**JANUARY 2015** 

# **Community Interests** WHAT YOUR INDUSTRY IS TALKING ABOUT ... WHAT HOMEOWNERS NEED TO KNOW

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# 2014 CAI Nevada Awards Gala

MOUDBOUL

Saturday, February 21, 2015 • at the Treasure Island



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\*CAI Board Member Liaison

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### Magazine Deadline

*Community Interests*' deadline for advertising or editorial submissions is the 20th of each month, 40 days prior to publication. Example: submit article by April 20 to be included in the June issue.

### Correspondence

Send business card, ad copy or articles for reprinting to CAI of Nevada, 9171 W. Flamingo Road, Suite 100, Las Vegas, NV 89147, along with payment. The publisher retains the right to edit articles to conform to content and space requirements. Authors are to be clearly identified in each article and the author is responsible for developing the logic of their expressed opinions and for the authenticity of all presented facts in articles. Opinions expressed in Community Interests are not necessarily the opinions of CAI, CAI of Nevada, its board members or its staff. Authors are solely responsible for the authenticity, truth and veracity of all presented facts, conclusions and/or opinions expressed in articles. Article submissions should be in Word format or plain text.

Acceptance of advertising in the magazine does not constitute an endorsement by CAI or its officers of the advertised product or service. Advertisers assume personal liability for any claims arising therefrom against the publisher relating to advertising content. The publishers and editors reserve the right to reject advertising that either party deems inappropriate for the publication.

Classified advertising in *Community Interests* gives you a classified ad for \$50 per issue (includes 25 words/.50 each additional word) or \$330/year for members or \$395/year for non-members. Advertising contracts are available from CAI Nevada.

Payment, a signed contract, and your ad sent by e-mail or disk must be received by the 5th of each month prior to publication. Acceptable file formats are Microsoft Word, plain text or in the following high resolution (300 dpi) graphic formats: .jpg, .tif or .eps format. Please send a hard copy of the ad along with contract.



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# Community Interests

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JANUARY 2015

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Norm Rosensteel PCAM, NVEBP VP Donna Zanetti, Esq., PCAM





JAMES GIBSON 2015 CAI PRESIDENT

### President's Message

It's a new year filled with many opportunities to serve each other! In 2014 we focused on "volunteerism" through local and regional programming emphasizing the importance of having a positive impact within our communities. For 2015 we are adjusting our attention towards our Chapter's inherent capabilities to help each other as members of the largest Common Interest Community support network in Nevada. Our primary objective is "growth by collaboration" both internally and externally throughout the year.

What does this look like? Well, it starts with strategically planned magazine themes with monthly individual focus points on the people and services that affect us the most. Throughout the year you will see varying themes researched, such as The Role of the Board, Legislative Issues, Financials and NRS116 along with many other pertinent subjects. We will also be discovering new ways to get our DCALs and NVEBPs involved and create new avenues for many other homeowner members to provide input so that everyone has a chance to contribute.

Keep in mind, the overall goal here is to grow from within not by numbers, but by the

collaboration of our resources amongst all members. In understanding this, you will also notice that there are some new faces among our committee Chairs and some familiar faces heading up new sub-committees. This was a result of our vision in spreading our incredibly dynamic pool of leaders across our Chapter to further reach our membership and entice more involvement from all member types. When we are out in the market competing against one another for business that's one thing, but when we are all in the same room (i.e. monthly luncheons, legislative sessions, continuing education, etc.) then we are all on the same team striving for very similar goals. It is this philosophical approach that will lead to growth externally, which will bring about an increase in new members, retention and overall valued input across the Chapter.

I ask that you join us in 2015 and make an impact within our Chapter to not only sustain our continued growth, but to enhance its value and broaden our strength as one unified group!

James tilsom



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# **Chapter Commentary**

Happy New Year!

It's a new day, a fresh start, turn the page, turn over a new leaf, make a fresh start and my favorite, get your ducks in a row! All clichés but the meanings are the same....as we watched another year rapidly pass before us, it is time to start over and get down to business.

The CAI Nevada Chapter starts over every January beginning with our Committee Open House at the January Luncheon. If you are new to CAI, or just ready to become more involved, this is the luncheon to meet all the committee chairs and get a hands-on explanation of what it is they do and when they meet. It's a great way to find the right fit for you in our Chapter and get to know more people and build those relationships!

