



Association homeowners know a lot about bullying – especially the bullying on blogs, NextDoor, and Facebook.

Bullying and harassment have become so widespread that HUD – the federal agency that oversees housing– has issued regulations to try and stop it. Victims of bullying and harassment are also filing lawsuits against bullies.

Victims are also filing complaints with the Department of Fair Employment and Housing (DFEH) to stop bullying by board directors, property managers, and vendors including association lawyers.

A lot of bullying is done during elections through social media and blogs.

One Santa Clara owner – running for a board seat – was bullied on the HOA's NextDoor site run by a board director. After the posts were published, she got a letter signed by three board directors telling her she was “an unsuitable candidate” for a board seat and it would be best if she withdrew her nomination. The posts on social media continued for weeks. Exhausted by the abuse, she finally withdrew.

This is just ONE of the incidents that moved Senator Wieckowski to author SB323.

CCHAL readers will also remember the 2018 case filed in federal court – ***Clark v Hidden Valley*** – that resulted in a Lake County HOA having to pay \$2 million in damages for using NextDoor and Facebook to vilify a former employee. A jury awarded the damages after deciding the association's postings on social media resulted in defamation of character, invasion of privacy, and emotional distress.

Sometimes boards just use their “bully pulpit” to intimidate owners, that is, the fact that they control the agenda – and the microphone – at public meetings. Homeowners get called all kinds of names: “troublemakers,” “dissidents,” and “malcontents.”

One Tuolumne County owner told Senator Wieckowski that his board instituted smear campaigns against owners deemed to be “troublemakers” or “dissidents” or “malcontents.” When homeowners signed a petition to recall the board, its president read aloud at a public meeting the names of all the owners who endorsed the recall as a means of humiliating them. The board also levied a special assessment against the homeowners who signed the petition “to cover legal expenses,” said the president.

Homeowners who think they are victims of bullying and harassment can file a complaint with HUD or with DFEH.

They should expect pushback from HOA lawyers though. The Adams Stirling website says only “vexatious” homeowners will use the new HUD regulations -- not to protect themselves from bullying – but to harass the board itself.

Adams Stirling also puts little faith in DFEH to process homeowner complaints, saying that more often than not, “investigators working for the DFEH are more often than not advocates for the person filing a complaint.”

Bottom line: Adams Stirling says “**This intrusion by the federal government into the affairs of homeowners associations is unprecedented,**” a statement confirming to an alarming degree how little this legal advisor to California associations knows about fair housing laws.

If you think you have been the victim of bullying and harassment by a property manager, neighbor, the HOA board itself, or one of its vendors, including its law firm, file a complaint here: <https://www.dfeh.ca.gov/complaint-process/file-a-complaint/>

The law firm that represented the victim of bullying in **Clark v Hidden Valley** was Victor C. Thuesen of Petaluma.

More sources of information on bullying are two nonprofits:

- The Stop Bullying Coalition (Stopbullyingcoalition.org) and
- The Workplace Bullying Institute (workplacebullying.org)

The Institute is holding its next training in February in San Francisco.

"Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government..."

--Declaration of Independence, July 4, 1776

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