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Home Owner Associations (Hoas) Should Use Centralization and Modern Knowledge Management Practices to Effectively Distribute their Covenants, Conditions and Restrictions (Cc&Rs) and to Improve Relations with Residents

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Regis University
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Final Project/Thesis

Disclaimer

Home Owner Associations (HOAs) should use Centralization and modern

Knowledge Management practices to effectively distribute their

Covenants, Conditions and Restrictions (CC&Rs) and to improve relations

with residents

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by

Robert A. Ochoa
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CPS School of Computer & Information Sciences

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A. School of Computer & Information Sciences Final Project/Thesis

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Robert A. Ochoa   **03/02/08**

Student Signature   *Date*

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ABSTRACT

This thesis will introduce the history of knowledge management, knowledge management of today, and the benefits of knowledge management practices. As an example of the need for knowledge management practices, the many problems being experienced by Home Owner Association's (HOA's) will be discussed, and the many creative ways that knowledge management practices are used today will be shared. There are many organizations that could benefit from knowledge management practices, and there are many solutions that could be used. The characteristics of an organization in trouble and in need of knowledge management practices will begin to surface in the form of complaints. Usually the organization will not have a consistent or standard method of distribution and HOA's seem to fit the characteristics well.

We only need to read the newspaper or watch the news on television to hear about all of the problems between HOA's and residents. There seems to be a common theme regarding residents not following the Covenants, Conditions and Restriction's (CC&R's). This is why I decided to use HOA's as an example of an organization that could benefit by using centralization and knowledge management practices. New technology and the Internet offer many opportunities to apply knowledge management practices to help solve HOA problems.

State laws can motivate organizations to implement knowledge management practices as well. Currently, some states require the "seller" of association governed real estate to provide CC&R's to the buyer prior to closing. Often times, it is very difficult and time consuming to try and track down the CC&R's for the property in question. Usually it

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is the responsibility of the Real Estate Broker or Title Company to provide the CC&R's at closings.

Centralization and knowledge management practices offer a solution to this problem. With an inability to easily secure up-to-date CC&R's by parties involved, this project will allow users to easily locate, view, and print, up-to-date covenants. This project will centralize all HOA CC&R's in any given city on one website, on the Internet. The centralization of covenants will benefit real estate brokers, title companies, HOA administrators, MLS providers, and residents of HOA communities.

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1. INTRODUCTION

Statement of the problem

The purpose of this thesis is to show how centralization and the use of knowledge management practices can help organizations improve the sharing of information. Home Owner Association's (HOA's) are facing many problems today because of the ineffective, inconsistent, and non-standard ways of sharing their Covenants, Conditions and Restrictions (CC&R's). Centralization and knowledge management practices offer a solution to this problem. With an inability to easily secure up-to-date CC&R's by parties involved, this project will allow users to easily locate, view, and print, up-to-date covenants. This project will centralize all HOA CC&R's in any given city on one website, on the Internet. The centralization of covenants will benefit real estate brokers, title companies, HOA administrators, MLS providers, and residents of HOA communities.

Thesis statement

Home Owner Association's (HOA's) should use Centralization and modern Knowledge Management practices to effectively distribute their Covenants, Conditions and Restriction's (CC&R's) and to improve relations with residents.

Relevance, significance or need for the project

Knowledge management (KM) is the organization, creation, sharing and flow of knowledge within organizations. KM is also a method for gathering information and making it available to others.

A society that creates, shares, and uses knowledge for the prosperity and well-being of its people is known as a "knowledge society". Knowledge societies have the characteristic that knowledge forms major components of any activity, particularly economic activities. Economic, social, cultural, and all other human activities become dependent on a huge volume of knowledge and information. A knowledge society or economy is one in which knowledge becomes a major product and raw material (Becerra-Fernandez, 2003).

Research on the Internet allowed me to discover that there was no centralized or standard method of easily locating the needed CC&R's. Research showed that some HOA's had websites on the Internet and some did not. It was discovered that often times, HOA's depended on Property Management companies to distribute their CC&R's. It was also discovered that some HOA's charged a fee for their CC&R's, and others did not. Upon further investigation and discussions with residents of association-governed communities, it was reported that it was often very difficult to contact the correct person to get a copy of the CC&R's. One resident shared her experience with me, saying that when she was finally able to locate the correct person, they kept missing each others phone calls, and this became very frustrating to her. She did finally receive an outdated copy of 3 pages from the CC&R's via US mail. In conclusion, I was able to determine very quickly that there was a need for this project.

How the project began

My wife is a Real Estate Broker currently licensed in Arizona and Colorado. One day, I was searching for a project to research that involved Information Technology. I asked my wife, "What is one thing needed in the real estate market, where information

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technology might help?" She told me she had recently attended a seminar of a very well known Real Estate Attorney, and he was asked a similar question. He said, "I wish there was an easier way of obtaining the CC&R's from HOA's, because it was very time consuming and frustrating trying to get them." I have also lived in HOA communities and I have had my share of battles with them. It usually came down to not having the available CC&R's to know what the rules were. Every day we hear in the news about residents having problems with HOA's. I believe this project will assist in solving this problem.

Problems facing HOA'S

"Rightful liberty is unobstructed action according to our will within limits drawn around us by the equal rights of others. I do not add 'within the limits of the law,' because law is often but the tyrant's will, and always so when it violates the right of an individual."

(Thomas Jefferson to Isaac H. Tiffany, 1819)

We only need to read the newspaper or watch the news on television to hear about all of the problems between HOA's and its residents. There seems to be a common theme regarding residents not following the Covenants, Conditions and Restriction's (CC&R's). It makes sense that if HOA's were to use centralization and modern knowledge management practices, the distribution of their CC&R's would be more effective and in the process of doing this, the relationships with residents would improve.

David A. Kahne, Attorney and author of "A Bill of Rights for Homeowners in Associations: Basic Principles of Consumer Protection and Sample Model Statute", wrote about the rapid growth of Homeowner Associations. In the article, he stated that Professor Evan McKenzie, (a well respected authority, and frequent commentator, on the

issues related to homeowner associations) had traced the history of homeowner associations and the rise of what he called "residential private government," emerging from English common law.

According to Professor McKenzie, homeowner associations initially were created on a case-by-case basis for unusual circumstances, such as Gramercy Park (in New York, 1831) and Louisburg Square (in Boston, 1844). Today, HOA's operate under broadly applicable state laws that set the framework for single-family subdivisions and townhouses, condominiums, cooperatives, and the larger scale multiuse developments, some of which cannot be distinguished from towns or cities.

The Professor went on to say "Under such statutes, associations have two critical attributes: homeowners must join, and legally binding deed restrictions empower associations to regulate homeowners' use of their property." Associations typically require assessments (akin to taxation), set design and use restrictions (CC&R's) for property, regulate voting for the board, and on issues of community concern, impose punishments (e.g., utility cutoffs or fines), and obtain power to foreclose on homesteads.

According to The Foundation for Community Association Research (FCAR), the number of community associations has grown exponentially since 1970, and these numbers are continuing to rise. The FCAR is a leader in promoting and conducting research on community, homeowner, and condominium associations. According to FCAR, in 2006, there were approx. 57 million residents within association-governed communities (see Exhibit E). Association-governed communities include homeowners associations, condominiums, cooperatives and other planned communities (FCAR, 2007).

Zogby International conducted a national study of HOA residents in 2005 (see Exhibit B). The survey estimated the number of U.S. association governed communities and individual housing units and residents within those communities. In the study, they estimated that there would be 57.0 million residents living in HOA communities. They also estimated that in 2006 there would be approximately 286,000 HOA's established in the United States. Some other interested facts emerged in their study. Here are some of them:

- The estimated real estate value of all homes in community associations approaches $4 trillion, approximately 20% of the value of all U.S. residential real estate.

- The total annual operating revenue for all community associations in the U.S. is more than $41 billion. Most of this is spent in associations' local economies for goods and services.

- Community associations can range in size from as small as a two-unit condominium or cooperative to large-scale planned communities with more than 20,000 units. Some of the largest community-managed associations in the United States include Columbia, MD; Reston, VA; Valencia, CA; Summerlin, NV; and Highlands Ranch in Highlands, CO. (CIA, 2007)

In 2006, David Kahne, addressed the increasing concern for denial of homeowner rights (see Exhibit H). He stated that recent examples across the nation, illustrate what many homeowner advocates perceive as the prelude to even greater conflict, absent legislative reform. Some of these cases have reached the national press, including television reports on 20/20, ABC News, articles in the New York Times, Christian

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Science Monitor, and People Magazine. Many more cases can be found on Internet sites (see Exhibit I) where homeowner advocates collect reports. A radio show, blogs, newsletters, and homeowner discussion groups elaborate many homeowner frustrations. Although details of the disputes between homeowners and their associations may vary, they frequently have a profound impact on homeowners. In my opinion many of these problems arise from not having the CC&R's readily available.

Current methods of HOA'S

Currently HOA's do **not** have a common method of sharing their Covenants, Conditions and Restriction's (CC&R's). I feel that because of the inconsistent availability of the CC&R's that this may be contributing to the many problems being faced by HOA's. After all, how can HOA's expect residents to follow the CC&R's if they are not able to easily access the CC&R's so that they know what all the restrictions are? By doing research on the Internet this is what I have found as far as how HOA's share their CC&R's:

- Some HOA's had websites on the Internet with their CC&R's, and offered the CC&R's at no charge

- Some HOA's had websites on the Internet with their CC&R's, and offered the CC&R's for a fee

- Some HOA's had Property Management companies that had control of their CC&R's, and offered the CC&R's at no charge

- Some HOA's had Property Management companies that had control of their CC&R's, and offered the CC&R's for a fee

- Most HOA's did not have a website of their own and it was very difficult to find out who to contact to get the CC&R's

- If you could find a person to send you the CC&R's, usually it was outdated, sent by U.S. mail, and usually you would only get a few pages of the CC&R's

City wide centralization and use of knowledge management practices can help solve some of these problems.

According to the Community Associations Institute (CAI), homeowners have certain rights when it comes to community living (See Exhibit H). Those rights include the right to receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney (see Exhibit A), then upon joining the community. Not only do homeowners have the right to all documents, but they also have the responsibility to read and comply with the governing documents of the community. With this in mind, it makes you wonder why HOA's do not have a standard method of providing these documents. Also, why would an HOA want to charge for these documents? Obviously, the current methods of HOA's are not working (see Exhibit I).

According to the Routledge Taylor & Francis Group, in the article called, "Housing Enclaves in the USA", they stated that HOA's have received bad press since its inception. The reason is because it is perceived to undermine bedrock social values, including private property rights, and related rights to privacy (McKenzie 1999). According to this article, stories can readily be found in most newspapers of struggles between owners and HOA boards that end in liens being placed on the property in question. Routledge went on to say, "In the most notorious cases, the Board forcibly sells

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the house, in order to cover the arrears of dues and legal fees. Anecdotally, older residents and lower-income owners are most in jeopardy of losing their homes in this way, although there have also been high profile cases involving behavioral disputes over, for example, the size of the national flag and the frequency with which it can be flown by residents (Durso, 2001). The most extreme example of such conflict occurred in Phoenix in 2001, when a homeowner shot and killed two of his neighbors at a Board meeting (see Kirby 2003b)."

