



HOA ACADEMY

by Professor Gary Solomon & Dr. Robin Huhn

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HOA Academy

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Dr. Robin Huhn

robinhuhndc@gmail.com

1.702.812.4599

DEDICATION

This book is dedicated to all home owners who have been harassed, fined, had liens placed upon their property, and foreclosed upon by their Home Owners Association and to all of those who are working on solutions.

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Introduction

Home Owners Associations (HOA) began with good intentions. In the last ten years HOAs have evolved to become a great disgrace in America. What started out as a good thing has now become a monster, see Chapter 26. HOAs were created to protect and unite neighbors in their communities. Now, quasi-governments with the power to take a person's home away from them and banish them from the community, HOAs have been seeded for westernized stress related disorders.

HOA Academy uses a multi-media approach to explain Home Owners Associations, Management Companies, Collection Companies, and Home Owners Association's attorneys; identifying their roles in a billion dollar scam on unwitting homeowners. Professor Gary Solomon's identification of HOA Syndrome, a psychiatric disorder similar to Post Traumatic Stress Disorder, brought the HOA crises into the forefront, enlightening thousands of homeowners who have identified with the signs and symptoms of the Syndrome, see Chapter 18. Unfortunately, the numbers increase on a daily basis.

This book, *HOA Academy*, which was written from his 101 *hoaacademy.com* lectures. If you want to view the lectures go to *HOA Academy*. This site includes HOA Academy and other lectures on the subject of Home Owners Associations, management companies, collection companies and Home Owners Association attorneys. You may view, listen, print, or read the text. Other related websites will also help you gain insight into this HOA crisis: *hoaacademy.com*, *hoasyndrome.com*, *pittythepoorfool.com*, *hoacrisisinamerica.com*, and *hoaboardmonitoringservices.com*.

I hope *HOA Academy* and the related works serve to improve the quality of your life.

Additionally, it is my hope that *HOA Academy* will induce the necessary change in America to bring Home Owners Associations back to their original purpose: A peaceful, comfortable, friendly, and safe community in which to live.

Dr. Robin Huhn

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CHAPTER 1

GETTING STARTED ON YOUR JOURNEY

Dr. Gary Solomon, retired Professor Emeriti's of Psychology at the College of Southern Nevada introduces himself, his research and HOA Academy, an educational website. Professor Solomon discloses that he is not an attorney, nor does he give legal advice. Some of the statements made by Professor Solomon are in his own humble opinion and are personal feelings and thoughts.

Nikolas Dahlheimer & Robin Huhn

I would like to introduce myself. My name is Professor Gary Solomon. I am a retired tenured psychology professor from the College of Southern Nevada in Henderson, Nevada. I want to take a moment and explain what this book on Home Owners Associations (HOAs), is going to be about, what you'll be able to get from my research and book. I hope the book will help solve Home Owners Association problems and issues the reader may have.

About five years ago I noticed problems with HOAs. The problems were not directly evident to me, but over time I started to notice that neighborhoods seemed

to be very flat, silent, lifeless, with low affect. I observed this from the deck of my home that overlooked the illuminated city of Las Vegas, Nevada, which blocked out my dull neighborhood.

At that same time I experienced people coming to my door, randomly, without invitation, asking me: Are you having problems with your Home Owners Association? I was not. I let it go. This happened several times. At some point in time I connected the two events: The lifelessness in my neighborhood and the many people who had knocked at my door with their complaints and questions. I would later learn that what was taking place in my neighborhood was boiling over throughout America. I realized the HOAs were causing an enormous amount of stress, strain and problems for homeowners living in a HOA

I began my work looking at the psychiatric effects HOAs have on residents. I then started looking at the business related aspects of a HOA and the impact on homeowners. Ultimately, I addressed the political aspects of a HOA. What you're going to get from this book is educational insight about HOAs. To my knowledge there is no site available where you can get background and educational knowledge and understanding about HOAs. I have included terms, concepts and possible solutions to the frustrations that many homeowners are dealing with related to HOAs.

When first opening the HOA Academy website the reader is presented with an Agreement. The agreement states that Professor Solomon is not an attorney, nor does he give legal advice and the information comes to you in his humble opinion.. If a homeowner is seeking legal advice or counsel they must consult an attorney. After clicking Enter, the website takes the reader to 101 lectures presented by Professor Solomon. Click on the chapter you would like listen to for more information. My lectures, from www.hoaacademy.com, have been written in book form and is available to read and copy for free.

I do believe that as a result of my work there is going to be a backlash because what I'm saying is going to potentially affect the income of those who work for the HOAs: Management Companies, Collection Companies, and HOA Law Firms.

Finally, my goal is not to produce income from my investigations, research and publications. I do act as a consultant and expert witness on various problems and cases. I have made the conscious decision that I will not allow anybody to pay me for my service regarding HOAs. I wanted no claim from anyone saying that I produce income off the backs of unconscionable tragedies inflicted by HOAs. Murders have taken place around the country. There is more violence breaking out in HOAs across America. Anger, frustration, and stress related disorders continue to grow.

Therefore, I invite you to take a journey through this website and book. It's been structured in such a way that it is simple, easy to follow and to the point. My goal is to answer every question that you might have regarding Home Owners Associations.

Once the book and website have been published I will begin taking emails with questions and concerns. I will also warn you that the e-mails will be filtered. If what you want to do is discredit my work; if you are someone who makes money from homeowners who are having trouble with their HOA; if you want to try and say what a bad guy I am, you're wasting your time. I'm only interested in trying to help those who have been hurt by this despicable set of circumstances and those who support the HOA.

Sincerely,

Professor Gary Solomon



CHAPTER 2

THE HISTORY OF HOAS

Professor Solomon gives a brief history of HOAs. What is a HOA? What is the function of the Board of Directors, the for profit management and collection companies, and the HOA attorneys. For more information about the History of HOAs go to www.hoaacademy.com and click on articles.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon would like to give a brief history of Home Owners Association (HOA). An often asked question is: What is a HOAs.? HOAs have been referred to as quasi-governments. A HOA exists within a community designed to be managed by a group of its community members. These members are voted into their position by the homeowners and are called the Board of Directors. These community members are homeowners from within the community. They can range from three, to five, to seven members, and so on. The number of members is always an odd number so there will not be a tie when

voting. Anybody who owns a home, in good standing, in a HOA has the right to become a Board member. HOAs do not consider homes owned in a trust or corporation to have standing in the community, though they may live in the property, the homeowner has no rights in the community. The Board of Directors handle the oversight of the community.

The concept of a HOA community is about 40 to 45 years old, at least on the surface. The truth is communities have existed for thousands of years. Over time someone decided that we could have a better community if they were communities specifically designated by boundaries and managed and run by the homeowners themselves.

In the beginning this was good. But eventually someone got the bright idea that this could be a moneymaking organization, though HOAs are nonprofit corporations. It started slowly. The homeowner paid dues. Those dues went into an account. The funds in the community were used for the up-keep of the common areas, monuments, gates, and other related HOA jobs. Someone had the bright idea that maybe what was needed was to have a management company to help oversee and pay for the community up-keep and to tell the HOA how to run the community and the homeowners how they should live their lives. The homeowners, of course, had to pay the management company for their services.

When a neighbor, the HOA, HOA Board member, and management company didn't like the way a homeowner was living a fine notice would be sent to them telling them to correct the problem. The management companies realized that there was an enormous profit to be made by sending out fine letters. The management company could charge the HOA for every letter they mailed. The management company decided that they needed help collecting the fines, so a collection company was hired. The collection companies encouraged the management company to send them more collection cases and the management company encouraged the Board of Directors to fine more homeowners. All three entities decided that they needed someone to help file lawsuits and write legal documents, so the HOA attorney was introduced. The profits began to soar for everyone, except the homeowner. The collection companies would add their fees to the fine, ultimately, bringing a \$100 fine up to \$1,000. It was decided by state legislators that HOAs could foreclose on a home in a HOA if the homeowner did not pay their assessments/dues. The function of the management company, collection company and attorneys is to make money at the expense of the homeowner living in a HOA.



CHAPTER 3

WHY AM I DOING THIS?

Dr. Gary Solomon has been on this quest for more than five years. It is difficult for him to sit by and watch the injustices perpetrated against his fellow homeowners and neighbors.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon doesn't like what's going on in HOAs. It is difficult for him to stomach the abuse and harassment that Homeowners are going through simply because they live in a HOA. Professor Solomon never thought that anything like this could exist. For 15 years he had lived in two HOA communities and never had a problem. He was able to live his life in peace without being dictated to by the HOA. So why would it be any different when he moved into his present community? But surprisingly to Professor Solomon it was very different.

Professor Solomon is Jewish and was born two years after the death of Adolf Hitler. He lost most, if not all, of his mother's side of the family to the Holocaust. Understandably, this had a very dramatic affect on his life. Growing up he was

unable to stand by and let injustice happen. HOAs, management companies, collections companies, and HOA attorneys inflict unjust harm on those Homeowners who live in a HOA community. Professor Solomon has scientific proof that confirms that HOAs inflict harm and the symptoms a homeowner may experience from HOA abuse and harassment.



CHAPTER 4

WHY IS THIS HAPPENING?

The Covenants, Conditions & Restrictions (CC&Rs) is the rule book for running the HOA community. Upon signing the CC&Rs the homeowner literally give up their constitutional rights to such things as: freedom of speech, personal rights, right to go to court, legal protection, and quiet enjoyment. Professor Solomon reports that government has no financial incentive to disband HOAs. Homeowners living in a HOA pay taxes for services they may not receive because the homeowner has paid HOA assessments for the same services. This is double taxation.

Nikolas Dahlheimer & Robin Huhn

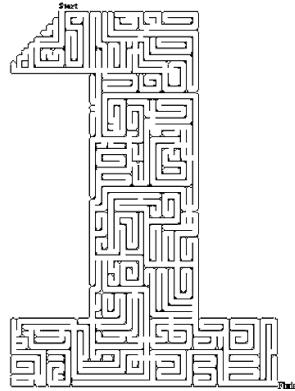
It is common knowledge that HOAs operate under what are called the Covenants, Conditions & Restrictions (CCR's). The CC&Rs are documents that hold the rules and regulations of the HOA: What the homeowner can and cannot do in their community. In order for a person to buy a home in a HOA, they must sign the CC&Rs signifying that they have read and understand the CC&Rs. If a homeowner disagrees with the CC&Rs and refuses to sign them, they will not be

allowed to buy a home in the community. The CC&Rs have become a very powerful document. They usurp the United States Constitution. The CC&Rs are more powerful than the US Constitution. When a homeowner signs the CC&Rs they are literally giving up their constitutional rights: freedom of speech, right to go to court, legal protection, and quiet enjoyment. The HOA community is now another private country. Many people when first told this don't believe they are giving up their constitutional rights until it happens to them. So, why doesn't the government step in to protect their citizens? The government knows that problems exist in HOAs. Professor Solomon's personal opinion as to why the government doesn't intercede is because they would lose lots and lots of money.

Professor Solomon proposes two communities. One is in a HOA and the other is not. Both communities pay state and property taxes. The taxes that the non-HOA community homeowner pays is used for the up-keep of the infrastructure in the neighborhood: roads, sidewalks, lighting, etc. Because the HOA development is considered a private community, their tax money is not used to take care of the neighborhood infrastructure. Their assessments are used for the up-keep of the community. The government knows that they are saving money by having the HOA community pay for services that they would otherwise be responsible for maintaining. So, just like the HOA, management company, collection company, and HOA attorney, the government is a fan of HOAs because

they save money. The HOA community homeowner is paying double taxes. They pay their property taxes as well as pay their HOA assessments. It is not in the best interest for the government to intervene in HOA matters..

As a side note, it is a myth that property values are greater in a HOA community. They are no more or no less valuable than homes in non-HOA communities. Just ask any home appraiser. See Chapter 59 for more information about The Myth.



CHAPTER 5

WHAT IS THE NUMBER ONE SOLUTION?

DON'T BUY A HOME IN A HOA COMMUNITY! IF you think you will not be harassed you are sorely mistaken.

Nikolas Dahlheimer & Robin Huhn

The number one solution for avoiding problems in a HOA is to NOT BUY A HOME IN A HOA! It's as simple as that. People fall in love with a house, they fall in love with the community and they say to themselves, "I won't have problems with the HOA. It's not going to happen to me". And, fortunately, some homeowners don't have any problems. Good for them. But this is not the norm. People, who are aware of HOA problems, still buy in HOA communities only to regret it later. They get a punitive fine letter and the harassment begins. Anger and fear overtake the homeowner. It affects their health, relationships, work, and most other aspects of their life. The usually mild mannered homeowner becomes violent

and objectionable. The best way to avoid this scenario is to NOT BUY A HOME
IN A HOA!



CHAPTER 6

A STATEMENT TO THE ATTORNEYS

There is a legal in-road in taking action against HOAs. Many homeowners are harassed which leads to stress induced medical and psychological problems. This is no different than a personal injury case. Therefore, it appears legal action could be taken against the HOA as a Tort. The HOA patient needs medical attention just as the personal injury patient does.

Nikolas Dahlheimer & Robin Huhn

Again it must be stated that Professor Solomon is not an attorney nor does he give legal advice. In this chapter Professor Solomon proposes, in his humble opinion legal action that attorneys could take against HOAs for their homeowner clients. Harassment and abuse by HOAs, management companies, collection companies, and HOA attorneys can lead to physical, emotional and psychological problems for homeowners. These problems are not unlike those associated with personal injury cases. The abused homeowner needs medical care, physical therapy, counseling, and help with problem solving brought on by stress, just as

does the personal injury patient. Therefore, it appears legal action could be taken against the HOA as a Tort case. Professor Solomon believes that HOAs are responsible for intentionally inflicting harm onto homeowners and neighbors. This causes damage, not unlike that of an automobile accident. It is important for the harassed homeowner to seek medical attention, the support of a social worker, a psychiatrist, a chiropractor, a neurologist, and a sleep clinic. It is not my intent is not to break apart Home Owners Associations. My intent is to bring them back to what they were originally intended; help people live in a community, help them come together and help them enjoy their lives without the stress.



CHAPTER 7

INTRODUCING TERMS AND CONCEPTS

Professor Solomon will introduce terms and concepts related to HOAs.

Nikolas Dahlheimer & Robin Huhn

In the following chapters Professor Solomon presents terms and concepts to explain why living in a HOA can lead to medical problems. This has been Professor Solomon's quest for the last five years to expose how stress from living in a HOA and being harassed by Board members can lead to physical, psychological and emotional stress related illnesses. Please read and learn.



CHAPTER 8

HOME OWNERS ASSOCIATIONS

An organization that has come together under what is known as the CC&Rs.

Nikolas Dahlheimer & Robin Huhn

HOAs are an organization that unites under what are known as CC&Rs, the rules and regulations a HOA homeowner must abide by to live in the community.

See Chapter 44 for more information about CC&Rs. The original concept of a HOA was good. Homeowners would band together, help one another, protect one another, and live in a beautiful environment. Originally, HOAs had prestige and those people who lived in them were prestigious. But, early on the HOAs and some homeowners decided they did not want certain races, people with certain religious beliefs or ethnic groups moving into their community. The people might bring down the prestige in the neighborhood. Many people were denied access into HOA communities. Eventually, the law put a stop to that, but that didn't stop the HOA and some homeowners from harassing and abusing those multi-blended people

who moved in the community. After the HOAs incorporated management companies, collection companies and attorneys, these blended people were harassed and abused even more. HOAs have developed into quasi-governments taking away many of the homeowners Constitutional Rights. The following chapters help describe and give the reader more information about HOAs. Please keep reading.



CHAPTER 9

COMMUNITY

A Home Owners Association may be within a larger HOA community.

Nikolas Dahlheimer & Robin Huhn

A HOA or many HOAs may be under the control of a larger HOA called the Master Associations. The homeowners all live in one community, but must live by the CC&Rs of both the subdivisions and Master Association. Because of this type of community the homeowner must pay assessments to both HOAs.



CHAPTER 10

THE MASTER ASSOCIATION

Larger communities may have more than one HOA. The Master Association oversees the smaller HOA subdivisions.

Nikolas Dahlheimer & Robin Huhn

As discussed in Chapter 9, there is such a monster as a Master Association. Everyone living in a HOA subdivision must follow the Master's rules and pay the Master assessment. The CC&Rs in each subdivision may be different. The homeowner must abide by those CC&Rs. The Master Association also has their own CC&Rs which the homeowner must abide. These CC&Rs can be conflicting. The homeowner within a Master Association can become confused by the many rules and regulations they are to follow. Not only is the homeowner harassed by the subdivision HOA, they are also harassed by the Master. This leads to chronic

stress, which leads to health problems, which leads to HOA Syndrome. See Chapter 18 to learn more about HOA Syndrome.



CHAPTER 11

THE CAPO (KAPO)

During WWII some of the prisoners in the concentration camps were put in charge of a group of fellow prisoners. These people were called Capos. In time the Capos became meaner to their fellow prisoners than the Nazi guards. Professor Solomon defines some HOA Board Members as Capos, getting pleasure from harassing and inflicting pain on their neighbors.

Nikolas Dahlheimer & Robin Huhn

The term "Capo" comes from the concentration camps in World War II.

When the concentration camps were set-up the Germans had people inside the concentration camps, other prisoners, monitoring the prisoners themselves.

Eventually, the Capo's became more vicious, more hurtful, than the Nazi guards and the prisons in which they were miserably contained. In time, as I researched this topic, I began to see the people on HOA boards, not all board members, some, as Capos because of receiving enormous pleasure from controlling and inflicting pain on their fellow neighbors.



CHAPTER 12

BARBED WIRER SYNDROME

During WWI many soldiers who were prisoners of war were diagnosed with Barbed Wire Syndrome. Many homeowners feel like they are imprisoned in their HOA community, not able to get out. The gate once used to keep people from coming into their community now keeps the homeowners from leaving the community.

Nikolas Dahlheimer & Robin Huhn

This chapter is about Barb Wire Syndrome which was a condition that resulted from being imprisoned. Not the prison itself, but rather simply not being able to get out. It is not unusual for some homeowners to feel as if they are behind barbed wire. The very place that they were looking forward to coming home to, built behind big safe gates, has now become a prison. The gates that were used to keep "undesirable" people outside of the Association are now the same gates that are keeping homeowners inside the community. If a homeowner wants to get out

from under the oppression of the HOA it becomes a struggle, similar to Barb Wire Syndrome in HOAs.



CHAPTER 13

APARTHEID

In a HOA the Board of Directors, the dominate minority, oversees the majority of homeowners; a small group of people with lots of power, ruling a large group of people with little power.

Nikolas Dahlheimer & Robin Huhn

The word "apartheid" is primarily known as emanating from Africa. This is a term that describes the dominant minority white population in Africa dominating the majority black population living in Africa. The minority did this to the detriment of the majority of the population. For years and years black Africans were ruled under the thumb of this white government. It's an extremely offensive term, but I believe that is applicable to HOAs today. You have a small group of people ruling a large group of people with enormous power, very much like apartheid in Africa.



CHAPTER 14

THE GHETTO

Ghetto is a negative term used to describe poor and downtrodden minority neighborhoods. HOAs have become Ghettos, with the homeowners, the majority minority, being held hostage in their own community.

Nikolas Dahlheimer & Robin Huhn

The term and concept of the "ghetto" brings up images that are negative. I think that that probably is a reasonable perception, but we also associate the ghetto with minorities; the poor, downtrodden or any number of descriptors. I now see that HOAs are looking more and more like ghettos. Not that they look bad, but rather that they're holding a population of people hostage and those hostages are becoming more and more angry, acting out more and more. This has pitted neighbor against neighbor and the hostility is becoming the norm. I am going to explain why I believe this is happening.



CHAPTER 15

STRESS

Extensive research regarding stress has been done by Robert Sapolsky at Stanford University. Stress causes major health problems. Most illnesses are stress related. People living in HOA communities are a culture under stress. Professor Solomon postulates that people who live in a HOA may have more health problems than those people who don't.

