

## Tenants . . . In Common

By: MATT D. OBER

As the title of this article suggests, whether an owner or a renter of a community association property, we are all tenants in common. Not in any legal sense but as residents of a community living in close proximity to one another and sharing the use of the common property.

As a rule, community associations look upon renters as second class citizens. How often have you heard "Oh, they're renters." Renters are often disregarded until their conduct sets off a firestorm of controversy and a corresponding list of fines for the owner. What usually follows is a period of mounting anger, frustration and legal fees to compel the owner to bring his tenant into compliance with the governing documents.

Ultimately, the off-site owner is responsible for activities taking place on his property, which would include his tenant's conduct. But it is those of you living on the property or managing that property that is affected by the tenants' day-to-day activities. While a tenant living in conformity with a community's rules appears no different than the owner next door, the tenant living in complete disregard for the community and its rules can become a living nightmare. This author suggests that a bit of effective communication, starting from the beginning of a tenant's occupancy, may soothe the savage beast. Here are a few suggestions.

### Welcome Packet:

Consider providing each renter with a welcome packet that explains the nature of a community association as one governed by rules of conduct. Welcome the renter to the community and make them feel a part of the community. Include in the packet a copy of the rules, a list of pertinent phone numbers, and any other information that a productive community member would find helpful or

informative. Also include the Association's fine policy and any other information that explains the consequences of rule violations.

### Community Newsletter:

If you already publish a newsletter for your community members, consider broadening its distribution to tenants or its scope to include tenants' issues. Consider having tenant input in your newsletter, or inviting a tenant to work on the newsletter. Since a newsletter should not have any confidential or sensitive material in it, there should be no problem including tenants in this great community communication tool.

### Tenants Committee:

If your residents are involved in your community, you increase the number of opportunities for effective communication. If your community has a large number of renters, or if there are issues that are truly unique to renters, consider forming a tenants committee to provide input to the Board. Since non-owners should not be present at Board or Owner meetings, have a board member sit on that committee who can report back to the entire Board and serve a liaison between the tenants committee and the Board. This is an excellent way to communicate new rules and procedures to non-owners and ensure greater compliance. Other ways to involve tenants is by appointing them to purely social or community based committees.



Of course, along with the above, all communities should develop some form of community dispute resolution procedure.

Owners and renters alike must feel they each have a personal stake in enhancing the quality of life in their community. Whether owner-to-owner or owner-to-renter, neighbors must be encouraged to resolve their disputes to achieve the quickest solution at the least economic and emotional cost to the community. After all, peaceful coexistence is in everyone's best interest.

---

Matt Ober is a Partner of Richardson & Harman, PC providing legal service to community associations throughout Southern California.

© All Rights Reserved