

## **DCA Act - Department of Consumer Affairs Services for Homeowners and Homeowners Association Act**

The Department of Consumer Affairs Services for Homeowners and Homeowners Association Act (DCA Act) expands the role of the Department of Consumer Affairs (Department) to field complaints filed by homeowners concerning the governance of HOAs in South Carolina. Upon receiving a complaint, the DCA Act requires the Department to provide the complaint to the HOAs board of directors, thereby providing the board with the opportunity to submit a formal response. The DCA Act also requires the Department to submit a report to the General Assembly on an annual basis containing information compiled from the complaints and responses it receives. Although the DCA Act is silent as to what the General Assembly may use the data for, some assume this data may serve as research for implementing additional HOA regulations in the future. The DCA Act, however, does not provide the Department with any "teeth" to enforce conduct among HOAs which a homeowner may believe is improper. Although the Department may collect complaints, the DCA Act does not provide the Department with the ability to reprimand an HOA, nor does it provide it with any dispute resolution powers.