

From: <https://hoaperspectives.wordpress.com/2014/10/30/to-the-az-senate-study-committee/>

Inside the Mind of HOA Board Members

A Perspective...Author Unknown

Letter to an Arizona Senator and the Homeowners Association Study Committee

Re: Homeowners Association

Dear Senator and Committee Members:

I find it necessary to bring to the attention of the Senate Study Committee that not all homeowners are disgruntled. I, for one, am a happy homeowner who likes homeowners associations, particularly, my own Association. My desire to serve my community drove me to offer my candidacy to the Board of Directors when a vacant seat on the Board became available; the Board appointed me, and I have become a director myself. This is the greatest thing that has ever happened to me in my entire life.

Briefly, I want to tell all the things I love about my Association. I love the fact that membership in the Association is mandatory in our community, because otherwise most people, who are selfish by nature, would prefer to remain non-members.

I am grateful to the developer for leaving us his CC&Rs, especially the parts about restrictions. I love to be restricted from so many things, but I love even more to have these restrictions imposed upon my neighbors. I also love the provision that gives the Board the authority to modify, amend, and create new rules and restrictions without any limitation. This shows that the CC&Rs are a living document, which the Board can utilize for controlling disobedient homeowners.

We in our Association do not welcome homeowners' initiatives of proposed amendments to the CC&Rs; therefore, we do not submit such proposals for the homeowners vote. We prefer to have full control over any amendment process, because most homeowners just want less restrictions, and this will give us less items to enforce.

I love the powers that the CC&Rs give the Board. Especially, I love the fact that the Board, the Directors, and the Management are not accountable for their actions. This frees us from fear, so we can perform in any way we choose for the

greater good of the community. Some disgruntled homeowners demand that the Board and management, should also abide by the CC&Rs and the bylaws, we just ignore them.

They don't understand that the law does not give them any means to enforce these documents on the Board, but the Board, on the other hand, can selectively enforce them whatever they want. I know that this is true, because our lawyer said so. After all, we are the Board of Directors.

I love getting violation notices from the management, because it is done out of sincere concern for the market value of my property. I love to pay fines for violations, even if they are petty violations. I especially like the threats of liens or foreclosures. But even more, I love to be the one who sends such notices to my neighbors; this is part of my personal motivation of being a Board member. Truthfully, since I became a Board member, I have not received any violation notices at all, so I really can't complain.

I love the fact that the Board is in charge of everything. People who demand checks and balances don't know what they are talking about. What's better than having all the authority vested in one body, our beloved Board? It's a good thing that the Board is empowered to fill so many functions, everybody should appreciate the great job that we are doing. Where else can you find one body of fine people who have no special qualifications, and acts as a legislature, police force, judge, jury, court of appeals and executioner? I call it efficiency. Unfortunately, even in our Association there are some disgruntled homeowners.

Instead of appreciating the cleansing that we have achieved in our neighborhood, they always talk about their deprivation of civil rights, due process, liberty, dignity, privacy and other such things. It's hard for me to understand them. Didn't they agree to give up all these rights when they moved into our neighborhood and become part of our community? I really don't know why these people need rights. They should be grateful to live in our manicured neighborhood. I think that these people just got their values mixed up. I love the fact that the State is reluctant to interfere with the actions of our beloved Board, because really what we are doing in our Association is none of the State's business.

As a Board member, I love to be able to peek into my neighbors backyard to check on them and see what they do, and then tell them what's wrong with the way they conduct their lives. They should be grateful for this, and I can't think of a more fun way to spend my time.

I love the fact that the Board and its directors and officers are protected by an

insurer that will provide legal defense for us even if we act illegally or not in good faith. This makes it even more desirable to be on the Board, because I know that nothing bad can ever happen to me.

I love to participate in closed executive meetings of the Board because there we can act without the disgruntled homeowners watching us and complaining. I also like it when they complain in open meetings, and we, the Board members, remain indifferent and just laugh in their face, because the homeowners are powerless and their complaints do not amount to anything. Some people always complain. They refuse to recognize that they signed a contract with the Association and freely agreed to abide by all the covenants, conditions and restrictions. So really, instead of complaining, they should shut up.

But above all, I just love having control, especially over my neighbors. We nominate to the Board only people who have the proper aptitude for governing the community. Frankly, the others are just not interested in serving the community. When election time comes, we urge the members to send us blank proxies, so we can fill them with the right names. Sometimes, if we don't get enough proxies, we add some of our own, in order to get the proper outcome. This way we ensure continuity in our effort to keep the homeowners under control.

I find that serving my Association is highly rewarding, and I urge your Committee not to listen to the few complainers, but rather see the big picture and the positive contribution that we make to society. We also nurture a profitable industry that includes management companies, lawyers, insurers, and others. If you pass legislation that will take some of the power away from us, this industry will suffer.

I am glad that the interests of the Board, together with the interests of the industry, are well represented in your Committee by the Community Association Institute, which does a great job of lobbying for us, and I trust that you will do the right thing and leave us alone to continue with the subjugation of the homeowners for the greater good of humanity. We'll take care of the rest.

Very Truly Yours,

HOA Board Member and Enforcer of the Rules

**For more about HOAs and how Homeowners can bring Law Reforms
to Protect Themselves go to: www.hoaowners.org**