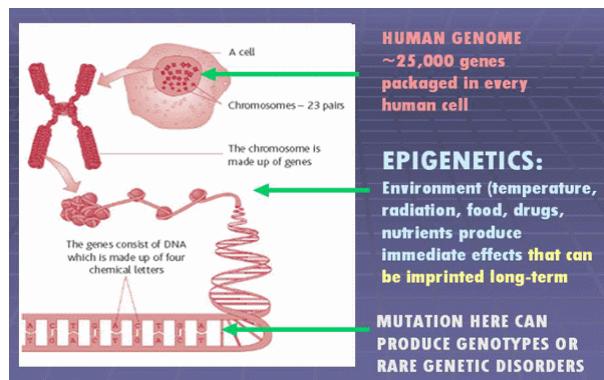
Nikolas Dahlheimer & Robin Huhn

I want to talk to you about "stress" as it relates to what's happening in HOAs. I'd like to give credit to a man named Robert Sapolsky for the major research he has done related to stress-related illnesses. He has researched stress for the last 35 years. He has published many well supported studies out of London, Princeton and Yale. Stress is a major health problem and getting worse every day. Most of our illnesses are stress related, although they have different diagnoses. Let's look at how stress might have come about. If we look at its origin, we expect

it is normal for animals to be under stress. The lion in the jungle sees a zebra. The lion is hungry. The lion's body experiences stress and when the lion experiences stress she releases hormones known as glucocorticoids. When glucocorticoids are released in the body everything shuts down; the reproductive organs, body elimination, cell growth, and digestion. The lion's body is preparing for the hunt and the kill-fight or flight. The lion sets its sites on the herd of zebra and determines which zebra she will attack. At this point the zebras are unaware of the lion and they graze peacefully in the grass. The lion begins her attack (fight) and it is at this time the zebras sense danger and run away from the lion as fast as they can (flight). Just as the lion's body prepared for attack, the zebra experiences the same kind stress related bodily shut down and glucocorticoids are released. The stress is going to be relieved within 3 min. Either one of two scenarios will happen; the lion will kill the zebra and her hunger will be satisfied and her stress will be released, or the zebra will get away and its stress will be released and dissipate and the lion will still be under stress and hungry.

How does this relate to us? We are a society and a culture under an enormous amount of stress. We have evolved from being animals that are not suppose to be in distress, as the "superior race", to animals that are almost constantly under stress. Now add in another variable to that stress, something that's not necessary and that is the HOAs. You go to work and work can be stressful, but

now you come home and the stress continues; not because Johnny didn't pass his class or Mary skinned her knee, but because you're now getting letters from your HOA. These letters causes the parents to be under stress and their stress gets passed on to the children and other people living in the household. The outcome, stress related illnesses. Thus far I've not been able to research this population. I want the opportunity to research homeowners. This is a fairly simple task. Take one group of people who don't live in a HOA and test them against those who do live in a HOA by testing glucocorticoids through blood samples, using biofeedback and initiating interviews. Let's look at their stress levels. Oh wait, there is no research to backup my hypothesis. To date the government has not stepped in allowing such research to happen. But, I will postulate and hypothesize the following: people who live in HOA's are suffering from more stress related illnesses than those who don't.



CHAPTER 16

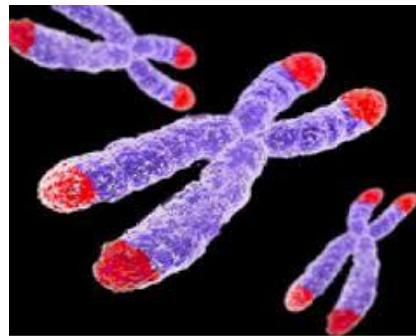
EPIGENETICS

Epigenetics is a process that alters a person's genes by way of stress, environment and chemicals.

Nikolas Dahlheimer & Robin Huhn

I want to talk to you about "epigenetics" as it relates stress, specifically stress due to HOA harassment. I'd like to give credit to a man named Robert Sapolsky for the major research he has done related to stress-related illnesses. Sapolsky had researched stress for the last 35 years. Research studies that have been well supported. Studies out of London and Princeton. Stress causes many major health problems and is getting worse every day. Most of our illnesses are stress related although they may have different diagnostic names. As described in Chapter 15, many of the bodies function shut down when stressed. The epigenetic mechanism involves the modification of DNA and the proteins associated with

DNA. Epigenetics doesn't alter the DNA sequence. Chronic stress, along with environment and chemicals, can alter DNA which can lead to illnesses. And now a new variable has been added to the stew called "stress related illnesses", harassment by the HOA.



CHAPTER 17

TELOMERES

Telomeres are found at the ends of chromosomes and they help protect the chromosomes. When a person is under constant stress the telomeres are unable to repair themselves and protect the chromosomes, leading to health problems.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon explains a term that most people are unfamiliar with.

"Telomeres" are what every person is born with and has at the end of their chromosomes. They protect the chromosomes from becoming damaged. Think of telomeres as the little plastic tips on the end of a shoelace. The plastic tips help to keep the shoelace from unraveling. If one of the plastic tips were to fall off the shoelace would unravel and look worn. This is what the telomeres do they protect the ends of our chromosomes so that they don't unravel. Chronic stress and related illnesses can slowly strip the telomeres from the end of your chromosomes, part of

your DNA. The chromosomes become worn and susceptible to disease and illnesses. Chronic stress does not allow the telomeres to repair. One of the major problems that exists with living in a HOA is the constant stress a homeowner may experience; letters of violation, fines, HOA Boards, and neighbors. It is probably worth noting here that there is good stress and there is bad stress.

It is normal for our stress levels to feel like a roller coaster ride, going up and down. This stress is short lived and any damage to the telomeres will have time to repair. Bad stress releases glucocorticoids, which over time can damage the telomeres. Living in a HOA can become stressful, cause fear, concern, and worry. The homeowner wakes up with the stress, works all day in the stress and comes home to the stress. To the person being harassed it seems like they can't get away from the stress. This leads to the damage of the telomeres and ultimately the chromosomes. Let's sum up these three thoughts; glucocorticoids, epigenetics and telomeres. These three mechanisms represent the major reasons for health problems. In the next chapter I'm going to present HOA Syndrome as it relates to the three mechanisms discussed.



CHAPTER 18

HOA SYNDROME

HOA Syndrome is an anxiety disorder identified by Professor Gary Solomon. Its origin is in longitudinal harassment, not unlike PTSD. These symptoms can lead to severe and permanent illnesses. To learn more about HOA Syndrome read Professor Solomon's article on www.hoaacademy.com.

Nikolas Dahlheimer & Robin Huhn

The origin of HOA Syndrome came about after being approached by many people living in HOAs, each person expressing the same fears and anxiety-physically, emotionally and mentally. HOA Syndrome is a condition that has as its origin in harassment. HOA Syndrome has exactly the same components of Post Traumatic Stress Disorder (PTSD). Let me clear up this up for the skeptics. There was a time that PTSD was not recognize the psychiatric condition, but now we know that it's real. There was a time that people laughed at those who were suffering from "shell shock". There was a time that society did not believe in

"battered wife syndrome". There was a time when "child abuse" was not a societal concern. Now the laws protect men, women and children from such abuses. The pattern became so obvious that over time society had to admit to these conditions and do something about them. So why HOA Syndrome? HOA's are relatively new and it will take a while for this recognition to emerge. I believe that HOA Syndrome is as real as PTSD, with its origin in harassment. The two conditions share many of the same symptoms: Sleep-related problems, irritability, irritable bowel syndrome, restlessness, inability to think or concentrate, inability to feel relaxed, sense of hopelessness, mood related problems, depression, bipolar related actions, and sexual dysfunction to name a few. There are a wide range of problems and pathologies as a result of the HOA creating un-do stress. I understand that to some, what I am saying is laughable, but I'm here to tell you the number of people that have come to me saying, "I'm so sick from this. I don't know what to do." It still may take some time for HOA Syndrome to be accepted by the legal and psychiatric communities, but eventually when HOA Syndrome is recognize, and it will be recognized, the government, nationally and locally, and the court system will have to listen and make humane changes.

Professor Solomon is an expert on psychiatric disorders and illnesses. To learn more about related disorders go to: *cinema-therapy.com* and click on the e-

book *A Psychiatric Diagnosis Primer* or Google: *A Psychiatric Diagnosis Primer PDF*.



CHAPTER 19

WHAT ARE YOU GOING TO DO ABOUT THIS?

If you are experiencing any of the symptoms of HOA Syndrome then Professor Solomon recommends that you see your primary care doctor, let them know about your symptoms, and the relationship to your HOA. Get the help you need. These records and documents can be used if legal action is necessary.

Nikolas Dahlheimer & Robin Huhn

So you have HOA Syndrome, so what are you going to do about it.

Professor Solomon strongly recommends that you keep a diary of your feelings and symptoms and how they relate to the actions of the HOA. Also, he strongly recommends that you see your doctor and he strongly recommends that you go on record as telling your doctor that you believe that your problems are coming from the issues in your HOA. Professor Solomon strongly recommends you get second opinions and evaluations and he strongly recommends that you maintain some kind of treatment regimen. At that point you can get the necessary medical help to get at least some temporary relief. But there's something else that comes from seeing your doctor. Should you decide to take legal action, your medical records will be

an important part of your case. The attorney will use your medical records and diary to substantiate your case. It's not good enough to say I don't feel good, that won't work you're going to have to make an investment in getting better so you can stand up to the HOA. Make no mistake, if you try to deny that you have HOA Syndrome it will make things worse. The stress that comes believing that you're okay and you can handle the stress and harassment, in fact, adds more stress.



CHAPTER 20

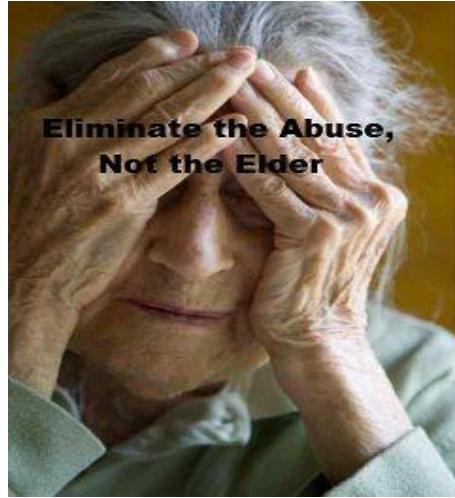
WHO GETS HOA SYNDROME?

There are 4 groups of people who may be harassed more than others. They are: single women with children, the elderly, the infirmed or handicapped, and people who own their property out-right or have lots of equity.

Nikolas Dahlheimer & Robin Huhn

There are four primary groups of homeowners that, by my observations and investigations, who tend to be harassed more than others by HOAs, collection companies and management companies. I'm going to allow myself the luxury of using the word "attack". One of the four in the group are single women with children, the second group are the elderly, the third group are those that are infirmed or handicapped, and the fourth group, counter-intuitively, the largest group, are the individuals who own their property out right or they have a lot of

equity in their home. The more equity that an individual has in their property the more likely the HOA is going to attack that property to acquire that equity. Properties that are owned by the banks with high mortgage values, well your HOA is not really interested in acquiring those homes. Of the four groups discussed it appears that men seem to experience HOA Syndrome problems more than anyone else. I believe the reason is that they feel that they should be stronger and handle these problems without becoming emotional. I have watched men break down and cry. I have been in legislative meetings where both men and women cried about what was happening to them. I have watched as children become agitated over watching their families get upset. Because there is no current scientific research on HOA Syndrome the symptoms the tendency is to deny them. I would warn you that we are running way behind in this area. If you feel like you're someone who is having a problem seek help now. Go onto the internet and type in HOA Syndrome or HOA harassment. You will be surprised by what you may find.



CHAPTER 21

ELDER ABUSE

The elderly are an easy target for the HOA. Quite often they own their home out-right or have high equity. Some are not able to or don't know how to deal with the HOA and the harassment. Some are on fixed incomes and become afraid that if they are fined they will not have the money to pay the fine. There are elder abuse organizations that should be able to help or give some direction. If you have elderly parents, get involved in their HOA.

Protect your parents and your inheritance.

Nikolas Dahlheimer & Robin Huhn

When talking about Elder Abuse a separate category is recognized separately by both our government both federally and locally. If you are someone who is elderly, you are likely to be pursued by your HOA. This is a form of Elder Abuse. Many HOAs prey upon the elderly to gain money and foreclose and eventually own the elders home. The elders then experience many of the symptoms

of HOA Syndrome. If you are a senior and feel like your HOA is harassing you there are organizations within your city that may be able to help, such as; Senior Legal Aid, and elder protective services. If you go to,

http://www.nccafv.org/state_elder_abuse_hotlines.htm#nv, you may be able to find the appropriate organization in your state. Go on record as having asked for help. Go to your primary doctor. Let him/her know what you are feeling. You may be prescribed medication or therapy to help. Go on record as having been seen by your doctor for HOA Syndrome. Doing these two things may lighten the stress and HOA Symptoms you are experiencing. There, of course, is a problem with this elderly group of people. Often times they have reached a point when they cannot take care of themselves. Knowing this the HOAs view them as a target, a way to make money and/or gain property. It is unlikely, nor do I know, of the HOA Board will go to the home of an elderly person and say, you're behind on your dues, there are brown patches on your lawn. Let us help you. No, instead the elderly person is sent fine violation letters, lien notices and foreclosure notices. Many HOA senior residents don't know what to do with these letters. They may be on a fixed income and unable to pay the fine or maybe their spouse, who took care of these kind of matters, has died. There is no money in it for the association if they compassionately help a homeowner. If you are someone who believes that your parent, guardian, sibling, grandparent, uncle or aunt is being harassed by their

HOA it is important to intervene. Call elder abuse services, take them to their doctor. The elderly are being affected by their HOAs leading to health problems, depression, increased suicide, and death as it may relate their HOA.



CHAPTER 22

SPEAKING TO FAMILY MEMBERS

Professor Solomon speaks directly to young and adult children who have parents living in a HOA. Even though unpleasant to talk about, he suggests protecting your future assets against the HOA.

Nikolas Dahlheimer & Robin Huhn

This chapter addresses the family members, the children, who are living in a HOA. I want to speak to the adult children who have moved out of the house and have moved into your own home or apartment. Here is a hard cold fact about your future. It is in the normal course of life that people die. I don't think there's anything profound about what I just said. Although we don't particularly like to talk about this openly. The children of the deceased are the recipients of their inheritance. Your inherited estate is being undermined by the collection companies, management companies and HOA attorneys in the HOA community in

which you are intended to inherit. If you don't step in and do something to protect your future assets, you, most likely, will receive nothing. I understand you may think this is cold and this is terrible. I don't want to talk about my mother dying, I love my mother, I love my father and I never want to see them die. The one inheriting the estate must understand that the HOA doesn't care about your estate or the death of your loved one. A good day for a collection company is to collect money through liens and fines by preying on the elderly homeowner. When it is time to collect your inheritance it is going to be depleted by the HOA, management companies, collection companies, and HOA attorneys. Cases exists all across the country of homes being forced into foreclose and inheritances are being undermined. Take care of your inheritance now. Become active in your inheritance and helping the elderly homeowner. Do something about it now, go on record now, take action now to protect your inheritance, the elderly and your inheritance.



CHAPTER 23

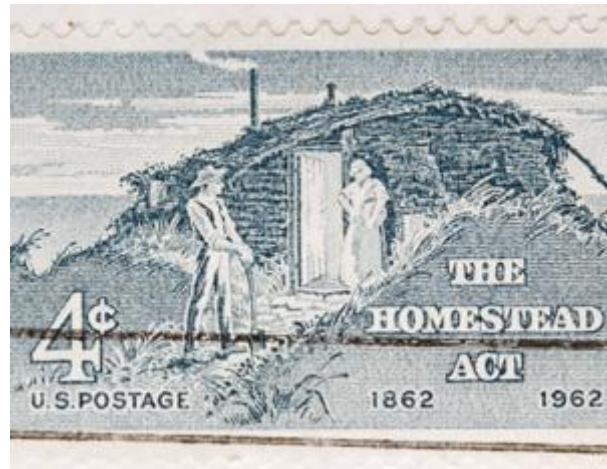
SOLUTIONS IF YOU OWN YOUR HOME OUT-RIGHT

If you are a homeowner who owns your home out-right or if you have a lot of equity it is important to protect your property. Two suggestions for protecting your property are: Put a new mortgage on your property which will decrease your equity or put a lien against your home.

Nikolas Dahlheimer & Robin Huhn

Only problems have been presented so far. It is my goal to have a section called solutions and so let this represent a solution to a particular problem. It is a problem when a homeowner owns their home outright or they have a lot of equity in their home. Keeping in mind that I am not an attorney, and my goal is not to give legal advice, I will tell you what I would do if I owned my home outright or if I had a lot of equity in my home. I would put a new mortgage on the property raising the mortgage on the property. This makes the home less valuable to the

HOA. This could be done a couple of ways; I could go to a trusted family member who would loan me the money and in turn I would go ahead and pay them back and put a lien on property. There must be a legitimate lien or second mortgage on the property. From this perspective you are protected, but not completely. Be sure to consult with an attorney and/or CPA. In summary, if you own your dream home protect it from your HOA. In my humble opinion buying a home in a HOA is a very bad idea.



CHAPTER 24

HOMESTEADS

A homestead will not protect you and your property from the HOA. HOAs are always paid first if there is any legal action or foreclosure. This is called a Super Priority Lien.

Nikolas Dahlheimer & Robin Huhn

Over time I've been asked by homeowners how they can protect their home.

Keeping in mind that I am not an attorney and I am not giving legal advice, just what I would do from my perspective. Putting a homestead on your property is a good idea. A homestead is a legal document that helps protect the equity in your home. I always put a homestead on my property. However, homesteads will not protect you from HOA's because the HOAs have what is known as a super priority lien on your home. Let us assume for a moment that you have to file bankruptcy,

let's say for medical debt. A homestead allows you to maintain a certain portion of the equity of the existing mortgage on your home. HOAs have been given the legal right by the government to usurp an official homestead lien. Unfortunately, the homestead will not prevent the HOA from grabbing the equity from your home. The super priority lien over rides the mortgage on your home.



CHAPTER 25

LIENS

As soon as a homeowner signs the CC&Rs the HOA has an automatic, implied lien on the home.

Nikolas Dahlheimer & Robin Huhn

It is important for you to understand that when you signed on to the you gave them the right to lien your property. A lien can exist with or without your knowledge. A lien is a notice attached to your property telling the world, a public record, that a creditor claims you owe them some money. A lien can be prepared but not filed. The lien may exists as a result of violating the CC&Rs. The HOA demands that you pay a fine for the discretion whether it's reasonable or not. If the fine is not paid in a timely manner, more fines can be added to the original violation. A homeowner can be fined because they didn't take their trash can in

before dark, or they left their garage door open, or they have a flower pot in their front yard, or because they have outside furniture on their front porch. Remember, it is your fellow neighbors who may be turning you in to the HOA Board. The Board instructs the management company to fine the homeowner and/or file a lien. In a HOA the homeowners are always guilty until proven innocent.

Here is another solution in regards to living in a HOA, not have banks loan money to investors who are going to build a HOA community. In order to be built as a HOA a portion of the development must be used as a common area. This might only be the front entrance. Some developments have huge common areas with pools, playgrounds, community centers, and golf courses. The homeowners assessments and dues pay for the maintenance of the common area. In order to build such a project banks have to loan money to the builder. What does the partnership between the banks, the builder and the HOA community have to do with the homeowner? When a home in a HOA, bought or sold, the seller and buyer and/or bank are responsible for paying any fines, liens and/or foreclosures left by the selling homeowner. This is a problem all over America. Why would Bank of America, Chase or Wells Fargo continue to loan to HOA builders if banks are going to have to pay the difference in the mortgage and the super priority liens, fines, and/or foreclosures fees? What would it be like if banks stopped loaning money to builders who plan to build a HOA community? One way to stop

the building of HOAs is for banks to stop loaning money to those builders. I'm attempting to get banks to stop loaning on projects with HOAs. I invite and encourage homeowners to do the same. Remember the enormous collapse in the housing market that began in 2008? Banks are now cautious to loan mortgages to anyone. Since banks are often times left with paying the seller's fees, why would they continue to loan to HOA builders.? One of the best solutions to this problem is for banks to take the incentive and stop loaning on HOA contracts.



