

**HOA SYNDROME:  
You May Be Entitled to Damages**

**A Two-Tailed Psychiatric Disorder**

*"History bequeaths a demonstrative message: Some who gain a position of power will inevitably strike down the rights of others, animals and humans, in the name of greed, grandiosity, and evil sadistic gratification. Brief time passes, societies crumble under the weight of rise to power, and without learning prior lessons, the disgorging cycle once again begins."*

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Gone are the days when pets, walking their obedient owners, strolled through neighborhoods and waved to fellow neighbors, taking a few moments to stop and chat and get caught up on the latest family news. Void are the invitations from a neighbor to gather and celebrate their child's high school graduation, retirement party, acquisition of a shiny, stealth new car, or a forthcoming marriage. Why? Homeowner's Associations (HOAs) and property management predators have infected entire communities—cities—inducing a pandemic of emotional and physical problems onto bewildered property owners. Welcome my fellow Americans to a new diagnosable psychiatric disorder: *HOA Syndrome*.

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In 2008 I needed a break. I was overwhelmed with trying to create a scientific answer to identify the origin, cause and ultimately, the cure for psychiatric illness. During my research hiatus I moved to a splendiferous, magnificent Spanish style home nestled on the hillside of a rocky mountain in Henderson, Nevada, a suburb of Las Vegas, Nevada. The name of the community: Calico Ridge.

Overlooking the entire city of Las Vegas I believed I had found nirvana. Nothing shy of a slice of heaven, the seasoned community radiates peace, love and harmony (It would take some digging to learn that my perception was a verisimilitude of a Stephen King-esque novel). I was finally home. In the evening the soft, clear, crepuscular, ambient light radiating from the city of Las Vegas illuminates the labyrinth of streets that lead to the ultimate glitz and flashiness of the

Las Vegas Strip. The view's calming effect on my academic research mind and tested nerves is virtually impossible to describe. Summarily, I was at peace with the world. I had arrived. I was finally home... I thought.

Shortly after I moved to Calico Ridge I began noticing something odd. People appeared to be abnormally anxious, nervous, hypervigilant, worried, irritated, paradoxically unsettled in a well seasoned community. Being a psychotherapist and researcher, I would not let my own narcissism get in the way of comprehending what was taking place around me, concluding that I was the cause of the problem. "Certainly it was not me. I just got here," I thought to myself. "Yes, I am at the entrance to the subdivision." "Yes, the place could use a little tidying up," I self-acknowledged. "But, I'm a nice, friendly, approachable man. What's going on here?"

It would take me slightly over a year to understand what was happening around me. Ultimately, my awareness would become a spinoff of my current research. I learned that residents, primarily principal homeowners, were living in a war zone, not identifiable by bombs, guns and burning buildings. Rather, a war zone masterfully orchestrated by a few fellow homeowners attempting to control their companion neighbors while making a few bucks on the side and gaining sadistic pleasure from watching their neighbors live in pain.

### **What is HOA Syndrome?**

*HOA Syndrome* falls into the psychiatric category of Anxiety Disorders. The Syndrome is characterized by a cluster of signs and symptoms—psychophysiological indicators—such as:

- feeling angry much of the time
- tired and fatigued
- anxious
- on-edge or irritable
- unhappy in one's own home
- depressed and sad
- worried
- nihilistic (hopeless)
- over or under eating
- sleeping disorders and/or nightmares
- fear of going to one's own mailbox,
- paranoia
- loss of identity
- fear of allowing one's children to play in their own neighborhood
- fear of having one's car ticketed or towed
- stressed out
- body aches and pains

- intestinal problems and/or acid reflux
- memory loss
- obsessive rumination
- temporal mandibular joint problems (TMJ) and/or grinding of teeth
- hypervigilance
- restlessness
- fear of losing one's pet
- sexual dysfunction

### **What Causes HOA Syndrome?**

At the root of *HOA Syndrome* is intentional, longitudinal and methodical harassment. Shortly after the individual takes possession of their property, the HOA strategically begins to focus on the homeowner's minor, if not non-existent infractions. The purpose for these attacks is to create an income stream. This income stream makes its way into the pockets of the management companies, collection agencies and attorneys, none of whom live within the community that they are harassing. Like ravenous parasites, these organizations feed off of fear-based harassment. The homeowner, now locked into a mortgage, feels powerless over the HOA's relentless hounding for more and more money. In short: the evolution of schoolyard bullying and lunch money stealing has turned into adult comportment known in the legal world as, racketeering, financial exploitation and extortion, and neighborhood money pilfering.

