

What Are The Duties Of HOA Board Members?

Homeowners associations are governed by a board of directors. They manage the day-to-day operations of the association and ensure that the community functions properly. Thus, the overall success of a community will depend on the effectiveness of its board members. If you belong to an HOA, here is a primer on the complete duties of HOA board members.

Main Duties of HOA Board Members

Living in an HOA community has many perks including attractive amenities, convenient services, and high property values. To enjoy these, though, an association must be able to maintain structure, order, and peace. This is where the board of directors comes in. If you want to understand the value they provide, here is a list of HOA board member responsibilities.

1. Ensure Compliance to Laws and Governing Documents

One of the main duties of HOA board members is to ensure that their association complies with federal, state, and local laws. Likewise, an HOA board must make sure that the community is following its governing documents.

2. Maintain Common Areas



HOA board members are responsible for maintaining common areas such as clubhouses, swimming pools, basketball courts, and gyms.

The HOA board also maintains the structural components of shared buildings such as the roof, exterior walls, and interior fixtures. They must facilitate maintenance work to ensure that all common areas are functioning.

3. Enforce HOA Rules and Regulations

It is the board's duty to ensure that each and every member of the community abide by the HOA rules and regulations. HOA board members must follow the provisions of their governing documents when dealing with homeowners who violate the community's rules and regulations.

4. Manage HOA Finances

A successful HOA community is one that is financially stable. Thus, HOA board members are responsible for managing the finances of the association. Essential money-related tasks include preparing the annual budget and other financial reports, collecting assessments, and managing reserve funds.



5. Conflict Resolution

Misunderstandings, disagreements, or fights within a community cannot be avoided — whether it is between homeowners, board members, or both. In order to maintain peace and order, HOA board members must engage in conflict resolution. They should be able to mediate and resolve conflicts to avoid legal cases or the involvement of law enforcement, if possible.

Legal Duties of HOA Board Members

According to Chapter 720 of the Florida Statutes, residential communities that operate as an association must be incorporated. An HOA community's governing documents must also be recorded in their local county office.

HOA board members are then placed in a position of trust. Thus, board members have a fiduciary duty to the HOA. This means that they must legally act in the best interests of the community. Here are the three fiduciary duties of the HOA board:

1. Duty of Care

The HOA board is legally obliged to make informed decisions. Board members must do the research — utilizing all the information that is available to them — before making a decision or voting on a certain matter.

2. Duty of Loyalty

HOA board members must act in good faith and for the benefit of the entire community. Their decisions must not be based on personal interests. They also cannot use their position as board members for private gains.

3. Duty to Act Within the Scope of Authority

HOA board members should act within the scope of their authority. They cannot use their position, or exercise their power, on matters that are outside their duties and responsibilities.

HOA Board Members' Protection from Liabilities

Since HOA board members take on a lot of responsibilities without any salary or compensation, they are given protection from personal liabilities. An HOA community will have these protections clearly stated in their governing documents. Most HOAs also purchase insurance to protect the board from potential liabilities.

In addition, there are also laws that provide further protection. For instance, the business judgment rule is widely used in HOA-related cases. According to the business judgment rules, HOA board members can be protected from bad decisions as long as they acted in the best interests of the community.

Specific Roles of HOA Board Members

Apart from the general duties of the HOA board, its members also take on specific roles. Here are the main responsibilities of each role.

1. President

The HOA President serves as the leader of the board. They also represent the community as a whole. Thus, the president works closely with other board members, homeowners, vendors, HOA managers, and so on.

The main responsibilities of the president include presiding over board meetings and facilitating the decision-making process; signing contracts, checks, and other legal documents; serving as a spokesman for the HOA; and taking charge of the day-to-day operations.

2. Vice President

The HOA Vice President takes charge in the absence of the HOA President. However, the vice president only has this authority if the president is unavailable. Depending on the association, the vice president may have additional duties.

For instance, the vice president can serve as the head of the architectural review committee, maintenance committee, and other HOA committees. The vice president can also liaise with the members of these committees.

3. Treasurer



The HOA Treasurer oversees the financial operations of the association.

They are in charge of developing the budget, monitoring income and expenses, collecting assessments, issuing payments to vendors, preparing financial reports, and facilitating an audit at the end of a fiscal year. If there is a finance committee, the treasurer can also serve as the head.

4. Secretary

The HOA secretary creates the board meeting agenda (with the president), records the minutes of board meetings, and ensures quorum. They also send notices for board meetings, ensure compliance with the governing documents, maintain bank information and other important documents, and store homeowner and maintenance records.

Knowing and Upholding HOA Board Member Duties

Since the success of a community can depend on the abilities of the HOA board, homeowners must elect only the most capable people. Thus, it's important to have a solid understanding of the duties of HOA board members. Homeowners can also use this knowledge to ensure that HOA board members uphold their legal responsibilities to the community.

Does your community need further assistance? Feel free to browse our online directory for HOA management companies, property management companies, and real estate agents.