CHAPTER 26

TWO TAILED PSYCHIATRIC DISORDER

This is a concept developed by Professor Solomon. There are two groups who experience psychiatric disorders: 1) Those homeowners who are harassed by the HOA and who experience HOA Syndrome and 2) the HOA Board members. Professor Solomon describes some of these Board members as being power hungry, delusional, it is their mission or duty to make sure that all homeowners follow the CC&Rs, viewing homeowners as second class citizens. Professor Solomon also believes that many board members suffer from anti-social personality disorder.

Nikolas Dahlheimer & Robin Huhn

This is a controversial chapter. As stated above, Professor Solomon developed the concept of a Two Tailed Psychiatric Disorder by watching, interviewing and researching both homeowners and HOA Board members. This is a two tailed monster with each end of the tail involving two different groups. At the end of one tail are the homeowners who live in a HOA community and are being harassed and abused, leading to HOA Syndrome. The end of the other tail

are the HOA Board members, management companies, collection companies, and HOA attorneys. The HOA Board members are voted into the Board of Directors to enforce the CC&Rs. Some of these Board members will do whatever it takes to enforce these rules and regulations, including: Placing fines and liens on homeowner's property, taunt and demean homeowners, violently attack homeowners and/or their property, spread rumors through slander and libel, Ultimately, foreclose on a homeowner's home, treating homeowners like second class citizens. It is Professor Solomon's personal belief that some Board members suffer from Anti-Social Personality Disorder and they get great pleasure from controlling and hurting homeowners within the HOA community.



CHAPTER 27

ANOTHER SOLUTION FOR HOMEOWNERS

A HOA community can be self-managed, avoiding abuse from management and collections companies. Professor Solomon enlightens viewers that they do not have permission to attend any HOA Board meetings prior to buying a home in a HOA community. Since the potential homeowner can't attend meetings, it would be wise to meet those already living in the community to get their thoughts and opinions about the HOA and if they have had any problems with the HOA.

Nikolas Dahlheimer & Robin Huhn

Here is a solution or recommendation to people who want or considering buying a home in a HOA. The HOA Board members hire management companies, collections companies and attorneys to watch over you and your community. This becomes a huge expense, which by the way, you pay for with your assessments. As a HOA homeowner you may not know this, but you have the right to self manage your community or not have a HOA at all. It is being done all over America. Over time this form of management simply got out of hand. You

may think as a homeowner you have no rights or power to eliminate the HOA and self manage your community. But, you do and you can. Read your CC&Rs, there will be a section explaining how to dismantle the HOA and let the community take care of themselves. If you are thinking of buying a house in a HOA, go and knock-on doors in the community. Ask them how they feel about their HOA. Listen and watch as their body language when they talk. Tally the likes against the dislikes. As a potential buyer you are not allowed to attend and Board meetings or read the CC&Rs and bylaws before you sign the contract. When you buy a car you are able to test drive the car. When you buy clothing you are able to try the on the article of clothing. Almost everything that is bought today comes with a manual on how the item works.

So why would you buy a home in a community when you haven't been able to test drive it or read the manuals, because when you move in it is very difficult and expensive to leave.

Professor Solomon strongly recommends that you DO NOT BUY A HOME IN A HOA.



CHAPTER 28

CC&RS & GOVERNING DOCUMENTS

Be aware-what you agree to today, they may change tomorrow.

Nikolas Dahlheimer & Robin Huhn

Here is a short explanation about the CC&Rs, bylaws and other governmental documents. The buyer is given the documents to read just before they sign the contract for the home. Some governmental HOA documents can be one to two inches thick, all written by an attorney. What homeowner would sit for one to four hours reading something that is difficult to understand. Most buyers are anxious to get into their new home. I will read them later, they say to themselves. By then it is too late to change your mind. You have already signed the legal binding CC&Rs and bylaws. Now the HOA Board has the power to change the rules and regulations at their discretion, not unlike when credit cards services

decide to increase their interest rate. What you agree to today might be changed tomorrow.



CHAPTER 29

THE MANAGEMENT COMPANIES

HOAs are non-profit organizations. The association is not suppose to make money, but they do by fining homeowners. If money is needed to beef-up the reserve fund they can implement a special assessments, increase monthly/yearly assessments or increase the cost of fines. The HOA contracts with a management company. The management company is paid by the HOA to send fine and lien letters and assessment bills to homeowners and maintain records. If the HOA and management company are unable to collect, then the homeowner is sent to collection.

Nikolas Dahlheimer & Robin Huhn

The management companies have been addressed, but now it is time to go into more detail. First, you need to know that HOAs are non-profit organizations. The assessments (which should be enough to cover all expenses), fines and retrieved money by the collection company go into the HOA account. The Board decides that they want to increase their reserve funds. This increases the HOA

account. The management companies, hired by the HOA Board, are paid with your fines and assessments. The size of the community determines how much the management company will charge. Let's say \$30,000.00 a year for a community with 400 homes and very little common area.

Most of you have or have had a job. You work hard and one day the boss walks up to you and, says you're getting a 6% raise because our annual gains are up 6%. It doesn't work that way for the management company. If they want a raise they will have to collect it from the homeowners in the HOA. Hence, they will support the HOA in sending out a lot of violation letters, no matter how big or small the indiscretion. The management company then charges for mailing out the fine letters, thus increasing their bottom line. They also charge for sending the unpaid violations to a collections company. There is absolutely no desire on the part of these organizations to have a community that's running 100%. There is no money in a well oiled HOA. What money would the collection company make if there were no homeowners in default? They want homeowners to be in default, that's why they are in business.

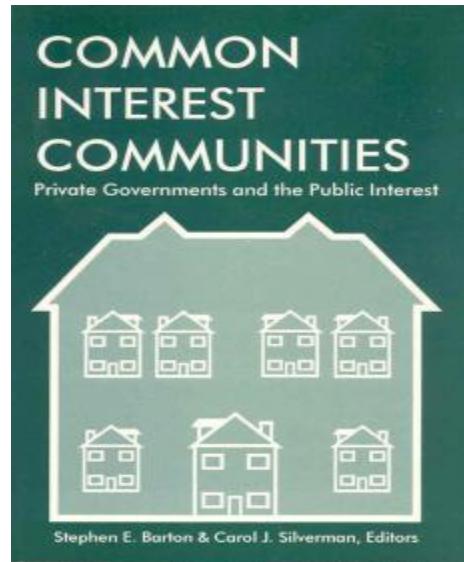
Here is an example of one neighborhood to show how this is accomplished. You can apply this to your own neighborhood. This particular neighborhood is a gated community that has been around for about 12 years. The management company encourages the HOA Board members to run the community as close to

the CC&Rs as possible. But, they are still not making the kind of money they want. They tell the Board that in other communities it is unsightly to have commercial vehicles parked in driveways and on the streets. The Board agrees and passes a new regulation that commercial vehicles cannot be parked in the community and if they do they will be fined and their car will be towed away. Now the Board and the management company begin fining those who have violated the new regulation and neighbors cars are being towed. Now not only is this person being fined by the HOA, they also have to pay to get their car out of impoundment.

But what if a commercial vehicle is the only form of transportation a homeowner has. This does not matter. Regulations are regulations and the car cannot be parked in the community. This becomes a profit making venture for the HOAs, management companies, collections companies, and HOA attorneys. This has been profitable, so why not say that any car cannot be parked on the streets or in the neighborhood driveways.

This is yet again another valuable avenue for the HOA, management companies, collection companies, and HOA attorneys and the tow company to increase their profits. Many of the homeowners have resided in this neighborhood for many years. They don't understand why these new regulations have been enacted. They have always been able to park their business car in front of their home, they have always been able to park their cars on the street and in their

driveways. Feeling that these new regulations are unjust, the homeowner ignores them. They are fined and their car is towed. The homeowner's fines increase and the cost of getting their car from impoundment is becoming prohibitive. It gets better for the HOA, management companies, collection companies, and HOA attorneys, the more regulations they pass the more money they can make; one's house must be a specific color, no out-door furniture in the front yard, no children's toys can be visible, no brown grass or weeds, and so on and so on. This may be an example of how the HOA, management and collections companies increase their bottom line, but it is happening for real in HOAs all over America.



CHAPTER 30

COMMON AREA INTEREST COMMUNITIES

Professor Solomon believes that the best solution for HOA communities is for the banks to stop loaning money to builders who build HOA communities. Banks tend to be one of the organizations most hardest hit when a home goes into foreclosure. They assume a lot of liability. So why do banks loan to HOA communities anyway?

Nikolas Dahlheimer & Robin Huhn

Another solution is presented, one that Professor Solomon doesn't understand, but is researching. You are encouraged to do the same. As stated in Chapter 25, the only reason that HOA's can exist is if they're built as common area interest community. To develop a HOA community the banks have to loan the money to the builder who has disclosed their development will be a HOA. Here is

a problem that banks face; they are being hit with foreclosure fees and charges being left by owners who have had liens placed on their property. Because the lien stays with the property, in order for the bank to sell that property they quite often have to pay those fees to release the property to the buyer. Professor Solomon poses a question, why would Bank of America, Chase or Wells Fargo continue to fund a HOA development if they have to reduce the mortgage and pay any leftover fees? What would it be like if banks stopped loaning money to builders who plan to build a HOA community? Recent studies show that there have been more foreclosures in HOA communities than non-HOA communities. One way to stop the building and the foreclosure of HOA homes is for banks to stop loaning money to HOA builders. Professor Solomon is attempting to get banks to stop loaning on HOA projects. Remember the enormous collapse in the housing market that began in 2008? Banks are now cautious to loan mortgages to anyone. Since banks are often times left with paying the seller's fees, why would they continue to loan to HOA builders.? One of the best solutions to this problem is for banks to take the incentive and stop loaning on HOA contracts. But, yet, more and more cities have designated that any new building must be a HOA community.



CHAPTER 31

SUPER PRIORITY LIENS

If a homeowner has fines or liens levied against their home, they are unable to sell their home unless these fines or liens are satisfied. The HOA has what is called a Super Priority Lien against any home in the community that is not in good standing. Other people or organizations may not get paid, but the HOA will always get paid and first. Most bankers and real estate agents do not know what a Super Priority Lien is.

Nikolas Dahlheimer & Robin Huhn

HOAs, management companies and collection companies have a symbiotic relationship. If a homeowner owes a fine or has a lien levied on the property by the HOA and management company they get sent to collections. The HOA and management company have a relationship with the collection company. Collections companies tack on their fees and a \$100 fine can go up to \$1,000. HOAs will get their money no matter what. HOAs are protected by a Super Priority Lien. This means that when a lien is placed on a homeowner's property,

the HOA lien supersedes all other liens that have been placed on the property. This includes the mortgage holder. If a homeowner wants to sell their property and they have fines or liens on said property, those fines and liens must first be satisfied. Once satisfied, paid, the HOA is paid and then the sale of the house can continue. Other creditors may not get paid, but the HOA will. The Super Priority Lien was lobbied by the HOAs, management companies, collection companies, and HOA attorney before state legislators to pass this law. Banks were not happy with the new ruling. Most bankers and real estate agents do not know what a Super Priority Lien is, which is very important to their business. Check to see if your HOA in your state has a Super Priority Lien law.



CHAPTER 32

BANKS

Banks, don't loan to developers who want to build a HOA community!

Nikolas Dahlheimer & Robin Huhn

Why are banks funding the building of HOA communities? We already know that the banks are stuck with a bill when there is a lien on a home in a HOA. When the plans are drawn by the developer, the bank knows that a HOA community is going to be built. Why would banks do that? Wouldn't you think that banks would wise up and quit loaning to developers of HOA communities? What if banks refused to loan money to HOA projects? What if they only loaned on the building of non-HOA communities? HOAs would eventually become non-existent and so would HOA Syndrome. This would be a win, win situation.

Monthly HOA
Board Meeting
Tonight...

CHAPTER 33

HOA MEETINGS

There are two sections to a HOA Board Meeting: An Open Meeting in which homeowners are able to participate and an Executive Board Meeting in which homeowners are not able to participate. During the Executive meeting the Board discuss homeowners discretions and possible fines and liens. This is confidential information for Board members only.

Nikolas Dahlheimer & Robin Huhn

HOA Board meetings are held once a month, every other month, four times a year , and some Boards meet just two times a year. The Board is usually made up of an odd number of members. Only owners of homes in the HOA are permitted to attend the meetings. The meetings are for the homeowners to come together to discuss community news and happenings; the new wall that is going to be built, finances and common areas. There are two sections to a HOA Board meeting: An Open Meeting in which homeowners are able to participate and an Executive Board Meeting in which homeowners are not able to participate.

During the open meeting homeowners are allowed to voice their opinions, concerns and suggestions about the CC&Rs and the community. In some communities the Board hires guards to help protect them should the meeting become violent. During the closed meetings the homeowners are not allowed to participate. The exception being, if they have been notified to come "before the Board", the judge, for some discretion. The Board listens to the homeowners explanation and response to their fine letter. The homeowner leaves and the Board takes into account all sides and then come up with some form of retribution; a time limit on when a violation must be resolved or an additional fine, or a lien, or possibly foreclosure. The homeowner is sent a letter letting them know the outcome of the meeting, including those homeowners who did not attend the executive meeting. Information discussed in a HOA Executive Board meeting is to be confidential, but this is not always the case. Some Board members find it difficult not to share this confidential information. Thus, spreading rumor and homeowner's personal information.



CHAPTER 34

WHO IS ON THE BOARD?

Any homeowner in good standing in the community can run for the board and Homeowners participate in the election process. The Board members' role is to enforce the CC&Rs. Some Board members get great pleasure from their new found authoritative role.

Nikolas Dahlheimer & Robin Huhn

The developer and the HOA community are responsible for writing the CC&Rs. As the community is bought out, homeowners then become part of the Board along with the developer. When a certain percentage of homes are occupied, the developer turns over the running of the community to its Board members and the homeowners. The Board members' role is to enforce the CC&Rs.

Board members are voted in by the community. Homeowners are sent information about the elections and those homeowners who would like to be on the Board fill out paper work stating that they are in good standing within the communities; no fines or liens or no law suits against the HOA. Ballots are sent out by the management company to all homeowners. They vote and new Board members are elected. Unfortunately, not all of the homeowners vote, either because they don't want to, they live out of the state, or the homeowner doesn't know the people who are running. Because of this the same people tend to run for the Board and the same homeowner's tend to vote. Some Board members get great pleasure from their new found authoritative role, which can lead to harassment and HOA Syndrome.



CHAPTER 35

EQUITY THEFT

This is a relatively new term in which people or organizations steal a person's equity, leaving that person with the debt. Mr. and Mrs. Jones pay their assessments on time, but they forget to close their garage door. This leads to a fine. For whatever reason the fines are compounded. Who profits from Mr. and Mrs. Jones minor discretion, the management and collections companies.

Nikolas Dahlheimer & Robin Huhn

Equity theft is a relatively new term defined during the 2008 mortgage collapse. With the collapse people lost their homes and were forced to pay many hidden fees. Equity theft is when a person or organization steals another person's equity; bank accounts, property or personal property. Equity theft is taking place in HOA communities. Professor Solomon has provided an example for the reader. Mr. and Mrs. Jones pay their assessments on time, but one day they forget to close

their garage door. It is against the CC&Rs to leave your garage door open for an extended period of time. They receive a punitive fine letter. If Mr. and Mrs. Jones don't pay the fine or don't pay in a timely manner, these fines will be compounded on a weekly basis. If too much time passes and the fine is not paid the management company sends Mr. and Mrs. Jones to collections. Now collections fees get added to the fine bill. What used to be a \$200 fine is now \$1,500 because of the collection fees. Mr. and Mrs. Jones are backed into a corner either they pay the inflated fine or they continue to be fined on a weekly basis with collection fees added. Who profits from Mr. and Mrs. Jones minor discretion, the HOA, the management and collections companies and yes, the HOA attorneys.



CHAPTER 36

ASSESSMENTS

Assessments are dues paid to the HOA on a monthly/yearly basis. The assessments pay for the management company, common area up-keep and special assessments. If a homeowner lives in an association that has a Master Association and a sub-association then they pay two assessments.

Nikolas Dahlheimer & Robin Huhn

Assessments are what homeowners within a HOA pay to live in the HOA.

Assessments are paid yearly or monthly depending on the HOA subdivision.

Assessments pay for common area up-keep, special assessments, community roads and lights, management companies, and HOA attorneys. You already pay assessments through your property and state taxes, so why are you paying double taxes? If a homeowner lives in a private gated HOA community they are responsible for the up-keep of the roads, lights, electric wiring, etc. If a homeowner lives in an un-gated community they also pay their property and state taxes as well as the assessments. The city is suppose to take care of roads, lights, electric wiring,

etc., in un-gated communities, but the city often does not and the up-keep is left to the HOA using homeowner's assessments. Why are these homeowners paying double taxes? This creates more money for the city. It's all about money.

Some HOA communities are within larger HOA developments. There could be ten subdivisions within one Master community. Not only does the homeowner pay their subdivisions assessments, they also have to pay the Master's associations assessments. With two associations, one association can sue the other association. They can override decisions each association has made. The sub-association approves the color you want to paint your house, but the Master association denies it. The homeowner has to satisfy the Master association. And it goes back and forth until the two associations can agree. Paying two associations can be very expensive and confusing. Assessment range anywhere from \$40 a year to \$1,000 a month. Sometimes the assessment can be more than the mortgage on the house. Assessments can be increased at any time by a vote from the HOA Board. Homeowners can be assessed for extra work that needs to be done within the community. These are called Special Assessments. If there is some maintenance that needs to be done in the neighborhood and there is not enough money in the HOA account to cover the cost, then the Board can vote for a Special Assessment. This means the homeowner not only pays their HOA assessments, but they also are told that they have to pay the HOA a one lump sum of money to cover the Special

Assessment. It could be as low as \$100 or as high as \$50,000 depending upon the project.

Professor Solomon feels that the use of Master for the overseeing association is an abomination. The word goes back to the time when slavery was legal and the slave owners were called master. It is no different than now. The Master association is in charge of all of the HOAS and the homeowner is now their slave in the development. See Chapter 37 to find out the best way to pay your assessments.



CHAPTER 37

PAID UNDER PROTEST

Again, Professor Solomon stresses that he is not an attorney, but recommends that each time a homeowner sends in their assessment payment or pays a fine that they write in the memo section- "Paid Under Protest" and send through certified mail. If a homeowner must go to court then they have documentation letting the courts know they did not want to pay the assessment or felt the fine was unfairly levied.

Nikolas Dahlheimer & Robin Huhn

Let us say one more time that Professor Solomon is not an attorney, nor does he give legal advice. He suggests that when you send your assessment check into the management company you write in the memo section "Paid Under Protest" and always send your assessment check by certified mail. By doing this you are guaranteed that your check made it to the management company, but you must, on a regular basis, check your account to make sure your check has been cashed. By writing "Paid Under Protest" you are letting the HOA and the management company know that you do not approve of the assessments and how they are spent.

If you should end up in court regarding the HOA you will have a record to give to the judge. This says you paid your assessments per the HOA rules, but you did not agree with them. Do the same when you pay for a fine.

re-tal-i-a-tion
rə, talē'āSH(ə)n/
noun

the action of harming someone because they have harmed oneself; revenge.

CHAPTER 38

RETALIATION

Many Homeowners in a HOA are fearful of retaliation if they speak out against their HOA. There are legislative laws against retaliation, but they are not always followed.