The committees have exciting new agendas and plans set out for 2015. Education will be unveiling an entirely new and updated education format directed at non-member homeowners via the internet. Of course, CAI National is returning to Las Vegas in April, which means the 2015 Chapter Party Committee is planning another spectacular event, this year a French Moulin Rouge theme at The Chateau Night Club at The Paris Las Vegas Hotel. Events has a great line up of luncheon programs. The sub committees of Social and Community Outreach are partnering to plan some fun events and help the community, starting with the 3rd annual Wine and Canvas in early 2015. Our friends in the North are working out the final details of their education, community outreach and main events of golf and bowling as well as the first quarterly breakfast, with Ombudsman Sharon Jackson in January. Stay tuned as they say....

Keep your hat on, all in a days work, all for one and one for all, keep your axe to the grindstone, hang on ... it's going to be a great year!

Regards,







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CHRIS SNOW COMMUNICATIONS MANAGER



SHEILA VAN DUYNE ESQ. IS WITH THE VAN DUYNE LAW GROUP

# The Proper Care and Feeding of an Association's Board of Directors

by Sheila Van Duyne Esq.

The success of an Association depends on the existence of Homeowners who are willing to step up and to serve on the Board. Without that volunteer force, an association will decline and stagnate, important tasks will be put off, apathy will spread, and, in the end, the Board will not have a quorum and will not be able to conduct business.

The below are several ways to keep our Boards healthy.

### 1. ASK FOR HELP:

NRS 78.138 codifies the Business Judgment Rule:

NRS 78.138 Directors and officers:

... 2. In performing their respective duties, directors and officers are entitled to rely on



information, opinions, reports, books of account or statements, including financial statements and other financial data, which are prepared or presented by:

- (a) One or more directors, officers or employees of the corporation reasonably believed to be reliable and competent in the matters prepared or presented;
- (b) Counsel, public accountants, financial advisers, valuation advisers, investment bankers or other persons as to matters reasonably believed to be within the preparer's or presenter's professional or expert competence; or

... 3. Directors and officers, in deciding upon matters of business, are presumed to act in good faith, on an informed basis and with a view to the interests of the corporation.

The Board will be presumed to have acted in good faith if they sought help when making their decisions. If there is an attorney on the Board who is great at handling family law or real estate law, remember, that same attorney may know nothing about Community Association law. The retired CPA on the Board may be great with numbers, but that doesn't mean he/she should prepare the Association's audit. Separateness is better here. Your decision doesn't need to be the right decision. Your decision, however, should be based on the best information you were able to obtain at the time from your experts.

### 2. ABIDE BY YOUR ASSOCIATION'S GOVERNING DOCUMENTS (AS LONG AS THEY COMPLY WITH NRS116 AND NAC116):

You have been elected by Homeowners to run the Homeowners Association. Don't involve the Association in non-Association business endeavors. Read your documents and NRS/ NAC 116 to find out what your role is. Show up to the meetings, keep informed and be sure accurate minutes are kept.

### 3. LEARN HOW TO RUN A GOOD MEETING:

Follow the Rules – Roberts Rules that is. Don't make decisions in your emails or outside of formal meetings. Have a lively debate at the meeting ... then, call for a vote. Remember not to overwork your community manger by allowing the meeting to go on for hours past dinner.

### 4. DON'T DO ANYTHING STUPID:

Don't mishandle the finances or send a bill to the Association for your dinner expenses or get into loud nasty arguments while the tape is running.

### 5. REDUCE RISK TO YOU AND YOUR ASSOCIATION:

Though NRS 116.31037 does give a board member some protection for mistakes, it always is a "question of fact" as to whether or not an action was a mistake or was a BIG MISTAKE that no fool would make.

NRS 116.31037 Indemnification and defense of member of executive board:

If a member of an executive board is named as a respondent or sued for liability for actions undertaken in his or her role as a member of the board, the association shall indemnify the member for his or her losses or claims, and undertake all costs of defense, unless it is proven that the member acted with willful or wanton misfeasance or with gross negligence.

### 6. EDUCATE YOURSELF:

Join CAI. Read this magazine ... share it with your fellow board members and friends. Speak to other board members and try to learn as much as you can about NRS 116.

### 7. ACCEPT SUPPORT:

Remember that your Board is made up of volunteer homeowners. If you are getting frustrated at a meeting, take a deep breath and attempt to resolve your issues by communication and conversation. Start with a compliment and then go into the disputed issue. Don't alienate those homeowners in the audience ... they may be sitting next to you on the board after the next election.





