

# ENFORCING RULES SUCCESSFULLY AND CONSISTENTLY

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“I like rules and that is the reason why I bought into this estate, but please exempt me from that specific rule”. Apart from “I pay your salary and you will do as I tell you”, this is the phrase that I have heard the most over the last 20 years.

The continuing challenges in enforcing various rules, whether it be the estate rules, Code of Conduct, Architectural design rules, Aesthetics rules or sections of the MOI, take up (by far) the most time of any Estate Manager, staff and service provider. A bit of intimidation by HOA members, double standards by Directors and Estate Managers, settling of personal agendas, badly developed rules and a poorly written MOI: this is all a great formula for a failed estate.

Over the last few months, I have again been exposed to the various stages of rule enforcement on various estates: developing new rules, updating rules, enforcing rules, a visit to CSOS as a defendant, transgressors of a rule (such as a trailer parked visibly from the road or golf course), lodging complaints of non-compliance (unsuccessful) and preparing for a court case to enforce a rule.

The experience of lodging an unsuccessful complaint of non-compliance and the subsequent feedback from the HOA strengthen my belief that HOAs, in general, are ill-equipped to enforce rules successfully and consistently. This has a direct impact on



the reaction from members when rules are enforced.

HOAs do have various remedies available to enforce rules in order to create a harmonious environment for members to enjoy estate living. Remedies like to vote and speak at meetings in good standing, biometric access control deactivation, revoking of members rights and privileges to use amenities, employing compliance officers and night club bouncers to remove unruly members (a new one for me), speeding fines and compulsory animal behavior training, to mention a few.

Security service providers have also invested in better qualified and trained security officers to assist HOAs as their enforcers: eyes and ears on the ground. There should be no excuses when enforcing rules successfully and uniformly.

It is time for all of the role players in the various HOAs to pull their resources together to develop the best practices and provide education to all role players (Directors and Management) on how to enforce rules successfully and consistently. An investment to improve the soft skills and the knowledge of the governing documentation of the role players will have a direct impact on the successful and consistent enforcement of rules.

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