

Principles for Homeowners  
and Community Leaders

# RIGHTS

FOR BETTER COMMUNITIES AND RESPONSIBILITIES



**MORE THAN A DESTINATION AT THE END OF THE DAY, A COMMUNITY** is a place you want to call home and where you feel at home. There is a difference between living in a community and being part of that community. Being part of a community means sharing with your neighbors a common desire to promote harmony and contentment.

This goal is best achieved when homeowners, non-owner residents and association leaders recognize and accept their rights and responsibilities. In all cases, this entails striking a reasonable, logical balance between the best interests of individual homeowners and those of the community as a whole. It is with this challenge in mind that Community Associations Institute (CAI) developed Rights and Responsibilities for Better Communities.

Community associations exist because communities exist—because they offer choices, lifestyles, amenities and efficiencies that people value. Yet, with all of their inherent advantages, community associations face complicated issues, none more common than the challenge of balancing the rights of the individual homeowner with those of the community as a whole. Managing this critical and delicate balance is often the essence of effective community leadership.

By encouraging community associations to adopt Rights and Responsibilities for Better Communities, CAI strives to promote harmony, community, responsible citizenship and effective leadership. In the process, we make life better for the estimated 50 million Americans who live in community associations.



## CAI—AMERICA'S LEADING ADVOCATE FOR RESPONSIBLE COMMUNITIES

Community Associations Institute is a 15,000-member national organization dedicated to fostering vibrant, responsive, competent community associations. Founded in 1973, CAI represents association-governed communities, such as condominium and homeowner associations, cooperatives and planned communities. Its members include individual homeowners, community managers and management firms, builders and developers, accountants, attorneys, lenders, insurance providers, reserve fund specialists, public officials and a multitude of product and service suppliers—all working together to create more livable communities.

Working closely with more than 50 state, regional and local chapters nationwide, CAI conducts research and serves as a clearinghouse for the latest information on innovations and best practices in community association management. CAI serves its members—and, by extension, the American community—through books, seminars and workshops, research, continuing education and publications, including *Common Ground* magazine and specialized newsletters on community association management, finance and law.

*To find out more, visit [www.caionline.org](http://www.caionline.org) or call CAI Direct at 703-548-8600 (Monday–Friday, 9 a.m. to 5 p.m. ET).*

## HOW YOU CAN MAKE IT HAPPEN

**Adopting Rights and Responsibilities for Better Communities is easy!** Copy the Rights and Responsibilities document located in the center of this brochure by folding back the other panels.

1. Distribute the document throughout your community, announcing and publicizing where and when adoption will be considered.
2. Explain why this is important to your community and the benefits it can create.
3. Review and discuss the merits of the principles at an open meeting of your board of directors.
4. Solicit input from homeowners.
5. Have your board vote to adopt a resolution endorsing Rights and Responsibilities for Better Communities. The principles will be more meaningful to homeowners and community leaders if they are formally adopted.



## LET RIGHTS AND RESPONSIBILITIES HELP YOUR COMMUNITY

- The process of formally adopting Rights and Responsibilities will give communities an excellent opportunity for the kind of dialogue that facilitates awareness, builds consensus, and promotes greater community involvement.
- Once adopted, Rights and Responsibilities will serve as an important guidepost for all those involved in the community—board and committee members, managers, homeowners and non-owner residents. The document will also serve as an excellent tool to educate new homeowners and residents about their own rights and responsibilities.
- As greater numbers of associations adopt Rights and Responsibilities—and adhere to its principles—there will be less potential for conflict within communities. Ultimately, this will improve the image of managed communities across the nation, leading more people to understand the nature and value of community association living.
- Adopting Rights and Responsibilities can also create positive publicity for your community—and reduce the kind of negative publicity often created by conflict.
- By adopting Rights and Responsibilities, communities will help prevent unnecessary or unduly restrictive legislation and regulation. As more and more communities adopt the principles, we will be able to say with increasing confidence and effectiveness that community associations are addressing many issues through self-regulation.