Currently, in some states, when a real estate broker writes a contract to buy and sell real estate, the "seller" is required to provide HOA covenants to the buyer prior to closing if the property is part of an HOA community (see Exhibit A). If the buyer waives this requirement, then there is no problem; however, the buyer has the right to terminate the contract if the covenants are not received by a set deadline. The "seller" or person who needs to get the HOA covenant may be one of three entities: (1) the owner of the property, (2) the seller's real estate broker, or (3) the title company.

Because there is no centralized, standard, or consistent method of securing CC&R's, the "sellers" currently have to make telephone calls and send e-mails to contact the HOA administrator to secure the covenants. Once they are able to locate the administrator, they have to wait to receive the covenants in the mail. This proves to be very time consuming and expensive. This also causes delays in closing the real estate transaction. Real estate brokers and title companies often have hardcopies of out-dated covenants. Centralization and implementation of knowledge management practices can reduce some of these problems.

2. REVIEW OF LITERATURE AND RESEARCH

Definition of terms

CC&R's (Covenants, Conditions and Restriction's) - are the rules and regulations for a development, such as acceptable landscaping or improvements that can be made to individual units.

HOA's (Home Owner Association's) - is the legal entity created by a real estate developer for the purpose of developing, managing and selling a community of homes. It is given the authority to enforce the covenants, conditions, and restrictions (CC&R's) and to manage the common amenities of the development.

KM (Knowledge Management) - There is a broad range of thought on KM with no unanimous definition. The approaches vary by author and school. KM comprises a range of practices used by organizations to identify, create, represent, and distribute knowledge.

Knowledge Management Solutions (KMS) - refers to the variety of ways in which KM can be facilitated.

Practices - are the techniques, methodologies, procedures, and processes that are used in an organization to get the job done.

Overview of the Literature and research sources on the project

Three types of literature research was used: the Internet which was used to research Home Owner Associations (HOA's) statistics, regulations, and current HOA CC&R distribution methods; Knowledge Management (KM) textbooks which provided history, challenges in KM, solutions using KM, and KM technology; and also various KM articles were used that showed current KM methods and organizations using KM solutions.

Literature and research that is specific/relevant to project

       The Internet was extremely helpful in researching Home Owner Association's (HOA's) statistics, regulations, and current HOA CC&R distribution methods. The Foundation for Community Association Research website provided statistics on home owner satisfaction. A good indicator that an organization is experiencing problems is with the use of satisfaction surveys. The Foundation for Community Association Research is a national, nonprofit organization devoted to common interest community research, development, and scholarship. Incorporated in 1975, the Foundation supports and conducts research in the community, homeowner, and condominium association industry. Here you'll find research and surveys, and publications promoting best practices and educational studies. The Community Associations Institute website provided the regulations such as the "Rights and Responsibilities of Homeowners and Community Leaders" (See Exhibit H). It is the right of the homeowner to be provided the CC&R's when they live in a community association. The Internet allowed me to research the various methods being used by HOA's to share their CC&R's. It was discovered that there was not one method of doing this, and that most methods were very ineffective. Various Civil Codes relating to Real Estate Brokers, sellers, and buyers, were found on the Internet. By visiting community association blogs and posting questions online, it was discovered that many homeowners were "for" the idea of centralizing CC&R's of an entire city on one website. Although there may be many possible solutions to CC&R sharing, I focus on "one" possible solution to the problem of CC&R distribution in this thesis. The Centralized Covenant website was built as a prototype to show that it was

possible to provide a solution using knowledge management practices and current technology.

Several Knowledge Management (KM) textbooks were used as sources of information, but two were very influential books in this project. A KM text book titled, "Knowledge Management: Challenges, Solutions, and Technologies" written by Dr. Irma Becerra-Fernandez was very good. This text book presents a multi perspective approach to knowledge management that spanned electrical engineering, artificial intelligence, information systems, and business. This text book was clearly and concisely written, strong in managerial, technical, and systemic aspects of knowledge management, providing the right combination of theory, technology, and solutions. The other book that was very valuable in this project was "The Knowledge Management Toolkit: Orchestrating IT, Strategy, and Knowledge Platforms" written by Amrit Tiwana. This text book presents KM case studies from leading companies worldwide. The text book explained how to use KM to make sure that every key decision is fully informed as you build on your existing intranet, data warehouse, and project management investments.

Several articles were also used as research for this project but a couple really stood out as valuable sources in this project. The first article called "Good News for the Knowledge Worker" written by S. Barth of KM World. This article was a good reference of companies that have used websites on the Internet to further their business. As a solution to the HOA problem of sharing CC&R's, I give an example of how a website on the Internet might help HOA's with this problem. The article supported this solution. Another article that stood out was written by Drake, M. of Information Today, called ""Joel Mokyr: Knowledge, Technology, and the Economy". This article was good

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because Mokyr said that sometimes laws and policies determine the extent of dissemination of information. I feel that this touches on the HOA and CC&R situation where some states require by law that CC&R's are available at closing during real estate transactions.

The literature and research performed on this project allowed me to conclude that centralization and knowledge management practices was a reasonable approach to solving this HOA information sharing problem. With an inability to easily secure up-to-date CC&R's by parties involved, this project will allow users to easily locate, view, and print, up-to-date covenants. This project will centralize all HOA CC&R's in any given city, in any given state, on one website, on the Internet. The centralization of CC&R's will benefit real estate brokers, title companies, HOA administrators, MLS providers, and residents of HOA communities.

Centralizing the HOA CC&R's on a website, provides the real estate broker, the title company, MLS providers, and residents of HOA communities with the following benefits: (1) no need to locate the appropriate HOA administrator, (2) CC&R's are up-to-date, (3) real estate closures are made on time, and (4) online convenience. Benefits for HOA administrators include: (1) no need for contact with various real estate brokers, (2) copies of the CC&R's available for companies and residents in the HOA communities, and (3) CC&R's are available online.

Research on eCommerce allowed me to conclude that a website on the Internet was a very good solution to this problem. ECommerce can be defined as every form of electronic business connections where people involved exchange information

electronically and not physically. Normally Ecommerce involves purchasing goods or services, but in this case, it would be used to exchange CC&R's electronically.

ECommerce continues to grow in the U.S. The consumer has pushed eCommerce forward regardless of the economic climate. War, recession, terrorism has not slowed this amazing growth. The U.S. Census Bureau announced in May of 2006, "that the estimate of U.S. retail e-commerce sales for the first quarter of 2006…was $25.2 billion, an increase of 7 % from the fourth quarter of 2005." (Strategic eCommerce Solutions, 2006).

Total U.S. eCommerce sales will pass $100 billion by end-of-year 2006, according to comScore Networks Inc. This research firm says non-travel online spending in the first quarter of 2006 hit $23.9 billion, a year-over-year growth rate of 22%. "Looking at last year's numbers, if sales continue to grow this year by at least 20%, the industry will crack the $100 billion mark," says Gian Fulgoni, Chairman of comScore Networks (Internet Retailer, 2006).

Online U.S. retail sales, defined as B2C sales of goods including auctions and travel, will grow from $172 billion in 2005 to $329 billion in 2010. Both consumers and sellers continue to stoke the eCommerce fires. As consumers increase shopping-related activities and sellers compete to innovate and keep them engaged, online sales will enjoy a solid 14% compound annual growth rate (CAGR) over the next five years (Forrester Research, 2006).

Internet commerce is making significant gains worldwide as countries collectively adopt online trade. A 2004 report from Forrester Research, Inc. estimated that global eCommerce would reach $6.9 trillion, capturing 8.5% of the world's sales of goods and services. North America continues to be the global eCommerce leader -- contributing

nearly $3.5 trillion in online business-to-business (B2B) and business-to-consumer (B2C) sales in 2004 -- but the region's dominance fades as Western Europe continues to grow their eCommerce (FindArticles, 2006).

According to the eCommerce text book called "Electronic Commerce 2006: A Managerial Perspective", authored by Turban et. al, the top three factors for a successful B2C ecommerce activity is: 1) effective marketing management, 2) an attractive website, and 3) building strong connections with the customers (Turban, 2003).

Evidence seems to indicate that use of the Internet to share information (CC&R's) electronically would be a very good solution to the problems being faced by HOA's regarding the distribution of their CC&R's. Centralization would group all CC&R's for a particular city on one page. Easy access to the CC&R's would build a stronger connection with HOA residents and in return improve relations with them.

Research methods to be used

The research methodology for this project will focus on knowledge management solutions using HOA CC&R's as the information being shared. This project will explore the following research methods:

- Collection of theories, concepts or ideas of knowledge management

- Comparative study of different approaches of knowledge management

- Critique of the individual methods currently used in the distribution of HOA CC&R's

- Case studies will be discussed

- Survey research will be compared on the many problems being reported regarding HOA's

- Statistical analysis will be gathered

Knowledge management history

Knowledge management is the method in which an organization consciously and comprehensively gathers, organizes, shares, and analyzes its knowledge in terms of resources, documents, and people skills. Knowledge can be both tacit (held in an individual's brain in the form of know-how and experience) and explicit (which can be captured in a document or a database or expert system). This thesis will mainly be discussing explicit knowledge. There are differences in opinion as to what knowledge is by various experts. Some experts believe that knowledge is a state of mind, and some believe that knowledge is a process. At one time, it was thought that knowledge and information was the same thing. This thought has changed over time.

Dr. Irma Becerra-Fernandez (2003), the author of "Knowledge Management: Challenges, Solutions, and Technologies", defines **knowledge as a state of mind**. Organizational knowledge is viewed as the beliefs of the individuals within the organization. Moreover, to the extent the various individuals have differing experiences and backgrounds, their beliefs, and hence knowledge, could differ from one another. Consequently, the focus is on enabling individuals to enhance their personal areas of knowledge so that they can apply them to best organizational goals. What it also says is that knowledge is considered subjective but is viewed to be held by a group and not decomposable into elements possessed by individuals. Thus, from this perspective, knowledge is "neither possessed by any one agent, not contained in any one agent, nor contained in any one repository". From the perspective of knowledge being an object, it is something that can be stored, transferred, and manipulated. Consistent with the

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definition of knowledge as a set of justified beliefs, these knowledge objects (i.e. beliefs) can exist in a variety of locations. Thus by what the text tells us, **knowledge is at least both a process and object** (Becerra-Fernandez, 2003, pgs. 17-18).

Dr. Karl-Erik Sveiby is often described as one of the "founding fathers" of Knowledge Management, having pioneered many of the fundamental concepts. In 1986 he published his first book in Swedish, called "Kunskapsföretaget". In this book, he explored how to manage the rapidly growing "Knowledge Companies". These are organizations that had no traditional production, only the knowledge, and the creativity of their employees. It became an instant bestseller and he became the source of inspiration of the very early "Swedish movement" in knowledge management, in both research and practice (Sveiby, 1989).

Another of his books published in1990, called "Kunskapsledning", was the world's first book with "Knowledge Management" in the title. Being owner and a manager of a publishing company for 15 years, in which he was instrumental in developing into Sweden's largest in trade press "Ekonomi & Teknik Förlag", he recognized the need to measure the intangible assets, and he went on pioneering accounting practices for intangible assets, testing them in his own company. Today he is a professor, researcher, developer of tools and methodologies, and advisor to corporations and governments worldwide (Sveiby, 1989).

The English translation of his 1986 book called "Kunskapsföretaget" is "The Knowledge Company". In the book, a new society is formed - some called it the "information society", others called it the "knowledge society". According to Dr. Sveiby, those with the knowledge were taking over in organizations. Dr. Sveibly advised the

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leaders that they must combine their traditional skills in organizing with a new ability: to develop the professional competencies of the employees (Kunskapsföretaget, 1986). I believe the significance of the term Kunskapsföretaget, is that knowledge was starting to come into focus as far as being different from just information, and that organizations needed to recognize that.