NORMAN ROSENSTEEL, CMCA, AMS, PCAM, NVEBP

# The Role of the CAI Nevada Chapter Board of Directors

Ok, so what is it that the Nevada Chapter Board of Directors do? The Board plays many different roles within the Chapter. Officially, they set policy for the Chapter and staff, approve budgets, and make decisions on the goals and direction of the Chapter. Behind the scenes, there's a lot more going on.

Board members are expected to attend as many events as they possibly can, and while it is difficult to attend all events (there were 73 major events in 2014, not counting numerous outreach efforts and events in our communities!), we attend a lot of them! There are typically several board members at each event as well.

Each board member is also a liaison to at least one committee and sometimes several of them. Liaisons attend the committee meetings and assist the committees with anything that needs to be approved by the board, such as events



2014 CAI Nevada Awards Gala

# Saturday, February 21, 2015 at the Treasure Island

Can you believe the Snow Ball – a winter wonderland gala – is next month? Have you purchased your sponsorships or tickets yet? The gala will be held on February 21, 2014 at the Treasure Island. The Cocktail reception will begin at 5:30 pm, with dinner starting at 7 pm.

Visit www.CAINVGALA.com for up to date information regarding the 2014 Gala, including sponsorships and ticket information today! budgets, or changes in the way things are done. The board liaison is not a voting member of the committee, but is there to guide, assist and help to make the committee chair's job easier by providing a direct line of communication to the board.

The board is also responsible for working with the Chapter Executive Director to ensure that exceptional value is given to the members as a part of their membership, and that the Chapter reaches its goals. Basically, the Chapter Executive Director (and staff) carries out day-today operations, while the board sets policy and controls financial decisions.

There are nine board members elected by the membership to staggered three year terms. Every year, three of these positions are up for election. Of the nine-member board, the Bylaws dictate that at least two, and no more than three of these positions, must be filled by at-large members from Northern Nevada. Additionally, there are two Community Association Volunteer positions, two Manager positions, and two Business Partner positions on the board. No more than one person from any one company may sit on the board.

The 2015 Board consists of the following:

President James Gibson

President-Elect Mindy Martinez, CIRMS, DCAL, NVEBP

Vice President Norm Rosensteel, PCAM, NVEBP

*Treasurer* Donna Toussaint, DCAL

Secretary Tiffany Dessaints, PCAM

Directors Adam Clarkson, Esq. Judith Hanson, DCAL April Parsons, CMCA, AMS Michael Schulman, Esq. CCAL

We all thank you for the opportunity to serve you in the upcoming year!  ${\ensuremath{\textcircled{}}}$ 



DAWN OSTERODE, SCM, CMCA®, AMS® SUPERVISING COMMUNITY MANAGER RESERVE ANALYIST BETTER RESERVE CONSULTANTS

# Role of the Board

"New Year's Resolution – Saving Money" by Dawn Osterode, SCM, CMCA®, AMS®

Volunteering to run a non-profit corporation is certainly something that most homeowners do not think about when purchasing a home in a Homeowners Association. Board members volunteer to serve on their respective Boards for many reasons. However, it is not unusual to hear that someone has volunteered because no one else was running and they did not want their assessments to increase.

The amount of the assessment an owner pays is a very sensitive topic, and one that should not be taken lightly. Most Associations are nonprofit corporations, and funds received from members should be used wisely for the purpose of maintaining the assets of the Association. On the other hand, if we are not careful, we can easily take for granted everything that our Homeowner Association Board members do to keep the community looking its best, and, hence, improve property values.

As Community Managers, we most often hear the questions: "Where are all my assessments going? What am I paying for?"

Owners want to know that their elected Board of Directors is being fiscally responsible and finding every way possible to keep the assessments down but keep their property values up. This is not an easy task, and Board members are challenged with making decisions that affect the improvement and well-being of the community as a whole!

As we enter into 2015 and the budgets have been finalized, we ask ourselves, how can we save our membership money without reducing quality of service and care?

**Step 1** ... Take a look at your reserve funding and your reserve study. When was the last time it was updated with real numbers and estimates? Reserve funding is a big portion of your budget and should be updated annually as a separate project earlier in the year, not at budget time when you are in a timeline crunch. This provides the time for your Board to be involved in the study and truly understand how it can help your community. *Audit Tip: ask if the Board has*  been paying for expenses from the operating account that should have been paid from the reserves funds.

**Step 2** ... When reviewing bids for contracted services, remember there is room to negotiate. Consider if there is a vendor whose customer reviews and services are far more beneficial than the other bidders, but whose bid may be a little higher? The Board has the power to go back and negotiate. Vendors want your business, so take advantage of the possible additional savings available.