Nikolas Dahlheimer & Robin Huhn

Homeowners are fearful of retaliation. They ask, "Will the HOA retaliate if I write "Paid Under Protest" on my check? Will the HOA retaliate if I don't vote the way they want me to. Will they retaliate against me by sending me more fines"? Most state laws protect homeowners from retaliation, but that doesn't mean you may not be harassed. Professor Solomon, an expert on psychiatric disorders, feels that some HOA Board members are mentally and emotionally ill. Some maybe suffering from anti-social personality disorder or narcissism or both together. This may be the first authoritative position some of these Board members have ever had. Combine that with psychiatric disorders and you have a recipe for harassment and retaliation. Here is one way for a homeowner to protect themselves. When you receive a fine pay it and write "Paid Under Protest". Then send a demand letter

to the HOA stating that you want your money returned. If they refuse take the HOA to small claims court, which many state allow. In Nevada, the law says that attorneys can't collect their fees from the homeowner in small claims court. Check your state's small claims laws and HOAs.



CHAPTER 39

FORECLOSURES

Foreclosure, and even the threat of foreclosure, is a nightmare for homeowners. Read your CC&Rs and state laws regarding foreclosure. In many states a home can only be foreclosed upon if the homeowner doesn't pay their assessments. First the homeowner is fined, then the property is liened and after being sent to collections, the property can be foreclosed.

Nikolas Dahlheimer & Robin Huhn

The thought of foreclosure is very scary for most people. For some it is their worst nightmare. HOAs have the legal right to foreclose on a homeowner's home if the homeowner doesn't pay their assessments. The CC&Rs and state law give the HOA this right, but the law doesn't give the HOA the right to foreclose on a home if the homeowner doesn't pay a fine. The fine can be compounded and the Homeowners property can be liened. And when the property is sold the HOA gets paid their lien money. This is money in the bank for HOAs.

Here is an example of how a home may be foreclosed. The homeowner owns their home outright. They go on vacation and during that time forget that their assessments are due. When they come home they have a letter waiting for them telling them they didn't pay their assessments and late fees have been added. The homeowner is angry and upset. They have always paid their assessments on time for the last 15 years. They want the HOA to give them a break. The HOA does not give homeowners a break. The disgruntle homeowner is now sent to collections. They try fighting their assessment fines with the HOA and management company to no avail. Now comes, in the mail a letter notifying the homeowner that their house is being foreclosed upon. It is too late and their home goes up for auction and now they have nowhere to live. Who gets the property? Predators who may be associated with the HOA, management company, collections company or HOA attorney. Because of the equity in the homeowners home they are a perfect target for foreclosure.



CHAPTER 40

MORE ABOUT COLLECTION COMPANIES

A bad day for a collection company is when they are not sent any fines or liens from the HOA and the HOA management company.

Nikolas Dahlheimer & Robin Huhn

Collection companies are businesses. They don't live in the community. They aren't part of the community. They don't have an interest in the community, except for making money off of those homeowners who have violated the CC&Rs. They make money off of fines and collection fees. A bad day for a collection company is when they don't get clients from HOAs. The fact is that collection companies get hundreds of referrals from HOAs every day. Collection companies add on their collection fees to all of their cases. What started out as a \$200 fine is now \$2,300 once collection fees have been added. The homeowner pays the \$2,300 bill, \$200 goes to the HOA and the collection company keeps the rest. Not a bad profit. The fees that the collection companies charge for their services are

outrageous. For them to send a certified letter it can cost up to \$160. Professor Solomon believes that some collection companies possibly incentivize some HOA Board members to make sure they are sent new cases on a regular basis. This is racketeering. Follow the money. It would be very difficult to see where the money goes as collection companies are protected by their local government.



CHAPTER 41

VIOLENCE

There is now a generation of children that have grown up in a HOA or have experienced the problems their parents have had with their HOA. This is a generation that could take revenge on the HOAs.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon, on numerous occasions, has tried to explained to government officials and agencies and the police the potential of violence in HOAs. In these communities people are being hurt; physically, emotionally and mentally. This is happening at a greater rate than in the past. It's not an argument at the HOA meeting. It's a verbal argument in the parking lot. It's not an egg thrown at a house. It's not a dog defecating on someone's property. This is not the level of level of violence being perpetrated in HOAs. This is the kind of violence were people get hurt or killed. Here's what you don't know, the management companies and the collection companies could care less about the violence. There have been

homeowners who have shot and killed Board members. For them, the harassment is so great they feel they have no other alternative; if they are going to lose their home and everything what point is there for them to hang around; HOA Syndrome.

As more and more young homeowners and their children move into HOA communities the harassment continues. History and research has shown that the children of these harassed homeowners, suffering from HOA Syndrome, take on their parents anger, anxiety and violent behavior. History and research has shown that as time passes and the children get older they can take their parents anger, anxiety and violent behavior and take revenge against those who have mistreated their parents. If they don't take it out on the HOA, management companies, collection companies, and HOA attorneys, the violence will be directed to similar organizations and people. This is generation of children who remember the tears that their family cried, who remember the anger their parents raged about, who saw their parents become recluses and become sick. They might have been young, but children internalize their parent's behavior and feelings. The children remember what their parents went through with the HOA. They remember having to move, go to another school, and lose their neighborhood friends. This is very traumatic for a child especially when the drama of HOA harassment is the cause of the upheaval. The children grow up and now it is time for them to buy their own home. Do you think that they will to buy a home in a HOA? Do you think that they are

going to drive through that HOA and not want to take revenge? There is much data that shows it is not the adult family members who perpetrate this level of violence, many are to overwhelmed by the harassment that they don't know how to make it stop. The data shows that it will be the children who take revenge and become violent. It is foolish to think that the harassment imposed upon a family did not affect the children. The children are the ones to be worried about. Government agencies and organizations need to take HOA harassment seriously and not just the harassment, but the physical, mental and emotional problems the harassment has on the who family. We need to worry about the children. It is likely that they will retaliate by doing physical harm, damage to personal property and possibly killing those who have been the perpetrates and those who are in the way. There are not enough security guards out there to protect the members of the HOA machine. There are not enough security guards to protect all the HOA Board members, their family and homeowners in the neighborhood. Currently, many HOA meetings have security guards at the door to detour violence. In Professor Solomon's humble opinion this type of violence is going to escalate in the future.



CHAPTER 42

MORALS, ETHICS & VALUES

The moral imperative, intellectually, intuitively and socially knowing what is right and wrong, comprises the majority of people. There are some people, some board members, who know when something is morally wrong, but they do it anyway. If all board members lived up to the moral imperative of the majority, then there would be no inequities in neighborhoods.

Nikolas Dahlheimer & Robin Huhn

When society talks about the philosophical concept of the moral imperative, they are talking about morals, ethics and values. To be morally imperative simply means that a person knows the difference between right and wrong. People can feel right and wrong. Feeling right means doing the right thing and feeling good about your choice. Those who do wrong, know that they have done the wrong thing and

they feel guilty. The person who knows what is wrong and does it anyway, is the person who lacks morals. The person who knows what is wrong and doesn't act on it is a person who is morally imperative. Here is an example of the behavior of someone who is morally imperative: A person goes through a grocery store line and the cashier gives the person a ten dollar bill instead of the one dollar the shopper is suppose to get back. A morally imperative person would bring this to the attention of the cashier who could then correct their mistake. The person with no morals knows that they received too much cash back, but they don't tell the cashier and walk out of the store nine dollars ahead and they feel good about it. They beat the system.

To have a functioning HOA the Board members must consist of people who have morals, values and ethics. If the HOA Board has morals, values and ethics they will not allow harassment to take place in the neighborhood. They would help and work with the homeowners, rather than penalize them. They would say, we don't need to treat our neighbors poorly. We need to treat them as the responsible adults they are. They get a nudge by the management company, don't forget to fill our coffers with the money collected from fines, lien and foreclosures. The collection company says, hey what about us. We need more money. What if the community decided they could self manage and fired the management and collection companies. That would surely agitate the HOA, management

companies, collection companies, and HOA attorneys. Here is another solution: instead of paying a monthly fee to the management company use that money to hire someone to drive around the community, pull weeds, replace burned out lights, pick up trash, bring in trash cans, maintain the existing common area, and any other maintenance that would need to be done in the neighborhood. So good-bye landscapers. The community could hire an accountant to keep track of all financial matters. Neighbors could work with neighbors on issues that may arise. For this to happen it would require the community to have morals, ethics and values. In an ideal world the HOA, management companies, collection companies, and HOA attorneys would function with morals, ethics and values and the community would become an utopia.



CHAPTER 43

GARAGE SALES & ESTATE SALES

Most , if not all, HOAs allow garage sales in the community, but they are usually planned and only allowed 1-4 times a year. By controlling when garage sales happen the HOA can make sure that "undesirables" are kept out of the neighborhood. This is also true of estate sales. Someone in the community dies and their heirs are left with the deceases home and personal belongings. The best and most expeditious way for the heirs to deal with this massive and painful act is to have an estate sale company come into the community to organize and sell the deceases belongings. Some HOAs are not sympathetic to what the family is going through. They don't want "undesirables" in their community.

Nikolas Dahlheimer & Robin Huhn

You live in a HOA and you are thinking about selling unneeded items you have in your garage and house. You have done this before and it was a success. You have your garage sale on the weekend and receive a fine letter a week later. The HOA Board members will decide when a homeowner can have a sale at their

house. Some HOAs support a community sale any time between 1-4 times a year. The reason, "to keep out the undesirables" from coming into the neighborhood. So, if one HOA homeowner goes to another HOAs garage sale are they considered to be an undesirable? Also appalling, is the HOAs treatment of those who have lost a family member in the community. What is a family member to do with their loved ones belongings? The best and easiest solution is to hire a company that will sell the belongings of the deceased in an estate sale. The company organizes, prices and sells the items. The HOA isn't concerned that someone has died in their community, they don't want people, undesirables, to come into their domain. Some HOAs will not allow an estate sale at all and some will allow it only if given permission by the Board. Sometimes, the HOA homeowners and Board members have been known to harass those who are doing the sale. The family member who's loved one has died is already under stress and having the estate sale interrupted just adds to their stress and grieving. Family members have been fined for having an estate sale. How insulting. Unfortunately, there are people who enjoy harassing others when they are vulnerable. Are these people moral imperatives?



CHAPTER 44

MORE ON CC&RS

The CC&Rs (Covenants, Conditions & Regulations) are a rule book for which the community must follow and the Board Members must enforce. The CC&Rs differ from community to community. In order to buy a home in a HOA the buyer must sign that they have read and understood the CC&Rs. Some rule books are just a few pages and some are hundreds of pages. Quite often the buyer is not given the CC&Rs until they sign all real estate and HOA documents.

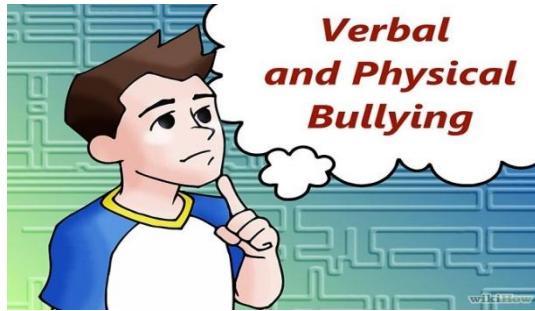
Nikolas Dahlheimer & Robin Huhn

You have found your dream home and it is located in a HOA and before purchasing the property you have an opportunity to read the CC&Rs. There are 2 or 3 regulations in the CC&Rs that you don't agree with and you say that you don't want to follow those regulations, but will follow all of the others. Guess what? Unless you agree to all of the regulations and you sign the CC&R documentation before buying the home you will not be allowed to buy in the community. If you

want your dream house then you will have to sign the documents stating that you agree with the CC&Rs. By signing these documents you give up many of your Federal Constitutional rights: the right to use the court system, the right to quiet enjoyment, and the right to your personal freedom of speech, and the right to live as an individual. Does this sound too dramatic? It isn't, many HOA CC&Rs literally have this wording in their documents. Before the new homeowner signs the sale documents they are handed the CC&Rs and Bylaws to read. Some rule books are just a few pages and some are hundreds of pages, making it nearly impossible to thoroughly read before signing for your new home. So, the excited homeowner sets aside the documents and signs the contract.

After living in the HOA community for a while you receive a fine letter for leaving your child's bike in the front yard. You go to the Board meeting to discuss the letter, only to be told by the Board members that you should have known not to leave anything out on your front yard. Didn't you read the CC&Rs? No, because you were too busy moving in, working, taking care of the children, updating the landscaping, and other life events.

If you choose to live in a HOA it is very important that you read the CC&Rs, bylaws and state laws. Become familiar with what you can and can't do. Some people in the community may love living in a place that tells them how to live. If you don't want to live like them, then DON'T BUY A HOME IN A HOA!



CHAPTER 45

BULLYING & HARASSMENT

Just about everyone has seen bullying, been bullied or has been a participant in bullying someone. HOA Board Members can legally bully Home Owners because they have the CC&Rs and state law behind them. The word "reasonable" seems to be used often in HOA documents and is very subjective. This kind of bullying is very much like extortion.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon has been a psychotherapist for the last 24 years and a college professor of psychology for 16 of those years. He's done numerous research and lectures on bullying and harassment. Many of us have seen bulling first hand or have been a victim of bullying or have been a participant in the bulling. Professor Solomon's opinion is that a HOA community is the perfect environment for bulling to take place. People feel harassed and bullied by HOA Board members and neighbors who drive through the neighborhood looking for CC&Rs violations, pointing fingers at those who have violated the CC&Rs. If a

Board member or a nosy neighbor don't like a homeowner it is likely that the homeowner will be singled out for violations or for other reasons. Most homeowners in HOA communities are frightened by the Board members and the thought of being fined. It is human nature to have one of two reactions if a person is being harassed: one is to lash back when they feel they are feeling harassed and the second reaction is to acquiesce, pay the fine and not bother anyone. Most homeowners are afraid of retaliation if they stand up for themselves. Board members are not threatened by any retaliatory law suits as they are protected and immune to any type of retaliation per the CC&Rs. Governmental laws have given them this protection. The same can't be said for the homeowner. In these HOA documents the word reasonable appears throughout, but the word reasonable is ambiguous and has a different meaning to everyone who reads the documents. There is nothing reasonable about bullying and harassing other people. Professor Solomon personally believes, in his opinion, that bullying and harassing is just another form of extortion, a way to intimidate or get money from homeowners who live in a HOA.



CHAPTER 46

FEAR

Fear is one of the many symptoms someone with HOA Syndrome may experience. At the root is harassment which leads to fear, fear leads to stress, stress leads to physical and mental health problems. Scientific research indicates that one way to relieve stress is to put stress on someone else.

Nikolas Dahlheimer & Robin Huhn

In the beginning chapters you read about HOA Syndrome. There are those who laugh at this disorder and there are some who identify with the HOA Syndrome symptoms. After listening to no less than 100 people, from all over America, complain about their HOA and telling Professor Solomon about their physical, emotional and psychological ailments it became clear to the doctor that many of the people who called repeated the same kind of symptoms. This is what prompted Professor Solomon to research what these HOA homeowners were experiencing. Hence, he created and identified HOA Syndrome, a compilation of the symptoms of which the homeowners complained about. This is a real syndrome

like PTSD. It took many years for the psychiatric and legal community to embrace PTSD and Battered Wife Syndrome. It will not take long for the psychiatric and legal community to embrace HOA Syndrome. HOA Syndrome is rooted in harassment experienced over a long period of time. The ultimate outcome is that a homeowner lives in a constant state of fear. I'm afraid to leave my home. I'm afraid to let my children play outside. I'm afraid to have people come to my house. I'm afraid to go to the mailbox. I'm afraid, I'm afraid, I'm afraid. The fear a homeowner experiences creates a great deal of stress. Scientific research proves stress is harmful to humans; physically, emotionally and psychologically. And yet, HOAs continue to harm people. The more the homeowner is afraid, the more stress they are under and their health becomes impaired. Harassment by HOAs is a real threat to homeowners. They are fearful that their heart and soul, home and family, will be taken away from them.



CHAPTER 47

WHY DOESN'T THE GOVERNMENT INTERCEDE?

Professor Solomon believes that HOAs started with good intentions. The government thought they were doing good. But over time, legislators have been swayed by developers, management companies, collection companies, and HOA attorneys to give them more and more power over the HOAs.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon's opinion as to why the government does not intercede and make positive changes to the HOA system is that there is no money in it. In the beginning the legislative bodies believed that they were doing a good thing. They created guidelines, rules and regulations and legal statutes to help the HOAs and homeowners better live together in their community. The management companies, collection companies and HOA attorneys realized they could make more money if state laws favored them. They lobbied their state legislatures, and donated to their campaigns, to pass legislation giving them more control and power over the HOAs and homeowners. The state legislatures are in so deep that there's no way they can

reverse what they created. Local cities don't want any of the laws to change because it decreases their bottom line. Property taxes pay for city and state programs, maintenance and pay employees. Homeowners in a HOA pay property taxes as well as HOA assessments. Homeowners living in a gated community are financially responsible for road repairs, street lights and sidewalks, which is paid with their assessments. The city uses taxes to fund the same projects. So those residents in the gated community not only pay property taxes, they also pay the HOA assessments. The Homeowners are paying for the same benefits and the city gets to use the excess property taxes as they see fit. This is called double taxation. Many city statutes mandate that any new homes built must be a HOA community.



CHAPTER 48

CHILDREN

It is not unusual that the harassment from the HOA pits husband against wife. They argue. The children hear the arguing which in turn adds stress to the child's life.

Remember, stress causes illness. This can be very dangerous for a pregnant woman. The stress she experiences can be detrimental to her fetus/baby.

Nikolas Dahlheimer & Robin Huhn

Young children should not be overlooked. The children who live in a HOA community with their parents. It is the parents that will receive the fine letters, have to go before the HOA Board and deal with liens placed on their home. The parents become stressed and this can lead to fighting and arguing between them, which in turn creates more stress. Children are very in tuned to their parents moods, facial expressions and tone of voice. Children cannot separate themselves from their parents and they take on the responsibility for having caused the stress. Children are powerless to help their parents. They hear their parents talk to their neighbors and the children become more stressed and powerless. Months pass and

nothing changes. The letters keep coming and their parents keep arguing and now everyone is unhappy. This stress can affect children in many different ways: sleeplessness, difficulty concentrating, arguing and fighting, eating disorders, fearfulness, bed wetting, problems at school and learning.

Pregnant women are also highly reactive to stress. Research proves that women who are stressed during their pregnancy quite often give birth to infants that have more problems. The stress causes woman to experience stress related symptoms. These symptoms can cause problems with the fetus' development in-utero. Living in a HOA and being harassed by the HOA, management companies, collection companies, and HOA attorneys can be stressful. This is not the nurturing environment that the fetus needs for their development. Being pregnant while living in a HOA community can be dangerous.



CHAPTER 49

PUNITIVE FINE LETTERS

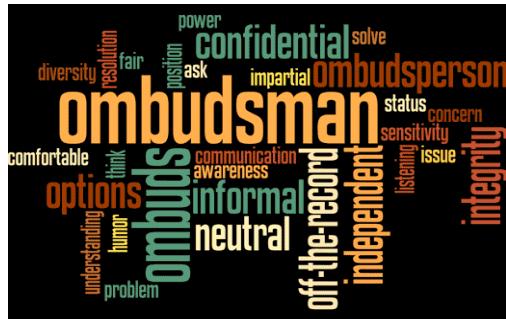
Many HOA Board Members will say that a "friendly" letter is sent to the homeowner letting them know their light is out, they have a weed in their yard or they forgot to take in their trash cans. Most HOA violation letters are very punitive: you are on notice, you will be fined with references to the CC&Rs and state laws. These letters are intended to induce fear and hurt the homeowner.

