

Writing a Privacy Policy for Your Homeowners Association

by Jeffrey C. O'Brien, Lommen Abdo Cole King & Stageberg, P.A.

Homeowners associations and their management companies collect and deal with a lot of personal information about residents of the community in the ordinary course of carrying out their duties. What steps, if any, should be taken to protect that information and prevent its wrongful use?

Most organizations address the collection and use of personal data through the adoption of a written privacy policy. A privacy policy is a statement or a legal document that discloses some, or all of the ways in which an organization gathers, uses, discloses and manages a customer or client's data. In the CIC context, personal information could be a resident's name, address,

date of birth, marital status, contact information, payment history, or violations history. An association may also collect information on lease arrangements. For example, if access to common amenities is gained by a key or key card, the association may keep the term of the lease on file so a tenant's access can be restricted following termination of the lease.

A privacy policy is often a statement that declares a party's policy on how it collects, stores, and releases the personal information it collects. It informs the client what specific information is collected, and whether it is kept confidential, shared with partners, or sold to other firms or enterprises.

In the United States, while no generally applicable law exists, some federal laws govern privacy policies in specific circumstances, such as:

- The Children's Online Privacy Protection Act (COPPA) affects websites that knowingly collect information about or targets children under the age of 13.
- The Gramm-Leach-Bliley Act requires that institutions "significantly engaged" in financial activities give "clear,



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of your online document by scanning the beginning of each paragraph. This often means paragraphs of only one or two sentences. Use the word count feature on your word processor. If the paragraph is 50 words or more, consider an edit.

(The paragraph you just read, at 50 words, is about the right length for the web.)

4. Use numbered lists and bullet points.

In addition to your readers' time constraints, it is physically more difficult to read a screen than it is to read print. Like shorter paragraphs, lists and bullets make scanning the page easier.

5. Emphasize important text.

Using bold text is another way to ensure that, if you do have a long paragraph or block of text, certain phrases stand out and aren't skipped over. Your main point will be evident at a glance.

6. Take advantage of hyperlinks.

Using links allows you to keep items brief while providing greater information should readers desire something more in-depth.

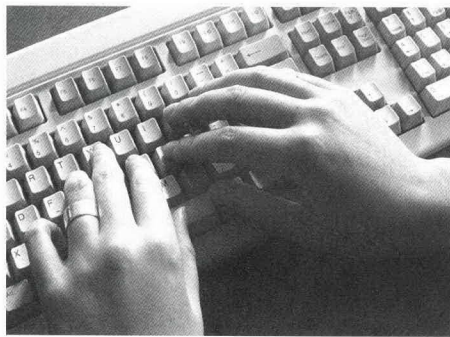
And like bold text, our eyes are drawn to hyperlinks when they appear different from

the rest of the text. Plus, providing sources via hyperlinks lends further credibility.

7. Use headings.

Headings help readers navigate through your website or through a longer article.

They must be used often enough, though, so that they break up the text visible on



the screen (which is more often than you'd typically find in a printed publication).

8. Write in a conversational tone.

A visitor to your site will likely be put off by overuse of acronyms, complicated words, technical language or vague, marketing speak. It's more impressive if you can successfully use simple words to explain a complicated concept.

9. Choose a descriptive title.

The popularity of sharing articles or posts via social media has made headlines more important than in the past. The title is often the only portion visible when links are posted on Facebook or Twitter. While it should still be provocative and intriguing, it must be clear enough so that the subject matter is evident to the reader.

10. Keep SEO in mind.

Search Engine Optimization (SEO) is the term to describe the method of boosting a website's rating when keywords are typed into a search engine. The more those keywords appear in web content, the higher the page rank. While you should never write for SEO only, you should keep it in the back of your mind. Most Internet users don't browse past the first page of search results they are offered, so the higher a website can rank for a given keyword or phrase, the better its chances of bringing in readers. ■

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conspicuous, and accurate statements” of their information-sharing practices. The Act also restricts use and sharing of financial information.

- The Health Insurance Portability and Accountability Act (HIPAA) privacy rules require that notice be made in writing of the privacy practices of health care services, and this requirement also applies if the health service is electronic.

Presently, the Minnesota Common Interest Ownership Act (“MCIOA”) does not address whether an association must maintain a written privacy policy for its community. Nonetheless, it is highly advisable to do so in order to establish clear guidelines for the use and dissemination of sensitive personal data. ■

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GOOD NEWS

Congratulations to our Major Award Winners

Bess Rassman, Rolling Meadows Cooperative, was the Major Award winner for October. Bess has been a dedicated board member of Rolling Meadows Cooperative for over 12 years. She is currently the treasurer in the midst of a multi-million-dollar renovation. Every detail is explored, every idea examined, and she always asks what will be best for the cooperative members in the long term.



Bess with CIC Midwest Board Chair Cindy Reiter

Fost Choles, American Family Insurance, has been a highly valued member of several CIC Midwest Committees. A talented speaker and leader, he skillfully guided our January Membership Recruit-

ment Workshop. He's written many articles for *CIC Midwest News*, and has been instrumental in planning the successful CIC Midwest Get Lucky! Party: Awards and Casino Night. He's always an enthusiastic Lunch & Learn sponsor. At our October "Horror Stories" Lunch & Learn, he delighted us by coming as half of the "Blues Brothers."



Fost Choles, American Family and Tim Magnuson, Asset Restoration.



Matt with Cindy

Matt Olson, Minnesota Exteriors, and Chair of the Membership Committee, received the Recruiter of the Month Award from CIC Midwest Chair Cindy Reiter, Westport Properties. Congratulations Matt!

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