

The Victoria Park Times

The official neighborhood newsletter of the Victoria Park Civic Association

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VICTORIA PARK

HOA or Civic ASSOCIATION?

By Jonathan Silver, Esq.

Civic Associations and Homeowners Associations: How do they Differ?

We are all grateful for the improvements to our neighborhood that have been accomplished by the Victoria Park Civic Association such as the rezoning of our elementary school (Victoria Park children now have the option of attending Virginia Shuman Young or Harbordale Elementary). Their countless successes led me to contemplate what is a civic association and how does it compare to a homeowners association ("HOA"). Although many of us are members of both of these types of associations, these two entities have different purposes and goals.

The City of Fort Lauderdale currently recognizes approximately fifty-nine neighborhood civic associations, the Victoria Park Civic Association being the largest and most active one, and there are hundreds of HOAs. A civic association represents a large body of residents' (owners and renters) opinions which may be a powerful voice heard by town officials, local businesses and city or county government. Civic associations may regularly express their positions about community affairs and appear before local government bodies, including school boards, planning commissions, and city and county boards about community affairs.

Common goals for civic associations frequently include addressing particular neighborhood concerns such as safety, zoning, recreation, trash collections, as well as organizing and implementing improvement projects for the neighborhood. In comparison, a HOAs main purpose is to

maintain and repair the common elements and property of a community which may include common lobbies, courtyards, hallways, recreational facilities and driveways. These common areas are deeded to, and thus owned by a HOA, while most civic associations do not own property in their district.

Although both civic associations and HOAs are incorporated entities, unlike membership in a HOA which is mandatory by way of the restriction on the homeowner's property deed, civic association membership is voluntary. Most notably, HOAs may be permitted to impose fines which may become a lien on the homeowner's property and even remove access to the HOA's shared amenities because of nonpayment of dues. In contrast, a civic association does not require mandatory dues nor does it have enforcement authority. Civic associations and HOAs both serve an important function in our community and each play a valuable role in the enhancement of our community. ■



Jonathan Silver is a Victoria Park resident and member of the Victoria Park Civic Association. Jonathan is an attorney in Becker & Paliakoff's Construction Litigation Group. He can be contacted at jsilver@beckerlawyers.com.