### **How does HOA Syndrome Differ from Post Traumatic Stress Disorder (PTSD)**

Post Traumatic Stress Disorder (PTSD) has its root, in most cases, in a single event (an auto accident, a physical fight, a war, a rape, a death, etc.). Sometimes individuals may acquire PTSD over time from such cases as ongoing molestation, living in a violent environment (as seen in our troops returning from Iraq and Afghanistan), extended chaos from fractured, fragmented relationships, or unsafe living conditions. Though both *HOA Syndrome* and PTSD have similar signs and symptoms, *HOA Syndrome* has longitudinal intermittent intentional and economical harassment as its primary ongoing characteristics.

### **HOA Syndrome: A Two-Tailed Disease**

In the case of most psychiatric disorders, the diagnosis is one sided. The diagnostician focuses on an individual's psychopathology to discover if the signs and symptoms meet the criteria (standard) of a specific diagnoses or diagnosis: the Mood Disordered individual; the Sleep Disordered individual, the Schizophrenic Disordered individual, etc. There are a few psychiatric disorders such as Shared Psychotic Disorder and Stockholm Syndrome where individuals and groups are diagnosed (i.e., they, more than one individual, are suffering from presenting

psychopathology as a member of the group).

I have identified *HOA Syndrome* as having two classifications and refer to it as a two-tailed disorder. The Syndrome may have opposite psychopathological outcomes on each individual from the same source, as a result of the same disease. Simply stated: the origin of the disease can produce diametrically opposing signs and symptoms given the same psychiatric diagnosis, *HOA Syndrome*. The disease manifests itself with different characteristics in the perpetrator—known as the capo—and the victim. Remarkably, both are homeowners in the same homeowner's association with the association being at the root of *HOA Syndrome*.

### **The Predator**

The predators, those in a position of authority (Capos) volunteer to be on the board of the HOA. The Capos gain power and an inflated sense of self. Remarkably, they hire outside agencies at enormous cost to themselves and their neighbors to oversee their infliction of fines and penalties. Once in power, they impose more and more punishment on their fellow neighbors. The threat of fines, liens and foreclosure on their neighbors cause these people to lose all touch with reality. Almost as if in a psychotic state or delusion, their actions continue, all the while knowing what they are doing to others. As time passes they become sadists who stand in judgment and control of their fellow human beings. They turn their backs on those in need, especially the elderly who are not in a position to defend or protect themselves, easy prey for the HOA. While this is taking place, private for-profit companies reap the bounty of their free HOA laborers, becoming tantamount to Nazi concentration camp Capos.

This tail of the *HOA Syndrome* seems to spur, for some, the sadistic side of their personality. At the time of the writing of this article I have yet to uncover the origin of their sadism: were they bullied on the school yard? Molested by their neighbors? Traumatized by a death in the family? Is there a neurological anomaly that fosters their cruel behaviors? Or, are they taking the path of their predecessors and going along with the cruelty just to be a part of a group of predators?

### **The Victim**

Having signed "The Document (the CC&Rs)" these people, the homeowners, unwittingly subordinate their constitutional rights to "The Community." The legal statutes (laws that feed the CC&Rs) is literally the hammer that repeatedly raises and pounds the entire neighborhood into submission: both psychological and physiological ruination. Like something out of Rod Sterlings' "Twilight Zone," individuals roam the neighborhoods pointing their fingers at each other searching for the transgressions of their neighbors. "They have a weed!" "Look at the color of their door!" "There, see? They have a brown spot in the lawn!" And on and on and on. As time passes, the individuals residing in communities become stricken, individually and



collectively, with *HOA Syndrome*. After a while they begin to go after those neighbors whom they do not like. Each home functions like an island in the middle of a separate country, no longer functioning as a community. Desperate and despondent, the homeowners have acquired so much pathology that the collective hopelessness is visually apparent.

### **Terms and Concepts**

From a psychiatric point of view, how is *HOA Syndrome* manifested? Because this is a newly identified psychiatric disorder it is important for the reader to capture an understanding of some terminology used in this research article.