## COMMEMORATE YOUR COMMITMENT

When you tell us you have adopted Rights and Responsibilities, we will send you a handsome certificate, ideal for framing, to commemorate your commitment. We will also send you several reproducible copies of Rights and Responsibilities to distribute to your homeowners. Please be sure to provide the name and address of a contact person.

Like any endeavor involving people, community living cannot be free of conflict. Utopia does not exist. With all of their inherent advantages—and there are many—community associations often face difficult issues, many of them connected to the need to balance the rights and responsibilities of individual homeowners with those of the community as a whole. While adopting Rights and Responsibilities will not eliminate all conflict, its adoption can stimulate communication, promote trust and cooperation, clarify expectations and build a greater sense of community. CAI urges you to take advantage of this opportunity—and to let us know when you do.



## SHARE THE NEWS WITH US

Once you have adopted Rights and Responsibilities, please share the good news with CAI by completing the adoption form below.

DATE YOUR GOVERNING BODY ADOPTED RIGHTS AND RESPONSIBILITIES (MONTH/DAY/YEAR) \_\_\_\_\_

ASSOCIATION NAME \_\_\_\_\_

NAME OF A PRIMARY CONTACT \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_

E-MAIL \_\_\_\_\_

ARE YOU A MEMBER OF CAI?  YES  NO

### There are four convenient ways to share your adoption information:

**ONLINE:** [www.caionline.org/rightsandresponsibilities](http://www.caionline.org/rightsandresponsibilities)

**FAX:** 703-684-1581

**E-MAIL:** [RightsandResponsibilities@caionline.org](mailto:RightsandResponsibilities@caionline.org)

**MAIL:** Rights and Responsibilities for Better Communities, Community Associations Institute,  
225 Reinekers Lane, Suite 300, Alexandria, VA 22314



# Rights and Responsibilities for Better Communities

## *Principles for Homeowners and Community Leaders*

### **Homeowners Have the Right To:**

1. A responsive and competent community association.
2. Honest, fair and respectful treatment by community leaders and managers.
3. Participate in governing the community association by attending meetings, serving on committees and standing for election.
4. Access appropriate association books and records.
5. Prudent expenditure of fees and other assessments.
6. Live in a community where the property is maintained according to established standards.
7. Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
8. Receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
9. Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

### **Homeowners Have the Responsibility To:**

1. Read and comply with the governing documents of the community.
2. Maintain their property according to established standards.
3. Treat association leaders honestly and with respect.
4. Vote in community elections and on other issues.
5. Pay association assessments and charges on time.
6. Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
7. Request reconsideration of material decisions that personally affect them.
8. Provide current contact information to association leaders or managers to help ensure they receive information from the community.
9. Ensure that those who reside on their property (e.g., tenants, relatives, friends) adhere to all rules and regulations.

### **Community Leaders Have the Right To:**

1. Expect owners and non-owner residents to meet their financial obligations to the community.
2. Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.
3. Respectful and honest treatment from residents.
4. Conduct meetings in a positive and constructive atmosphere.
5. Receive support and constructive input from owners and non-owner residents.

6. Personal privacy at home and during leisure time in the community.
7. Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

### **Community Leaders Have the Responsibility To:**

1. 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.
2. Exercise sound business judgment and follow established management practices.
3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
4. Understand the association's governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.
5. Establish committees or use other methods to obtain input from owners and non-owner residents.
6. Conduct open, fair and well-publicized elections.
7. Welcome and educate new members of the community—owners and non-owner residents alike.
8. Encourage input from residents on issues affecting them personally and the community as a whole.
9. Encourage events that foster neighborliness and a sense of community.
10. Conduct business in a transparent manner when feasible and appropriate.
11. Allow homeowners access to appropriate community records, when requested.
12. Collect all monies due from owners and non-owner residents.
13. 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.
14. Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights—where permitted by law and the association's governing documents.
15. Initiate foreclosure proceedings only as a measure of last resort.
16. Make covenants, conditions and restrictions as understandable as possible, adding clarifying “lay” language or supplementary materials when drafting or revising the documents.
17. Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., officers, the board and committees. (Community associations may want to develop a code of ethics.)

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*Sponsored by CAI President's Club*