Nikolas Dahlheimer & Robin Huhn

Many of you have received letters from your HOA. One thing that is a typical characteristic of these letters is their punitive nature. The letter does not say, "Howdy neighbor, I'm so-and-so from your HOA Board and I live right down the street you. I, like you, love my neighborhood. Would you be willing to make sure that your trash cans are brought in at the end of trash day. I'd sure appreciate it, sincerely". But this is not the type of letter a homeowner receives. Right out of the gate the homeowner is given a letter that sounds very punitive. "You are on notice. You are going to be fined per the CC&Rs and state law if you do not

resolve this violation within X number of days". These letters are intended to induce fear. And for many homeowners they do. How much more effort would it take to write a "howdy neighbor" letter?

Quite often HOAs Board members and the HOA, management companies, collection companies, and HOA attorneys are referred to as Nazis. They sound like it and they act like it. The Board doesn't wear uniforms, but can't you see that is coming, arm bands that have a symbol associated with the HOA and all of them marching in line.



CHAPTER 50

THE OMBUDSMAN'S OFFICE

Many states have an organization called the Ombudsman's Office. This is a governmental organization that was created to help the HOA and the homeowner.

Unfortunately, the Office has failed. Generally, there is just one or two offices in the state. It is difficult to speak with anyone. There is a lot of red tape one has to go through to file a complaint and the investigation can take weeks to years to be resolved. Another reason the Office has failed is that employees need HOAs and homeowners to be in conflict, their jobs depend on it.

Nikolas Dahlheimer & Robin Huhn

Ombudsman's offices were intended to protect the homeowners living in a HOA. They are suppose to be an equal, neutral and fair advocacy organization to help resolve problems between the HOA and the homeowner. Unfortunately, the Ombudsman's program has failed in their attempts to be impartial and give support to homeowners. Here is an example using Clark County, Nevada: There are police stations all around our city, we have fire stations around our city, we have hospitals, and thousands of governmental workers who support the city. But there

is only one Ombudsman's office to help a homeowner. When a homeowner attempts to contact the office to ask a question and/or get an answer they are treated as if they are disturbing the staff, being an annoyance, or, there is no response at all. Depending upon the question you might not even get an answer. The truth of the matter is that their jobs are dependent on the existence of strife between HOAs and homeowners. If they were to create peace or settle the strife they would be without a job.

At one Ombudsman's meeting Professor Solomon asked how their office would like homeowners to handle life threatening situations and situations that may be detrimental to a homeowners health and life. He was told that they don't handle those kind of situations, you have to call the police. The police do not like responding to HOA matters and will quite often say it is a HOA matter, take it up with the Ombudsman's office and then the Ombudsman says we can't do anything about it, take your issue to the police. Police will only respond after the fact: Homeowners are in a fist fight, burglary, the threat of using a gun or using the gun. Someone has to get hurt physically before they will respond. Professor Solomon, speaking as a psychotherapist and mental health care professional, states that when something horrendous happens the police, media and community say: Why didn't you warn us about this? Why didn't you warn us that HOA arguments could wind up with gun shots and murder? We didn't know? In short, it appears that everyone

has washed their hands of HOA violence and a good in a HOA is when there is no violence.



CHAPTER 51

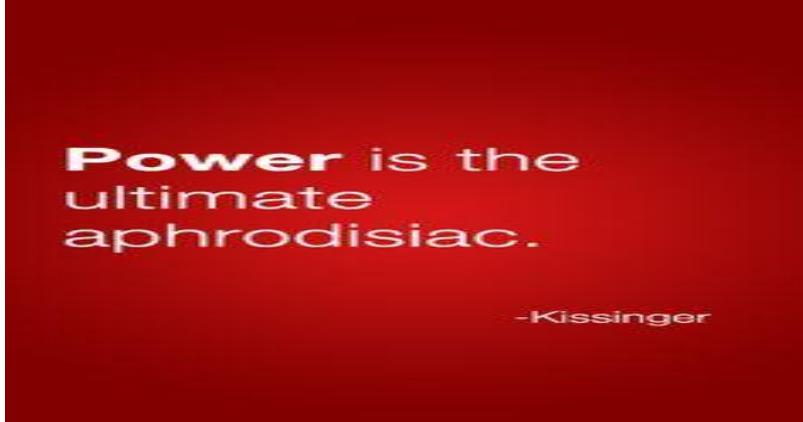
STALKING

There are 3 major ways HOAs stalk the community members: 1) Someone(s) go around the community looking for violations, 2) the management company has someone go around the neighborhood looking for violations, and 3) Neighbors are pitted against one another-it must have been my neighbor who turned me in, I'm going to find something to turn get back at them.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon's opinion is that people living in a HOA are stalked. The stalking happens on multiple levels. One form of stalking is, in fact, a member(s) of the HOA Board who drives around the neighborhood looking for CC&R violations. Another form of stalking is done by the management company. They, too, drive around looking for violations. Some Board members have come onto a homeowner's property without a 24 hour notice. The homeowner, fearful of

stalking filed Restraining Orders against them in court. Remember, they don't make money unless they get to fine people for their indiscretions and send out violation letters. Fellow homeowners also drive around the community scrutinizing their neighbors property and giving their findings to the HOA Board. Neighbors are pitted against neighbor. Here is an example: A homeowner gets a letter in the mail about the pot that has been on their front porch for many years. They must remove it. The homeowner stands on their front porch and looks around the neighborhood. "Who turned me in to the Board? I bet it was the neighbors across the street, they have never been very friendly. I am going to find something wrong with their house and report them to the Board". Now the paranoia starts and it spreads throughout the neighborhood. The management company is laughing. This puts more money in their pockets. They don't have to go and inspect the properties, the neighbors are doing their job for them, for free and they send letters based on what one neighbor says about one another. Why is it that humans have to pick on each other? Why can't we be at peace in our own home and community?



**Power is the
ultimate
aphrodisiac.**

-Kissinger

CHAPTER 52

LIKE A DRUG

Being a Board Member can give one a high like a drug. From a neurological point of view you have: A board member who get excited, an increase in dopamine before the meeting and during the meeting. And post meeting they stand around and talk about the meeting, more excitement. They go home and crash, a depletion of their dopamine. They want to feel good again so they drive around the neighborhood looking for violations so they can harass homeowners which leads to an increase in their dopamine levels, which leads to pleasure.

Nikolas Dahlheimer & Robin Huhn

When a person gets excited there are neurological changes that happen in the body and brain. The person experiences a rush of good feelings and they want to feel more. This happens to some Board members. The Board meeting is to take place in a couple of days. They begin to get excited. It is the day of the meeting and they are even more excited. The meeting roles around and they are with other

Board members that are just as excited. Their dopamine levels are becoming elevated. They listen to other Board members and they listen to the homeowners. Dopamine levels rise even more while they decide what form of punishment should be given to these homeowners who have violated the CC&Rs and who dare to question the Board. It's exciting being on the Board, they get to talk about homeowners in closed meetings. You would be surprised at what some Board members say and laugh about their neighbors. For some members this is the only powerful and responsible job they have ever had and it goes to their heads. The Board member's response to the increase in dopamine is no different than the high a drug addict gets from alcohol, shopping, cocaine, meth, tobacco, or heroine.

View the graph for dopamine and neurotransmitters by Professor Solomon in www.hoaacademy.com, Chapter 25, for a more detailed explanation of addiction.

This is a two-tailed psychiatric disorder. At one end of the tail we have the community members who are now experiencing a wide range of problems related to the harassment they experience leading to HOA Syndrome symptoms. At the other end of the second tail is the HOA Board and the HOA, management companies, collection companies, and HOA attorneys who put their needs before the homeowners for money, greed, pleasure, and a dopamine fix.



CHAPTER 53

WHAT CAN PEOPLE DO TO PROTECT THEMSELVES?

Professor Solomon gives the viewer 6 ways that they can protect themselves against their HOA. Please remember that Professor Solomon is not an attorney nor does he give legal advice.

Nikolas Dahlheimer & Robin Huhn

So far this book has focused primarily on problems within a HOA. Here are a series of solutions. 1) The first solution is simple; DON'T BUY A HOME IN A HOA. If you don't live in a HOA you won't have HOA problems. Once a person buys in a HOA it is difficult to get out. 2) If you feel compelled to buy a home in a HOA, before you sign the HOA documents, in spite of the fact that it may feel like some form of torture, read every page of your CC&Rs and bylaws. After you've read them make an appointment to sit with the management company and have

them explain everything that you don't understand, which could be a lot since the documents have been written by attorneys. 3) If an event occurs or you have had a verbal discussion with someone, document the discussion or event in a letter and never call the management company. Also, document the date and the time in the letter. Send the letter by certified mail to the Board and management company. Send it by certified mail. It is going to cost about seven dollars per letter and it's going to take a few minutes of your time. Many homeowners have experienced that anything you say verbally, or anything the Board or management company says can be denied. The most common response from the HOA, management companies, collection companies, and HOA attorneys is, I don't remember. If the event has been documented by you that a verbal comment will not hold up in court.

4) The next solutions is what Professor Solomon has personally done when paying fines levied against him. I don't let the fines built up. As soon as I receive a fine letter I pay the total fine by check with the phrase "paid under protest" in the notation section. I make sure the check is sent certified mail. As soon as the check is cashed I send a letter saying, " I paid the fine under protest and I want my money refunded within 15 consecutive calendar days of the date of my letter or I will take legal action". This is known as a demand letter. Chapter 54 discusses law suits. 5) The ultimate solution is to lobby banks to stop loaning on HOA

developments. 6) Lobby your legislators to give homeowners equal access to the courts.



CHAPTER 54

THE HOA CAN SUE YOU, BUT NOT THE OTHER WAY AROUND

In most states the homeowner cannot take the HOA to court, but the HOA can sue the homeowner. In Nevada the state laws say that Board Members are immune from prosecution.

Nikolas Dahlheimer & Robin Huhn

The HOAs CC&R's, bylaws and state laws list the rules, rights and regulations a homeowner is required to follow while living in a HOA. In Nevada the state laws state that a homeowner cannot sue HOA board members for any crime, individually and collectively. The Board members are immune from prosecution. Why have legislators and lawmakers passed this law? If Board members could be sued or prosecuted, then nobody would volunteer to be on the

Board? In most states the homeowner in a HOA cannot take their HOA to court. But, the HOA can take homeowners to court. Guess who pays for the HOAs legal bill, all the homeowners in the community including the homeowner the HOA is taking to court. And, the homeowner has to pay to defend themselves. In most states the only avenue homeowners have to help with HOA issues is to go to the Ombudsman's office or other HOA regulating organization. The homeowner has to file a complaint with their Ombudsman's office. The office then researches the owner's complaint and decide if it has merit or not. Some Ombudsman's office offer mediation and/or arbitration. In Nevada the Ombudsman's office typically decide on the side of the HOA. Once the decision has been made then the homeowner to small claims court. Great! Except the courts will not hear HOA issues. So, ultimately, the homeowner has no way to get justice. It is a catch 22 system. What would it be like if the HOA paid the homeowners legal bill as well as the HOA? There would be a lot less fines, liens and foreclosures.



CHAPTER 55

SMALL CLAIMS COURT

Professor Solomon outlines the process a homeowner must go through to file a small claims case against their HOA.

Nikolas Dahlheimer & Robin Huhn

Let's discuss more about HOAs and small claims court. The process to be able to a HOA to court is a very long and tedious process. The homeowner will not be getting help from sympathetic people as they move through the process. First, if a homeowner receives a punitive fine letter, it is best to go to the HOA meeting to try and resolve the problem. If the problem is not resolved, then the homeowner can file a complaint with their Ombudsman's office. The office then reviews the complaint and presents their decision. The Ombudsman may also mandate going to mediation or arbitration. If the issue is not resolved in this venue then they can take their HOA to small claims court. Ideally, but not reality. In the Nevada HOA state law reads that a homeowner can take the HOA to small claims court. In Nevada and most states in America small claims court will not hear your

case. If you have not filed a small claims suit before make sure you contact the court to make sure you are filling out the paperwork correctly. In Chapter 53, solution number four, is the order of procedures you may want to follow to file your case. If you do make it to court and the HOA does not show up, they may not for a \$100, you get the judgment and can send the HOA to collections and you charge the HOA the collections fees. Remember, state laws favor the HOA, management companies, collection companies, and HOA attorneys. But, that doesn't mean you can't fight for what you believe to be true.



= HOA Syndrome

CHAPTER 56

THE PSYCHOLOGY OF THOSE LIVING IN A HOA

It is not in the best interest of the HOA to take care of the psychological needs of the community. Professor Solomon believes that those living in a HOA need psychological treatment, such as those with PTSD.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon, a psychology college professor, has a B.A., two masters and two Ph.D. in psychology. He began researching HOA harassment about 5 years ago. Professor Solomon was stunned and overwhelmed by what he found out about living in a HOA. In Professor Solomon's opinion HOA harassment is entirely psychologically based. The decisions made by the HOA Board are all psychologically based. Why do they do what they do to homeowners? What drives them to do what they do to homeowners? How do they go about doing it? Why would they want to harass homeowners? Homeowners responses are psychologically based, also. Their psychological response; HOA Syndrome. See

Chapter 18 for more information about HOA Syndrome. So, if HOA Syndrome is similar to PTSD, doesn't it make sense that HOA Syndrome be clinically be treated the same way as PTSD? Professor Solomon postulates that if homeowners are harassed leading to HOA Syndrome, then everyone in the community needs to be treated. He suggests having a health care worker available for those who feel it would be beneficial to their health. Everyone needs to be detoxified. Those doing the harassing and those who are being harassed. HOAs, local, state, and federal government have are responsible for the health safety and welfare of their citizens and neighbors. These psychologically based symptoms can manifest into physical illnesses. Many of the HOA Syndrome symptoms are not visible, but over time they can manifest into heart disease, high blood pressure, rashes, an ovulation, diabetes, and numerous other serious diseases. The homeowners stress levels go up and up, as they have no outlet or way to release the stress. The HOA Board and the HOA, management companies, collection companies, and HOA attorney's stress levels go down as they have an outlet; harassing homeowners.



CHAPTER 57

SCIENTIFIC PROOF

If the HOAs, management and collection companies and HOA attorneys were shown the scientific proof that living in a HOA community causes health problems, they wouldn't like it, they wouldn't do anything about it.

Nikolas Dahlheimer & Robin Huhn

The legal, political, psychiatric, and the HOA, management companies, collection companies, and HOA attorneys say, "Show us proof that living in a HOA can be damaging to a person's health. Not the made up information from magazines". Even if this group was presented with solid scientific evidence, and there is a phenomenal amount of studies, that what they were doing to homeowners was damaging their health, they would still do what they have been doing all along. In one of Professor Solomon's lectures he asked a property manager if they would do anything differently if they knew a homeowners health and wellbeing

was in serious jeopardy. This person proudly said, "no" and the other property managers sitting close by shook their heads in agreement. A homeowner that has been harassed, leading to HOA Syndrome, causing health problems, are just considered collateral damage. The science is there and Professor Solomon is committed to proving that the HOA, management companies, collection companies, and HOA attorneys is affecting homeowners health and wellbeing.



CHAPTER 58

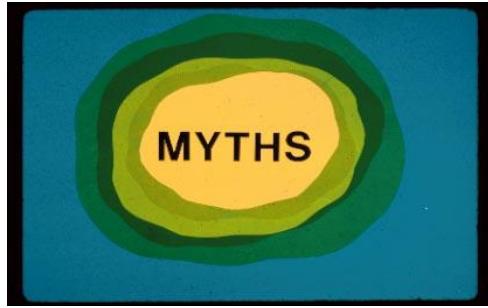
ATTORNEYS JUMPING ON CASES

Professor Solomon encourages attorneys to take on HOA cases as a tort, as there are damages to the homeowner: Physical, psychological, equity theft, racketeering, and breach of contract.

Nikolas Dahlheimer & Robin Huhn

Homeowners are having their worlds taken out from under them by the HOA, management companies, collection companies, and HOA attorneys. They need legal help, but they can't find it. There are major law firms all over the U.S. that represent HOAs, property management and collection companies, because there is big money in it. Professor Solomon believes that attorneys are making a mistake by not representing homeowners in tort cases for psychological, mental, physical, punitive, fraud, equity theft, racketeering, and breach of contract. Homeowners are being robbed of their equity as a result of fines and fees that are

not warranted. If the homeowner tries to stop the fines then even more fines are added. This is equity theft and racketeering. The CC&Rs is a contract. Both parties who sign the contract have a meeting of the minds. When the HOA does not live up to their part of the contract, then they have breached the contract, not living up to their responsibilities. Attorneys, please help HOA homeowners who are experiencing these unfair and illegal actions.



CHAPTER 59

THE MYTH

The myth is that homes in a HOA are more valuable than homes not in a HOA. Appraiser and assessors don't use the fact that the home is in a HOA in their final appraisal or assessment.

Nikolas Dahlheimer & Robin Huhn

Here is a myth that most people have about living in a HOA; property values are higher in a HOA community. This is a big myth and many people believe it, especially those who live in a HOA. To prove it go to the County Assessor's Office and look up the value of homes in a HOA and those that are not. Ask the County Assessor if homes in a HOA are more valuable than those that are not. There really is no difference in value. Maybe this was true many years back, but not today. They will tell you no! The mortgage disaster in 2008 made most property values decrease and many expensive homes in HOAs lost as much of their equity as non-HOA homes. Many real estate agents have buyers who come to them to see houses

not in a HOA. The horror stories are out there and the buyer doesn't want to be a part of the horror. Property appraisers will tell you just because a home is in a HOA the property is not more valuable. The value of a home's property is determined the same way whether in a HOA or not. As people hear more and more about how bad it is to live in a HOA, the harder it is to sell a home in a HOA; and people don't want to pay the assessments and be told how to live in their own home.



CHAPTER 60

GATED COMMUNITIES

Professor Solomon states that about 20 years ago there was prestige related to living in a gated community with less crime. Today, those same gates keep the homeowner locked into their community.

Nikolas Dahlheimer & Robin Huhn

HOAs exist within gated and un-gated communities. Years ago living in a gated community had some kind of pristine psychological value and for some it still does today. People who live in a gated community often move there because they believe they will be safer, less burglaries and the gates would keep the "undesirables" out. Not only do the gates keep people out, the gates keep the homeowners in, this makes it more difficult and more complicated to move out of the community. Homeowners assessments are used for the upkeep of the common areas, the gates and security and the neighborhood. In a gated community, which is private property, the assessments are also used to repair streets, sidewalks,

buildings, and street lighting. Selling a home in a gated community can be more difficult than imagined. Security codes have to be given out or the security guard has to be notified each time there is a showing and times have to be coordinated with many people. Who wouldn't want to buy in this beautiful community. Well, lots of people wouldn't want to live in a place that doesn't allow them to live individual lives. If Professor Solomon had his way all gates would be removed and all the HOAs would be dissolved.



CHAPTER 61

HOW DID IT GET THIS BIG?

Solomon diagrams the planning and growth of a community and discusses city involvement. Professor Solomon introduces, but does not endorse, two books written about HOA issues. The first book is HOA Murders, a novel about a murder in a fictional HOA community, written by Leon Robertson. The other book, Neighbors at War, is a compilation of real HOA horror stories, written by Ward Lucas.

