of accounting. Revenues are recognized when cash is received and expenditures are recorded when paid. The Department uses the cash basis of accounting during the year and prepares financial statements in accordance with generally accepted accounting principles at year end.

**E. Cash and Cash Equivalents**

Cash and cash equivalents consist of cash on hand, demand deposits, and investments in the Local Government Investment Pool (LGIP). Investments in the Local Government Investment Pool are reported as cash equivalents since they are readily convertible to cash.

2. RESTRICTED FUND BALANCES

Assets held in the Virginia Common Interest Community Management Recovery Funds are restricted to the payment of claims in accordance with Section 55.530.1H of the *Code of Virginia*. Interest earned on the deposits are used to pay the expenses of administering the fund, to pay claims, or may be transferred to the Common Interest Community Management Information Fund.

3. ASSESSMENTS

The Common Interest Community Management Recovery Fund is financed through assessments. Each new common interest community manager pays a \$25 assessment into the Recovery Fund at the time of application. Each association pays \$25 into the Recovery Fund at the time of filing its first annual report. After July 1, 2011, the *Code of Virginia* requires the Board to transfer funds from the Common Interest Community Management Information Fund and/or assess each association and each common interest community manager additional fees whenever the principal balance of the Recovery Fund is less than \$150,000. If the principal balance of the fund exceeds \$5,000,000 on June 30 of any year, the Board must transfer the excess to the Virginia Housing Partnership Revolving Fund.

\* These financial statements are prepared by Doris Economou, Accounting Specialist. Please call 804-367-2530 if you have questions.

## 2024 TENTATIVE BOARD MEETING SCHEDULE

| CIC BOARD  |   |
|--|---|
| Training Program Review Committee                    | Board Meeting   |
| Thursday, March 28, 2024 @ 9:30 am<br>Board Room 1   | Thursday, March 28, 2024 @ 10:00 am<br>Board Room 1   |
| Thursday, May 30, 2024 @ 9:30am<br>Board Room 1      | Thursday, May 30, 2024 @ 10:00am<br>Board Room 1      |
| Monday, May 13, 2024 @ 9:30am<br>Board Room 4        | Monday, May 13, 2024 @ 10:00am<br>Board Room 4        |
| Thursday, June 6, 2024 @ 9:30 am<br>Board Room 2     | Thursday, June 6, 2024 @ 10:00 am<br>Board Room 2     |
| Friday, September 27, 2024 @ 9:30 am<br>Board Room 2 | Friday, September 27, 2024 @ 10:00 am<br>Board Room 2 |
| Thursday, December 5, 2024 @ 9:30 am<br>Board Room 3 | Thursday, December 5, 2024 @10:00am<br>Board Room 3   |

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# **CONSIDER RESOLUTIONS FOR** **SERVICE**

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**DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL REGULATION**

**Training Program Review Committee**

Maureen Baker

**Chair**

Jim Foley

Matt Durham

Drew Mulhare  
Ex Officio Member

Katie Waddell

August 17, 2020

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# **OTHER BOARD BUSINESS**

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**COMPLETE CONFLICT OF INTEREST**  
**FORMS AND**  
**TRAVEL VOUCHERS**

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# **ADJOURN**

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