In an article written by Dr. Karl-Erik Sveiby in 2001 titled "Knowledge Management - Lessons from the Pioneers", he said, "Knowledge can be defined as a capacity-to-act." Dr. Sveiby also said that "**Knowledge is a process.** It is dynamic, personal, and distinctly different from data and information." In the mid 1980's researchers and practitioners all over the world started to be interested in the role of knowledge in business (Sveiby, 2001).

Dr. Yogesh Malhotra, said in an article from the BRINT Institute, called 'Knowledge Management for the New World of Business', that "The traditional paradigm of information systems is based on seeking a consensual interpretation of information based on socially dictated norms or the mandate of the company bosses. This has resulted in the confusion between 'knowledge' and 'information'. However, knowledge and information are distinct entities. While information generated by the computer system is not a very rich carrier of human interpretation for potential action, 'knowledge' resides in the user's subjective context of action based on that information. Hence, it may not be incorrect to state that knowledge resides in the user and not in the collection of information, a point made two decades ago by West Churchman, the leading thinker on information systems" (Malhotra, 2004).

Dr. Yogesh Malhotra gave suggestions to executives to realign their focus from the old world of "information management" to the new paradigm of "knowledge management":

- Instead of the traditional emphasis on controlling the people and their behaviors by setting up pre-defined goals and procedures, they would need to view the organization as a human community capable of providing diverse meanings to information outputs generated by the technological systems.

- De-emphasize the adherence to the company view of 'how things are done here' and 'best practices' so that such ways and practices are continuously assessed from multiple perspectives for their alignment with the dynamically changing external environment. Invest in multiple and diverse interpretations to enable constructive conflict mode of inquiry and, thus, lessen oversimplification of issues or premature decision closure.

- Encourage greater proactive involvement of human imagination and creativity to facilitate greater internal diversity to match the variety and complexity of the environment.

- Give more explicit recognition to tacit knowledge and related human aspects, such as ideals, values, or emotions, for developing a richer conceptualization of knowledge management

- Implement new, flexible technologies and systems that support and enable communities of practice, informal and semi-informal networks of internal employees and external individuals based on shared concerns and interests.

- Make the organizational information base accessible to organization members who are closer to the action while simultaneously ensuring that they have the skills and authority to execute decisive responses to changing conditions (Malhotra, 2004).

With the advent of new technologies, such as the Internet, data mining, intranets, videoconferencing, and web casting, several technologists are offering solutions to meet the business challenges of the knowledge era. Recent stories published in the trade press have asserted that certain technologies, such as intranets, have some inherent capability for facilitating organizational transformation initiatives, such as knowledge management (Malhotra, 2004).

Knowledge in an organization is commonly referred to as knowledge capital. Knowledge capital is created when an organization develops its ability to build, access, and leverage, its knowledge resources. It is creating its knowledge advantage. It is learning how to most effectively bring to bear its "know-how" and "know-what" to yield substantial gains in performance so that it can achieve its strategic outcomes. By understanding the role of knowledge in the enterprise and enabling itself to use its knowledge resources for advantage, it is in the process of becoming a knowledge-based enterprise, able to transform its knowledge capabilities into wealth. The term knowledge capital is used here as a way to bridge the differences between these two disciplines. Knowledge is the resource and capital speaks to generating wealth (Chatzkel, 2003).

A way of looking at the knowledge capital equation is to say that intellectual capital is the "stock" or content of knowledge, and knowledge management deals with the "flow" of knowledge. Each play a critical role and neither is complete by itself.

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Amassing sizable amounts of intellectual capital without being able to access, share, or capture value from that resource can be costly and wasteful. For example, the expense of maintaining the best know-how, or keeping the richest patent portfolio, can exceed the ongoing return on the value of those resources. Similarly, not developing and bringing into play the knowledge resources of any staff person, whether leader or frontline, marginalizes their value to the enterprise, sub-optimizing knowledge capital. On the other side of the coin, focusing on investing in technologies and approaches to enable the flow of knowledge resources when their quality and relevance are of barely usable to enterprise net workers is just as questionable (Chatzkel, 2003).

As an organization remakes itself as a nurturing, leveraging and knowledge sharing enterprise it starts to base its understandings, strategies, and actions, on its knowledge capital, and begins to be a knowledge-based enterprise. It cultivates usable knowledge resources and makes them readily accessible and actionable, putting itself and its people in the best position to create and capture value (Chatzkel, 2003).

The history of knowledge management is relatively new and still appears to be evolving. In order to tie knowledge management practices to this project, we must look at the explicit knowledge side of knowledge management. We should also take aspects of what each of the experts say about knowledge management and associate them with this project. Dr. Irma Becerra-Fernandez indicated that from the perspective of knowledge being an object, it is something that can be stored, transferred, and manipulated. If we look at knowledge as an object, then we could say that CC&R's could be considered knowledge. Dr. Sveiby introduced a new society called a "knowledge society". A knowledge society has been defined as a formal association of people with similar

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interests, who try to make effective use of their combined knowledge about their area of interest, and in the process contribute to this knowledge (Wikipedia, 2007). Centralizing an area of interest in one place would make distribution of that knowledge more efficient. Dr. Malhortra said that with the advent of new technologies, such as the Internet, data mining, intranets, videoconferencing, and web casting, several technologists are offering solutions to meet the business challenges of the knowledge era. Dr. Malhortra supported the use of the Internet and this project offers a solution to HOA problems via a website on the Internet.

Modern Knowledge Management

Starting in 1995 there has been an explosion in the literature surrounding the developing concept of knowledge management. Today, hardly anyone can attend a conference or read a journal without seeing literature referring to the concept. The concept has been defined broadly with a number of definitions being touted. For example, Ponelis and Fair-Wessels (1998) assert that *knowledge management is a new dimension of strategic information management*. Davenport and Prusak (1998), claim that *knowledge management is the process of capturing, distributing, and effectively using knowledge*. Skyrme (1997) suggests that *knowledge management is the explicit and systematic management of vital knowledge along with its associated processes of creating, gathering, organizing, diffusing, using, and exploiting that knowledge* (Ponzi & Koenig, 2002). David Skyrme predicted what the knowledge management of today would be. Skyrme predicted that there would be ten shifts we would see concerning knowledge management.

David J. Skyrme is a strategic analyst and management consultant with extensive knowledge and experience of information and knowledge management. In 1998, Skyrme wrote an article in the Knowledge Management Review, saying, "Beneath the fad, many companies and individuals are genuinely trying to better understand the contribution of knowledge to business success. Of course, once they get to grips with it, they find that some 90 percent is common sense and good management practice. For each of the management functions within KM there are accepted disciplines. It's just that some of them need tweaking to deal with the intangible nature of knowledge, especially tacit knowledge. Also, what knowledge gives is a unifying perspective over many different aspects of management. Skyrme predicted that there were ten shifts we would see concerning KM:

1. A shift from a Dimension of Other Disciplines to a Discipline in its Own Right. It will be a subject of degree courses and a profession distinct from information management. Evidence: Knowledge management courses are now required at most universities for a CIT degree (including Regis University).

2. A shift from Strategic Initiatives to Routine Practice. The Chief Knowledge Officer (CKO) of the future will embrace some of the functions of today's HR managers and CIO's. Evidence: We are now seeing Chief Knowledge Officers in executive positions in many fortune 500 companies.

3. A shift from Inward Focus on Knowledge Processes to External Focus on Knowledge Businesses. Companies will identify how their knowledge assets can be recombined to create new knowledge-based businesses. Evidence: Knowledge can command a premium price in the market.

4. A shift from Best Practices to Breakthrough Practices. Rather than improve incrementally, companies should strive for factor ten improvements in key areas, like time-to-market and functionality per unit cost. Evidence: Corporate knowledge is now a strategic resource.

5. A shift from Knowledge Codification and Databases to Trade-able Knowledge Assets. Many other companies are now realizing the opportunities from trading their databases e.g. fleet car managers are now trading privileged information on car reliability with partners. Evidence: Corporations are realizing customers will pay for knowledge.

6. A shift from Knowledge Processes to Knowledge Objects. Just as computer applications are going object oriented, so too will the application of knowledge. We will package knowledge as objects (that might include an information record, a multimedia clip, and access to a person) that can be manipulated and transmitted in different ways. Evidence: CC&R's could be considered an object.

7. A shift from Knowledge Maps to Knowledge Navigators/Agents. Maps are static representations of objects, and without extensive real-time map making capability (which could happen in the future) we need other ways to find existing and emerging knowledge. These will be human brokers (people with know-where and know-who) and intelligent software agents. Evidence: Knowledge brokers and information brokers exist today. Common uses for information brokers include market research and patent searches.

8. A shift from Knowledge Centers to Knowledge Networks. Although aggregating knowledge and knowledgeable people at knowledge centers gives critical mass, a more

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effective model may well be local nodes of expertise interconnected through human and computer networks i.e. the virtual knowledge center.

*9. **A shift from Knowledge Communities to Knowledge Markets***. Communities are emerging that provide an effective vehicle for knowledge exchange. But as knowledge acquires value, and becomes 'productized' as objects these communities will develop payment mechanisms and other trappings of a market place. Evidence: The growing popularity of eCommerce.

*10. **A shift from Knowledge Management to Knowledge Innovation***. Management implies custodianship and managing what you know - innovation is creating something new and better, and that surely must be the ambition of all existing knowledge managers Evidence: Research shows the need for HOA's to centralize and apply knowledge management practices to improve the distribution of their CC&R's (Skyrme, 1998).

In conclusion, evidence shows that most of the shifts predicted by Skyrme have occurred. In most organizations the Chief Knowledge Officer (CKO) works closely with the Chief Information Officer (CIO) to provide the necessary information retrieval systems. Knowledge-based businesses such as Google and whatis.com (to name a couple) are eCommerce websites on the Internet. Information and knowledge are big commodities and people are paying money for it. Customers are now paying for on-demand knowledge on the Internet.

Summary of what is known and unknown about project topic

I tried to give an example of an organization (HOA's) that might be able to improve the sharing of information (CC&R's) by using knowledge management practices and new technology (websites). The Internet provides a wealth of information. I was able

to uncover many complaints from residents of HOA communities by researching the Internet (See Exhibit I). I was able to see that there was no standard method of sharing CC&R's and that this might be contributing to the frequent newspaper articles we see between HOA's and residents. There are many articles that show how other organizations have taken advantage of the Internet and knowledge management practices to solve their problems. I have provided a prototype website so that you can see the possibilities for improvements and a possible solution for HOA's distribution and sharing of CC&R's.

The common complaints found seem to surround compliance according to the CC&R's. Whether it is dealing with landscaping, buildings on properties, permits, or remodeling, it still deals with what is stated in the CC&R's. Research has shown that there is inconsistency in the various methods of distribution of the CC&R's. It has also been found that in most cases it is very difficult to gain access to the CC&R's. Exhibit I shows evidence of disputes between HOA's and residents of HOA communities. It would follow reason that if the CC&R's were not readily available, you would see problems between HOA's and residents of HOA's (as shown in Exhibit I).