Nikolas Dahlheimer & Robin Huhn

Only a few books have been written about HOAs. Two recent books, *HOA Murders*, a nonfiction book, and *Neighbors at War*, the telling of HOA horror stories are available. You can order the books should you have an interest in reading them. These books go beyond website, new and magazine articles that you may have read. Professor Solomon has been asked, "How is it possible that HOAs have gotten to this place? How have they gotten so big?" Homeowner's

associations began as a good concept. The thought was for communities to work together to support one another. Over time more and more HOA communities were built, fanning out into the suburbs. Rather than building a few homes at a time, developers began building hundreds and thousands of homes to make up a community with shopping, schools and industry intermixed. With the growth, local government became involved in the HOA rules and regulations. A home owner's taxes go to pay for maintaining the city. Since HOAs are collecting assessments to maintain their community, the city decides that the assessment money could be used to maintain such things as streets and sidewalks within the HOA, saving the city lots of money. This is an enormous windfall for the city. For HOAs to pay and maintain more than planned, assessments had to be increased. Who pays for it, the homeowner. Who benefits, the city. Professor Solomon believes that cities have become habituated to the money. The money saved by the HOAs can then go to other city projects. To keep these other programs going, maybe the hiring of more city workers, the city needs to double tax homeowners in HOAs. Now most cities mandate that all new communities be built as a HOA. Years ago HOAs decided they needed to have a management company take on the burden of assessment collections, landscaping, record keeping, and the maintenance of the communities. The management company decides that they needed help in collecting

homeowner's debts, so collection companies came on board. HOAs hire attorneys to make sure they are legally protected. This is how HOAs became so big.



CHAPTER 62

SLANDER, LIBEL AND DEFAMATION

Sometimes a Board undermines the homeowner who speaks-up for their rights. Slanderous, libelous and defaming rumors can be spread throughout the HOA.

Nikolas Dahlheimer & Robin Huhn

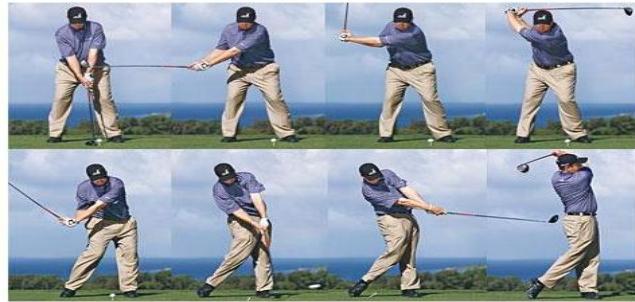
Slander, libel and defamation involve the spreading of false communication.

Libel is defamation that is in writing, printing, effigy, movie, or statue. Slander is defamation that is spoken or heard. It is your right to pass an opinion, but when false statements are said or written and communicated to others, this is defamation. Defamation can be spread around a HOA community within a day. It doesn't take long for slanderous and libelous statements and letters to be thought of as true; gossip and rumors. Verbal and written information in a closed community can be very damaging and dangerous. HOAs can undermine the character of the homeowner who speaks up for themselves and their fellow neighbors. The HOA doesn't like a homeowners flower pots in their front yard and they are fined. The

homeowner questions the fine before the Board. Of course, the Board doesn't want to have anyone in the community question their authority. So slanderous statements are made to others in the community started by Board members. The rumors and gossip are spread to specifically undermine the individual's credibility. "This homeowner is not following the rules, because of them our HOA assessments have increased". Without knowing the true story or both sides of the story the homeowner is said to be at fault. In HOAs a homeowner is considered to be guilty until proven innocent. Libelous anonymous letters are written and mailed to the community spreading lies about anyone who chooses to stand up for themselves. If this information were to get outside of the HOA it could be damaging to a person's reputation on the job, in social situations and their psyche and health.

HOA Board meeting consist of two sections. The first half of the meeting is open to all homeowners who are "allowed" to express their concerns and ask questions. The second half of the meeting is closed. It is called an executive meeting which only Boards members are present. In these meetings a homeowner's violation, fine or lien is discussed. Sometimes the homeowner is talked about without respect. Sometimes they are made fun of or described as stupid; "Gees how stupid does a person have to be to not be able to follow the CC&Rs"? And other defaming comments. What is said and decided in the executive meeting is

confidential, but it is not uncommon for a homeowner with a fine, hear others in the community talking about something that was to be confidential. So much for confidentiality. A homeowner can take the person who has said or written defaming lies about them to court. Remember, Professor Solomon is not giving legal advice nor is he representing himself as an attorney. But, through experience he has a suggestion for the person who has been defamed. You must send a demand letter stating that you have been defamed by slander or libel. Give the person you are suing 15 days from the date of the letter to apologize or you will take legal action. Professor Solomon's experience is that because of ego and hubris some people simply can't apologize. As to not stoop to their level, be discrete with your comments and respectful with your actions.



CHAPTER 63

WHAT'S THE DRIVING FORCE?

"Follow the money", Professor Solomon says. The driving force is money in the pockets of the management and collection companies and attorneys by way of fines, liens and foreclosures.

Nikolas Dahlheimer & Robin Huhn

People often ask, "What the driving force behind the HOAs, property and collection companies and HOA attorneys"? Money, follow the money! These organizations are not involved in HOAs because they are compassionate, want to do good by the homeowner and are advocates for homeowners. They are not! A couple of years ago property management companies were a 40 billion dollar business in America. Follow the money! There is no money in defending homeowners against their HOA. The money is in defending the HOA. Not only does the HOA pay their retainer, HOAs insurance companies pay the attorney's fees if the case goes to trial. Collection companies want the homeowner to default

on their fines, liens and foreclosures, otherwise they would be out of business. HOAs are non-profit organizations, but they collect fines to pump up their accounts. What is the extra money used for? An enormous amount of money is being made by a small group of people. As more and more HOA communities are being built the HOA, management companies, collection companies, and HOA attorneys makes more and more money and gain more and more power. People who have a lot of equity in their homes are targets for the HOA, management companies, collection companies, and HOA attorneys. They make sure that the homeowner is harassed and fined leading to HOA Syndrome. The HOA, management companies, collection companies, and HOA attorneys has the homeowner exactly where they want them and now they begin the takeover of the property. This is called equity theft and it is happening more and more in America. In some areas of America there have been more homes foreclosed on by HOAs than banks. These are your Board members, your neighbors, who are voting to take your property away from you in the name of money.



CHAPTER 64

WHO'S RUNNING THE COMMUNITY?

The HOA Board use to run the communities, but now they have become puppets of the management and collection companies and attorneys.

Nikolas Dahlheimer & Robin Huhn

Who's running the community, is the question. The original model for HOAs was; let's live together, let's live in a community, let's help each other, and let's protect one another. A phenomenon has taken place over the last 30 years called a "paradigm shift." In 1962, Thomas Kuhn wrote *The Structure of Scientific Revolution*, and fathered, defined and popularized the concept of "paradigm shift" (p.10). Kuhn argues that advancement is not evolutionary, but rather is a "series of peaceful interludes punctuated by intellectually violent revolutions", and in those revolutions "one conceptual world view is replaced by another". Think of a Paradigm Shift as a change from one way of thinking or doing things to another.

It's a revolution, a transformation, a sort of metamorphosis. It just does not happen, but rather it is driven by agents of change. What agents have driven this shift, the members of the HOA, management companies, collection companies, and HOA attorneys. What originally started out to be an idyllic community has shifted to being controlled by management companies, collections companies and HOA attorneys. The new paradigm shift is that HOA Board members now work for the very companies that were hired to work for them and the HOA. The management company doesn't need to scrutinize for homeowner violations. The HOA Board and other neighbors now do that job for them. They have become the management companies' puppets. These violations are sent to the management company who then send out fine letters. The management charges for sending out fine letters and in turn make more money. And they didn't even have to cruise the neighborhood, saving them time and money. HOA attorneys have shifted to having more and more power over HOAs. They dictate the CC&Rs and twist the rules so they may follow through with their questionable practices. The more work the Board can do for the HOA, management companies, collection companies, and HOA attorneys, the more money the HOA, management companies, collection companies, and HOA attorneys makes and makes and makes. Most Board members don't even realize that they are the puppets of the management company, collection company and HOA attorneys.



CHAPTER 65

TOWING YOUR CAR

In some communities homeowners are not permitted to park on the street. Tow companies are hired by the HOA Board and management companies to tow any car that is on the street. It's all part of the money-making process.

Nikolas Dahlheimer & Robin Huhn

In some communities a homeowner is not permitted to park their car in front of their house. In many of these communities the garages are not large enough for two cars or for truck or SUV type vehicles leaving the homeowner very little alternatives for parking. If left during the day, or left over night, the homeowner's car will be towed. This is a dubious, but brilliant move by the HOA Board members, management companies and HOA attorneys. Remember, follow the money! In Southern Nevada the media exposed the relationship between the HOA, management companies and towing companies. The towing companies were paying off the management companies and HOAs to be sent business. And business they were getting. The unfortunate homeowner would then have to pay to

get their car from the impoundment facility, they would also have to pay a fine to the HOA. Some of these tow companies lay in wait for a call from the management or Board members.

In one of these communities in Florida, a doctor parked in front of his house for just a moment. He need something from his house and was then going on to an emergency. In that moment his car was towed. Seeing this he ran to the tow truck to explain the situation. The driver drove away not concern about the doctor. The doctor frantic to get the driver's attention was run over by the tow truck killing him. What a tragedy. Wouldn't you think the HOA would change that parking rule? They did not. The HOA was undecided as to whether or not they should keep that towing company.

In a community in Las Vegas, Nevada, a homeowner had a severely disabled child that required therapy a few times a week. The therapist would park in front of the homeowners home to unload large and heavy therapy equipment. The Board, knowing the situation of the homeowner's child, barred the therapist from parking in front of the house, thus making it much harder for the child to get the help needed.

When you buy a HOA property in this type of community you may not be told about the parking/towing rule. It is expected that you will read the CC&Rs to

learn this information. Also, the Board can change many of the rules at any given time. So because you can park in front of your house today doesn't mean you can park there tomorrow.

RELIGIOUS FREEDOM MATTERS

CHAPTER 66

RELIGIOUS AGENDA

Professor Solomon suggests, but does not know, that some homeowners are punished or banned from moving into a HOA because of their religion, politics and/or race.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon begins this chapter by apologizing. This chapter covers a very tender subject. Professor Solomon does not know, but hazards to guess that certain religious, political and racial groups are being denied home ownership into some HOAs, and possibly being harassed because of the group they identify with. The HOA, management companies, collection companies, and HOA attorneys will probably be offended by this chapter as they often stereotype some of the groups they work with. The first common interest community was built in Levittown, New Jersey in the late forties. The community was built for returning soldiers so they could buy affordable housing using their VA loans. Levittown was an implied all white community. A few years after the completion of the community an African

American, "black", family moved into one of the houses. This was a middle class family that could afford to live in Levittown. Homeowners were outraged slinging racial slurs and negative comments. If you go to www.crisisinaamerica.com you can watch videos about Levittown. Professor Solomon proposes that this could have been the beginning of HOAs banning certain religious, political and racial groups from being admitted into the community. It is understood that in the beginning HOAs were built to keep out people of certain races and religions. In many of these communities across America the HOA would not let African American, Jewish or Asian buy a home. Another group that has also come under scrutiny are gays, lesbians and transgender people. Many of them being harassed by the HOA or neighbors. This is the same with people of the Muslim faith, people from Mexico or Central America. Essentially, people who are not white or protestant. This has gone on since the beginning of time; walls built around the castle and only the elite could live within the protective walls. The paupers and fifees had to live outside of the walls unprotected.

It has been documented that some HOA Boards have a political agenda, only wanting conservative or liberal homeowners on the Board. Some homeowners are afraid to say, I'm a Republican or I'm a Democrat. What happened to a person's freedom of choice? That went away when you signed the CC&Rs.



CHAPTER 67

HOAS AS VILLAGES

Professor Solomon views HOA communities as small villages and the HOA Board Members as the village leaders, and the villagers have to live by their rules.

Nikolas Dahlheimer & Robin Huhn

Over time Professor Solomon has quit thinking of communities as HOAs, but thinks of them as villages. Village after village next to one another; tens of thousands of villages all across America. These villages are overseen by leaders who are overseen by leaders. In these villages people leave and go to work, but when they come back to the village they must be ready and willing to follow the rules demanded by the leaders. If they don't want to follow the rules then they will have to pay the village and also face being shunned and/or harassed by the leaders and some of the villagers. People have to pay to move into the village and those same people will have to pay to sell their home if they want to leave the village. These fees keep increasing and increasing. At the next HOA meeting refer to the

HOA as a village and see what happens. In Chapter 14 Professor Solomon refers to HOAs as Ghettos.



CHAPTER 68

WHAT CAN YOU DO TO PROTECT YOURSELF?

Professor Solomon, not an attorney, gives suggestions to the homeowner on how to protect their home from foreclosure.

Nikolas Dahlheimer & Robin Huhn

What can you do to protect yourself from the HOA foreclosing on your home? Remembering that Professor Solomon is not an attorney and is not giving legal advice, he gives a few suggestions. One way for the HOA, management company, collection company and HOA attorney to foreclose and take possession of your house is for you to not pay your HOA assessments. Here's something you don't know; when you send in your assessment check to the management company, sometimes they don't cash your check. And because they didn't cash your check you are now in default for not paying your assessments. You call the management company and say that you paid your assessments and they say we never received

your check. Then you go back and forth, yes I did, no you didn't. You say, "I want to make another payment on my assessments". But you can't unless you now also include a late payment. Some homeowners in this position become angry and say, "That's it. I am not paying my assessments until you get this sorted out". Bad mistake. The fines keep mounting and eventually you are sent to collections. Still angry, you want to continue to fight. The collection company now files to foreclose on your home. The HOA, management companies, collection companies, and HOA attorneys gains when this happens. It's possible that the reason your assessment check wasn't cashed was because you have equity in your home. If this is a scenario that could happen, then what should you do as a HOA homeowner? Always pay your assessments. Always send your check in by certified mail and write in the memorandum section "paid under protest". Always check to see if your check has cleared in your account. If not, call the management to confirm if the check was deposited and then begin monitoring your account all over again. A homeowner shouldn't have to go through this, but unfortunately some do. If it turns into a legal matter you will have documented that you tried to make payment.



CHAPTER 69

THE LEGAL CONCEPT OF SMEARING

Smearing is a legal term that incorporates slander, libel and defamation. If you, as a homeowner, are smeared, keep documentation described by Professor Solomon.

Nikolas Dahlheimer & Robin Huhn

Smearing is similar to slander, libel and defamation. Smearing is when a person is publicly attacked with untrue or unfair comments or information that affects their reputation. This can happen when neighbor is against neighbor or person against person. We see this all the time on the news or in entertainment. Smearing has become part of comedy. It's part of our society now. Smearing in a HOA can be for many reasons: a homeowner doesn't like you or your house, they feel that you have cost the community money, you haven't followed the CC&Rs, or you speak up for yourself. This can be threatening to some and smearing is the only way they know how to express their fears.

If you believed you have been smeared you need to protect yourself. Send a letter by certified mail to the person(s) doing the smearing; "As of the above date, this is to memorialize the following...written or spoken negative comments. You have 15 consecutive days from the date of this letter to apologize in writing". This is your demand letter should you decide to go to court.



CHAPTER 70

HOUSING URBAN AND DEVELOPMENT (HUD)

*HUD is a governmental organization that helps the disabled, elderly and harassed.
Use this organization to investigate your issues with the HOA.*

Nikolas Dahlheimer & Robin Huhn

The federal agency, Housing and Urban Development, HUD, is a tool, that to date, has been widely underused related to HOA harassment. Professor Solomon is pursuing HUD to help with HOA abuse. HUD is the only federal agency that can override state laws and regulations. HUD is an agency that helps those who are disabled, mentally and physically, elderly and those who have been or are being harassed. An example of this would be the HOA denying a ramp for a homeowner who is wheelchair bound. HUD has the power to step in and take care of American

citizens. This is an agency that is overburdened and overwhelmed. The HOA, management companies, collection companies, and HOA attorneys know that HUD is over worked. They rely on this and know that a homeowners complaint may not be handled in a timely manner. But this doesn't mean you shouldn't contact HUD if you feel that you have been wronged if you have a disability or are elderly.



CHAPTER 71

IS THIS A SHAKEDOWN?

HOAs, the management company, collection company and the HOA attorney are supported by the government. These organizations save money for the government and they take money from the pockets of the homeowner.

Nikolas Dahlheimer & Robin Huhn

Yes, this is a shakedown by the HOA, management companies, collection companies, and HOA attorneys. As discussed in earlier chapters, local governments like HOAs because it saves the government money. Just like in the old movies where the mobster goes to the local grocer demanding 10% of their earnings to "protect them", the HOAs are no different. In the movies if the store owner refuses or can't pay the mob they are beaten, run out of town or killed. If a homeowner can't or refuses to pay fines and assessments the mob or HOA, management companies, collection companies, and HOA attorneys comes after

them. They are beaten, physically and psychologically. They are run out of the neighborhood, the homeowner has no other alternative than to move from the community or be forced out of their house by foreclosure. Some homeowners have been so harassed, leading to HOA Syndrome they feel they have no other alternative than to kill the HOA Board members or themselves. Some homeowners become so sick that they might be hospitalized or die from their sickness. And, local and federal government supports this shakedown. In the end does the HOA really protect the homeowner? Absolutely no!

ELDER ABUSE

→Hiding in Plain Sight

CHAPTER 72

AN ELDER ABUSE UPDATE

Professor Solomon believes that the elderly are easy targets for the HOA, management and collection companies and attorneys. Professor Solomon asks the families of their harassed elderly parents to become involved.

Nikolas Dahlheimer & Robin Huhn

Many elderly people are overwhelmed, become ill and feel powerless living in their HOA. Family members or guardians of these elderly people must step in to help. There are separate state and federal laws that will help the elderly. These laws are good and they are important. Unfortunately, these agencies are overwhelmed by the amount of cases and complaints they receive. But, they are a good resource to begin helping the elderly. As the baby boomers age, these agencies will be even more important and become even more overwhelmed. The HOA, management companies, collection companies, and HOA attorneys is not concerned with the health, safety and welfare of elderly homeowners within their

community. They are only concerned about keeping the community to the standards of the CC&Rs and putting money in their pockets.

The HOA sends the elderly homeowner a punitive fine letter. The elderly homeowner becomes stressed and overwhelmed by the letters and not know or understand what to do about them. They may have a physical or medical condition that doesn't allow them to comprehend the letters or their deceased spouse always took care of these kind of matters. Whatever the reason, the elderly homeowner becomes immobilized and doesn't do anything about the fines or potential foreclosure. The letters keep piling up.

Family members if you are to inherit the elder parents property it will be important to step in and help. If you do not your inheritance will be taken away from you by the HOA, management companies, collection companies, and HOA attorneys. Help the elderly homeowner keep their home and protect your inheritance. When it comes time to sell the property and if the HOA has placed liens on the elder's house, those liens must be paid first, this is called a Super Priority Lien, and may eat up all of the equity in the house. Take care of the problems now, not later. Let your elderly parent live in peace.



CHAPTER 73

HOAS ARE NON-PROFITS

Professor Solomon proposes that the IRS change the HOA status to a for-profit organization.

Nikolas Dahlheimer & Robin Huhn

HOAs are non-profit organizations, although they function as a for-profit organization. The IRS treats HOAs as non-profit. Professor Solomon proposes that the IRS change HOAs to a for-profit organization. All money going into a HOA account is pure profit; assessments, fines and super priority liens. The money is used for the upkeep of the neighborhood and paying the management company. The management companies and HOA attorneys siphon money from the HOA account. If the HOAs were considered for-profit they would be taxed. The taxes paid could go back to the community or towards organizations that support homeowners who are being harassed by their HOA; ie., mediation programs, support for the elderly or support for those who might lose their home to foreclosure.



CHAPTER 74

HEALTH, WELFARE AND SAFETY

The HOA is responsible for the homeowner's health, welfare and safety, but this is not always the case. Harassment by HOAs is ignored by the very institutions that are suppose to protect homeowners.

Nikolas Dahlheimer & Robin Huhn

Homeowners ask, "What about my safety? What about my welfare? What about my health? Doesn't my HOA have some responsibility to my health, welfare and safety in my community"? A person's health, welfare and safety is the responsibility of your state and the United States. It is also the responsibility of your Home Owners Association. HOAs are rarely if ever for this responsibility. Professor Solomon has made it his mission to let the state and America that HOAs are affecting the health, safety and welfare of its community members. The city, state and federal government are ignoring the health, safety and welfare of those people living in a HOA community. If the government were to address the issues

of harassment and the health, safety and welfare of people living in a HOA, they would have to give up a great revenue source. The money is more important than the safety, health and welfare of the Americans living in these HOAs.



