



CARPENTER HAZLEWOOD

E-NEWSLETTER DECEMBER 11, 2009

## Is Fairness an Appropriate Goal in Community Associations?

Scott B. Carpenter, Esq.

We are often asked to provide legal advice where we get the sense that the real question is, "What is the fair outcome?" A common context within which this question arises is with respect to whether a particular association expense should be borne by all homeowners equally or pushed through directly to the homeowner at fault or who benefitted (such as a homeowner who runs their car into the common area and damages the playground equipment). The legal answer to this question is often complex and depends on a number of variables. This week's e-newsletter is a link to an essay available on the firm's website that explores this topic in depth. It departs from our typical e-newsletter in that it provides an overview of the problem and points out the inherent problems and challenges faced by community associations in this situation. We hope the essay is thought provoking and interesting.

[Click here to access the essay.](#)