#### **Barbed Wire Sickness –**

An overwhelming sense of futility and meaninglessness of existence; involuntary confinement; sadness; depression.

#### **Conspiracy –**

An agreement between two or more parties to deprive a third party—or group—of their legal rights with the goal of deceiving them in order to obtain an illegal objective.

#### **Capo (Kap-O) –**

A position of authority occupied by a fellow homeowner—an HOA board member. Capos—concentration prisoners themselves— who for extra food, better housing and less manual work would carry out and commit horrible atrocities against their fellow inmates at the instructions of their immediate Nazi SS supervisors, also known in German as a Blockführer. They more often than not treated other inmates—homeowners—with extreme harshness, brutality and cruelty.

#### **CC&Rs –**

Covenants, Conditions and Restrictions (CC&Rs) applied to homeowners who live in areas that have a homeowner's association (HOA). CC&Rs set forth particular rules that must be followed by the purchaser. Failure to comply with the CC&Rs can result in warnings, fines and legal action against the homeowner. An agreement to purchase in an HOA community is assessed as an agreement to follow all CC&Rs and give up individual rights.

#### **Ghetto –**

Urban area, in this case, defined as an HOA community because of social, legal or economic pressure exerted on members of the community by the HOA board and management companies.

Elder Abuse –

A single or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person(s). Also referred to as: "elder mistreatment," "senior abuse," "abuse in later life," "abuse of older adults," "abuse of older women," and "abuse of older men."

Hospice Neighborhood –

Neighborhoods where elderly people reside. As is often the case one partner dies before the other, leaving them to fend for themselves as they move closer to the end of their life.

Intermittent Episodic Remission –

Moments in time (minutes, hours, days, weeks, etc.), where an individual is free of existing psychophysiological pathology; unpredictable periods where pathology is not evident or recognizable.

Lien –

A legal claim or a "hold" on some type of property, whether personal or real, making it collateral against monies or services owed to another person or entity. Any property that carries a lien can be forced into sale by the lender or HOA, in order to collect what is owed or claimed to be owed. If the borrower decides to sell the property, the lien holder must be paid before the title will be cleared for transfer to a buyer.

Malice Aforethought –

An intention to commit an act (or omission) and a "high degree of probability" that such an act or omission will result in the death or serious injury of another person in the form of money, or physical or emotional harm.

Psychophysiological –

A mind-body illness; any stress-related physical illness.

Racketeering –

An organized conspiracy to commit extortion; an enterprise that has committed any two of 35 crimes—27 federal crimes and 8 state crimes—within a 10 year period.

Tort –

Intentional wrongs against a person: assault, battery, false imprisonment,

infliction of emotional distress.

Unjust Enrichment –

Enrichment at the expense of another where an obligation to make restitution arises, regardless of liability or wrongdoing.

### **Science and HOA Syndrome**

To understand *HOA Syndrome* it is imperative for the observer–the reader–to comprehend at least four previously studied phenomena in human behavior research. The first is the research by Solomon Asch (1955), *Opinions and Social Pressure*. The second, the ground breaking work of Stanley Milgram (1963), *Behavioral Study of Obedience*. The third, the research project created and executed by Phil Zimbardo (1971), *The Stanford Prison Experiment* and *The Lucifer Effect: Understanding How Good People Turn Evil*. Finally, a phenomenological study and investigation by Latane and Darley (1968), *The Bystander Effect*.

#### **Solomon Asch (1955), *Opinions and Social Pressure***

Asch investigated the concept of conformity in social norms. The experiment he created was simple. In one box he drew three straight perpendicular parallel lines of different lengths. In another box he drew just one straight perpendicular line. The individual line was the same length as one of the three lines in the other box. Eight subjects stood in a room comparing the lengths of the lines. They were instructed to find two lines that were the same length, one line from each of the two boxes. Seven subjects were “insiders” (coincidentally, the same name given to people on the HOA board) or “confederates” working in conjunction with the researcher (confederates, HOA board members working in collusion with the management and collection companies). The eighth person, the volunteer participant, did not know what was to take place.