CHAPTER 75

ARE THINGS GETTING BETTER?

Professor Solomon says, "NO!" And again he says, "Don't buy a home in a HOA!"

Nikolas Dahlheimer & Robin Huhn

Are things getting better within HOAs? NO! It is Professor Solomon's opinion that things are getting worse, way worse and he doesn't see them getting better any time soon. Professor Solomon now realizes that when he began his research about 5 years ago he was delusional. He thought by sending a letter to the appropriate people, organizations and government agencies they would say, "Oh, we didn't know we were harming anyone. We will stop". Of course they didn't stop. There is too much money at stake for the HOA, management companies, collection companies, and HOA attorneys. They are not concerned about your health or psyche. They are only concerned about their bottom line.

Professor Solomon has approached real estate agents to make offers on homes in HOAs with an exclusion in the contract to waive any fines and liens. No offer was ever accepted. The HOAs know they will find someone to buy into their community without questioning the CC&Rs. And, in order to buy and live in a HOA community the buyer must agree and sign the CC&Rs. The best thing a buyer can do is NOT BUY A HOME IN A HOA.



CHAPTER 76

ENTIRE FAMILIES ARE UNDER STRESS

Professor Solomon states that the stress created by HOA harassment affects the entire family.

Nikolas Dahlheimer & Robin Huhn

Harassment by the HOA affects every person in the home located in a HOA.

Punitive letters arrive from the HOA and management company. These letters stress out the homeowner, parents. The children in the family overhear their parent's discussions and arguments. The children become stressed. The parents take their stress out on their children. The children take their stress out on other children or their pets. This stress doesn't go away because the harassment and letters just keep coming. The homeowner is stressed at their job, they are stressed on the freeway, they are stressed shopping, and they go home to a very stressed environment. A person's home is suppose to be the one place that they can relax and not feel stressed. Stress can lead to violence and violence in HOA

communities is rising. Homeowners have killed HOA Board members after being pushed to the brink. There is a hierarchy with violent behavior. The person at the top of the chain becomes stressed and takes it out on the person on the chain link below them. This continues until they reach someone who cannot defend themselves; the elderly, children and the disabled. Be aware, families are being affected by HOA harassment.



CHAPTER 77

WHY HASN'T THE GOVERNMENT DONE SOMETHING?

Professor Solomon suggests that the problems haven't gotten "loud enough". There have not been enough deaths and violence.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon suggests that the government hasn't stepped in to do anything because the HOA harassment issue has not gotten loud enough. It hasn't become that "big of a deal", not until enough people are killed or hospitalized. The government does step in and issues recalls of tainted food that have made a few people die or become sick. This is not to say that a situation like this is not horrible. But the abuse imposed by the HOA is equally horrible. People have died. Homeowners and Board members have been murdered and some of these people have done the murdering. People have become sick, mentally, emotionally and physically with HOA Syndrome. They have been hospitalized and some have even

died from their stress induced illnesses. It isn't until the government steps in that the HOA harassment will end and the government makes too much money off of the HOA homeowner that they don't want it to end.



CHAPTER 78

ANY OTHER SOLUTIONS?

Professor Solomon suggests that for 3 years there be a stop on fines, liens and foreclosures.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon suggests that HOAs put a moratorium on issuing fines, liens and foreclosures for 3 years. Watch what happens. There would be no reason to pay a management company to write fine, lien or foreclosure letters. Their money stream would dry up. The same would happen with the collection companies and HOA attorneys. The HOA, management companies, collection companies, and HOA attorneys leaches off of the HOAs and money is the reason

that the HOA, management companies, collection companies, and HOA attorneys exists at all. At your next HOA meeting ask the Board to put a moratorium on fines, liens and foreclosures and watch their response. If homeowners were not harassed for 3 years this would give them an opportunity to heal themselves.



CHAPTER 79

ANOTHER SOLUTION

What if HOAs paid for the homeowner's legal fees?

Nikolas Dahlheimer & Robin Huhn

If the HOA sues anyone in the community it is the neighbor's money that pays for the law suit. If a homeowner is sued by the HOA it is that homeowner's assessments that are used by the HOA to fight them. Either way the homeowner is paying for the HOAs legal bills to sue them and they have to pay their own legal fees. There is no legal equality when it comes to the court system. What would it be like if the HOA paid for the homeowner's legal fees, as well as their own? There would be less law suits, fines, liens, and foreclosures.



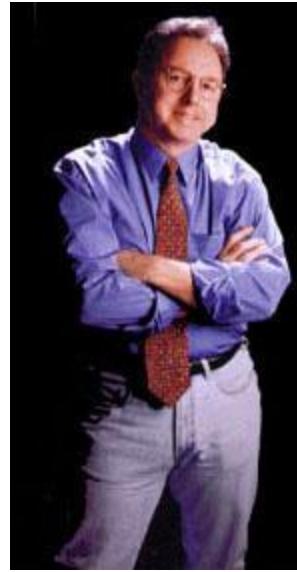
CHAPTER 80

DIVORCE

HOAs can cause stress between couples.

Nikolas Dahlheimer & Robin Huhn

HOA harassment is stressful. Couples that are experiencing HOA harassment are under stress and friction. Since there is no outlet for their feeling they begin attacking one another. This stress and friction can lead to relationship problems, one of the symptoms of HOA Syndrome. Relationship problems can lead to divorce. Professor Solomon would like to research the divorce rate in HOAs related to HOA abuse and HOA Syndrome. It would be a provocative research project.



CHAPTER 81

MORE ABOUT PROFESSOR SOLOMON

Go on-line and search: gary solomon hoa, www.hoasyndrome.com and www.hoaacademy.com and hoacrisisinamerica.com.

Nikolas Dahlheimer & Robin Huhn

Here is some information that you might not know about Professor Solomon. For the last 5 years Professor Solomon has been researching harassment within HOA communities, or as he likes to call them, villages. Through his research he identified and popularized a new anxiety disorder called *HOA Syndrome*. Realizing that living in a HOA community could cause homeowners to experience HOA Syndrome and serious illnesses, Professor Solomon put up billboards in Las Vegas and Henderson, Nevada. To view these billboards go to

Google and type in *gary solomon hoa*. Once opened select images. If you go onto the other websites listed above you will be able to read the many articles that Professor Solomon has written, view videos of his lectures and learn more about HOA Syndrome. Because of his research he has become popular all over America as an expert on HOAs. Professor Solomon does not accept monetary payment for his work, although those who believe in his research may donate to his research organization, HOA Board Monitoring Services.

As a side note you may want to check out his website: www.cinematheapy.com. Professor Solomon fathered, defined, trademarked and popularized Cinematherapy®. He was the first to write about using movies for their therapeutic value and messages. This form of therapy is known and used all over the world. Professor Solomon has lectured on the subject around the world and has written 3books on the subject: *The Motion Picture Prescription®*, *Real Therapy®* and *Cinemaparenting®*. He is also the author of *A Psychiatric Diagnosis Primer*, as well as two novels, *Why is Brian so Fat?* and *A Ballard for Allison Porter*.



CHAPTER 82

PET PROBLEMS

HOAs decide how many dogs, what size and what breed a homeowner can have.

Nikolas Dahlheimer & Robin Huhn

When a homeowner signs the HOA CC&Rs they are giving the HOA the authority to decide how many dogs, what size and what breed a homeowner can have in their home. When you signed the CC&Rs you gave up your rights to decide who or what may reside in your home. This will stand up in court and you will have to get rid of your pet or move from the community. The best way to avoid any issues with your pets is to NOT BUY A HOME IN A HOA.



CHAPTER 83

HOW DOES THE HOA KNOW ABOUT YOUR EQUITY?

Anyone can go on-line and view the public records on the assessors page.

Nikolas Dahlheimer & Robin Huhn

Anyone can go on-line to the assessor's office and look up the value of any home, this includes the equity in the home, as well as liens. This could be HOA Board members, nosy or disgruntled neighbors, a buyer or seller, management companies, collections companies, and HOA attorneys. Remembering Professor Solomon is not an attorney nor is he giving legal advice, always keep your property encumbered, this can be done by a Title company (see Chapters 25 and 26 for more information).



CHAPTER 84

RELATING ONE OF MANY HOA PROBLEMS

Professor Solomon talks about "insane behavior" within a HOA community.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon could relate many HOA horror stories and problems. He states that he could relay story after story 24 hours a day and 7 days a week. He cheekily says that there could be a television program that that airs HOA horror stories. Why not, there are many reality shows on TV, this would be just another reality show.

Here is a story example: A homeowner moves into a HOA community. The house you have bought has a patch of grass in the front yard. Winter rolls around and the grass dies. The HOA can't have that in the neighborhood, so they send you a fine letter saying you have to put in new grass. You decide to get rid of the grass

and put in xeroscape, desert landscaping. In order to make the change you will have to fill out a form and submit a landscaping plan and you may have to pay a application fee. But wait! The Board doesn't like your plans, they need to be more detailed. They don't like the plants you are going to plant. So you go back to the drawing board. Usually, the Board members reviewing the plans are not landscapers or architects, but they are the ones determining whether or not your plans will be approved, which could take weeks or months. Now, during this time your fines continue to mount. Your plan is finally approved, but now you learn that you have to submit the plans to the master community. Some communities have 2 or more HOAs. So even though your plans have been approved, you now have to submit them to the master community. Now you wait a few more weeks to have the master community approve the plans. But, the master HOA denies the plans. You have to resubmit the plans to the master HOA. Here is a simple solution. Meet with the landscaping committee, show them your plans, let them tell you what needs to be changed. This would be proactive, but that is not how HOAs function. Let's say you want to paint your house. You ask what color you can paint it. You are told that you have to fill out a form and submit a color. You submit a color you really like. The color is denied. You ask if there is a chart with colors that have been approved by the HOA. No, they don't have one so you resubmit another color. They don't like that color. You can't find out what are approved colors because the

HOA won't tell you. You keep submitting colors until approved by the HOA. Crazy making, right. The thought being that if they don't give the homeowner solutions the HOA, management companies, collection companies, and HOA attorneys will make money. If the HOA gives the homeowner solutions they won't make money. Solutions don't pay. The reader may want to read the non-fictional book, *Neighbors At War!*, by Ward Lucas, ISBN-13: 978-0-9856978-0-8.



CHAPTER 85

ESPIONAGE

Professor Solomon takes liberty and explains espionage within a HOA community.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon takes liberty and a giant leap to explain espionage within a HOA community. For the HOA to get fines someone had to have reported the violation, meaning that people drive around the neighborhood looking for violations. This meets the definition of espionage. You are literally being spied upon and you don't know who is doing it or when it is taking place. Your default, my neighbor turned me in. Your response, I'm going to turn them in. All the HOA has to do is sit back and wait for those complaint letters to come in and the cash register dings. The neighbors and HOA Board members, the capos, get pleasure inflicting pain on the homeowners in the community. The fines get passed onto the

HOA, management companies, collection companies, and HOA attorneys which have no ownership or position in the community.



CHAPTER 86

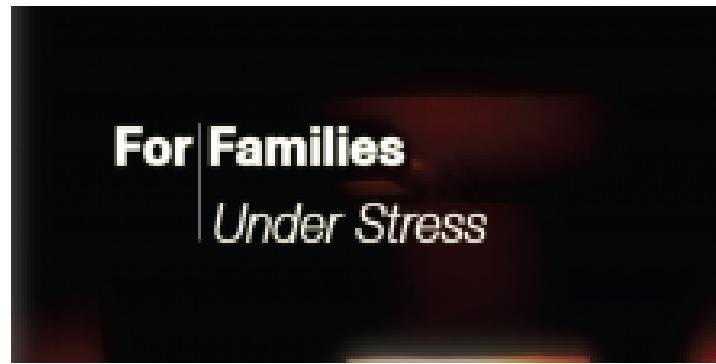
OPENING YOUR EYES

The viewer may not have agreed with everything Professor Solomon has written, but he is hoping that the book has opened some eyes.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon understand the reader may not agree with everything he has written and lectured on. If you have agreed with some of what Professor Solomon has proposed , this is good. If your thoughts have been stimulated, this is good. If you are part of the HOA, management companies, collection companies, and HOA attorneys and were offended by Professor Solomon's comments, this is good. Shame on everyone who is a part of the HOA, management companies, collection companies, and HOA attorneys. Shame on you for your despicable behavior. Shame on you for what you're doing to your fellow human beings. Professor Solomon is saddened and disturbed by your comportment and hopes that

you have not totally lost your humanity in the name of money. The best of luck to all those homeowners who have been harassed by their HOA.



CHAPTER 87

STRESS, CHILDREN & FAMILIES

Professor Solomon answers questions proposed by the viewers. He was again asked about the children and families of those people living in a HOA. Professor Solomon states that some research indicates that children growing up in stressful environments and around stressful families may retaliate against the "thing" causing the stress, ie. HOA harassment. Professor Solomon argues that the government is making a mistake by not addressing the levels of stress induced by HOAs harassing homeowners, thus harassing their children and families.

Nikolas Dahlheimer & Robin Huhn

This chapter may sound repetitive, but it is an important area of HOA harassment and HOA Syndrome. What about our children and what about the families and what are the repercussions? Our government and legislators are making a tremendous mistake by not addressing these areas and how they affect families. HOA communities are making a tremendous mistake by overlooking the psychological effect that Home Owners Associations are having on children.

Example: Homeowners, the parents, are under stress as a result of being harassed by the HOA. They have been sent punitive fine letters for what may be a minimal infraction of the CC&Rs. This causes friction between the mother and father.

Children are very sensitive and easily take on other peoples' emotions, especially their parents. It is exceptionally stressful for children as they feel powerless and lash out with many different negative behaviors. Worldwide research has indicated that children who grow up in a stressful environment are likely to retaliate as adults against the very institute that caused the original stress that hurt their family. What is surprising is the denial the HOA, management companies, collection companies, and HOA attorneys is in related to retaliation. Board members have been murdered by homeowners. How could they remain in denial. Surely, they can't be in denial about the hurt they impart on homeowners.



CHAPTER 88

THE HOA FINANCIAL CHAIN

HOAs are non-profit corporations and they hire for-profit businesses, property management, collection and attorneys, to help them in the collection of their fines.

Many of the HOA property management companies and HOA attorneys dictate what the HOA can and can't do. They do this to earn more money in fines, court case costs and legal advice. The fines generated by the HOA are a very valuable commodity to them.

Nikolas Dahlheimer & Robin Huhn

Where does the HOA money go? To begin this chapter Professor Solomon talks about "derivatives". You may remember the word from the 2008- 2009 mortgage collapse. Mortgages were sold and resold by banks and mortgage

companies until they became more like investment packages, derivatives, that people invested in. The investors had no idea that they had invested in derivatives that were about to collapse.

How do derivatives relate to HOAs? HOAs are non-profit organizations. They hire for profit businesses to work for them. What is happening now is that many of these management companies, collections companies and HOA attorneys are being bought up by larger national organizations. The ultimate goal is to have maybe two or three management companies, collections companies and HOA legal firms in the entire country. These two or three companies would oversee the workings of HOAs. What would then keep them from taking over the total management of all HOA communities. HOAs are a valuable commodity to the HOA, management companies, collection companies, and HOA attorneys, collecting fines, liens and foreclosure money. Look at the value of the future HOA conglomerate. They could make even more money if investors put their money into this conglomerate packages, derivatives. What would happen to homeowners, the conglomerate and HOAs if there were to be a collapse like that which happened in 2008?



CHAPTER 89

ZEIGEIST

Professor Solomon defines zeigeist as the intellectual, moral and cultural values given to a situation in a given era. This era of the HOA does not value intelligence, morals or cultural values.

Nikolas Dahlheimer & Robin Huhn

Zeigeist is defined as the intellectual, moral and cultural values given to a situation in a given era. Any era can be evaluated through the use of zeigeist. HOAs are zeigeists; great profit is made when the HOA, management companies, collection companies, and HOA attorneys goes after homeowners who made the mistake of buying in a HOA. Homeowners buy into a HOA without knowing what the intellectual, moral and cultural values will be in that community. As long as there are people out there who have no morals, ethics or values they are going to drain the homeowner and the community dry. A homeowner now lives in a zeigeist era when they sign the CC&Rs and give up their personal freedoms and constitutional rights to live in a HOA.



CHAPTER 90

WHAT COULD THE FUTURE HOLD?

Professor Solomon reminds the viewers that HOAs are non-profit corporations and as such they have only a few options for collecting money from their homeowners. It is possible that HOAs may charge for ingress and egress into the community like a toll road or charge for mail delivery or utilities. If this happens, then it will be even more expensive to live in a HOA community.

Nikolas Dahlheimer & Robin Huhn

What Professor Solomon is about to discuss is going to seem rather fantastic and unbelievable. You may say to yourself, Doc, you're crazy, if you haven't already. Professor Solomon believes that some fantastic and unbelievable changes are going to be coming to HOAs. Currently, your HOA charges homeowners an assessment for the maintenance of the community. HOAs also charge additional fees for fines, liens and foreclosures. Homeowners are fined for their horrible

discretions; a weed in the yard, the garage door left open, a bike in the front yard, a basketball hoop, and heaven forbid, your car parked in front of your house. Homeowners are angry about these fines, they are fed up. But this is nothing compared to what might be coming down the pike. The division in a HOA is a private non-profit organization. Because of this the for profit HOA, management companies, collection companies, and HOA attorneys that the HOA has hired is going to look for new revenue streams. Possibly something like this, toll roads. A homeowner has paid to buy their home in a HOA. They have been able to come and go as they please. But now, the HOA, management companies, collection companies, and HOA attorneys wants to pay each time they leave or enter the development, including their guests. Maybe a photo is taken each time a homeowner leaves and enters the community. The fee might be minimal, twenty-five cents, but over time this adds up. At the end of the month or quarter or year these charges will be added to your assessments. What about that person who is on a limited income? They will become trapped within their community, not being able to afford to come and go at their leisure. HOAs may begin charging the post office to deliver mail into your community. The federal government doesn't want to hassle with this, so the mail delivery gets contracted out to a company that will do the delivering for them with the contractor up-charging their fees. This is great for the US mail. They don't need as many mail carriers to deliver mail to HOAs.

And what a great plus for the HOA, management companies, collection companies, and HOA attorneys. They make more money. So why not do the same thing with utilities, gas, water and electricity? It's a win win for everyone, except the homeowner. How about having to pay to walk on the common area? Drones are already being used in HOAs to identify those homeowners who have violations on their property. Big brother, the HOA, management companies, collection companies, and HOA attorneys, is watching.



CHAPTER 91

HOA MURDERS

There have been 3 murders related to HOA Boards-all disgruntled homeowners who felt that killing Board members was their only alternative to stop the harassment.

Nikolas Dahlheimer & Robin Huhn

Murders do take place in HOAs. There are three documented murders of HOA Board members, all killed by disgruntled homeowners. Homeowners who felt they had no other alternative to stop the harassment. Mass shootings happen all over America, schools, movie theaters, military bases, and shopping malls. The media picks up these tragedies immediately and it is broadcasted all over the nation, not that these horrific acts are not news worthy or important to share. Equally are the murders that have taken place in HOAs. It appears that only local news has found these murders news worthy, not the national media. Violence has increased in HOAs between HOA Board members and homeowners and neighbor

against neighbor. The homeowners who committed the murders exhibited many of the symptoms related to HOA Syndrome. These murders validate the existence of HOA Syndrome and how HOA harassment can lead to HOA Syndrome, violence and murder. If you would like more information about these murders Google-*hoa and murders*. The reader may also want to read the fictional novel *The HOA Murders* by Leon Robertson, ISBN#: 978-1-257-08789-1.



