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## HOUSE BILL NO. 332

Offered January 8, 2014

Prefiled January 2, 2014

A BILL to amend the Code of Virginia by adding a section numbered 55-530.01, relating to the Common Interest Community Ombudsman; owners' bill of rights.

Patrons—Greason and Simon

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 55-530.01 as follows:**

**§ 55-530.01. Additional duties of Common Interest Community Ombudsman; common interest community owners' bill of rights.**

A. In addition to the powers and duties specified in subsection C of § 55-530, the Common Interest Community Ombudsman shall develop and disseminate to all common interest communities in Virginia a common interest community owners' bill of rights, which shall be written in readily understandable language using words of common everyday usage and avoiding legal terms and phrases. The Ombudsman shall also post a copy of the common interest community owners' bill of rights on its website.

B. The common interest community owners' bill of rights shall include, at a minimum, the following rights of an owner to:

1. Elect members of the board of directors, executive organ, or other governing body of the association however denominated (hereinafter referred to as the board of directors);

2. Inspect and copy association books and records, including association expenditures, receipts, other records relating to the operation and management of the association, maintenance and repair records, and minutes of any meeting of the association or the board or subcommittees or committees thereof. Such right to inspection shall be without reference to the duration of an owner's membership in the association;

3. Receive notice of, and attend, all meetings of the association or board of directors, or subcommittees or committees thereof, required by law to be open. Such notice indicating the date, time, and location for any such meeting shall be sent to each owner in the association in accordance with applicable law;

4. Request and receive personal notice on a continual basis of any such meetings, which request shall be made by a requesting owner at least once a year in writing;

5. Inspect agenda packets prior to any such meeting;

6. Record any such meeting, subject to reasonable rules adopted by the board of directors;

7. Distribute, free of charge, information to other owners or members of the board of directors regarding any matter concerning the association;

8. Display the U.S. flag on property exclusively owned by the owner;

9. Receive notice of any coverage and protection available to an owner under any existing warranty, and the terms thereof;

10. Receive notice of any pesticide use or application;

11. Receive notice at least 14 days in advance and an opportunity to be heard and be represented by counsel before any charge may be imposed by the association or board of directors for an alleged violation by an owner of the association's governing documents or rules duly adopted pursuant thereto, and to receive a written copy of the hearing results. Such charges imposed by the association or board of directors may not exceed \$50 for a single violation or \$10 per day for a violation of a continuing nature, not to exceed 90 days; and

12. Rescind any special assessment levied by the board of directors by a majority of votes cast by the owners in the association and the effect of any such rescission.

INTRODUCED

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