One of the articles found in Exhibit I profiles Tucson Attorney Stephen Weeks, where he says, fines can be quite steep for not following the CC&R's. Weeks, says "homeowners are in trouble with their HOA's because they haven't paid fines or assessments, or they disagree with how an HOA's board of directors interprets the development's CC&R contract. According to Weeks, "In Arizona, it's becoming increasingly rare for someone to purchase a home in a subdivision that doesn't have an HOA. As subdivision developments have increased, so has trouble for residents when HOA board members go wild with fines and CC&R interpretations." Weeks said that in

the past, courts have generally ruled in favor of HOAs rather than residents, but lawsuits and complaints forced the State Legislature to get more involved to protect residents.

When it comes to the CC&Rs, Weeks said, "There is little a resident can do, since the CC&R is a legal document they agreed to follow when they purchased the home." If the board is doing something outside the authority of the CC&R, you have a case, but if the CC&R says you can't have palm trees, then you can't, and it's not worth fighting," (Herreras, 2007).

Evidence shows that CC&R's are very important and that they need to be easily available to everyone. As HOA communities continue to grow and state legislature begins "requiring" that CC&R's be present and easily accessible there will be more of a need for HOA's to centralize and begin using more knowledge management practices.

One of the things that are unknown about this project is whether or not HOA's would actually want to improve the sharing of CC&R's. The reason for this is that they are currently charging money to residents and others to gain access to their CC&R's. To me, I say, "How can they expect residents to know or follow the restrictions, if they are not readily available?" Some Property Management companies maintain control of the CC&R's and this is added income for them also. Currently some states require "sellers" of homes located in HOA communities to provide CC&R's at closing, and some states do not. I believe that if we continue to hear about problems in the news between HOA's and residents, that it will only be a matter of time before all states will require the CC&R's at closing. It is clear that resident have the right to CC&R's in their communities (See Exhibit H), but these rights are often not enforced or are not known.

The contribution this project will make to the field

The contribution this project would make to the field would include:

- Better informed residents in HOA communities

- Cost and time savings in mailing hardcopy CC&R's

- Ease in locating CC&R's

- Centralized CC&R's for Real Estate Brokers, Title Companies, and MLS providers

- Online viewing and printing of CC&R's

- Compliance in some states that require CC&R's at real estate closings

- Improve HOA and resident relations

3. BENEFITS OF KNOWLEDGE MANAGEMENT

The Kaieteur Institute for Knowledge Management (KIKM) composed a comprehensive list of the benefits of using knowledge management benefits for organizations. The KIKM is a powerful knowledge network that provides education, research, consulting and advisory services, for the profitable application of knowledge management to business. This was their list of the many possible benefits of knowledge for the enterprise:

- Produce and conserve New Value - such as Intellectual Property Assets

- Generate new Wealth and increasing returns

- Increase Revenue

- Open New Markets

- Enable Sustainable, Organic Growth

- Improve Decision-Making

- Mitigate Risk

- Develop and implement New Business Models

- Build More Profound relationships and ongoing Mind-Share with Customers - penetrate the mind of the customer

- Lift Productivity and Efficiency

- Speed Innovation

- Unleash new Ideas and Creativity

- Help create a more Adaptive, responsive, dynamic, flexible, organization

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- Facilitate the evolution of a more Intelligent Enterprise and produce smart engaging products

- Use knowledge To Build Virtual Networked Businesses

- Better prepare for and anticipate The Future

- Improve and accelerate Learning

- Gather superior Business and Competitive Intelligence

- Enhance Team Collaboration & Coordination

- Maximize the organization's use of available collective wisdom, experience, and the Brain-Power of human capital assets

- Improve the Flow of knowledge

- Improve the Service and Support of Customers

- Shift employees from balance-sheet expense items to Knowledge Investors in the enterprise

- Improve the ability of the organization to Manage Change

- Attract, and retain motivated, loyal, and committed Talent

- Introduce a more relevant measurement "Dashboard" and instrument panel, with knowledge-based metrics versus mere industrial age measures

- Be better positioned for Knowledge Workers to cope with increasing Infoglut and Information-Overload

- Turn Process Know-How into a valuable Corporate asset - Knowledge Conversion

- Help the enterprise to grow more Network Connections, more knowledge nodes (the value of a network is related to the extent of the nodes in it)

- Lower Operating Costs by substituting information and knowledge stores for inventory

- Avoid Waste and Duplication by encouraging Knowledge Reuse

- Create a more knowledge aware, knowledge friendly culture, and Community of Practice(s) better suited to the emerging knowledge-based economy context

- Allow more leveraging of knowledge assets through Knowledge Arbitrage strategies

- Have better Knowledge Transfer occur in the execution of projects

- Extend the global Reach, Richness, and Scope of the enterprise

- It can be a tremendous Enabler allowing the organization and knowledge workers to share ideas and collaborate in ways that would not have been possible previously.

- Bring a new level of sophistication to managing the brand, reputation, and Intangibles that customers value

- In general, be better able to Create, Capture, Share, Protect, Disseminate, Package and Exploit knowledge, intellectual capital, and intangibles

(KIKM, 2005)

In a 2004 Business World article called "The Benefits of Knowledge Management", M. Manual stated, "Top management always wants a clear understanding of the 'bottom line' benefits of knowledge management before they invest". He went on

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to explain the benefits of KM initiatives. M. Manual introduced the concept of the KM Benefits Tree, which was developed by David Skyrme Associates, a networked management consultancy specializing in advising senior executives and policy makers on how to create and implement successful knowledge-based strategies, highlights the interrelationships of three major categories of benefits commonly associated with successful KM initiatives (Manual, 2004).

A benefits tree (see Exhibit F) is a simple but effective tool for showing interdependencies between different types of benefit. According to David Skyrme Associates, many senior executives want a clear understanding of the 'bottom line' benefits of knowledge management before they invest. Typically a knowledge initiative is an infrastructure project where the cost is visible, but the benefits are diffused throughout the organization. A benefits tree relates the immediately visible benefits, through a series of steps to those understood by senior executives. The three major categories of benefits commonly associated with successful KM initiatives are:

1. **Knowledge Benefits** - these are those derived from more efficient processing of information and knowledge, for example by eliminating duplication of effort or saving valuable time. For example, a survey carried out by the AMS (American Management Systems) knowledge center showed that information management professionals at a knowledge centre could find relevant information 8 times faster than non-IM professionals.

2. **Intermediate Benefits** - these are how the knowledge benefits could be translated into benefits that can be expressed in terms of efficiency or effectiveness. A common

example is that best practices databases helps to eliminate less efficient operations through transferring knowledge from the best practitioners.

3. **Organizational Benefits** - this class of benefits are those that impact some of the organization's key goals, such as productivity and customer service.

Also, according to David Skyrme Associates, "As a result of such analysis, it is possible to track savings of time in accessing knowledge, also to improve customer service by giving them more relevant, validated and timely solutions to their problems." (David Skyrme Associates. 2002). Organizations could use the benefits tool to see the benefits of knowledge management before they invest.

The Becerra-Fernandez text book (Knowledge Management: Challenges, Solutions, and Technologies), tells us that managing any resource may be defined as doing what is necessary to get the most out of that resource. Sometimes managing what we do know, is a problem. This means being able to get to the information within an acceptable time frame, in order for it to be useful. This is done by Knowledge Management Solutions (KMS). KMS refers to the variety of ways in which KM can be facilitated. KMS may be divided into four broad levels: 1) KM processes 2) KM systems, 3) KM mechanisms and technologies, and 4) KM infrastructure. KM processes are the broad processes that help in discovering, capturing, sharing, and applying knowledge. A Knowledge Management System could be implemented to support and increase our level of knowledge to allow for effective decision making and sharing of knowledge (Becerra-Fernandez, 2003).

A potential target company or organization for a Knowledge Management Solution would be a Home Owner's Association (HOA). These types of organizations have a need to manage and share knowledge. Some sort of expert system or Internet website might work well here. The knowledge should be centralized in one place to allow for quick and efficient distribution. A KMS would allow quick and easy sharing of their Covenants, Conditions and Restrictions (CC&R's). Centralization of these CC&R's would allow customers to go to one repository to access all CC&R's. The benefits to having a centralized website on the Internet for HOA CC&R's would include:

- Better informed residents in your HOA

- Cost and time savings in mailing hardcopy CC&R's and the hassle of trying to track down CC&R's

- Ease in locating your CC&R's

- Centralized CC&R's for Real Estate Brokers, Title Companies, and MLS providers

- Online viewing and printing of CC&R's

- CC&R's would be available 24 hours/day

- Up to date CC&R's

- Global Reach

4. A SOLUTION USING KNOWLEDGE MANAGEMENT

The Tiwana text book (The Knowledge Management Toolkit: Orchestrating IT, Strategy, and   Knowledge Platforms), says that peer-to-peer networking naturally extends to support KM because it closely mirrors face-to-face human communications. Peer-to-peer networking is defined as sharing of resources by direct exchange between individual systems in a digital network. Each peer is connected directly to the Internet, and each peer can transact directly with other peers within its data space. A simple example of peer-to-peer KM networks was given in our text book. If Alice asks Diane a specialized question and Diane does not know the answer, she can ask her friends, who can then ask their friends until an answer is found. Peer networking addresses three issues that have long plagued KM technology: profile maintenance, bandwidth bottlenecks, and ubiquity (Tiwana, 2002, Pg. 165).

A knowledge platform may consist of several repositories, each with a structure that is appropriate for the particular type of knowledge or content that is stored. Managing content in repositories should not be limited to adding new content but should also include throwing out old content. Centralizing storage is a viable possibility and perhaps the way to go if you are building a repository from scratch. If you already have some repositories to begin with or if the platforms in use are too diverse to physically integrate cost-effectively, you might simply rely on a web-based front end to integrate existing repositories while building new ones on a centralized base (Tiwana, 2002, Pg. 224). In general, a knowledge base is a centralized repository for information such as HOA CC&R's, a database of related information about a particular subject (see Exhibit C and D).

Knowledge management may simply be defined as doing what is needed to get the most out of knowledge resources. In general, KM focuses on organizing and making available important knowledge, wherever and whenever it is needed. Effective methodologies, including tools and techniques to capture vital knowledge, are essential for an organization to maintain its competitive edge. An "example" of an effective methodology is to use a website on the Internet. This section will describe one solution (website) for one organization (Home Owner Association's). We will focus on a new website I created called Centralized Covenants (see Exhibit C).

Centralized Covenants is a project that includes the implementation of a new website to allow the members of Home Owner's Associations (HOA) to locate and access HOA covenants online. The members include residents, real estate brokers, title companies, MLS providers, and real estate related businesses. This website saves interested parties the time and expense of locating HOA covenants (CC&R's).

Currently, in some states (see Exhibit A), when a real estate broker writes a contract to buy and sell real estate, the "seller" is required to provide HOA covenants to the buyer prior to closing if the property is part of an HOA community. If the buyer waives this requirement, then there is no problem; however, the buyer has the right to terminate the contract if the covenants are not received by a set deadline. The "seller" or person who needs to get the HOA covenant may be one of three entities: (1) the owner of the property, (2) the seller's real estate broker, or (3) the title company.

Before Centralized Covenants was established, the "sellers" would have to make telephone calls and send e-mails to contact the HOA administrator to secure the covenants. Once they were able to locate the administrator, they would have to wait to

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receive the covenants in the mail. This proved to be very time consuming and expensive. This also caused delays in closing the real estate transaction. Real estate brokers and title companies often had hardcopies of out-dated covenants. This website eliminates these problems.

