

**A FIELD GUIDE FOR BOARD MEMBERS**  
***Posting Names Of Delinquent Homeowners***

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*This marks the twelfth installment in a series for board members about commonly faced questions and issues. Many of these challenges require a combination of legal, political and practical solutions. Hopefully these articles will be useful for board members in determining what is in the best interest of the association.*

I am often asked by board members if they should publicly post the names of delinquent homeowners or publish them in the association newsletter. While I sympathize with the sentiment, there are several reasons it is a bad idea.

1. Mistakes can happen. A homeowner may be current in paying for their assessments, but for some reason it was not recorded properly. In this situation the homeowner could have a claim for libel against the association and the board members. To compound the problem, many association insurance policies will not cover a claim for libel, which means the board members' personal assets may be at risk.
2. The psychology that creates intentionally not paying and letting neighbors shoulder your financial obligation is the same psychology that would not be as affected by public humiliation. So even if there were no legal risks, there is a good chance that exposing delinquent homeowners to the community would not have the desired effect.
3. In the less common circumstance when a homeowner actually can't afford to pay the association, or make payment arrangements, they would experience unnecessary shame and embarrassment.
4. There are also privacy and security issues regarding the publishing of names without the owner's permission. For instance, the delinquent homeowner could be harassed, or even physically harmed, by other residents.

If the association is going to publish or post a list, it should only be a list of those addresses (not owners' names...for privacy) that are current in payment of assessments. The purpose of such a list is only for the purpose of knowing who is eligible to vote and use the common areas.