

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?

Does your association membership represent the demographics of your community?

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.



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