**Step 3** ... Look for ways to save on your copy and mailing costs. NRS 116 and NAC 116 have specific language on what notices require mailing. Become more cost-efficient and take advantage of huge savings by combining mailings. Also remember that too much information can be lost in translation when communicating with your membership. Remember the adage ... 'KISS' ... keeping it simple and to the point will serve as a better, more effective communication tool! •





VICKI NIGGEMEYER IS A MEMBER OF THE SAGE HILLS COMMUNITY ASSOCIATION AND A MEMBER OF "COMMUNITY INTERESTS" MAGAZINE COMMITTEE.

# Nevada Real Estate Division Under New Leadership

The Nevada Real Estate Division (NRED) has a new leader: Joseph D. Decker. Decker comes into the position with an extensive background in military, government and business experiences.

He received his Bachelor's Degree in Sociology from Sonoma State University, California. After serving in the US Army as a Special Forces Officer, he left the military and moved into the business world. He held a variety of positions over 25 years, both in the insurance and banking industries: insurance adjustor, disaster departments, special investigator for the fraud department, banking investigation and ended his 12-year association with Bank of America as the Senior Vice President for their protective services. Decker served as the Deputy Commissioner for the Nevada Division of Insurance just prior to his appointment as the new administrator of NRED.

# Toy Drive Winners

Warren Reed, DCAL won the CAVL membership renewal Stephanie Freeman, CMCA, AMS won the Manager Membership Renewal

Ken Carteron, NVEBP, Seacoast Commerce Bank won the NN Hope Drive ad

KRT Fitness & Patio Concepts won the Southern Nevada Toy Drive Business Partner Ad

Thank you to everyone who supported the toy drive this year! We are proud to have donated over 400 toys, bikes and gift cards to several organizations throughout the state that will help brighten a child's holiday.

NEVADA CHAPTER

communit



NRED has a "very broad mission," according to Decker. "The real estate market in Nevada encompasses a lot of different areas: from builders and developers, to time shares, to real estate licensing for agents and brokers, and then to common interest communities. We license and regulate." They also educate, investigate and enforce.

To accomplish their objectives, the Real Estate Division has several arms: registering, issuing permits for sub-divisions and developments, approving time share operations, overseeing roughly 25,000 real estate licensees, and, of course, the Ombudsman's Office, which is the primary branch that serves Common Interest Communities.

The function of the Ombudsman's Office is to help Common Interest Communities with disputes, resolutions and education. Decker says, "People don't want to commit misconduct. They don't want to violate the law. But who's an expert on NRS 116 when they get elected to a board?" The Ombudsman's Office can help with that.

As Decker settles into his position, he readily admits that there is room for improvement.

There is a backlog of cases within the CIC sector, and he is working on a plan to address that issue. "First of all we are identifying staffing needs. We have two new investigators coming on board, two more positions open. We need to overhaul the policies and procedures. We've been having detailed meetings that involve staff: from the Ombudsman's Office to the Attorney General's office to our enforcement chief." He says they are focused on gearing up the Ombudsman's Office and have "designed a proposed infrastructure" to deal with the problems.

"There are budget issues," Decker admits. "We have proposed for the agency to be self-funded as opposed to being funded by the general fund. That allows us to staff and resource the agency the way we want; we just have to ask the legislature to spend money that we've gathered. And that's much easier." "I am trying to remove obstacles to resolutions. We'll get rid of those obstacles and stop doing those things that don't contribute towards getting us from point A to point B in the most efficient way possible. The agency in the past has allowed people to say, 'I want to go right to enforcement. I want someone to be fined.' Which is not how it should handled. If you have a dispute, you need help resolving it first." The Ombudsman's Office is the place to register a complaint. If the complaint cannot be resolved at the Ombudsman level, it then goes to the investigation level, from there to enforcement and then to the Commission for action. Because some of those steps had been bypassed, it caused the "big systemic problem that led to this backlog."