Centralizing the HOA covenants on a website, provides the real estate broker, the title company, MLS providers, and residents of HOA communities with the following benefits: (1) no need to locate the appropriate HOA administrator, (2) covenants are up-to-date, (3) closures are made on time, and (4) online convenience. Benefits for HOA administrators include: (1) no need for contact with various real estate brokers, (2) copies of the covenants available for companies and residents in the HOA communities, and (3) covenants are available online.

Target Markets

The primary target markets for this website would include: Home Owner Association (HOA) administrators, HOA residents, Real Estate Brokers, Title Companies, and MLS providers. Each city, in each state, has HOA's. Where ever there is an HOA, then they can use this website. Anyone that lives, or is thinking of living in an HOA community, and any one that has to deal with contracts that require HOA covenants.

Competitors

"Some" HOA organizations offer their covenants online, "some" property management companies offer HOA covenants (of the HOA's they manage) online. Many (if not most) HOA's and/or property management companies do not have a website where residents can access covenants online. I do not know of one place where a Real Estate

Broker, Title Company, or MLS provider can go and have access to all HOA covenants at one website for a city.

Delivery

The user will be able to view, print, or download the online covenants from the web by using Adobe Reader. Print-on-Demand websites are available if desired.

Direct, Indirect, and Future Competitors

1. HOA's that provide free online covenants (not many do).

2. HOA's that provide free covenants via U.S. mail (usually out-of date, takes time)

3. HOA's or property management companies that charge for online covenants ($$).

4. HOA's or property management companies that charge for hardcopy (time).

Analysis

"Some" HOA organizations offer their covenants online, "some" property management companies offer HOA covenants (of the HOA's they manage) online. Many (if not most) HOA's and/or property management companies do not have a website where residents can access covenants online. Also, usually a problem finding out who to contact to get covenants.

Competitive advantage

1. Covenants for entire city are located on one website (centralized).

2. Covenants are free for residents and easily accessible (better informed).

3. Covenants will be more up-to-date because of online convenience

4. City wide, state wide, potential for website

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5. RESULTS/ CONCLUSIONS

Lessons learned

The project experience was very educational. Research and findings concluded that locating CC&R's for HOA's was not an easy thing to do. Knowledge Management practices offered a solution to this problem. Evidence showed that not only residents would benefit from centralizing CC&R's, but so would many other organizations that deal with real estate transactions (see Exhibit G). Evidence showed that there was no standard way HOA's used to distribute their CC&R's and that most methods were very inefficient. A major question I started to ask myself was, "Do HOA's really want CC&R's made readily available to everyone?" Currently, some HOA's and some Property Management companies are making money on charging for these CC&R's and they seem to be collecting a lot of money on the fines. I do know that if HOA's continue to be in the news regarding disputes between them and residents, that sooner or later some laws will be passed requiring the CC&R's be readily available. Also, all states may be required to provide the CC&R's at closing, instead of "some" states. When this does happen, new technology, centralization, and knowledge management practices will help this situation.

Evaluation of whether or not the project met goals

Yes, the project met the goal of providing a possible solution to a problem currently being experienced by an organization (HOA's) by using centralization and knowledge management practices. We have become a knowledge society and we must find new ways of gathering and sharing this knowledge. This project not only shared history about knowledge management and described an organization in trouble that could

benefit from knowledge management practices, but this project has also provided a viable solution.

Project Approach Summary

My approach was to have a website that contained CC&R's of HOA communities for some cities in Arizona as the first websites in a series of websites. Analyzing and defining requirements, designing and implementing a website, accomplished this. Analyzing included information gathering via e-mails, making telephone calls, and informal interviews. Defining requirements involved establishing needs, building a storyboard (see Exhibit K), and a data dictionary for the website. Designing requirements included preliminary designs and building prototypes (see Exhibit L) of the website. Implementation involved working with a web designer to establish the website on the Internet.

Analyze Requirements

Several informal interviews were performed in order to gather information and requirements. Informal interviews of real estate brokers, web designers, and residents of HOA communities were performed. Many e-mails were sent out to HOA administrators, title companies, librarians, and property management companies. As a result of gathering requirements, the following was produced: (1) project sizing, (2) resources needed, (3) project work break down structure, and (4) project timeline. It was determined that the first website could be completed in 8 weeks, utilizing a web designer.

Define Requirements

After establishing a need for an online website, standards and rules were established for the website. It was decided that links to PDF CC&R's or existing HOA websites would be used to centralize CC&R's on the website. Discussions with the web designer led us to use the following software to setup the website: HTML, MS Front Page, Adobe Photo Shop, and Paint Shop Pro. A flowchart, storyboard, and data dictionary were established to convey the idea of the website to the web designer.

Design of Website

During the design phase the basic look and feel of the website was established. A prototype was created and used as a model to produce the final website on the Internet. The prototype was established on the Comcast Personal Web Pages. During this phase certain users were consulted for their input and suggestions. Colors and background were incorporated based on these suggestions.

Implementation of Website

Implementation of the website was completed by the web designer. The host of the first website was the Atmosfire Gallery. This website has since then been moved to www.ecovenants.com and I have started to take over the development of future websites. I will be determining future requirements and utilizing the original web designer for graphics and consultation when needed.

Actions Taken

The actions taken were consistent with the storyboard and prototype. Testing of the website was accomplished under the time required by the project plan, work

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breakdown structure, and the timeline. Statewide implementation is currently under development and will be completed with future plans.

What would be the next stage of evolution for the project if continued?

Research and evidence seem to indicate that current laws need to be enforced regarding HOA resident's rights and requirements at closing. According to statistics (see Exhibit E), association governed communities continue to grow every year. New laws need to be established requiring HOA's to make CC&R's readily available (at no charge) to everyone. Residents need to know their rights and demand that they are enforced. State control needs to be implemented against HOA's and Property Management companies regarding absurd notices of violations of CC&R's. Once these things happen, HOA's will start looking for a standard methodology to comply with the new laws and controls.

Conclusions/recommendations/next stages

This project met the initial project expectations. The history section introduced some pioneers of knowledge management and their views on this topic. KM is a relatively new concept and the various experts had differing opinions on what knowledge was. We have started to see the forecasted shifts in the knowledge management of today. More organizations are starting to find ways to leverage their knowledge capital. We are seeing more knowledge-based businesses such as Google and whatis.com joining the eCommerce evolution on the Internet. Organizations are finding that information and knowledge are big commodities and people are paying money for it. Customers are now paying for on-demand knowledge on the Internet. Organizations are beginning to realize

the benefits of knowledge management techniques. The Becerra-Fernandez text book (Knowledge Management: Challenges, Solutions, and Technologies), told us that managing any resource may be defined as doing what is necessary to get the most out of that resource. Organizations are trying to get to the information within an acceptable time frame, in order for it to be useful. Knowledge management practices are becoming more-and-more important. By focusing on one organization, I was able to show how centralization and knowledge management solutions could help an organization in trouble. A viable solution was also introduced in this project (a website on the Internet) that could help HOA's with their problem situation.

Summary

Centralized Covenants already exists on the Internet and it is an ongoing project. I currently have three city websites ready for use. My plan is to eventually have one website per city, for all cities, in all states.

Simple start-up budget for Centralized Covenants website:

Projected MONTHLY Expenses		
Web Hosting	$24.99	Accelerated Web
DSL	$40.00	High Speed Internet
Adobe Acrobat 7 Professional	$ 9.99	Convert docs to PDF/Security
Advertising	$20.00	
TOTALS	**$94.98 per month**	

These are the monthly expenses that will be needed to keep Centralized Covenant running at this time.

Projected YEARLY Expenses		
Domain Name	$13.00	000domain
Copyright	$45.00	
TOTALS	**$58.00 per year**	

There is a yearly charge for domain name: ecovenants.com

Possible FUTURE Expenses		
New Laptop	$1200.00	IBM
Adobe Acrobat 8 Professional	$ 449.00	Convert docs to PDF/Security/+
TOTALS	**$1649.00 possible future expenses**	

At sometime, I will probably need a new laptop strictly for the website. Also,

Adobe Acrobat 8 provides more features than the Adobe Acrobat 7 monthly version does.

At sometime, I may decide to buy the software rather than pay a monthly fee.

Existing ASSETS
Laptop
Microsoft FrontPage
HP Printer
Shredder
Cordless Phones
Cell Phone
www.ecovenants.com\az\glendale
www.ecovenants.com\az\phoenix
www.ecovenants.com\az\tucson

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Barth, S. (2005)."Good news for the knowledge worker ".KM World, Feb2005, Vol. 14 Issue 2, p12-14, 3p. Retrieved 10/07/07 from Academic Search Premier Database.

The author, Steve Barth, is a writer who has long covered KM topics, and consults to international corporate, government and academic clients. The article focuses on evolution of desktop search, as good news for the knowledge worker. After years of undeserved obscurity, the category of desktop search has finally tipped into its own little Cambrian explosion of product announcements and major upgrades from big and small players, signaling an important evolutionary event in the history of knowledge management (KM) tools. The overwhelming majority of investment in KM technology development and implementation has been about economies of scale. This article is a good reference of companies that have used websites on the Internet to further their business.

Becerra-Fernandez, I. (2003). "Knowledge Management: Challenges, Solutions, and Technologies".(1st ed.). Prentice Hall (Pearson). ISBN: 0-13-109931-0.

Dr. Irma Becerra-Fernandez is the Knight Ridder Research Professor of Management Information Systems at Florida International University College of Business Administration, Decision Sciences and Information Systems department. This book is used in graduate-level courses in Knowledge Management and Decision Support Systems. This text book presents a multi perspective approach to knowledge management- it spans electrical engineering, artificial intelligence, information systems,

and business. Comprehensive yet clearly and concisely written, Knowledge Management is simultaneously strong in managerial, technical, and systemic aspects of knowledge management, providing students with the right combination of theory, technology, and solutions. This was the text book used in my Knowledge Management class at Regis. I felt this book was very informative and that it would be a great source of information for my thesis.

Chatzkel, J. (2003). "Knowledge Capital: How Knowledge Based Enterprises Really Get Built". Retrieved October 05, 2007 from http://www.knowledgecapitalbooks.com/Book-extract.pdf

The author, Jay Chatzkel, is Principal of Progressive Practices, a management consulting organization. He assists organizations in transforming themselves into becoming knowledge-based, intelligent enterprises. He is also is on the boards of editors of the Journal of Knowledge Management, the Journal of Knowledge Management, and the TQM Magazine. This article is an integrated, structured set of conversations with thought leaders and key practitioners in the fields of intellectual capital and knowledge management, who examine, in the form of conversations, the steps necessary for creating and implementing the various dimensions of a knowledge-based enterprise. These are the dimensions that need to be effectively addressed for the organization to successfully make the transition from an activity-based organization to a truly knowledge-based enterprise. The conversations that make up Knowledge Capital are not studies of theory separated from practice or practice without a strong theoretical base. Rather, they are the stories of how knowledge-based enterprises really get built, in the words of the people who built them. While every contributor begins from his or her own unique perspective

and background, each moves toward a convergent understanding of the core elements, perspectives, and practices involved. These systemic conversations provide a body of knowledge and experience on how to craft and implement strategies, as well as the how values, learning, performance, relationships, innovation, and change play in the development of usable knowledge environment. These explorations, together, lead to a mapping of what are quickly becoming the foundations of the next stage of the field. Knowledge Capital gives the reader a readily accessible collection of insights and experiences essential for the new era in intellectual capital and knowledge management.

Drake, M., (2005). "Joel Mokyr: Knowledge, Technology, and the Economy".