When the subjects were asked to select the lines that were the same length the seven confederates knowingly identified two lines that were not the same length though they collectively reported that they were correct; that they were the same length. The eighth person, in most cases, sided with the incorrect answer even though that person knew it was the wrong answer. Result: group pressure plays an enormous role in making choices. That is, conformity is a powerful tool in making a choice even if the behavior alters and conflicts with one’s attitudes, ethics, morals, and belief systems. Social pressure influences the making of decision.

#### **Stanley Milgram (1963), *Behavioral Study of Obedience***

After the 2<sup>nd</sup> World War–the post-Nazi siege and occupation of most of known Europe–many, including myself, asked a fundamental question regarding human behavior: how could one person or a group of people do what they did to another person or group of people? The

question specifically relates to the inhumane treatment of prisoners of war in Nazi concentration camps such as Auschwitz I, II, and III, Buchenwald, Sobibor, to name a few.

In 1946, during the Trial at Nuremberg, the tortuous, horrific treatment that was inflicted upon millions came to public awareness. Enter a young researcher, Stanley Milgram, who decided to implement an experiment asking the question: Are people capable of being inhumane to each other simply because they are instructed to do so by those in positions of authority?

Like Asch, the experiment was quite simple. Individuals—the subjects under investigation—were told to induce an electric shock on another fellow subject. The recipient of the tortuous shock was a confederate working with the researchers; they were not actually hooked to the electric shocking device. However, when electricity was induced to the other subject—the confederate—a warning light illuminated in the concealed holding cell. The confederate screamed in agony as if they were actually receiving the shock. The subjects under investigation were told under no uncertain circumstances—in very Nazi-esque terms—to be obedient to the researchers, to do their jobs and to follow instructions no matter the cries and screams that emanated from the holding cell. Much to the surprise of the researcher's, most shocked their fellow subjects to extraordinary degrees. Some of the participants induced a lethal electrical shock. The sounds from the holding cell went mute. Result: people will do what they are instructed to do in the name of being obedient.

Phil Zimbardo (1971), *The Stanford Prison Experiment and The Lucifer Effect: Understanding How Good People Turn Evil*

Housed in the basement at California's Stanford University, Philip Zimbardo constructed a mock prison. He invited university students—volunteers—to participate in a research experiment. Half of the volunteers became prisoners while the other half became guards. The experiment was intended to last six weeks. In less than six days the experiment was terminated. The student guards, dressed in guard uniforms, brutalized their fellow students—the prisoners—to such a degree that they were causing damage. The student prisoners wanted out. Result: losing their individuality and identity (wearing guard uniforms) and, put in a position of authority and gaining more and more power and control over others, individuals will methodically brutalize subordinates by inducing grave harm and detriment to their fellow human beings. Zimbardo later coined this as, the “Lucifer Effect,” noting that good people will turn evil when given the opportunity to have power and control over other humans.

Latane and Darley (1968), *The Bystander Effect*

Not all experiments are by design. Rather, some are observed after the fact. The 1964 death of Catherine Genovese evolved to be such a post-phenomenological study. The events are as follows:

Walking home, Kitty as her friends knew her, was attacked and stabbed to death by a man in Kew Gardens, Queens, New York. What was stunning about this murder and follow-up report—there would later be conflicting information—is that there were over 30 witnesses to the attack. No one stepped in to assist Kitty or stop the attack. Some yelled, “What’s going on down there?” while others stood or sat and watched the event unfold. The attack took longer than 32 minutes before someone finally called the police. Many, the report indicated, observed the event from the first moments of the attack. The phenomenon identified by the researchers is known today as “diffusion of responsibility” or “the bystander effect.” Result: when individuals or groups know that others are observing the same event individuals become apathetic. They leave it to others to step in and assist the victim (their neighbor).

So let’s compile this data from the four research outcomes and move to reasonable conclusions:

1. Regardless of one’s attitudes, ethics, morals, and belief systems, people are capable of and will inflict unconscionable cruelty on others, especially when those people are put in a position of power and authority (i.e., HOA board members).
2. Individual and group unconscionability can be fostered when people lose their identity and individuality. Concealing one’s identity allows for greater infliction of damage and harm to others (i.e., hiding behind the guise of being an HOA board member).
3. When instructed to obey, individuals will inflict harm, without interruption, in spite of the knowledge and awareness that the events may lead to something as horrific as the death of their fellow human beings (i.e., HOA board members being instructed to harass neighbors with violations and fines by the property management companies).
4. People will stand by and observe harm to individuals or groups especially if they believe that others are also aware of those events (i.e., homeowners who say better my neighbor get the fine than me).