CHAPTER 92

A SIMPLE SOLUTION

If homeowners were given legal access to the courts, then many HOAs would not be able to harass as they do. Presently, HOAs can take a homeowner to court, but a homeowner cannot take a HOA to court. Why not even the playing field?

Nikolas Dahlheimer & Robin Huhn

You, as a homeowner, pay your dues so that your HOA can take you to court. Either way, you sue them or they sue you, the homeowner is the one who pays the legal fees. Why not be able to use the HOAs money to take the HOA to court? Management and collection companies and HOA attorneys won't let this happen as it would cut into their profits. Professor Solomon has contacted the police, local politicians and the courts to inform them of the inequality in the legal system, explaining that homeowners should be given equal access to legal support. These agency are not concerned about the harassment that homeowners are experiencing. Simply stated, if the HOA can take legal action against a

homeowner, the homeowner should be able to take legal action against the HOA.

All that homeowners want is to be treated fairly, equally and humanely.



CHAPTER 93

ARE YOU BEING SPIED UPON?

Many people in HOAs and on the Board have nothing better to do than to drive around the community looking for violations. Many get great pleasure from doing this-feeling superior to their fellow neighbor.

Nikolas Dahlheimer & Robin Huhn

Homeowners often say that they feel paranoid, like they are being spied upon. Every time they leave their home they feel like people are watching me and making judgments about them. I don't feel at peace in my own home. They are not paranoid. They are being spied upon. People in the community who are retired or have nothing else to fill their time, drive around the neighborhood looking for violations. They take notes and they call the management company saying send these people a letter, fine them. The entertainment is free and these people get a great deal of pleasure tattle-tailing to the management company. To more competently spy on homeowners, drones have been used. The drones fly around

the neighborhood looking for violations. They can view areas on the homeowner's property that a person would not be able to see; an RV in the backyard, trash cans on the side of the house or the number of dogs a homeowner has. Nothing will be off limits to the HOA. Drones can be disguised to look like birds or insects. A homeowner would not be any the wiser.



CHAPTER 94

DISCLOSURES WHEN BUYING A HOME IN A HOA

There is nothing in the real estate closing documents that let a homeowner know what they are in store for when moving into a HOA. Professor Solomon suggests that a form be made available letting the potential homeowner know that by moving into a HOA they are giving up their constitutional and civil right. They could be fined and could have their home foreclosed on by the HOA. You can't join the club until you know the rules (CC&Rs), and you can't know the rules until you join the club (buy a house in a HOA).

Nikolas Dahlheimer & Robin Huhn

A person thinking of buying a home in a HOA does not know what they have in store. The buyer is not allowed to attend any of the HOA meetings. They are not allowed to view the CC&Rs until it is time to sign the purchase contract.

Most realtors know what goes on in HOA communities and they have a responsibility to disclose this to the buyer, but many don't. They are more interested in making the sale. It would be helpful for the buyer to have a synopsis added to the contract explaining what they might expect, explaining that they do

not have legal access in the courts, the HOA can fine and put a lien on the home, the home can be forced into foreclose, people will drive around the community looking for violations, the dues can be increased at any time. All of these thing are in the CC&Rs, but the buyer is usually not given enough time to read them before having to sign the CC&Rs and purchase contract. And once the buyer moves into the HOA community and they question the CC&Rs and HOA Board members, they will be told, "You knew what you were getting into when you signed the CC&Rs". You can't join the club until you know the rules (CC&Rs), and you can't know the rules until you join the club (buy a house in a HOA). What a Catch 22!



CHAPTER 95

EQUALITY

Studies indicate that social and financial equality between people decreases violence. The inequality between HOAs and homeowners can lead to an increase in violence.

Nikolas Dahlheimer & Robin Huhn

There is a concept that has been proven to be true worldwide. Where there is equality between groups, financially and socially, there is less violence. The opposite is the rule when there is inequality financially and socially. The inequality between HOAs and homeowners can lead to an increase in violence. This has been documented by murders, fights between neighbors and fighting in HOA meetings.



CHAPTER 96

RETIREMENT

Many people are using the equity in their home for their retirement. Many live on fixed incomes and many live in a HOA community. Many of these people are harassed by their HOA. They can do one of two things: pay the fines levied against them or go to ADR/Mediation which can cost a lot of money. A homeowner may ignore the fines, but this could lead to a lien on their home with collections costs added on top. Again Professor Solomon says: Don't buy a home in a HOA!

Nikolas Dahlheimer & Robin Huhn

Many people consider the equity in their home as their retirement. Many people lost most of the equity in their home during the 2008 mortgage collapse, thus losing most, if not all, of their retirement. Most retired people live on fixed incomes. It is not unlikely that the retired homeowner living in a HOA will eventually be sent a punitive fine letter. The homeowner becomes angry and says, "I am not going to stand for this". So they don't pay the fine. Bad mistake. The fine keeps mounting every week. The HOA is using the homeowners money,

assessments, to harass the homeowner with letters and fines. The homeowner needs to defend themselves, but being on a fixed income they can't afford to hire an attorney or go through Alternative Dispute Resolution, ADR, which is very expensive, thousands and thousands of dollars. ADR is not always productive and most often don't favor the homeowner. ADR is a very well planned way for the system and the HOA, management companies, collection companies and HOA attorneys to take the homeowners money. Pay the fine under protest and then send a demand letter to the HOA asking for your fine money back, see Chapter 37.



CHAPTER 97

MORE ON HEALTH, SAFETY & WELFARE

The government makes companies recall an item that is defective. These items may or may not have caused injury or death. But, the government has not "recalled" HOAs who have harassed homeowners leading to serious illness and death. The government has become habituated to the money that HOAs save them.

Homeowners in a HOA are subject to double taxation.

Nikolas Dahlheimer & Robin Huhn

Professor Solomon's constant communication with local government regarding the health, safety and welfare of the homeowners living in a HOA community has brought about zero change. But, if it were bad medicine or bad food it would be pulled from the shelf immediately because it is a health hazard. It is not unusual for cars to be recalled for some mechanical problem, even though this is no documentation that any driver has been hurt or killed because of the defect. Government, local and national, know that they have a bad product in the form of a HOA. And yet, nothing has been done to make it better. In fact, state

legislators continue to pass laws that favor HOAs, management and collection companies and HOA attorney. All because of the huge amount of money they can collect.



CHAPTER 98

SOLUTIONS IN NEVADA

The Nevada State Legislators can set a standard for the rest of the U.S. by voting down any bill that will adversely affect a homeowner; financially, socially, physically, emotionally, and bills that won't allow foreclosure. Professor Solomon suggests that the fines levied and collected by the HOAs be donated to a local non-profit organization, but not the HOA.

Nikolas Dahlheimer & Robin Huhn

Local government officials and legislators have an opportunity to set the standard for the rest of the country by voting down bills that would adversely affect a homeowner. Most of the state laws affect the homeowner financially, socially, physically, and emotionally. What would it be like to vote down and remove any bill that would allow foreclosure in a HOA? How humane. But, unfortunately, local government has become habituated to the money that is saved by homeowners paying assessments. Now here is a thought, why not take any fine

money collected by HOAs and donate the money to local charities? Now that would be humane.



BANK OF HOA

CHAPTER 99

HOA BANKS

Professor Solomon believes that it is very plausible for HOAs to have their own banks-The Bank of HOA. Anyone wanting to buy or live in a HOA would have to get their mortgage through the bank and do all of their personal banking through the HOA bank. A homeowner would be giving up all of their personal information to the HOA, thus giving up total control of their lives

Nikolas Dahlheimer & Robin Huhn

There is a possibility that banks may quit loaning money to developers and home buyers in HOAs. If this happens what is a developer or buyer to do? The developers and HOAs will have to step up and create their own bank and credit companies for financing. Once the Bank of HOA is created homeowners may be required to do all of their banking through them. If that happens the HOA will have all of the homeowner's personal information. It is scary to think of what the HOA could do with this private information.



CHAPTER 100

WHAT CAN HOMEOWNERS DO?

Homeowners can get like minded neighbors together to file a recall petition against the HOA Board. This would allow new voting to take place to bring like minded, neighborhood friendly people on the board.

Nikolas Dahlheimer & Robin Huhn

Homeowners who live in unjust HOA communities can have the HOA Board members recalled. Some homeowners who have been harassed by their HOA feel completely powerless and feel there is nothing they can do to protect themselves and their community. But there is something that they can do. Send a recall petition to remove the HOA Board around the neighborhood. When enough signatures are collected and presented to the Office of the Ombudsman or other organization that represents HOAs then the recall can begin. The existing Board is removed and homeowners have the opportunity to vote in like minded, neighborhood friendly people to be on the board.

There is no law that says a HOA has to have a management company. Will the HOA Board member and management company go along with self management? Of course not, look at how much money the management company would lose and the HOA Board members would lose their perks. But, why not take the money spent on paying the management company, \$20,000 to \$30,000 a year, and use that money to hire a person whose only job is to travel the neighborhood pulling weeds, putting trash cans away, changing burned out light bulbs, trimming trees, painting fences, and any other job that helps make the community clean and friendly. A part-time accountant could be hired to keep the books or a homeowner could volunteer to do the accounting. How much money would be saved and how much happier would the neighborhood be? Much happier. The value of the homes in the HOAs would become more valuable. The HOA could advertise themselves as a homeowner run friendly community.



CHAPTER 101

PROFESSOR SOLOMON'S LAST CHAPTER (for now)

Professor Solomon hopes that the book has been helpful and wishes all homeowners well.

This is the last chapter in this series. On his website, www.hoaacademy.com,

Professor Solomon has down loaded fee charts to show the amount of money a homeowner pays for services from the management and collections companies and HOA attorneys. You as a homeowner in a HOA community will be shocked to see how much you have been paying for these services. Hopefully, the reader has learned something from this book. Are there people who disagree with what has been written in this book? Absolutely. Professor Solomon would be very

pleased, if nothing else, readers began to question their HOAs, CC&Rs, state laws, legislators, HOA regulation agencies, management companies, collection companies, and HOA attorneys. This is the start of change and change is what's needed for homeowners to take back their property, personal rights and constitutional rights. Please be the face of change.

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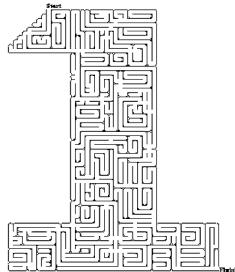
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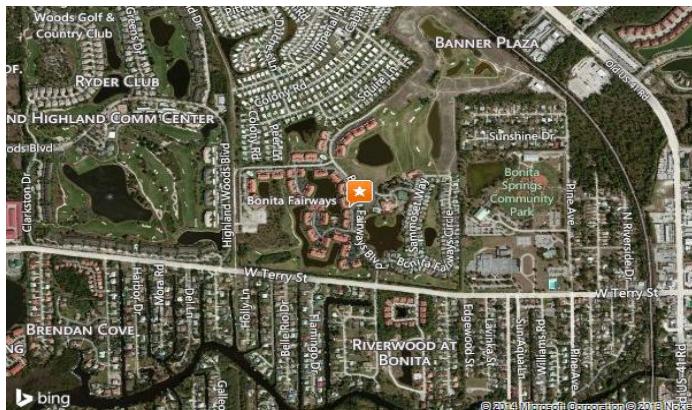
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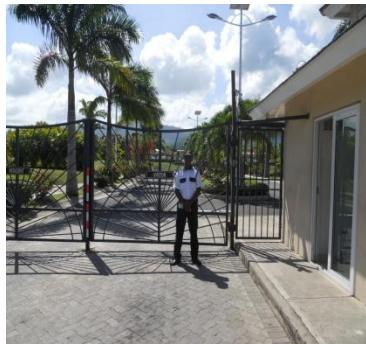
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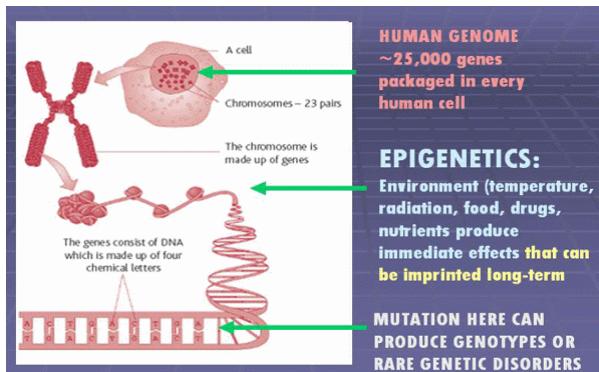
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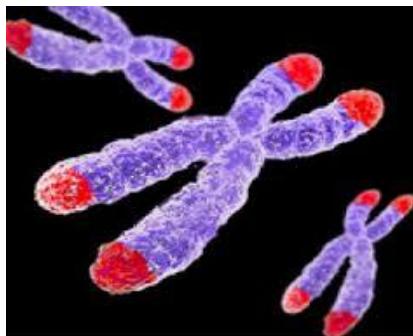
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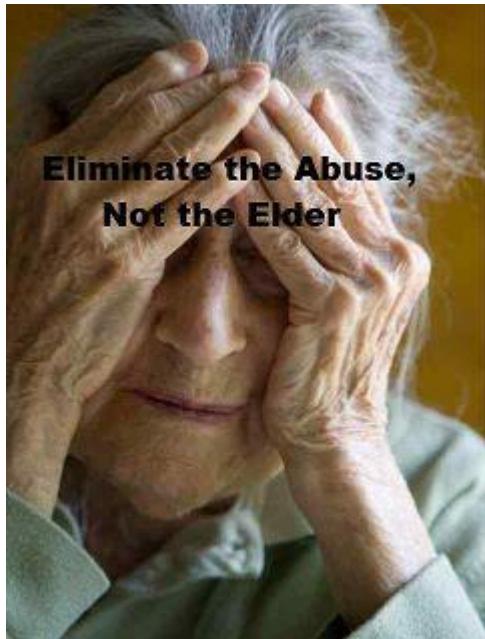
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HOMESTEADS / CHAPTER 24 pg.60



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LIENS / CHAPTER 25 pg.62



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TWO TAILED PSYCHIATRIC DISORDER / CHAPTER 26 pg.65



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CC&RS & GOVERNING DOCUMENTS / CHAPTER 28 pg.69



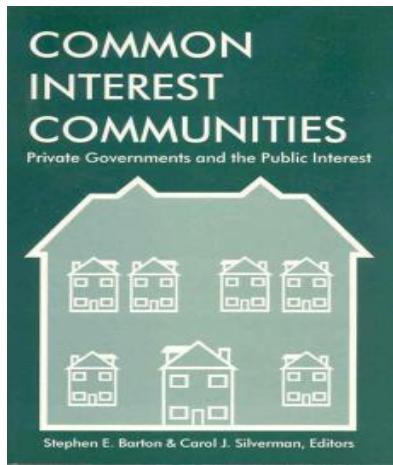
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COMMON AREA INTEREST COMMUNITIES / CHAPTER 30 pg.75



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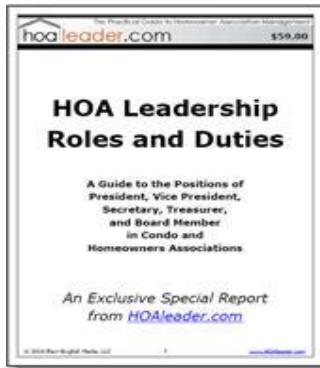
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HOA MEETINGS / CHAPTER 33 pg.80

Monthly HOA
Board Meeting
Tonight...

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EQUITY THEFT / CHAPTER 35 pg.84



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RETALIATION / CHAPTER 38 pg.91

re·tal·i·a·tion
rē tälē'āSH(ə)n/
noun

- the action of harming someone because they have harmed oneself; revenge.

<https://www.google.com/webhp?sourceid=chrome-instant&ion=1&espv=2&ie=UTF-8#q=retaliation>

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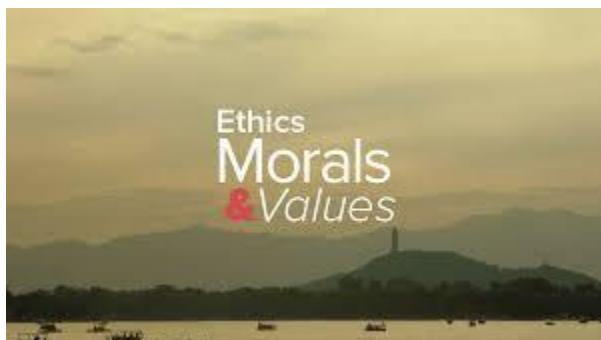
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https://www.google.com/search?q=children&espv=2&biw=944&bih=801&source=lnms&tbo=isch&sa=X&ei=Bjd5VInzl4qBiwLXuICIBQ&ved=0CAYQ_AUoAQ#facrc=_&imgdii=_&imgrc=CKzuAJipB2Z4YM%253A%3BAOy6m64aem9vAM%3Bhttp%253A%252F%252Fwww.chssd.org%252FChildrens_Home_Society%252Fimages%252FiStock_000010280186Small.jpg%3Bhttp%253A%252F%252Fwww.chssd.org%252F%3B50%3B565

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"Send him our toughest collection letter, threaten him with legal action, and subliminally suggest some type of bodily harm. But put xoxoxo under my signature as Board President to show that we still love him as a neighbor."

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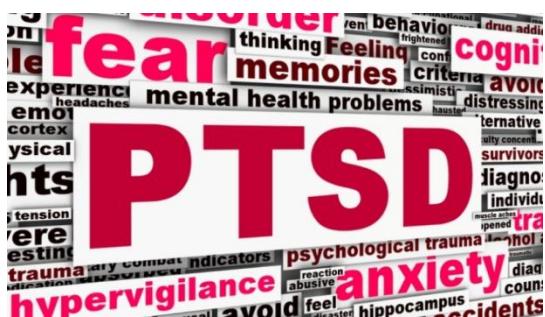
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Small Claims Court

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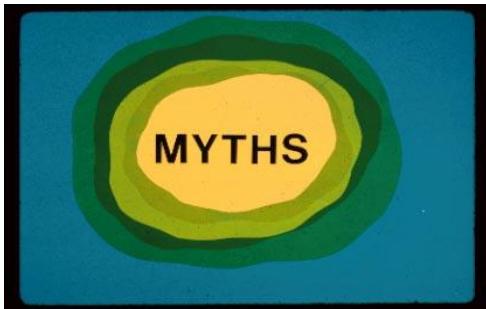
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RELIGIOUS FREEDOM MATTERS

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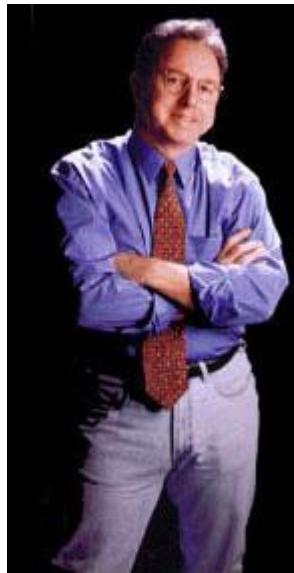
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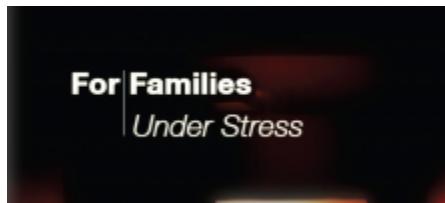
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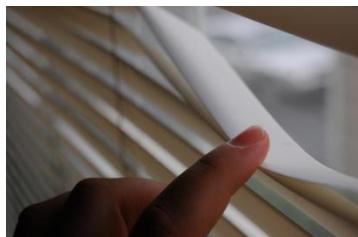
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Nikolas Dahlheimer, January 2, 2015



If you are someone who is considering buying a home in a Home Owners Association, you should think twice and do your research.

If you already live in a HOA where you experience abuse, harassment, bullying, or your neighborhood just doesn't feel right, you may want to reconsider and ask yourself: Is this community for me?

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