

States with Ombudsman Offices

State	Duties of Ombudsman	Funding for the Office of Ombudsman
<p>Delaware 29 Del.C. § 2544</p> <ul style="list-style-type: none"> ❖ Appointed by the Attorney General. ❖ Member of the state bar and have practiced law in Delaware for 5 years. 	<ul style="list-style-type: none"> • Assist members of the Common Interest Communities to understand their rights and responsibilities and the processes available to them according to the law, regulations, and their governing documents. • Does not provide legal advice or legal interpretations. The Office can only provide general, nonbinding explanations of laws concerning the types of documents and regulations that govern common interest communities. • Prepare, publish and make available on request, educational and reference material about common interest communities, in print and on the Ombudsperson’s website. • Provide a template of reasonable procedures for community associations to use internally to resolve complaints with unit owners and other interested parties. The act requires community associations to have an internal dispute resolution process or to use the Ombudsperson’s process. • Review the denial of a complaint that was first submitted to an internal dispute resolution process. The Ombudsperson will review a complaint: (1) to determine compliance with law; (2) for investigation in an appropriate case; and (3) if appropriate, offer meetings, conciliation, mediation or other forms of alternative dispute resolution. • Investigate and refer meritorious allegations of violations of existing law to other sections of the Attorney General’s Office or another appropriate law enforcement agency. • Provide alternative dispute resolution (ADR) such as meetings or conciliation, mediation, or arbitration, to members of the common interest community before or after first using the informal complaint procedure. ADR can proceed only with the consent of all parties. • Develop and publicize procedures intended to result in fair elections of members and officers of Community Associations. 	

	<ul style="list-style-type: none"> • Provide election services such as election monitors and vote counting (fee required). 	
<p>Florida</p> <ul style="list-style-type: none"> ❖ Appointed by the Governor. ❖ Must be an attorney admitted to practice before the Florida Supreme Court. 	<ul style="list-style-type: none"> • FL ST 718.5012 (powers and duties) • Prepare and issue reports and recommendations. • Act as liaison between the division, unit owners, boards of directors, board members, community association managers, and other affected parties. • Develop policies and procedures to assist unit owners, boards of directors, board members, community association managers, and other affected parties to understand their rights and responsibilities. • Coordinate and assist in the preparation and adoption of educational and reference material, and shall endeavor to coordinate with private or volunteer providers of these services, so that the availability of these resources is made known to the largest possible audience. • Monitor and review procedures and disputes concerning condominium elections or meetings, including, but not limited to, recommending that the division pursue enforcement action in any manner where there is reasonable cause to believe that election misconduct has occurred. • Make recommendations to the division for changes in rules and procedures for the filing, investigation, and resolution of complaints filed by unit owners, associations, and managers. • Provide resources to assist members of boards of directors and officers of associations to carry out their powers and duties consistent with this chapter, division rules, and the condominium documents governing the association. • Assist with dispute resolution. 	<p>Funded by the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund.</p>
<p>Nevada</p> <ul style="list-style-type: none"> ❖ Appointed by the Administrator. ❖ Must be qualified by training and 	<ul style="list-style-type: none"> • NRS 116.625 • Assist in processing claims submitted to mediation or arbitration. • Assist owners in common-interest communities and condominium hotels to understand their rights and responsibilities. 	<ul style="list-style-type: none"> • NRS 116.31155 • Fees are imposed on the associations of no more than \$3 per unit for the actual costs of administering the Office of the Ombudsman.

<p>experience to perform the duties and functions of office.</p>	<ul style="list-style-type: none"> • Assist members of executive boards and officers of associations to carry out their duties. • When appropriate, investigate disputes and assist in resolving disputes. • Compile and maintain a registration of each association organized within the State. 	
<p>Virginia subsection C of § 55-530 of the Code of Virginia.</p> <ul style="list-style-type: none"> ❖ Appointed by the Common Interest Community Board. ❖ Must be a Member of the Virginia Bar. 	<ul style="list-style-type: none"> • Assist members in understanding and exercising their rights in resolving issues with their common interest community associations. • Issue non-binding explanations (not interpretations) of laws and regulations governing associations. • Offer referrals to alternative dispute resolution services. • Assist members in using the procedures and processes available to them in their association to resolve conflicts within the community. • Receive complaints concerning timeshares, and refer potential violations of timeshare law or regulations to the Common Interest Community Board for further action as warranted. • Receive “notices of final adverse decisions” from individuals who believe an association violated common interest community laws or regulations. • Offer legal advice or interpretation. • Interpret association documents such as governing documents and bylaws. 	<ul style="list-style-type: none"> • § 54.1-303 • The expenses for the operations of the Office of the Common Interest Community Ombudsman, including the compensation paid to the Ombudsman, shall be paid first from interest earned on deposits constituting the fund and the balance from the moneys collected annually in the fund.