Summarily, HOA board members, management company employees, collection company employees, and their attorneys will knowingly inflict harassment and cruelty on homeowners. Surprised? You think this is not true of you? I postulate that most of you are in denial. Take the following examples.

How many times have you driven by a car stranded on the side of the road without stopping to assist? Have you ever heard the sound of a car, house or building alarm, but done nothing?

Walked by some trash on the ground without picking up the trash?: “It’s not my job”; “It’s not my responsibility”. Observed an altercation, but just kept walking? Known that someone was in need, but elected not to assist? Followed through with an action simply because you were told to do that action? One only has to look at some recent history to see what humans do—or don’t do—to other humans.

We have seen recent images of the Abu Ghraib Prison torture and abuse. After Hurricane Katrina, we saw armed guards standing at the Greater New Orleans Bridge threatening violence and death to those who would dare seek higher ground. What about watering one’s driveway knowing that people are dying of thirst and that the world wide water shortage is getting worse by the hour? Daily events prove that we turn our backs on each other. Furthermore, we intentionally, with malice aforethought, inflict pain and suffering on animals and our fellow human beings. Now, allow me to apply this to the *HOA Syndrome* pandemic.

### **The Origin of the HOA**

In science we have a group of specialists known as epidemiologists. The job of the epidemiologist is to discover the origin, cause and course of a disease, the etiology of the disease. Once that information is acquired the scientific community works to resolve the problem. Ideally, the end result is to insure that the disease does not have an opportunity to re-engage and propagate: the Asian bird flu, whooping cough, polio, Legionnaire’s disease, and many others that have proliferated in the world. But not all diseases are eradicated. AIDS and *HOA Syndrome* are examples of two such diseases.

Like labor unions, HOAs began with good intentions. As early as 1773 labor unions began to emerge with the intent of protecting workers and creating sensible working conditions. By-products of those efforts were child labor laws, safety inspections and reasonable working hours. Over time the unions became massive money making machines. Dues from laborers needed to be paid to the union headquarters and their leaders. More and more dues and fees were levied. A few people at the top became rich and powerful at the expense of those at the bottom of the money chain. HOAs have a similar history.

Communities have existed for thousands of years. History tells us that over time people began living in groups (cities, townships, neighborhoods, blocks, etc.). Concurrent with communal living came fees and charges to occupants of those communities: parts of the kingdom, residence in the countryside, those who hovered around the center of town or the immediate surrounding territory. Most readers have an image in their mind of a scene from a movie where court appointed officers, riding astride armor protected horses storm into town demanding that the locals pay bounty to their king or in the case of my research, the HOA.

Over time, homeowners decided to band together to make sure that their neighborhoods were safe, clean and inviting; to secure their homes and their investments for the future. To

maintain this standing, homeowners agreed to pay dues and fees. In short order fines were put in place to insure that homeowners would stand accountable for the perceived mismanagement of their own property. Management companies sprung up while attorney-owned and operated collection companies masterfully orchestrated more and more strict rules to govern the neighborhoods. More rules, more fines. The enterprises wanted more money—profits to feed the machine. But how could they keep the communities at bay? The natives were getting restless. Something was needed to stay the protests from the growing number of people who were fed up with being harassed. Enter the CC&Rs.

### **HOAs and CC&Rs**

Some communities in the United States are designed to be managed through a document known as “Covenants, Conditions and Restrictions” (CC&Rs). This document is used to rule the community via management companies who charge the HOA members for their services (some management companies boldly refer to themselves as “The Master” of the community). The Masters use the CC&Rs as the governing sledgehammer or “Bible” to keep individuals and households in line. The actions of the Masters and the HOA Board of Directors leaves one feeling harassed, bullied and raped, emotionally and physically in pain from the fear and powerlessness of the invasion into their privacy, ironically, through the use of their own HOA dues. “What will they steal from me this time?” “I don’t own my home...they do.”

