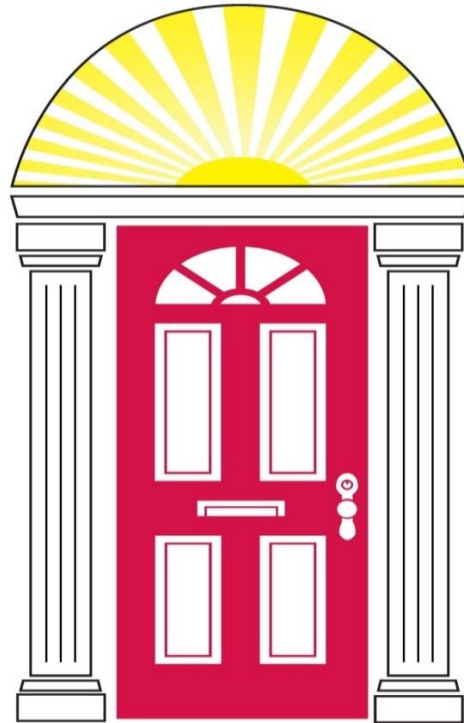


# B R E A K F A S T B R I E F S



## **Strategies for Improving Board Function**

This course is approved by the Community Association Managers International Certification Board (CAMICB) to fulfill continuing education requirements for the CMCA® certification.  
[www.camicb.org](http://www.camicb.org)

M E R C E R T R I G I A N I



BREAKFAST BRIEFS

# Overview

## *(Why We Should Care)*

---

- Directors are elected by association members - *Does dysfunction reflect membership?*
- Community associations are **our** business - *As professionals, we are perceived and defined by our clients and how our clients conduct business.*

# The Apathetic Board

## Symptoms:

- Attend meetings, but do minimum required;
- Allow manager to make all decisions;
- Disengaged, uninterested and...apathetic.

## Strategies:

- Draft more engaged owners- identify a “complainer” and seek out more energetic owners.
- Make it easier to be engaged:
  - Present and frame options on decisions;
  - Organize shorter, more organized meetings;
  - Educate and train.
- BUT, in the meantime, **protect yourself**.

# The Leaderless Board

## Symptoms:

- Officers lack leadership qualities or desire;
- Unwilling, reluctant chair;
- Look to manager (or anyone else) for direction.

## Strategies:

- Build Leaders - select candidates with leadership potential and engage them –
- Become co-leaders – bring directors into your process and to training.
- Look for individual with leadership experience –  
Appeal to spirit of volunteerism.

# The Drinking Board

## **Symptoms:**

- Drink during meetings – or go drinking together after;
- Community witnesses “voting while intoxicated”.

## **Strategies:**

- Bring in legal counsel to discuss downsides of drinking;
- Remind the Board that no drinking at Fortune 500 Board Meetings;
- Adopt Code of Ethics for Board or rules for meetings (Effective especially for lone drinker).

# The Volunteerless Board

## Symptoms:

- No candidates;
- No quorum;
- No meetings;
- No interest.

## Strategies:

- Letter to membership to describe consequences - receiver could be appointed by court;
- If no-show Board, management charges for meeting;
- *Similar to the Apathetic Board.*

# The Combatant Board

---

## **Symptoms:**

- Argue about every matter of business;
- Spenders vs. non-spenders;
- Battle over e-mail.

## **Strategies:**

- Allow some argument – discussion can be healthy:
  - Control with procedures – convert conflict to debate on motion;
- Point out areas of agreement;
- Don't take sides;
- Invite a guest to meeting;
- Discourage email traffic, educate on danger of email.

# The “Skull and Bones” Board

## **Symptoms:**

- Secret meetings (held in a unit or home or other venue);
- “*Work sessions*”;
- Frequent e-mail discussion.

## **Strategies:**

- Establish routine of meeting in public place - change venue;
- Don’t recognize closed meeting decisions - demand proper meeting and vote for action;
- Educate on Virginia open meeting requirements – use legal counsel as back up;
- Explain consequences of secret meeting.



# The Self-Managed Board

## **Symptoms:**

- Know just enough to be dangerous – seek their own bids, negotiate contracts themselves.
- Conduct may be based on cost-savings

## **Strategies:**

- Force Board to administer contract in which management had no input – consider carve out in management agreement;
- Point out value of expert advice (business judgment rule).

# The Inconsiderate Board

## Symptoms:

- Demand 24/7 management;
- Do not recognize business hours;
- Expect immediate turnaround on all emails.

## Strategies:

- Set expectations early:
  - Return emergency calls after hours;
  - Set reasonable deadlines.
- Set **emergency** contact protocols - “life, safety or destruction of property.”
- If company does not have emergency weekend or evening service – consider it.

# The Brand New Board

---

## **Symptoms:**

- Freshly elected and eager;
- Energetic, but not yet educated.

## **Strategies:**

- Education and training – show that there are “*experts*”:
  - Bring attorney, accountant, engineers, other vendors to meeting;
  - Encourage CAI membership, attendance at Expo and classes.
- Create priority lists:
  - Realistic agendas and deadlines;
  - Appoint committees to spread out tasks.

# The Declarant Board

## Symptoms:

- Do not recognize need for formal procedure;
- Ignore meeting requirements;
- Unconcerned and avoid owner involvement.

## Strategies:

- Similar to *Brand New Board*;
- Bring in independent legal counsel to represent Association/attorney/others to impress importance of following law;
- Force meeting to be legally recognized:
  - Issue notice of meeting;
  - Owner forum on agenda,
  - Require motions to take action.
- Recommend homeowner committees.

# Discussion

MERCERTRIGIANI



# B R E A K F A S T B R I E F S



## **Strategies for Improving Board Function**

M E R C E R T R I G I A N I



BREAKFAST BRIEFS