Information Today, Sep2005, Vol. 22 Issue 8, p21-23, 3p, 1bw;

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This article focuses on the position of Joel Mokyr, professor of economic history at the Northwestern University and Tel Aviv University in Israel, regarding the significance of knowledge and technology to achieve sustainable growth of the economy. A prolific writer and researcher with broad interests, Mokyr is the author of 11 books and more than 100 articles and reviews. For him, knowledge goes beyond information, science, and technology--it encompasses all forms of recorded information. Mokyr values the organization of knowledge, its classification, and cataloging. He pointed out that access costs have been steadily decreasing. This decline stimulates and advances the expansion of knowledge. Intellectual property laws and policies, in part, determine the extent of dissemination of information and ease of access to knowledge. Restrictive policies can create barriers to access and use. Mokyr does not see copyright as a barrier. However, he expressed concern about the amount of bogus information available on the

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Web. This article was good because Mokyr says that sometimes laws and policies

sometimes determine the extent of dissemination of information. I feel that this touches

on the HOA and CC&R situation where some states are required by law to have the

CC&R's available at closing during real estate transactions.

Harney, J. (2007)." Report management and mining— adding value front to back".

Retrieved October 06, 2007 from

http://www.kmworld.com/Articles/ReadArticle.aspx?ArticleID=39709

The author, John Harney, is president of ASPWatch, a consultancy focusing on

market, partner and technology strategy for ASPs (Application Service Providers).

In this recent article John Harvey states that with the evolution of the global enterprise,

data once maintained on a single system can now be captured and shared a variety of

ways and formats. John explains that report mining lets users analyze the data using

spreadsheets, databases and other conventions and functionalities. John explains that the

information being shared can now be presented in different formats such as PDF and then

redirected to various sources like content management systems. Doing this eliminates the

need for paper, film, and tape, providing a more efficient way of sharing information. I

believe centralizing CC&R's on a website is similar to what is being discussed in this

article. CC&R's may need to be converted to PDF format and centralization will

eliminate the need for paper, hardcopy mailings, and it will provide a more efficient way

of sharing information.

Ip, A., (et al). (2004)."An intelligent information infrastructure to support the

streamlining of integrated logistics workflow". Expert Systems, Jul2004, Vol. 21; Issue 3, p123-137, 15p. Retrieved 10/07/07 from Academic Search Premier Database.

One of the authors, Andrew Ip, is an associate professor in the Department of Industrial and Systems Engineering of the Hong Kong Polytechnic University. He has over 20 years of experience in industry, education and consulting. In today's competitive environment, rapid advances in economic globalization and information technology have forced many organizations to anticipate and respond to increasing volatility and competitive pressures. Numerous researches have focused on developing techniques on the analysis, design and management of whole logistics chains in particular in the domain of data mining, data analysis and data classification. While the data mining techniques and computational intelligence techniques are good independently for solving specific tasks, they can be synergized through the formation of an integrated and unified model, which can take advantage of the goods and offset the flaws of the two techniques. In this paper, an intelligent information infrastructure, which is characterized by its ability to encompass a rich collection of knowledge representation formalisms for dealing with a logistics information flow problem, is presented. Such intelligent information infrastructure includes a two-step strategy that embraces the combination of online analytical processing and neural networks to support knowledge discovery. In addition, extensible markup language is used to support the overall infrastructure, in order to facilitate the seamless data interchange within an enterprise. This article showed very good logic flow and visuals on web-based interfaces.

Kirby, A., (et al). (2006),"Examining the Significance of Housing Enclaves in the Metropolitan United States of America". Shapard Housing, Theory & Society. Vol. 23 Issue 1, p19-33, 15p. Retrieved 10/07/07 from Academic Search Premier Database.

There were several authors in this article. The authors were from the Department of Social & Behavioral Sciences, School of Natural Resources, University of Michigan, and Center for Business Research, and the Arizona State University. A significant number of Americans now live in housing that is marked by walls and in many instances by gates. While an increasing amount is written on these enclaves, relatively little research has been done on the developments themselves, the Home Owner Associations (HOA's) that run them, or their residents. This paper draws on the American Housing Survey and the Phoenix Area Social Survey to present demographic information on the housing and to indicate some of the attitudes of these homeowners. The data are used to question some popular conceptions concerning both gated communities and common interest neighborhoods, especially those relating to issues of fear and security, and to the functioning of the HOA. It is argued that it is important to continue the process of empirical research as these phenomena diffuse globally and are the focus of speculation, comment and policy development. This is an interesting article that shows how residents feel about HOA's and how CC&R play a role in the dissatisfaction.

Malhotra, Y. (2004). "Knowledge Management for the New World of Business".

Retrieved October 06, 2007 from

http://www.brint.com/km/whatis.htm

The author, Dr. Yogesh Malhotra, a Certified Information Systems Auditor (CISA), a Certified Information Systems Security Professional (CISSP), and a Chartered Engineer and Life Member of the Institution of Engineers (India), is ranked among the world's most influential knowledge management experts in scientific citation impact studies, industry panels and surveys, and, prestigious bibliographical and biographical references. Dr. Malhorta defines KM, stating that, "Knowledge management caters to the critical issues of organizational adaptation, survival, and competence in face of increasingly discontinuous environmental change. Essentially, it embodies organizational processes that seek synergistic combination of data and information processing capacity of information technologies, and the creative and innovative capacity of human beings." One of the things provided in this article that I liked was that Dr. Malhotra supplied an excellent checklist of books, magazines and web sites that business and technology managers can utilize to get up to speed on the `new' paradigm of Knowledge Management.

Murray, A.(2007)."Overcoming resistance to change". KM World. Retrieved

      October 06,   2007 from

      http://www.kmworld.com/Articles/ReadArticle.aspx?ArticleID=39710

The author, Art Murray is CEO of Applied Knowledge Sciences and co-director of the Enterprise of the Future Program at the George Washington University Institute for Knowledge and Innovation. In this current article, Murray contends that transforming a knowledge hoarding organization into an agile knowledge-sharing enterprise is not easy. I suspect this may be a problem seen when attempting to transform the many HOA's to a

knowledge (CC&Rs) sharing enterprise. Murray offers tips on how to overcome this resistance to change.

Rapoza, J. (2003)."Finding answers with self-service".eWeek; 4/21/2003, Vol. 20 Issue 16, p41. Retrieved October 06, 2007 from the Academic Premeir DB.

Jim Rapoza, Chief Technology Analyst, eWEEK. For nearly fifteen years, Jim Rapoza has evaluated products and technologies in almost every technology category for eWEEK. This article focuses on efforts to making the knowledge bases that the support staff of a website uses accessible to customer through a standard search interface on the web. This was more cost-effective and informative than telephone or e-mail solutions but was still imperfect, especially given the regular failings of standard search technology. Self-service support solutions combine search engines, knowledge management technologies and standard help desk procedures to make it possible for users to find answers to even complex questions without having to pick up the phone. Jim Rapoza gave some good tips on best practices for self-service support if you are planning on using a website to share information.

ServiceMagic.com.(2007)."At Odds With Your HOA? You're Not Alone".Video:Sept 12,2007. Retrieved October 06, 2007 from http://www.servicemagic.com/servlet/RedirectServlet?D=STATIC&targetPage=/templates/newsletter/homefront/09_2007/homefrontHome.jsp&entry_point_id=2427680&template_id=4098&todo_id=431223750&m=newsletter

This recent video by Servicemagic.com features David Lupberger, ServiceMagic.com's Home Improvement Expert, talking about the current problems residents have with HOA's. David explains how HOA's have a bad public image in the

eyes of most residents. A new ServiceMagic.com survey shows that a majority of people don't care for their Homeowners Association. David talks about the problems and what to do about it. In the survey, 69% of the residents surveyed have experienced problems with HOA's and only 29% find the HOA's acceptable. David explains that the biggest problems occur because the residents are not familiar with the Covenants, Conditions and Restrictions (CC&R's) of the HOA.

Skyrme, D. (1998). "Fact or Fad? Ten Shifts in Knowledge Management".

    Retrieved October 08, 2007 from

    http://www.skyrme.com/pubs/kmr0798.htm

    The author, David Skyrme is a strategic analyst and management consultant with extensive knowledge and experience of information and knowledge management. He blends deep analytical insights with practical management experience. Combining the skills of thinker, analyst, synthesizer, communicator, project manager and innovator, during his career he has been responsible for introducing new thinking, new products and services, new methods, and new initiatives. David publishes and presents regularly on a wide range of strategic information **issues,** including knowledge management, strategic impact of IT, innovation, networked and learning organizations, hybrid managers, market and global intelligence systems, information resources management (IRM), Internet business strategies, virtual organizations and telecommuting.

    In this article, David contends, that in just two to three years knowledge management has come a long way. It's becoming accepted and management interest in it as a potential 'Holy Grail' has encouraged much re-labeling, not just by suppliers, but by many initiatives within companies that are dealing with knowledge. David said that

beneath the fad, many companies and individuals are genuinely trying to better understand the contribution of knowledge to business success. Of course, once they get to grips with it, they find that some 90 per cent is common sense and good management practice. Also, that not a lot is new - at least if you know where to look. David contents, for each of the management functions within KM there are accepted disciplines. It's just that some of them need tweaking to deal with the intangible nature of knowledge, especially tacit knowledge. Also, what knowledge gives is a unifying perspective over many different aspects of management. So, whereas the nature of the fad is mostly re-labeling, reframing and repositioning, beneath the fad are substantive management activities. One of the thinks I found interesting in the article was the ten shifts in KM that David saw happening in the future. Many of those shifts have already occurred.

Southon, G., Todd, R. (2004). "Library and information professionals and knowledge management: conceptions, challenges and conflicts". Retrieved October 03, 2007 from http://www.alia.org.au/publishing/alj/50.3/full.text/conceptions.challe nges.html

Gray Southon is a specialist in organizational analysis working mainly in the health industry, looking at knowledge and professional perspectives. He has been involved as a student, student activist, lecturer and/or researcher in several UNSW universities, as well as in Canada and New Zealand. Dr Ross Todd is head of the Department of Information Studies in the Faculty of Humanities and Social Sciences at the University of Technology Sydney. His teaching and research focus on information

seeking behavior, with particular emphasis on cognitive information utilization, information literacy, and knowledge creation and flow.

The authors contend that the level of interest suggests that knowledge management needs to be taken seriously as an issue for information professionals and for the fields of librarianship and information science. This paper addresses the first three aims related to the information professionals' perception of knowledge management, while a subsequent paper examines the perceptions of core knowledge and skills required and the key educational implications. It is acknowledged that this research represents a snapshot in time, describing a moment in a rapidly changing and dynamic arena, from the perspective of a limited sample of library and information professionals. It is principally descriptive in nature, seeking to identify key conceptions. However, in charting the emerging perceptions of a complex discourse, it provides a rich insight into the challenges, conflicts and needs of the library and information sector as it engages with knowledge management concepts. In addition, it provides a substantive benchmark for the emerging arena, and some research directions for exploring the field.

Sveiby, K. (2001). "Knowledge Management: Lessons from the Pioneers".

   Retrieved October 06, 2007 from

   http://www.providersedge.com/docs/km_articles/KM_-

   _Lessons_from_the_Pioneers.pdf

The author, Dr. Karl-Erik Sveiby is often described as one of the "founding fathers" of Knowledge Management, having pioneered many of the fundamental concepts. In 1986 he published his first book in Swedish, called "Kunskapsföretaget". In this book, he explored how to manage the rapidly growing "Knowledge Companies".