Once you have purchased property in a subdivision that is ruled by the CC&Rs you are trapped. The CC&Rs are managed by the HOA, fellow homeowners who in turn are managed and directed by the for-profit Masters, people who more than likely do not live in the community. The HOA works in conjunction with a private management company that issues fines, penalties, liens, and foreclosures for a wide range of infractions: a weed, a trash can, the wrong color paint, a pot in the yard, a bicycle on the property, a vehicle on the street, a misguided act of individuality, and so on. The list is endless and arbitrary. And from here it all gets that much more diabolical.

The members of the board are volunteers who work for free. They receive no financial gain, though as payment for their efforts they may operate under more flexible guidelines than the rest of the subdivision since they enforce themselves. They become their own police. I refer to these individuals a Capos, unpaid servants, those who inflict pain and suffering on others for no other reason than ego and hubris.

Capos drive through their community looking for infractions. They issue notices that produce letters and fines. The individual homeowner is directed to stand before a jury of their peers—Capo Court—to render themselves liable for a burned out light, a misplaced rock, a piece of paper lodged in their innocent landscaping. The fine is usually \$100.00. If the fine is not paid in a timely manner, the Master quickly escalates the fine into the open arms of a collection company at a rate of four to five times the original amount of the fine. The new fines can result in a lien on

the homeowner's property. The lien allows the property to be foreclosed and the owners are out on the street. The end result: attorneys and the management companies have the building blocks of an ever compounding fortune paid out by the victims who have effectively come down with *HOA Syndrome*.

### **Hospice Neighbors, Elder Abuse and HOA Syndrome**

Many communities are seasoned. And as baby boomers age it is not surprising that the residents of these communities are over the age of 55. For those who elect to live outside of a retirement home it is not unusual for HOA communities to be dominated by individuals in their 60s, 70s, 80s, and 90s. I refer to these housing subdivisions as "Hospice Neighborhoods," the occupants, Hospice neighbors. By definition they are elders and as a result of the deportment of the Capos and the Masters they suffer Elder Abuse.

Like most predators the Capos and the Masters know the profile of the resident in each home making those who are elderly homeowner's targets and easy prey. The Capos begin hounding the elderly with letters and fines. These homeowners usually live on a fixed income. In many cases their spouse has died leaving them to fend for themselves. They may be disoriented and unable to maintain themselves. *HOA Syndrome* exacerbates their health issues. Unable to fend for themselves they are immediate and easy fodder for the roving band of Capos who push for more and more fines to feed their hungry Masters.

### **Then and Now**

Once upon a time, individuals and families wanted to live in the safe harbinger of a community driven HOA. Like the Berlin Wall, the Wall of China, the dividing wall between the United States and Mexico, the very walls and gates—literally and metaphorically—meant to keep out the unwanted and uninvited, now hold homeowners hostage in infected urban ghettos struck down with barbed wire sickness and *HOA Syndrome*. Compounded by an inimical if not impossible economy HOA homeowners cannot sell their homes. Today people don't want to buy into a HOA neighborhood; people want out.

The footprints left from the past are guide posts for the future. Rome was not built in a day nor did Rome fall in a day. The reality is that it was the people of Rome who built the city and the people of Rome who destroyed the city. People tend to blame organizations as a whole for the collective problems of the world. Rather, blame falls on the shoulders of its parts, the people who make up the whole.

Throughout America violence in HOA meetings is becoming more common place. Some have been killed. Many have been threatened, while other homeowners have been hauled away in the name of being too disruptive—banded from their own HOA meetings. Meetings have shut



down. Threats of arrest are rampant. Some homeowners—it is postulated—have committed suicide, a permanent solution to a malignant problem. HOA boards and management companies have hired guards—the brutish looking Gestapo—to keep homeowners in line. But, in the end, it is business as usual and the letters and fines just keep coming.

Association rules and regulations have become irrevocable legal instruments of destruction of the community. Virtually impenetrable, the CC&Rs are designed by the few to control the many. There is rarely recourse for the homeowner. Today, entire communities are collapsing under the weight of their HOA. The economy has slowed construction. The lack of construction puts a halt to new communities. No new communities means no new HOAs. Where are the profits going to emerge? The Masters and collection companies are seeking increased revenue from the pockets of existing homeowners. Fear of legal expenses and confrontation become the homeowners worst enemy.

