



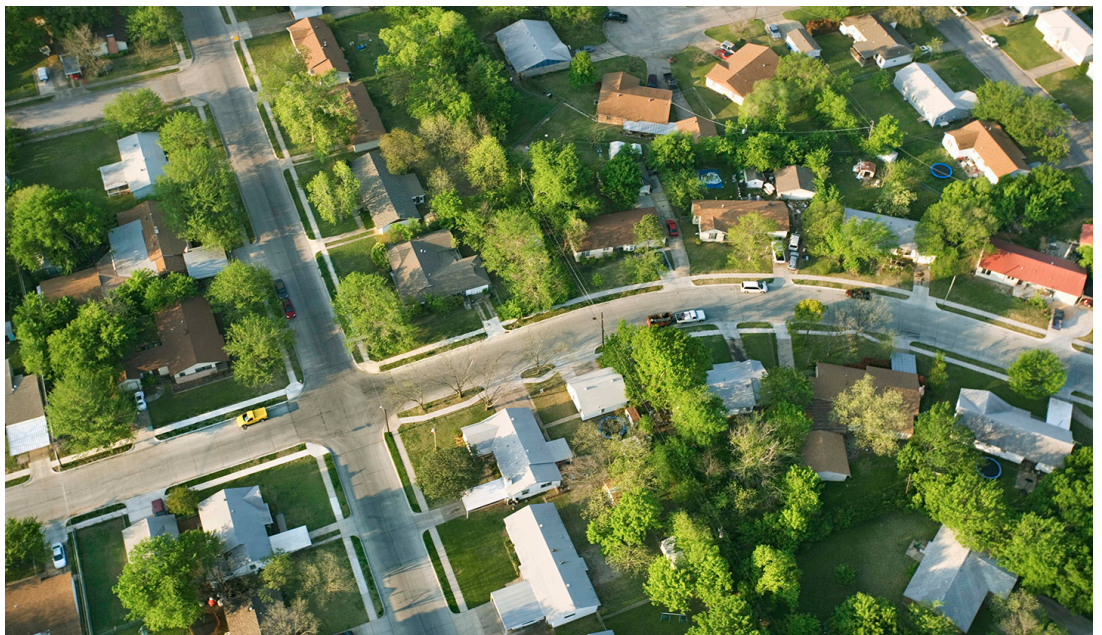
# Certification Matters

## Texas' Real Estate Growth Spurs Launch of New Specialty

### Applications for POA Board Certification Are Now Available

Texas' booming housing market brought with it an increase in Property Owners Associations (POAs) — there are currently estimated to be over 25,000 POAs in the state. The need for POA-dedicated attorneys has certainly ballooned in correlation with the complexity of issues POAs deal with, which is why TBLS and the Texas Supreme Court officially launched the Real Estate Property Owners Association Law Board Certification this year, to give the public a way to identify attorneys with special competence in POA Law.

Applicants that meet these task requirements, have been licensed for 10 years, and are currently Board Certified in Real Estate Law may apply for certification without examination.



POA Law is defined as a real property law practice involving advice and services in connection with common-interest developments, their mandatory-membership associations of real property owners, and the individual owners of real property in common-interest developments. Applicants must have devoted a minimum of 30 percent of their practice to Texas real estate law during each of the 3 years immediately preceding application, of which a minimum of 20 percent must have been in POA law. [The Standards for Certification](#) also include several task requirements that the applicant must meet that demonstrate substantial involvement in POA law. Applicants that meet these task requirements, have been licensed for 10 years, and are currently Board Certified in Real Estate Law may apply for certification without examination. This special option will only be available until 2020. Applications are [now online](#) and are due April 30, 2018.





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According to Marc Markel, a partner at Roberts Markel Weinberg Butler Hailey and member of TBLS’ Real Estate POA Advisory Commission, POA attorneys may focus on collection of assessments and foreclosure, deed restriction enforcement, corporate issues, drafting and amending dedicatory instruments, insurance and financial issues, representing owners in disputes with their POA and a host of other issues unique to POAs.

POAs deal with complex issues and unfortunately often don’t have an ability to determine which professional has the correct toolkit. Typically, POA board members, officers and committee members are volunteers and do much of the work for their non-profit organizations while others rely upon portfolio managers to assist them with some of the day-to-day tasks necessary to guide their organizations. These organizations need someone who has the background and broad base of knowledge and that’s when POA attorneys come in, according to Markel.



Marc Markel

“The public and POAs need to be protected. In the past, there wasn’t a yard stick for a consumer or POA to measure an attorney’s POA qualifications. But now, being Board Certified accomplishes that,” said Markel. “If a resident has an issue with a POA and wants to file a claim, the plaintiff needs the right representation. Or if you’re a POA or the developer of a POA, you should have ability to find someone that has measurable expertise in the area.”

As cities keep growing and developers keep developing, evident by the new subdivisions popping up everywhere in Texas, there are POAs being added every day (most of which are mandatory), warranting the need of specialized counsel. Markel’s firm alone has at least 1,500 POA clients and more than half of its attorneys serve the POA sector.



“POA attorneys should definitely look into becoming Board Certified,” adds Markel. “In addition to there being a growing need, being Board Certified not only tells the public that you have special competence in POA Law, but also helps you to become a more well-rounded real estate attorney as you’re tested on various aspects of real estate.”

To learn more about the steps to POA law Board Certification, visit the [Get Certified page](#) or email [tbls@tbls.org](mailto:tbls@tbls.org).