



ONLY
VIOLATORS
WILL BE TOWED

Board Education Series

HOA Parking Policies

Parking Policies in the HOA

Since parking is one of the hottest issues in HOA-governed communities, it's important that parking policies are clearly spelled out in the association's CC&Rs. All expectations should be clearly defined so that the rules are not open for interpretation and the homeowner can clearly determine what is expected, leaving both you and the homeowners happy and informed.

Some examples of restrictions that should be defined in the HOA parking policy include:

1. Which types of vehicles are allowed (commercial, personal, recreational, etc.).
2. Which types of vehicles are not allowed (broken-down vehicles, larger RV's, etc.).
3. Where homeowners may and may not park.
4. How long vehicles may be parked in one spot.
5. During which hours vehicles may park in certain spaces.

These restrictions should also include specific language regarding overnight parking since "overnight" is objective, not subjective. While some may assume nighttime hours are, say, from 10 p.m. to 5 a.m., others may assume nighttime hours are whenever it's dark outside, or any other hours during the night! Overnight parking limits are also a tricky issue because, who is to say how long a car has been parked, unless there is someone dedicated to watching the community streets and parking lots during certain hours. For instance, a homeowner may say that they parked from 10 p.m. to 12 a.m., then left and came back from 3 a.m. to 5 a.m.

The definition of "overnight" is largely up to each individual HOA to define in their CC&Rs. Clear, concise definitions of what "overnight parking" means in your community will avoid any confusion for residents. For example, "No parking on streets any time between the hours of 10:00 p.m. and 5:00 a.m." is specific, clearly defined, and easy to understand.

Be Clear About HOA Parking

The rules should not only state where cars cannot park, but where they can park, as well as what types of vehicles are/aren't allowed. The CC&Rs should also lay out which steps homeowners should take in order to secure parking for guests, whether that be securing a guest parking pass or registering the visiting car with the HOA or management company.

Note: The rules should also clearly state where guests are expected to park their vehicles. Additionally, if curbside parking isn't allowed, ensure that there is clear signage to indicate where homeowners and guests can park so they can follow the rules.

Parking restrictions should also include specific language regarding overnight parking because homeowners may have different ideas about what "overnight" means, so it's largely up to each individual HOA to clearly define it in their CC&Rs.

Communicate with Residents

If your community has rules around parking but hasn't enforced them, don't just start enforcing them without notifying homeowners. There is no faster way to upset residents than to suddenly change the way things work without communicating beforehand. Send out communication sharing the upcoming enforcement changes and the reasons why. If you notice a homeowner periodically or chronically violating the rules, chat with them. Chances are they aren't aware of your community's parking restrictions. Addressing these issues in a non-confrontational manner is a great way to defuse any potential problems.

Towing

Towing can be expensive and can complicate board-homeowner relationships, so consider all options before proceeding! That said – it might be your best option if you have a resident who continues to violate the rules even after they have been notified. Just make sure all no-parking areas are clearly marked and that the tow truck company posts visible signage so people know where to find their car. However, in order to legally tow a vehicle, the HOA must:

1. Give prior notice to the homeowner of parking restrictions being violated.
2. Provide written authorization for the tow to verify to the towing operator that the person requesting the tow has the proper authority to do so.
3. Report the tow to both the owner and local traffic law enforcement agency.

Though parking enforcement is often a sticky issue for homeowners in HOA communities, open communication and clearly defined rules will help to considerably cut down on resident confusion and contention. If you need help managing parking violations in your community, we at **Your HOA Community Management** are here to help.

To learn more, or to access other documents, please visit: www.yourhoahelp.com/board-members