

The Homes Association Handbook

The following is based on a review.^[6] of the Handbook (TB#50) , and from sections of Privatopia, and Community Associations.^[7] a book funded in part by ULI and CAI. The origins of how this came to be here in America, the bastion of democracy, can be traced back to the Urban Land Institute's (ULI), Technical Bulletin #50, The Homes Association Handbook (1964) that was prepared and supported by the real estate special interests, and aided by federal agencies. Those agencies included the Federal Housing Administration, US Public Health Service, Office of Civil Defense, and Urban Renewal Administration. ULI was formed in 1936 as a research division of what is now known as the National Realtor Association).

This quiet acceptance of homeowners associations was accomplished by the mass merchandising of the planned community model by entities with a strong business profit-making motive, who published and distributed TB#50 as the tool to overcome any objections by the public, the real estate agents, the mortgage companies, the state legislatures and the local planning boards. TB#50 had something to say on how to sell the concept of HOAs to everybody. And it accomplished this task in a typical business marketing and promotional plan that had answers to the legal concerns, the operation of the HOAs, the physical infrastructure and amenities of the planned communities, down to how to select the right people from the homeowners in order to properly run the homeowners association. All in such a way as not to disturb the profit picture for the developer, or mortgage company, and in a way that mandated the loss of homeowner fundamental rights and freedoms by means of an unconscionable adhesion contract, the Declaration. The need for state legislation in order to make the planned community model viable was stressed in TB#50.

Over the 42 years since the publication of The Homes Association Handbook, it has become the "bible" for the mass merchandising of planned communities with the accompanying affect on American society, its values and the loss of individual property rights, and the loss of fundamental rights and freedoms upon

which this country was founded. The Handbook was supported by several federal agencies and real estate interests, and continues to be supported by these same entities along with state legislatures and local municipalities, with the same apparent disdain for the protection of American liberties and freedoms.

The effects of this 1964 guide to the selling of planned communities to the public, the media, and the legislatures can still be seen today with several states having adopted a UCIOA (Uniform Common Interest Ownership Act) law, or are considering the adoption of such a law. UCIOA can be seen as the extension of the premises and protection of business interests, made into law. The repeated calls by homeowner rights advocates for a Bill of Rights, due process and the equal application of the laws protections, as all governmental bodies are held, remains shockingly absent from all versions of UCIOA.