

# Washington State Chapter **COMMUNITY ASSOCIATIONS INSTITUTE**

*The professional organization providing  
education, resources, and advocacy  
for community association living.*



**community**  
ASSOCIATIONS INSTITUTE

# Advanced Strategies of Rules Enforcement: Beyond the Basics

Washington CAI  
Community Associations (CA) Day  
October 18, 2014

Presented by:

Rachel Garrett, CMCA, AMS, PCAM

Dan Zimberoff, Esq., DAD



**Dear Homeowners Association,**  
**Thanks for the letter informing my bushes need to be trimmed.**

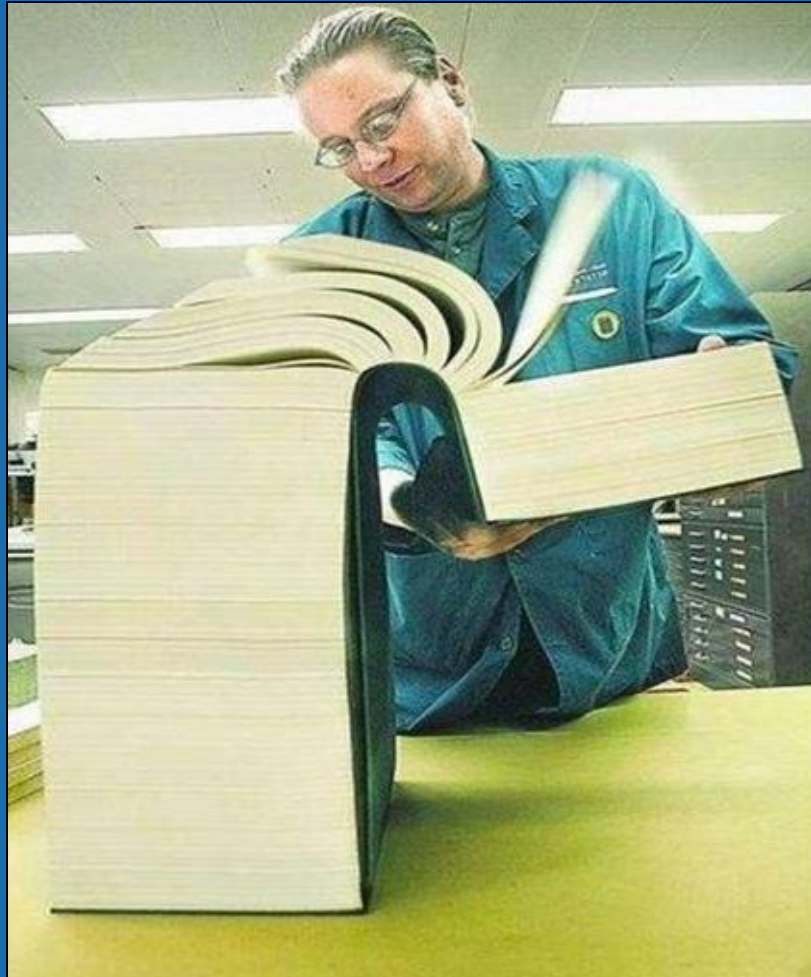
# Overview

- CC&Rs vs. Rules & Regs
- Enforcement vs. Collections Policy
- Due Process – legal primer
- Due Process – in action
- Controversy
- Nuts and Bolts
- Open Forum



