



THE PRACTICAL GUIDE TO HOMEOWNER ASSOCIATION MANAGEMENT

## Is Your HOA Manager Taking Over?

November 18, 2011

This week's tip will help you determine whether your manager is too intrusive, not intrusive enough, or behaving just right at your [HOA meetings](#).

On September 4, two community association lawyers contended in a [Los Angeles Times](#) column: "Management employees, like any other vendor, do not belong at association board meetings. Although they may be invited to attend, they should not be taking [minutes](#) or offering suggestions on the conduct or content of the meetings."

On the first half of the columnists' comment, our experts heartily disagree. Having managers attend board meetings is a no-brainer, says [Elizabeth White](#), a shareholder and head of the community associations practice at the law firm of LeClairRyan in Williamsburg, Va. "You want the board to be making informed decisions. I've sat in hundreds of hours of board meetings. If the manager hadn't spoken up, some boards would have really made a few bad decisions."

Managers have a wealth of valuable information that boards can and should rely on. "The manager should attend all unit owners meetings and all board meetings—with one exception," says [Robert Galvin](#), a partner at Davis, Malm & D'Agostine PC in Boston who specializes in representing condos and co-ops (more on that exception shortly). "It's the manager who's managing the property day to day, and I don't see how you can have a meeting without that person."

That's also the thinking of Andrew Lewis of Eisinger, Brown, Lewis, Frankel & Chaiet PA in Hollywood, Fla., who specializes in representing community associations. "The manager is often the person who's in touch the most and has his finger the most on the pulse of the association and its business and affairs," says Lewis. "It only makes sense for the manager to be present. That's part and parcel and part of what the manager's job is."

Galvin mentioned an exception. When shouldn't managers attend an HOA meeting? "The board should meet once a year without the manager to evaluate the manager," says Galvin. "One of the most important board functions is to discuss how good a job the manager is doing and, if there are any concerns, what to say or whether to fire the manager or management company. The board should call one meeting a year—or, if it became an issue, more than one meeting—to discuss the manager."

But how involved should managers be at HOA meetings? That's not so clear cut. Learn more in our new article, [Should Managers Attend—and Participate In—HOA Meetings?](#)

Best regards,  
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President