

LEARN ABOUT YOUR HOA

STEPS TO BECOMING BETTER INFORMED

1/3/2017

TABLE OF CONTENT

- ✓ Getting involved –gain knowledge
- ✓ NRS 116 Statute Support
- ✓ Help from Others
- ✓ Getting Started -Action Items

SOURCES

HOA CC&R's
BYLAWS & RULES
RESERVE STUDY
COMMUNITY MANAGER
NEVADA REAL ESTATES DIVISION
OTHER RESIDENTS

GETTING INVOLVED!



https://www.google.com/search?q=getting+involved&biw=1322&bih=676&source=Inms&tbm=isch&sa=X&ved=0ahUKEwiT0tzppOXQAhWMErwKHSZICf8Q_AUIBigB

1/3/2017

GETTING INVOLVED-GAIN KNOWLEDGE

- **Personal commitment**

How much time devoting to the situation

Determine your attitude – problem pointer vs problem solver

- **Willingness to become educated**

- **Attend Meetings /Committee's**

- **Reading CC&R's**

- **Reading Bylaws**

- **Avoiding Hearsay**

- **Volunteer**

GETTING INVOLVED : ASKING THE QUESTIONS

Basic Questions:

- Is the HOA self-managed or uses a Community Manager**
- If the HOA uses a Community Manager are they also using a Management Company**
- Who is the point of contact with questions about the HOA (CAM or Board Member)**
- How big is the HOA Is this a community with rentals What is the basic makeup**
- How are unit owners notified of meetings, events**
- Does the HOA use any form of Social Media or newsletter**
- How many members are on the board**
- When was the last Reserve Study completed**

GETTING INVOLVED : ASKING THE QUESTIONS

Architectural Change Requests Questions:

- Is there any formal procedure for architectural changes**
- Are there forms which need to be filled out and how do I obtain forms Are there any costs to file a request**
- Are my neighbors involved in the process**
- How is the review process handled (committee vs board)**
- How soon may I expect a response for my request**
- How will I be notified of the decision**
- How can a unit owner ask the board to reconsider the decision**

GETTING INVOLVED : ASKING THE QUESTIONS

Violation Questions:

- Who is canvassing the area for violations**
- How often is the HOA checked for violations**
- What are the collections fines for violations**
- Does the HOA send out courtesy letters**
- How does the HOA inform the unit owners of violations**
- Does the HOA determine the date of hearing or does the HOA work with unit owner**

GETTING INVOLVED : ASKING THE QUESTIONS

Violation Questions:

- How does a unit inform the HOA violation has been corrected**
- What if the violation is sent to unit owner in error**
- Are unit owners made aware that statute allows them to have the hearing in open session**
- Is the board aware if any board member is behind in assessments they cannot vote on violations**
- How are unit owners notified of hearing results**
- Is there a payment procedure for violations**
- Where are the violation hearings held**

GETTING INVOLVED : ASKING THE QUESTIONS

Meeting Questions:

- How often are meeting held for the HOA**
- How are items added to the agenda**
- Where are notices of the meeting posted**
- Where are the meeting held**
- Do unit owners need to sign in**
- How much time are unit owners given to speak**

GETTING INVOLVED : ASKING THE QUESTIONS

Records Requests Questions:

- Who should be sent the records requests**
- Are the records available on-site or are they off-site**
- How soon can I expect my request to be handled**
- Where do I have to go to view any HOA records**
- Will I be charged for any records requests**
- Which records are being kept 10 years or more**

▫

GETTING INVOLVED : ASKING THE QUESTIONS

Election Questions:

- How many positions are on the board**
- What are the length of terms –how are resignations handled**
- Does the board vote to use “deemed duly elected process”**
- When are elections held/Where are the elections held**
- Where are the ballots sent and how are they stored**
- Who counts the ballots and where can I go to review them**

NRS116 STATUTE SUPPORT

- ✓ Power
- ✓ Notice & Meetings
- ✓ Elections
- ✓ Records
- ✓ Unit Owner Rights
- ✓ Management Contracts & Community Managers



https://www.google.com/search?q=STATUTES&biw=1322&bih=676&source=Inms&tbm=isch&sa=X&ved=0ahUKEwil9_SjpOXQAhWDV7wKHShGDrUQ_AUIBygC

NRS116 STATUTE SUPPORT

Power:

- NRS 116.3102 Powers of unit-owners' association**

- NRS 116.3103 Power of executive board to act on behalf of association; members and officers are fiduciaries; duty of care; application of business-judgment rule and conflict of interest rules; limitations on power.**

- NRS 116.31031 Power of executive board to impose fines and other sanctions for violations of governing documents**

- NRS 116.310312 Power of executive board to enter grounds of unit to conduct certain maintenance or remove or abate public nuisance**

- NAC 116.405 Executive board: Determination by Commission of whether members have performed their duties**

NRS116 STATUTE SUPPORT

Notice & Meetings:

- NRS 116.31068 Notice to units' owners**

- NRS 116.3108 Meetings of units' owners of association; frequency of meetings; calling special meetings**

- NRS 116.31087 Right of units' owners to have certain complaints placed on agenda of meeting of executive board**

- NRS 116.31086 Solicitation of bids for association project; bids to be opened and read aloud at meeting of executive board**