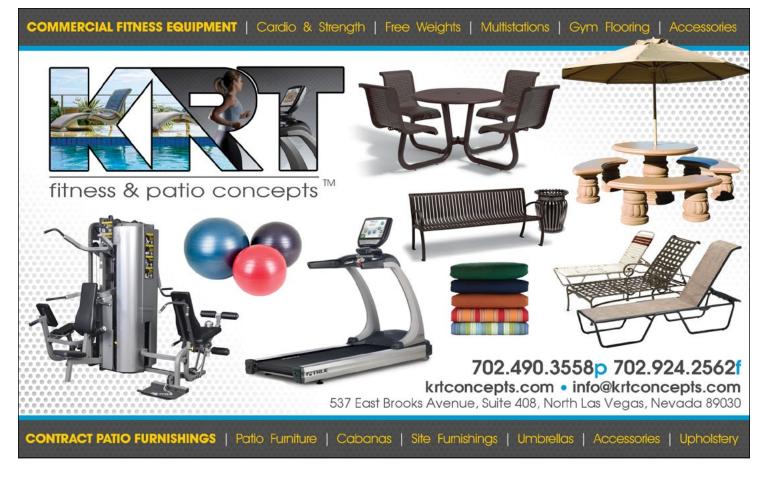
Decker sees education as a vital part of what NRED does all across their spectrum. The state requires a portion of funding to be used for education, much of that is Continuing Education for real estate licensees, sales people and brokers. Decker is committed to using a portion of that public funding for CIC education. "If I look from the agency's perspective across all the sectors, we've got room to improve our education efforts in the CIC area" for both homeowners and board members alike.

The Ombudsman's Office and Community Association Institute (CAI) share many of the same goals. Both are dedicated to educating and assisting homeowners, board members and managers of CICs. Both are committed to helping homeowners' boards and managers make good decisions for their communities. Both emphasize understanding and compliance with NRS 116. Decker says, "We are absolutely aligned." Together "we'll have a bigger impact."

Decker, who prefers to be called JD, came to Nevada as a Bank of America employee. "I was transferred here. It was literally the first place I had lived that felt like home. So I swore I would never leave." The bank had other ideas. Decker left the bank, but is still feeling at home in Nevada.

The new job is challenging for sure. He's been in the job since August and there are "thousands of things that need done now." But for Decker it is also "very rewarding." He not only comes into the job with plenty of experience, he also brings integrity and enthusiasm.

Yes, NRED has a new leader  $\ldots$  and he is already making a good impression!  $\textcircled{\bullet}$ 





DON SCHAEFER IS A MEMBER OF THE BOARD OF DIRECTORS AT SUN CITY ALIANTE AND MEMBER OF NEVADA LEGISLATIVE ACTION COMMITTEE

# A Buck A Door

by Don Schaefer, DCAL

The Nevada Legislative Action Committee (NLAC) is seeking your assistance to help us ensure we have an advocate full-time in Carson City before, during and after the upcoming Legislative session. The NLAC hired a full time lobbyist, Garrett Gordon Esq., of Lewis Roca Rothgerber to represent HOA Associations throughout the entire State, whether they are a member of CAI or not. Having our own advocate in Carson City will have an impact, because our advocate will represent us.

Now that the 2014 elections are over we will have a unique opportunity to work with our legislators in Carson City to amend and perhaps change portions of HRS216. We have already seen some positive results since retaining



Garrett Gordon. He has been appointed by Senator Aaron Ford to work on various bills he is sponsoring which will, if enacted, greatly help Boards and HOA associations.

Increased advocacy through lobbying requires funding, which is why NLAC is requesting the help of HOA associations and their homeowners. If each homeowner is willing to make a voluntary contribution of one dollar (\$1.00) to the NLAC, it will help to ensure that we have an advocate in Carson City beyond the 2015 legislative session. If your Board has not already taken action on this request, we encourage you to ask them to do so, or you can do so by completing the application on the next page.

It might not seem like a lot of money, but with one dollar from every homeowner we could ensure that our voice is heard in Carson City. With one dollar we will ensure that there is a single voice speaking on our behalf. With a voluntary contribution of one dollar there will be a clear message to our Legislators. Your dollar will help us to curb the micro management of HOAs by our legislators, and help to avoid increased assessments.

No money will be spent to support any legislator or their politics. All money donated will help NLAC in its efforts to get our message across to our legislators, namely, "we oppose any legislation that will result in an increase to homeowner associations' assessments."

Please take the time to send us your voluntary contribution today.  $\ensuremath{\textcircled{}}$ 

# YES, I'D LIKE TO SUPPORT CAI-NLAC WITH A PLEDGE!

### **HOA PLEDGE**

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ARNIE R. SNOW, PH.D. IS THE GENERAL MANAGER, SUN CITY ALIANTE COMMUNITY ASSOCIATION, INC. HE HAS BEEN A COMMUNITY MANAGER FOR 30-PLUS YEARS.

# We Are in this Together

by Arnie R. Snow, Ph.D.

Contemplating this opportunity one was reminded of the incident regarding a gentleman walking down a country road and observed a youthful farmer struggling to load hay back onto a cart after it had fallen off.