These are organizations that had no traditional production, only the knowledge, and the creativity of their employees. It became an instant bestseller and he became the source of inspiration of the very early "Swedish movement" in knowledge management, in both research and practice. Dr. Sveiby said in his article, "Knowledge can be defined as a capacity-to-act." Dr. Sveiby also said that "Knowledge is a process. It is dynamic, personal, and distinctly different from data and information." In the mid 1980's researchers and practitioners all over the world started to be interested in the role of knowledge in business.

Dr. Sveiby founded Sveiby Knowledge Associates (SKA), a global Community of Peers, helping corporations and governments world-wide how to make their organizations better for people. SKA clients include large global industrial groups, such as ABB, Ericsson, Siemens, Motorola, Nortel, and Microsoft. Also financial services companies such as Westpac Australia or Nedcor South Africa; public sector utilities, such as Queensland Rail in Australia and China Light and Power in Hong Kong. It also included local and federal governments, such as GippsIand Shire and Department of State and Regional Development in Australia. Also including global professional services firms; such as PricewaterhouseCoopers and Deloitte Touche Tohmatsu. I felt this article was a great way to find out about KM from one of the pioneers.

Tiwana, A. (2002). "The knowledge Management Toolkit: Orchestrating IT, Strategy, and Knowledge Platforms". (2nd ed.). Prentice Hall (Pearson). ISBN: 0-13-009224-X.

Amrit Tiwana researches e-business applications of KM and teaches IS at the J. Mack Robinson Business School, Georgia State University, Atlanta. He has served as a

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columnist and contributing editor for several professional technology publications, and frequently contributes to various research and trade journals. He is author of "The Knowledge Management Toolkit" (Prentice Hall PTR). This text delivers hands-on techniques and tools for making Knowledge Management happen at your company. This text book presents KM case studies from leading companies worldwide. The text book explains how to use KM to make sure that every key decision is fully informed as you build on your existing intranet, data warehouse, and project management investments. Top researcher Amrit Tiwana walks you through the development of an enterprise KM system from start to finish, showing how every stage can serve as a foundation for later enhancements. The phases and steps outlined are: Phase I, Infrastructure evaluation, accomplished by the following steps: (1) analyzing your existing infrastructure and (2) aligning your KM and business strategies. Phase II, KM System Analysis, Design and Development encompasses steps (3) designing the knowledge management architecture and integrating existing infrastructure, (4) auditing and analyzing existing knowledge, (5) building the knowledge management team, (6) creating the knowledge management blueprint, and (7) developing the knowledge management system. Phase III System Deployment entails steps (8) deploying with "results driven "incrimination" methodology and (9) change management and cultural considerations. The final phase is Infrastructural evaluation, and is performed with the last step, 10, in the approach, which is measuring results of knowledge management, devising ROI metrics and evaluating system performance. This was the text book used in my Knowledge Management class at Regis. I felt this book was very informative and that it would be a great source of information for my thesis.

EXIBITS/ADDENDA

EXHIBIT A – CIVIL CODE SECTION

CA CIVIL CODE
SECTION 1368-1368.1

Here is the CA Civil Code section which places the responsibility on the owner (seller), before transfer:

```
1368.  (a) The owner of a separate interest, other than an owner
subject to the requirements of Section 11018.6 of the Business and
Professions Code, shall, as soon as practicable before transfer of
title to the separate interest or execution of a real property sales
contract therefore, as defined in Section 2985, provide the following
to the prospective purchaser:
   (1) A copy of the governing documents of the common interest
development, including any operating rules, and including a copy of
the association's articles of incorporation, or, if not incorporated,
a statement in writing from an authorized representative of the
association that the association is not incorporated.
   (2) If there is a restriction in the governing documents limiting
the occupancy, residency, or use of a separate interest on the basis
of age in a manner different from that provided in Section 51.3, a
statement that the restriction is only enforceable to the extent
permitted by Section 51.3 and a statement specifying the applicable
provisions of Section 51.3.
   (3) A copy of the most recent documents distributed pursuant to
Section 1365.
```

See URL for full civil code section at:
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=civ&group=01001-02000&file=1368-1368.1

Virginia Code § 55-512
Contents of association disclosure packet; other requirements:

The association shall make available to an owner or his authorized agent within 14 days after receipt of a written request therefore and receipt of the appropriate fee, an association disclosure packet, which, upon receipt, the seller shall deliver to the purchaser. The information contained in the association disclosure packet shall be current as of a date specified on the association disclosure packet An association disclosure packet shall contain the following: 12. A copy of the current declaration, the association's articles of incorporation and bylaws, and any rules and regulations or architectural guidelines adopted by the association;

See URL for full Virginia code section at:
http://law.justia.com/virginia/codes/toc5500000/55-512.html

EXHIBIT B – 2005 Zogby International
"Homeowner Satisfaction Survey"

Zogby International conducted telephone interviews in August 2005, of 801 randomly selected adults residing in homeowners associations, condominiums, cooperatives, and other planned communities—collectively called "community associations" in this summary. The margin of error is +/- 3.5 percentage points. .

General Satisfaction

Which of the following best represents the type of home you currently occupy?

Single family	65%
Condominium	17
Townhouse	14
Apartment (cooperative)	2
Other (mobile home, duplex)	2

On a scale of one to five, with one being very bad and five being very good, how would you rate your overall experience living in a community association?

1 Very bad	5%			
2	5	Negative	(1 + 2)	10%
3	19			
4	32	Positive	(4 + 5)	71%
5 Very good	39			

Have you ever brought a complaint about another member to the association board or the manager?

Yes	23%
No	77

Asked of those who brought a complaint to the association: How was it resolved on your behalf?

Very satisfactorily	42%
Somewhat satisfactorily	30
Somewhat unsatisfactorily	8
Very unsatisfactorily	16
Not sure	4

Have you ever been the subject of a complaint by another member?

Yes	14%
No	85
Not sure	1

Asked of those who had been a subject of complaint: How was it resolved on your behalf?

Very satisfactorily	49%
Somewhat satisfactorily	27
Somewhat unsatisfactorily	5
Very unsatisfactorily	11
Not sure	8

Entire survey can be seen at: http://www.cairf.org/research/survey_homeowner.aspx

EXHIBIT C – INTERNET WEBSITE
http://www.ecovenants.com/

Address http://www.ecovenants.com/az/phoenix/

::: ECOVENANTS.COM

CENTRALIZED COVENANTS

eCov™ Homeowner Association Covenants, Conditions & Restrictions (CC&R's)

Home 1 About Us 1 Join Us 1 Contact Us 1 Advertise your website

Conditions, Restrictions, and Covenants for HOA's in Phoenix, Arizona

Sponsors

RENTING ARIZONA

FREEMAN MORTGAGE CO.

COPPER BELL Title Company

Your Land Realty

Adobe acrobat reader download or upgrade here

Right click file, 'Save Target As' to your local file.

City of Phoenix Neighborhood Maps

Arabian Views
Arizona Hillcrest
Arrowhead Sunrise
Barclay Place
Boulder Mountain
Campo Bello Gardens
College Point
Country Estates
Cypress Gardens
Desert Gardens
Devonshire Estates
Eagle Hills
Flynn Lane Biltmore
Greenfield
Heather Ridge
Hyland Estates
Images
La Jolla
Lakebrook Villas
Lockwood Estates
Los Blancos
Los Escondidos
Madison Meadows
Mission Village
Moon Mountain
Northridge Village
Northtown
Orange Tree
Parklane
Pinnacle Vista
Pueblo Hermoso
Raintree Gardens
Rancho Alta Vida
Redhawk
Riordan Ranch
Seven Palms
Sonoran Hills

Sponsors

COLDWELL BANKER
RESIDENTIAL BROKERAGE

Jim Greyland
J&M SECURITIES
Real Estate Attorney

Valley Properties
RURAL HOMEOWNERS
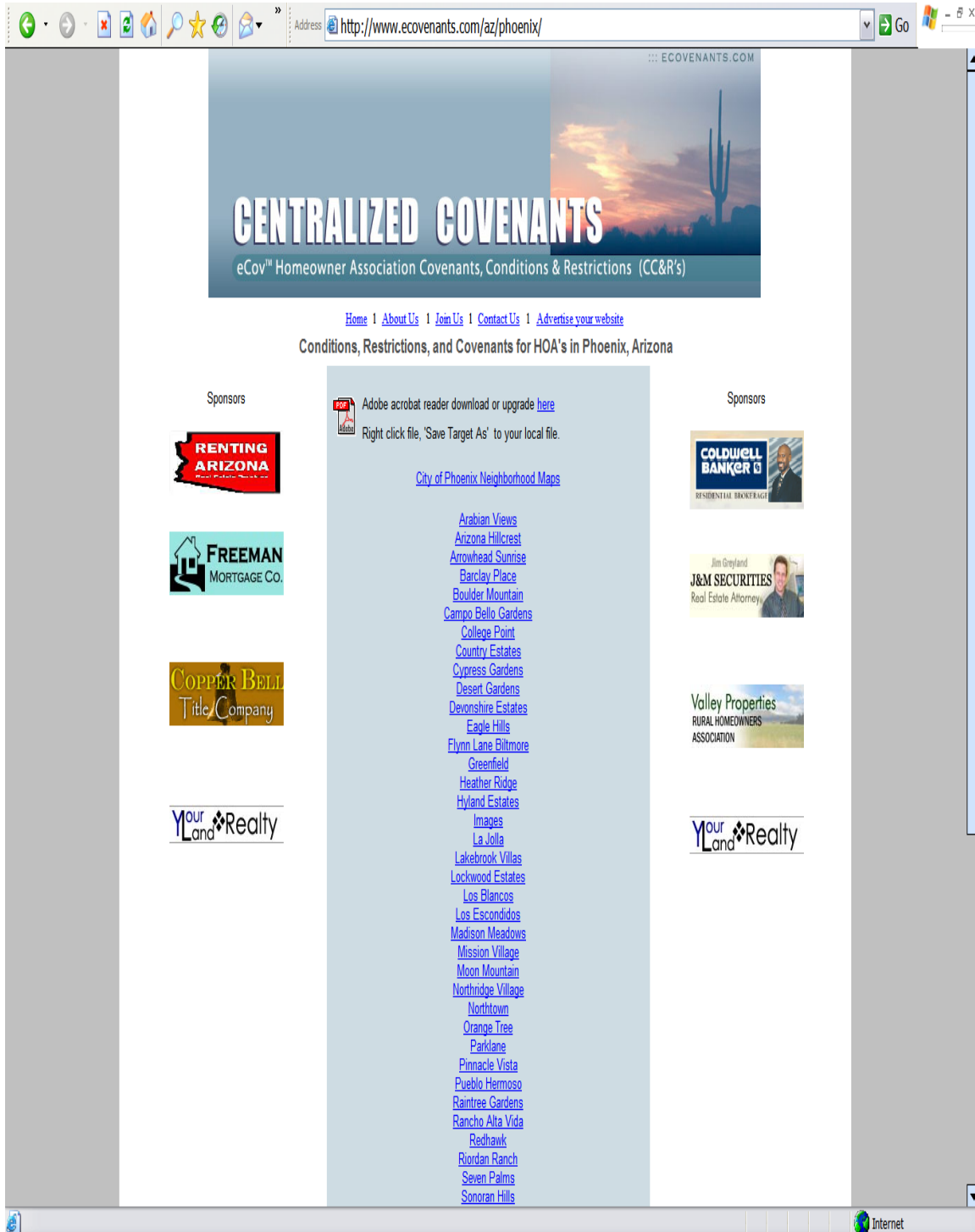ASSOCIATION

Your Land Realty

Internet

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EXHIBIT D – SAMPLE CC&R

THIS IS HOW YOUR CC&R's WILL APPEAR
SAMPLE FOR DISPLAY PURPOSES ONLY

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

FOR SAMPLE PLACE

THIS DECLARATION made this _____ day of _____, 2006, by _____ (SAMPLE PLACE), ("Declarant").