Now urban ghettoization has cemented the fate of the neighborhood. Should a home owner complain, the Capos move in only to induce more pain and suffering. The end result: the homeowner is psychologically and physically beaten. In desperation, the homeowner decides to pay the fine in the hopes of getting on with their life: induced Intermittent Episodic Remission. The fear of the next violation letter exacerbates the homeowner's *HOA Syndrome* symptomology. Now out of remission, another episode emerges.

### **The Solution**

We are a population of Hurt People. As Hurt People some, not all, get great sadistic pleasure in paying the hurt forward (Hurt People hurt people). To date there has been no exposed solution to this growing social atrocity that causes *HOA Syndrome*. As roving Capos and Masters pillage the villages for more and more bounty there has been no respite from the marauders. Know as a health care professional, I offer a solution.

In truth, all of these cases are tantamount to personal injury cases: auto accidents, boating accidents, slip and fall accidents, etc. Summarily, I believe that all HOA homeowners have been and continue to be damaged, victimized by the Capos and the Masters. As a result, I believe that you are entitled to be compensated for those damages. This is no longer a matter of contract law. This is a tort and torts offer relief. Instead of being rear-ended by another diver you have been rear-ended by the HOA and the management companies. Damages, both emotional and physical, are your remedies, awards are due to you. Furthermore, you may be entitled to damages for pain and suffering under the law.

I offer to each of you the following gift: with my permission and release of Copyright, send the following, via Certified Mail to your HOA board, individually and collectively and, to the management company, individually and collectively.

***"If you continue on your current path of pathological persecution you do so knowing the damage you are causing; you do so with malice aforethought, personally and collectively perpetrating a significant amount of detriment to me and others. As of the date of this letter you may claim that you did not know what you were doing or the damage it was causing. Now, should you continue, as a post recipient to my letter, I am informing you, collectively and individually, that you do so with knowledge; you do not have the right to claim 'I didn't know.' Your actions are both criminal and civil.***

**Now, you have put them on notice. Now you may take action. Here are your Seven Action Steps:**

1. Acknowledge the problems, both emotional and physical.
2. Keep a record of the problems: document, document, document. Create a log and diary of what you are experiencing in your life as a result of the abuse by the HOA and the management company. Organize and maintain any and all correspondence from the HOA and the management company.
3. Locate a personal injury attorney in your area. The case should be taken on contingency: the attorney is not paid until the case is settled. Remember: this argument is new to the legal community. Don't give up if the first or second attorney that you contact does not take your case. In time you will start hearing advertisements on your local television inviting you into law offices all over the country.
4. If you are older than 55, seek an attorney that specializes in elder abuse. They will use specific laws that are in place to enforce your rights and help you seek damages. If you are the child or a guardian of an elder person take action on their behalf.
5. Seek and secure medical attention. Go on record with your doctor regarding your problems and issues. If indicated request a specialist (your general practitioner should be able to refer you to the indicated specialist). Never minimize or rationalize your

emotional or physical problems. Remember: your attorney will assist you in organizing your case file. The types of medical attention you may seek are:

- A. General Medical
- B. Medical Specialist
- C. Pharmaceutical Intervention
- D. Complete Laboratory work-up and analysis
- E. MRI
- F. SPECT
- G. PET Scan
- H. Psychotherapy
- I. Counseling
- J. Chiropractic
- K. Massage

(Your health care insurance should cover all or most of the cost of your health care including medication. Talk to your attorney about the concept of continuity of treatment.)

6. Seek financial compensation through a jury of your peers. They are on your side. Most jurors, if not all, have had some experiences with HOAs. They know what you are going through and how you feel. They want to have the opportunity to bring the Capos and the Masters to justice.
7. Create HOA support groups. Talk about what is happening to you. Share your stories with others. And, go public whenever possible.

### **Professor Solomon's Prediction**

"Why didn't someone warn us?" they screech, in a reaction to the news of the day: "...two boys went on a shooting spree as a result of..." "...a man killed his wife and children after..." "...five are being held hostage because..." "...someone crashed a plane into a building when..." The story is always slightly different, yet the cries are the same: "Why didn't someone warn us?" "Surely someone must have known what was going to happen."

So, now comes Professor Gary Solomon with the following prediction: if we don't put a stop to the actions of the few miscreants, homeowners are going to start "Going HOA". Wait... my predication has come true: it has already happened.