"You look hot, young man," said the gentleman. "Why don't you rest a moment and I'll give you a hand."

"No, thanks," replied the young farmer. "My father wouldn't like it."

"Don't be silly," replied the gentleman. "Everyone is entitled to a break. Come and have a cold drink of water."

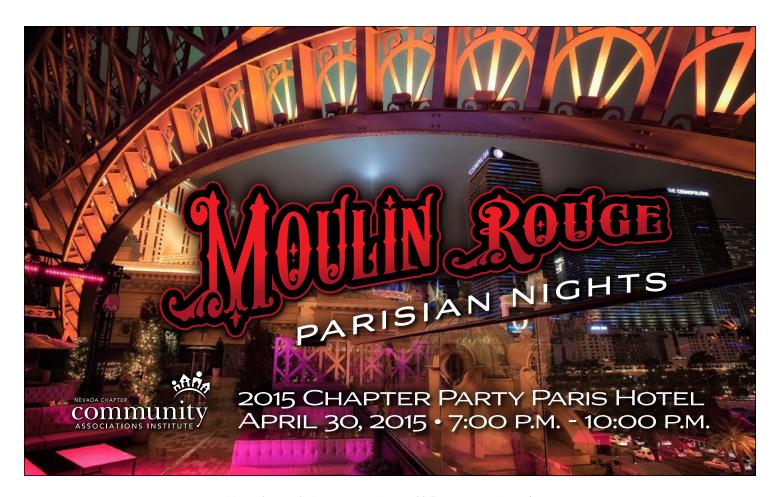
Again, the young man protested that his father would be extremely upset. Losing his patience, the gentleman stated, "Your father must be a real slave driver. Tell me, where can The key ingredient is open communication and mutual respect. It has been said that understanding is easier said than done.

I find him and I'll give him a piece of my mind."

"Well," replied the young man, "he's under the load of hay."

Frequently we each feel as though we are "under the load of hay." However, when a Board of Directors and a Community Manager work concomitantly much can be accomplished; after all, we are in this together.

The key ingredient is open communication and mutual respect. It has been said that



understanding is easier said than done. Someone also once said: "After all is said and done; there will be more said." The term "communication" is an often misunderstood concept. In order to have effective or genuine communication, the following needs to exist: Someone needs to speak or gesture, and someone needs to listen or receive. The listening party then responds while the speaking party fills the listening or receiving role. Without both elements we experience nothing more than a basic lecture.

Educational research has stated that the most ineffective method of teaching and learning is the lecture method. Communication becomes an active process with more than one individual actively involved.

In working with community associations, the concept of communication requires a more in-depth connotation. For a community association to work "effectively," elected officers, professional staff and volunteers become a team and strive to work together for the benefit of the entire community.

In any organization, all pieces must fit congruently together in order for lasting progress to occur. As children we were familiar with "Humpty Dumpty." We soon discovered, and most likely remembered, that "all of the king's horses and all of the king's men could not put Humpty Dumpty together again." By communication and working together we lay the foundation to prevent the scattering of pieces. This basic accomplishment preserves the community as a whole and alleviates the picking up and rejoining the fragmented components.

Over the past several decades it has been my distinct privilege to work in tandem with many well established and respected Board of Directors. It has been enlightening to observe that the Boards of Directors who work in concert with the Community Manager respectfully establish lines of communication, respect each other and, most importantly, establish a unified vision for a Community.

With respectfully established lines of communication a Board of Directors, a Community Manager and a Common Interest Community will provide a friendly, productive and enjoyable relationship. We are certainly in this together; and together great accomplishments will come to fruition.

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# Charity Bowling Night

THE LAS VEGAS ANNUAL CHARITY BOWLING WAS HELD ON DECEMBER 5TH AT THE ORLEANS. 25 TEAMS CAME OUT TO SUPPORT HELP OF SOUTHERN NEVADA. 400 TOYS, BIKES AND GIFT CARDS WERE DONATED ON BEHALF OF CAI NEVADA MEMBERS.































GOLD COAST ()































# **Toy Drive**

THE CHAPTER BEGAN THE TOY DRIVE WITH A KICK OFF AT THE JULIY LUNCHEON. OVER THE LAST FEW MONTHS, OUR MEMBERS COLLECTED OVER 400 TOYS, BIKES AND GIFT CARDS!