RECITALS

1. WHEREAS, Declarant is the owner of the real property described in Exhibit "A" attached hereto and by this reference incorporated herein as the "Property", and desires to {create restore or enhance} thereon wetlands to be maintained in accordance with the Permit Number approved by the Someplace Department of State Lands ("Department");

2. WHEREAS, Declarant desires to provide for the preservation and enhancement of the wetland values of the Property and for the maintenance and management of the Property

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EXHIBIT E – 2006 FCAR "Association-Governed Communities"

National Statistics

Estimated number of U.S. association-governed communities and individual housing units and residents within those communities:

Year	Communities	Housing Units	Residents
1970	10,000	701,000	2.1 million
1980	36,000	3.6 million	9.6 million
1990	130,000	11.6 million	29.6 million
2000	222,500	17.8 million	45.2 million
2002	240,000	19.2 million	48.0 million
2004	260,000	20.8 million	51.8 million
2005	274,000	22.2 million	54.6 million
2006	286,000	23.1 million	57.0 million

Association-governed communities include homeowners associations, condominiums, cooperatives and other planned communities. Homeowners associations and other planned communities account for 52-55% of the totals above, condominiums for 38-42% and cooperatives for 5-7%. These are estimates based on U.S. Census publications, American Housing Survey (AHS), IRS Statistics of Income Reports, California and Florida state specific information, related association industry trade groups, and collaboration with industry professionals.

Foundation for Community Association Research (FCAR).(2007)."National

Statistics".Retrieved November 17, 2007 from

http://www.caionline.org/about/facts.cfm
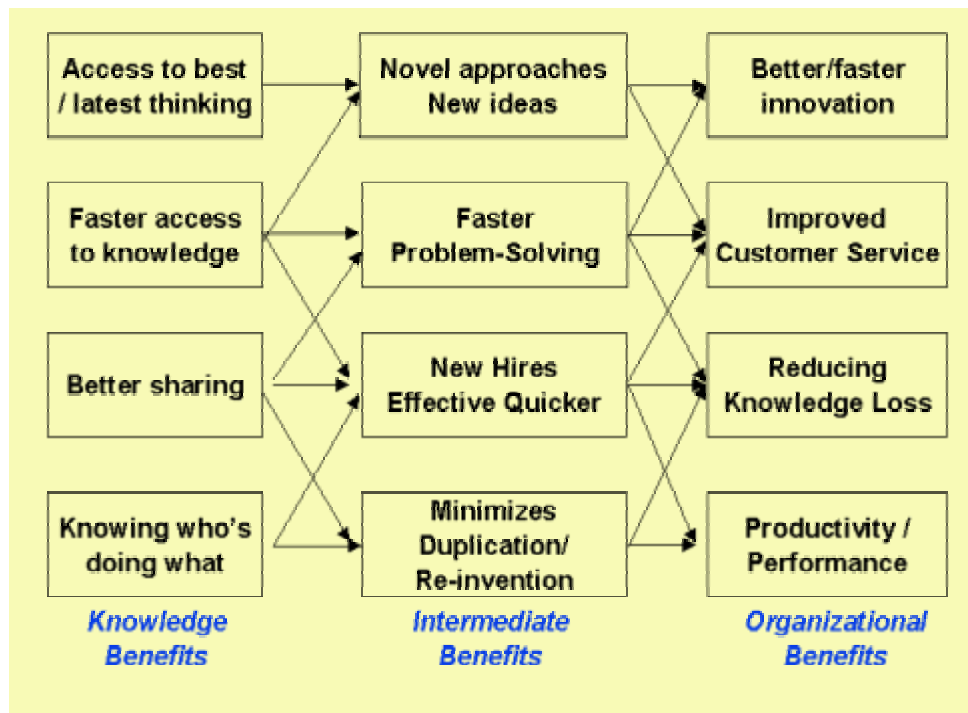
EXHIBIT F– BENEFITS TREE

EXHIBIT G – Associate Broker and HOA Resident Review

=================== **Associate Broker Review** ===================
November 29, 2007

Mr. Ochoa,
http://www.ecovenants.com is an extremely easy to use website, and an important part of the due diligence in buying a home in today's market. Buyer need to be aware of the financial stability of the association they are buying into, as well as all the requirements and restrictions. Seller can also use this site to find out if there is a time table on building in new subdivision, or if there is a fee for selling their home in a subdivision, an exit charge.   Recently a Phoenix's attorney brought a anti trust law suite against an association for not allowing real estate signs in a sub-division, this went to the Arizona Supreme court and through a summary Judgment the court decided if an association has a sales office and does not allow real estate signs up, they are competing, signs must be allowed. This website will be go national and become a required standard of practice of all professional. Every week I hear of associations in litigation that are not being disclosed to the public. What will happen in 2010 when the FEMA completes all the New Flood Maps for Arizona?

I look forward to using your site.

Jerry Marbury Associate Broker
Member of Tucson Association of Realtors
Member of Arizona Association of Realtors
Member of National Association of Realtors

=================== **HOA Resident Review** ===================
February 22, 2008

To Whom It May Concern:

The website **http://www.ecovenants.com** would be a VERY helpful website for everyone in my neighborhood. I recently had some work done in my yard, and needed HOA approval. I could not find the HOA CC&Rs anywhere to review the restrictions. I could NOT find a phone number to my HOA anywhere. I found the address, but that's it. FINALLY I found an email address and requested a phone number to talk to someone. A day or two later, I was given a phone number. I contacted the HOA managers and was told that in order to get a copy of the CC&Rs I would have to pay a $20 fee and wait for them to be sent. This was another 3 day wait, at the least. I needed to have the work done right away due to the contractor's time schedule. Having a centralized website where users could immediately download this info would save ALOT of time and frustration.

Thank You,
Priscilla Ochoa - Residential Homeowner

EXHIBIT H– RIGHTS AND RESPONSIBILITIES FOR BETTER COMMUNITIES BY CAI

Homeowners Have the Right To:

1. A responsive and competent community association.
2. Honest, fair and respectful treatment by community leaders and managers.
3. Participate in governing the community association by attending meetings, serving on committees and standing for election.
4. Access appropriate association books and records.
5. Prudent expenditure of fees and other assessments.
6. Live in a community where the property is maintained according to established standards.
7. Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
8. Receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
9. Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

Homeowners Have the Responsibility To:

1. Read and comply with the governing documents of the community.
2. Maintain their property according to established standards.
3. Treat association leaders honestly and with respect.
4. Vote in community elections and on other issues.
5. Pay association assessments and charges on time.
6. Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
7. Request reconsideration of material decisions that personally affect them.
8. Provide current contact information to association leaders or managers to help ensure they receive information from the community.
9. Ensure that those who reside on their property (e.g., tenants, relatives, and friends) adhere to all rules and regulations.

Community Leaders Have the Responsibility To:

1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
2. Exercise sound business judgment and follow established management practices.
3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
4. Understand the association's governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.
5. Establish committees or use other methods to obtain input from owners and non-owner residents.
6. Conduct open, fair and well-publicized elections.
7. Welcome and educate new members of the community—owners and non-owner residents alike.
8. Encourage input from residents on issues affecting them personally and the community as a whole.
9. Encourage events that foster neighborliness and a sense of community.
10. Conduct business in a transparent manner when feasible and appropriate.
11. Allow homeowners access to appropriate community records, when requested.
12. Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.

Community Associations Institute (CAI) is a national organization dedicated to fostering vibrant, responsive, competent community associations. Founded in 1973, CAI represents association-governed communities, such as condominium and homeowner associations, cooperatives, and planned communities.

To view the entire PDF from CAI, please go to: http://www.caionline.org/rightsandresponsibilities/rights.pdf

EXHIBIT I–Examples of recent articles/forums/blogs that show the problems being faced between HOA's and residents:

City-Data.com.(2007)."Tucson City Forum". Retrieved January 11, 2008 from http://www.city-data.com/forum/tucson/125447-help-contenintal-ranch-hoa-bully.html

Divilio, D.(2007). "HOA, homeowner back away from shed dispute". The Daily Times. Retrieved December 6, 2007 from http://www.delmarvanow.com/apps/pbcs.dll/article?AID=/20071206/DCP01/712060380/1058/DCP

Frost, J. (2007). "Pink beach house owner vs. neighbors". Sun News. Retrieved December 13, 2007 from http://www.charlotte.com/breaking_news/story/403854.html

Grimm, B.(2007)."Getting Relief in Small Claims Court". California Condo & HOA Law. Retrieved January 11, 2008 from http://www.communityassociations.net/cacondoguru/archives/general_legal_issues/

Herreras, M.(2007). "No Food for You". Tucson Weekly. Retrieved January 11, 2007 from http://www.tucsonweekly.com/gbase/Currents/Content?oid=oid%3A104211

Jackson, J.(2007). "May we rid ourselves of that modern scourge of humankind called Homeowners Associations". AHRC News Service. Retrieved January 13, 2008 from http://www.ahrc.com/new/index.php/src/news/sub/article/action/ShowMedia/id/4092

Jun, Teresa.(2007)."Home Owners Association Debate". KOLD News 13. Retrieved November 15, 2007 from http://kold.com/Global/story.asp?s=7367087

KPHO.com. (2007). "Legislature Approves H.O.A. Complaint Bill". Retrieved January 12, 2008 from http://www.kpho.com/hoasandyou/9586669/detail.html

Parkridge Condos Blog. (2007). "Absurd Notices of Violation of the CC&Rs". Retreived January 11, 2008 from http://parkridgecondos.blogspot.com/2007/04/obserd-notices-of-vviolation-of-cc.html

Walshak, L. (2008). "Homeowners association rights abused & abridged". The Daily Court. Retrieved January 11, 2008 from http://www.lwvhouston.org/VoterNewsletter/Jan08.pdf

Woodside, C.(2007). "Drawing a Line on Outdoor Clothes Drying". New York Times. Retrieved December 2, 2007 from

http://www.nytimes.com/2007/12/02/nyregion/nyregionspecial2/02clotheslinect.h
tml

Evidence seems to show that if the CC&R's were readily available and at no charge, some of the problems with residents not following the restrictions might be avoided.

EXHIBIT K - STORYBOARD OF WEBSITE

EXHIBIT L - FIRST PROTOTYPE OF WEBSITE

Centralized Convenants

For Real Estate Brokers, HOA Administrators, and residents of HOA communities in Longmont, CO

raochoa@comcast.net

Home Owner Association Communities:

- BERTHOUD LAKES RANCHETTES
- BERTHOUD ESTATES HOMEOWNERS' ASSOCIATION, INC.
- THE BERTHOUD ESTATES COMMUNITY ASSOCIATION
-
- IDAHO CREEK HOMEOWNERS ASSOCIATION, INC.
-

SUBMIT MAILFORM

View Address List | **Join Address List**

View Guest Book | **Sign Guest Book**

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