Best Practices for Community Associations

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Who lives in your community?

How do you encourage participation in the association from people of all backgrounds, including diversity in:

- Age
- Gender identity and sexual orientation
- Racial and ethnic identity
- Religion
- Immigration status
- Language

Are there some neighbors who do not participate? Why?
Who’s on your board?

Does your board represent the demographics of your association membership?

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Who’s on your board?

Consider term limits.

Balance: Institutional memory *versus* fresh ideas and energy.
How do you make decisions as an org?

Where are your dang bylaws?!

Dust ‘em off and bring a copy to every board/membership meeting.

Do you use Robert’s Rules?

If so, do you have a copy of RR at every meeting? Do you refer to it regularly? Do you expect all board members and community members to be familiar with it? *If not, remove Robert’s Rules from your bylaws.*
How do you make decisions as an org?

Q: A developer comes to you (community association board president) to ask for your support for a potentially controversial project. Do you:

A. Tell him your personal opinion of the project & write a letter of support or opposition from the organization based on your opinion.
B. Talk with the board of the organization and take a board vote on whether to support or oppose.
C. Bring the question to a community meeting and let the community members who show up to that meeting decide whether to support.
How do you make decisions as an org?

Transparency = key!

Legally, the board has the right to make all decisions for an organization.

But many community orgs will refer specific questions for a community vote to get a sense of the community’s position.
How do you make decisions as an org?

EMAIL VOTING IS NOT LEGIT UNLESS:

- 100% participation AND
- 100% agreement in the outcome.

If ONE person doesn’t respond and/or ONE person votes differently from the rest, the vote must be taken at an actual meeting. (Conference calls DO count as a meeting!)
How do you handle conflict?

Biggest source of conflict =

**Elections.**

When was your last election? When is your next?

What are the procedures? (HINT: they should be in your BYLAWS.)
How do you handle conflict?

How do you remove a board member?

Let’s say a board member is stealing money or misusing her power.

What do your bylaws say?
How do you keep records?

Meeting minutes:

- Can & should be quite simple.
- Not a recap of what everyone said.
- At minimum: a record of votes taken, decisions made.
How do you sign binding agreements?

Requirements:

- Organization must be incorporated with the State of Maryland.
- Board must vote to adopt the agreement.
- Both parties must exchange promises and must agree that the document is legally binding.
  - (A one-sided promise is not a binding contract.)

Consider hiring an attorney to represent you in negotiations & drafting.