# The Focus of 2015 Magazines

by Melissa Ramsey, CMCA, AMS, PCAM, CPO

As an industry, we have so many moving parts to what impacts an association. We rely heavily on so many different individuals to keep the operations of the corporation running efficiently and effectively. With another legislative year ahead of us, the Magazine Committee in conjunction with President James Gibson, have decided to focus the 2015 magazine edition on education of not just managers, but board members, owners, and even our business partners. To achieve this goal, the Magazine Committee has put together the following Editorial Calendar for your consideration in submitting articles. We encourage our regular writers as well as new ones to provide us with your tales, insight and experiences so everyone can learn and benefit from one another.

# 2015 MONTHLY EDUCATIONAL BASED THEMES

- January Role of the Board • Content Due: November 20, 2014
- February Legislation and NRS • Content Due: December 20, 2014
- March Role of the Manager • Content Due: January 20, 2015
- April Vendors and Contracts • Content Due: February 20, 2015
- May Legislation and NRS • Content Due: March 20, 2015
- June Insurance and Reserves · Content Due: April 20, 2015
- July Financials and Audits • Content Due: May 20, 2015
- August Pre-Collections and Collections • Content Due: June 20, 2015
- September Legislation and NRS • Content Due: July 20, 2015
- October Role of the Homeowner • Content Due: August 20, 2015

- November Role of a Committee • Content Due: September 20, 2015
- December Meetings of the Association AND Legislation • Content Due: October 20, 2015

Articles are to be 250-750 words with informative, educational, insightful and thought provoking content. Companies may not self-promote in articles. Articles are to be submitted in Word format with a headline and writer bio, along with a head shot, to Chris Snow at marketing@cai-nevada.org and Melissa Ramsey at Melissa.ramsey@fsresidential.com. For those businesses interested in advertising in any of the editions, please contact Chris for additional information. MELISSA RAMSEY, CMCA, AMS, PCAM, CPO IS VICE-PRESIDENT WITH FIRSTSERVICE RESIDENTIAL AND CAI MAGAZINE CHAIR

Have something to share with other members?

# Put it in the CAI Nevada Chapter's What's Happening Page Or Members' Brag Page

Submissions are due before the 5th of the month preceding publication. Submit your items to info@cai-nevada.org or fax to 702-240-9690.



TONYA GALE, SCM, CMCA, AMS, PCAM IS THE OWNER OF EPIC ASSOCIATION MANAGEMENT AND CHAIR OF THE MEMBERSHIP COMMITTEE

# 25 Years

by Tonya Gale, SCM, CMCA, AMS, PCAM

As the Nevada Chapter of Community Association Institute is moving into its 25th year of existence, we wanted to take a bit of time to explore how CAI Nevada started and highlight some of our stars over the years.

This chapter was started in December of 1990, and in 1994 the first Board of Directors was named with Articles of Incorporation prepared and signed. Two of the original members are still active with this chapter, Gary Lein and John Leach.

**Gary Lein** is a Certified Public Accountant (CPA) and a shareholder in the accounting firm of Hilburn & Lein, CPA's. He has been a resident of Las Vegas since 1985, and has seen the Valley grow into what it is today, including the ever growing homeowner association population. Mr. Lein is also the CPA representative on the Commission for the Common-Interest Communities (CCIC). As the CCIC representative he is constantly fighting to ensure the Managers, Board of Directors and Homeowners Associations as a whole are fairly represented when new regulations are brought to light by the Commission. We are very grateful for the work Mr. Lein has done and continues to do in order to make our lives less complicated with the Commission by acting on behalf of all people associated with the financial aspects of homeowners associations.

John Leach, Esq. has been a staple in the world of CAI assisting with legal issues and going to bat for the Homeowners Associations when faced with potential laws that are not in the best interest of Common Interest Communities (CIC). He has served on the CAI Board of Directors on many occasions over his longstanding career, and was President of CAI in 1995. Mr. Leach serves as a member of the CAI









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Legislative Action Committee and testifies before the Senate regarding proposed legislation involving CICs. Mr. Leach also volunteers his time to speak whenever asked at manager and board member seminars as he is of the belief that knowledge is power and can help keep the CIC moving in the right direction. He continuously goes above and beyond for CAI and all that the CIC stands for.

