

OUTLAWS OR IN-LAWS ?

Opinion Piece by Lloyd Rochambeau

Actually, this is about HOA's; Mobile Home Park **Home Owner Associations**. Just for fun, we will refer to them as Law Abiding Citizens and as either Outlaws or In-laws.

HOA's who are operating in accordance with their Association By-Laws are the Law Abiding Citizens. This is, of course is what every HOA should be doing.

Let's determine if an HOA is an Outlaw. Does it loosely follow the By Laws, but is guilty of fudging? Say the By Laws call for a five member Board of Directors, but someone decided to expand it to nine Board Members. That would not be legal. Say the By Laws call for monthly meetings, but the Board decides quarterly meetings are adequate. If the By Laws have Term Limits for officers, but they seem to more like royalty than elected representatives.

On the other hand, maybe the HOA is not following election rules and either appoints or self elects Board Members. Has the HOA become more of a family or just their own little club that decides how they will operate? We could call this an In-Law or incestuous or homemade HOA.

There are probably some Parks which do not have an HOA, don't even want one. Does that mean a small unelected cliché or group decide what is best for the other residents? Or even worse, do they merely serve as supporters for the Park Manager or Park Owner?

Home Owners in Parks have HOA's for a reason, (or two or three). HOA's have By Laws for a reason. Just having an HOA does not ensure they are truly serving the homeowners. Residents need support from HOA's so they do not have to take on Management alone and often without full knowledge of their rights under the law. Some will say, we get along just fine without an HOA. That may well be true, but who really knows what lies around the corner by a new manager...a new owner...or a huge un-foreseen rent increase? A law abiding HOA is the best bet and insurance that might well save your bacon someday.