- NRS 116.31088 Meetings regarding civil actions; requirements for commencing or ratifying certain civil actions; right of units' owners to request dismissal of certain civil actions**

NRS116 STATUTE SUPPORT

Notice & Meetings:

- ❑ **NRS 116.31083 Meetings of executive board; frequency of meetings**
- ❑ **NRS 116.31085 Right of units' owners to speak at certain meetings; limitations on right; limitations on power of executive board to meet in executive session**
- ❑ **NRS 116.31084 Voting by member of executive board; disclosures; abstention from voting on certain matters**
- ❑ **NRS 116.3109 Quorum**

NRS116 STATUTE SUPPORT

Elections & Voting :

- NRS 116.3106 Bylaws**
- NRS 116.31034 Election of members of executive board and officers of association; term of office of member of executive board**
- NRS 116.31035 Publications containing mention of candidate or ballot question**
- NRS 116.31036 Removal of member of executive board**

NRS116 STATUTE SUPPORT

Elections & Voting :

- NRS 116.31107 Voting by units' owners: Prohibited acts**
- NRS 116.31105 Voting by delegates or representatives; limitations**
- NRS 116.31107 Voting by units' owners: Prohibited acts**

NRS116 STATUTE SUPPORT

Records :

- NRS 116.31175 Maintenance and availability of books, records and other papers of association**
- NRS 116.3118 Maintenance and availability of certain financial records necessary to provide information required for resale of units; right of units' owners to inspect, examine, photocopy and audit records of association**

□

NRS116 STATUTE SUPPORT

Unit Owner Rights :

- NRS 116.31183 Retaliatory action prohibited**
- NRS 116.31184 Threats, harassment and other conduct prohibited; penalty**
- NRS 116.3114 Surplus funds.**
- NRS 116.320 Right of units' owners to display flag of the United States or of the State of Nevada in certain areas**
- NRS 116.325 Right of units' owners to exhibit political signs in certain areas**
- NRS 116.330 Right of units' owners to install or maintain drought tolerant landscaping**

NRS116 STATUTE SUPPORT

Unit Owner Rights :

- NRS 116.332 Right of units' owners to store containers for collection of solid waste**
- NRS 116.335 Association prohibited from requiring unit's owner to obtain approval to rent or lease unit**
- NRS 116.350 Limitations regarding regulation of certain roads, streets, alleys or other thoroughfares; permissible regulation of parking or storage of certain vehicles.**
- NRS 116.335 Association prohibited from requiring unit's owner to obtain approval to rent or lease unit;**
- NRS 116.340 Transient commercial use of units within certain planned communities**

NRS116 STATUTE SUPPORT

Management Contracts & Community Managers :

- NRS 116A.600 Requirement for community manager or reserve study specialist to notify Division in writing of certain convictions**

- NRS 116A.610 Requirement for community manager to disclose certain information to prospective client before entering into management agreement**

- NRS 116A.620 Management agreement: Contents; requirements**

- NRS 116A.630 Standards of practice for community managers**

HELP FROM OTHERS



https://www.google.com/search?q=hELP&biw=1322&bih=676&source=Inms&tbn=isch&sa=X&ved=0ahUKEwj88u8ouXQAhXKxbwKHWdsCzUQ_AUIBigB

HELP FROM OTHERS

Nevada Legislature- <https://www.leg.state.nv.us>

Federal Communications Commission- (ex. Satellite dishes) <https://www.fcc.gov>

**U.S. Department of Housing and Urban Development::
<http://portal.hud.gov/hudportal/HUD>**

Department of Administration Victims of Crime : <http://voc.nv.gov>

Department of Health & Human Services : <http://dhhs.nv.gov>

**Depart of Health & Human Services Aging and Disability Services Division:
<http://adsd.nv.gov>**

HELP FROM OTHERS

Nevada State Contractors Board-[\(http://www.nvcontractorsboard.com/\)](http://www.nvcontractorsboard.com/)

Nevada Transportation Authority- (http://nta.nv.gov) The Nevada Transportation Authority administers and enforces state laws pertaining to passenger transportation, household goods movers, and tow cars.

Clark County Senior Services -<http://www.clarkcountynv.gov/social-service/services/Pages/SeniorCitizenProtectiveServices.aspx>

Nevada Division of Child & Family Services: <http://dcfs.nv.gov>

Las Vegas Animal Control: <http://www.lasvegasnevada.gov>

Clark County Animal Control: <http://www.clarkcountynv.gov>

Republic Trash: <http://site.republicservices.com>

Getting started

1/3/2017

GETTING STARTED

Walk the neighborhood

Read CC&R's , bylaws

Become a board member

Ask to have items added to the agenda

Attend meetings

Speak at meetings

Ask for copies of the audio tapes and/or meeting minutes

Volunteer for committee's

GETTING STARTED

Review the records

Read the Reserve Study

Read through the budget

Review Contracts

Request if any Letters of Instruction

Attend Commission Meetings

Visit the Division website for resource material

Ask questions! Get answers!

Suggest new ideas to community

Encourage others to get involved

SUMMARY

The best way to learn about your HOA is to get involved....

Become a board member

Read the governing documents

Read the NRS116 statutes (NRS116, NRS116a, NAC116, NAC116a)

Request copies or the ability to review HOA records

Look to others for help and ask questions

Attend and speak at meetings

Consider what is in the best interest of the Association