# CC&Rs vs. Rules & Regs

- Authority
- Process
- Amendment



# Enforcement vs. Collections Policies

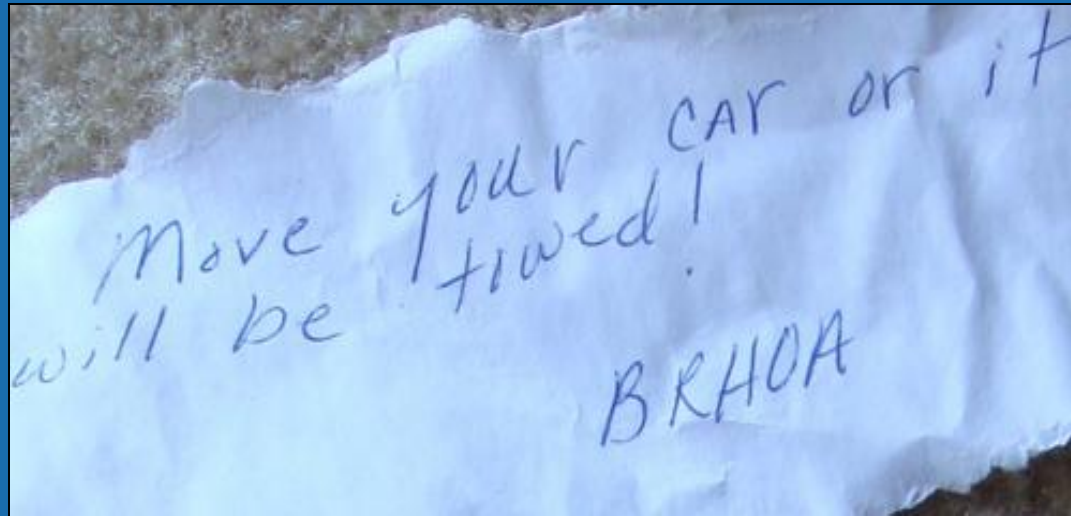
- Enforcement Policy
  - Due Process
  - Fines Schedule
- Collections Policy
- Purpose of Fines/Assessments?

\$ &



# Due Process – From the Lawyer

- Habeas corpus – not!
- Not a court or tribunal
- Impacts residence and \$\$





# Why Process is Important

- ARC / ACC

Cloudless Sky



Vs.

Cloudless Sky,



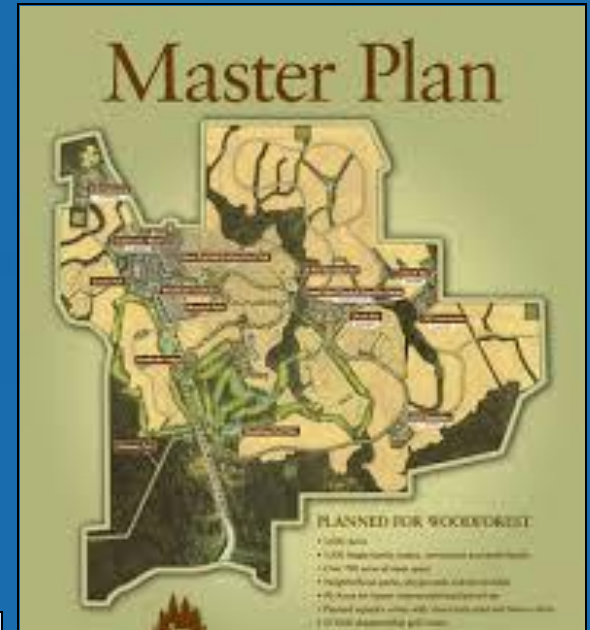
# Due Process – In Action

- Good rules / restrictions
- Good enforcement
- Good fines/assessments
- Good exceptions
- Good hearings
- Good resolutions



# Types of Communities

- Mixed Use
- Master Planned
- Traditional Condominium
- Traditional PUD/HOA



# How to Handle Controversy

- Boards
- Homeowners
- Renters
- Family Members
- Attorneys



# Owner vs Owner

- Does the HOA need to get involved
- Use Government agencies
  - Pets
  - Occupancy
  - Parking / Speeding



# Best Practices

- Inspect smart
- Know you customer
  - Cultural diversity
- New owner orientation
- Bartender, hairdresser & CM
  - Find commonality
- Celebrate your victories
  - Metrics / Historical data



# Real Life Examples

- Service / Support Animals
- Drugs / Criminal Conduct
- Commercial vs Residential
  - Veto power
- View Restrictions
- ARC/ACC



Now, From the Audience...





# Advanced Strategies of Rules Enforcement: Beyond the Basics

Questions?

Presented by:

Rachel Garrett, CMCA, AMS, PCAM

Dan Zimberoff, Esq., DAD

# CAI and the Washington State Chapter of CAI

Working Together to Serve You  
Nationally and Locally

[www.caionline.org](http://www.caionline.org)

1-888-224-4321

[www.WSCAI.org](http://www.WSCAI.org)

425-778-6378