Some of the other notable long-standing members of CAI Nevada include:

**Robert McClintock** of McClintock Accountancy Corporation (CAI Member since 1981)

**Ron Austin, CIRMS** of Community Association Underwriters (CAI Member since 1989)

Larry Carter, Aubrey Goldberg, William Lindsey, Elizabeth Shafer and Stacy Standley of the Spanish Trail Master Association (CAI Members since 1990)

Victoria Parris, CMCA, PCAM of CCMC (CAI Member since 1990)

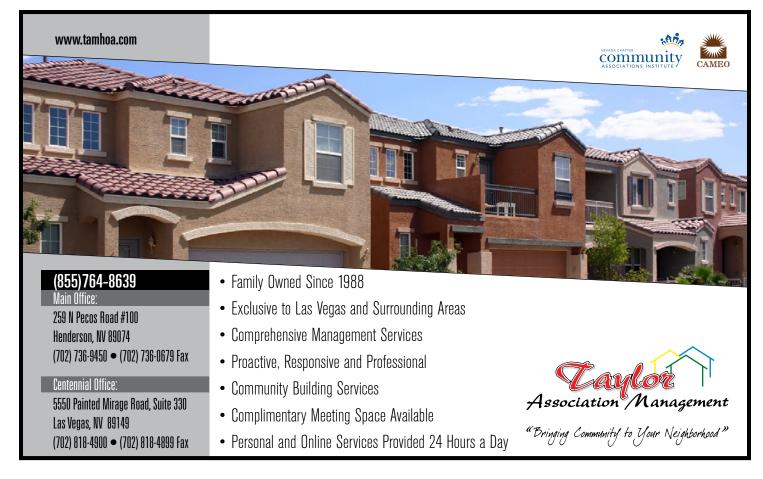
Katherine Matheson of Terra West (CAI Member since 1990)

A special thanks to the following individuals that have dedicated their time and energy to hold the title of

President of the Nevada Chapter over the course of the last twenty-plus years. It takes a special person to be able to put forth the effort of being President of such a large and diverse organization and for that we are all appreciative.

Dennis McGarvey, Carol McMahon Doerfler, Shari Rios. CMCA, PCAM, Ron Anderson, John Leach, Esq., Judy Farrah, CMCA, LSM, PCAM, David Johnson, Esq., John Terranova, Jean Georges, Roger Grant, Esq., Kathryn Tavenner Pauley, Norm Rosensteel, CMCA, AMS, PCAM (2002 & 2014), Alissa Vyenielo, CMCA, AMS, Jon Lattie, Esq., Kevin Ruth, Mark Coolman, Trish Hall, CMCA, Jeanne French-Newman, Susan Bauman, Nathalie Ross, Patricia Taylor, CMCA, Paul Terry, Esq., Donna Toussaint, DCAL

If it were not for the hard work and dedication of these fine individuals, along with all the current members, the Nevada Chapter would not be where it is today, the 8th largest chapter in the world with some of the most involved members who help put on such events as the monthly luncheons, the monthly manager breakfasts and the monthly DCAL classes. We salute you all and are indebted to those who have paved the way for the current chapter members as your dedication to the preservation of the homeowners associations will live on through us all.





EN SPIEGEL, NEVADA ASSEMBLY DISTRICT 20 IS PURSUING HER DCAL AND WAS THE RECIPIENT OF CAI NEVADA 2009 LARGE ASSOCIATION BOARD MEMBER OF THE YEAR.

### 'The Right Way' to 'Get The Attention' of Your Legislator by Ellen Spiegel

Legislators constantly receive communications from a wide variety of sources: constituents, lobbyists, people who are not constituents but are passionate about an issue (who both live in Nevada, as well as who live elsewhere). friends, family, campaign supporters, people who are trying to sell them things, and people who are inviting them to events and meetings. Nevada has a part time, citizen's Legislature, and Legislators only have dedicated staff during the Legislative session - so chances are, when you write or call, the Legislator is receiving your communication directly. It can be a challenge to cut through the clutter and make sure your points are heard.

When I receive a communication, I first mentally ask myself:

• Is this person a constituent? My constituents are my top priority. They put their trust in

me and elected me to office. Legislators who feel this way give enormous weight to their constituents' issues and opinions.

- Do I know this person? It is human nature to be more attentive to people we know, regardless whether we like them personally or not.
- Is it sent to me personally or as a mass mailing? Letters and emails that are personalized make more of an impact. Would you pay more attention to a letter that is addressed to you or to one that is addressed "Dear Occupant?"
- What is the tone of the letter, email or phone call? Is it polite, or am I being attacked? Is it a rant, or is it a thoughtful communication? Polite, thoughtful communications (even if the message is one

# **Scott Kelsey and David Bray Join the Angius & Terry Construction Defect Department**



Scott P. Kelsey Scott Kelsey is an associate attorney with the law firm of Angius & Terry LLP. He has practiced law for over 13 years as a litigation attorney in various areas of

law, including Construction Defect.



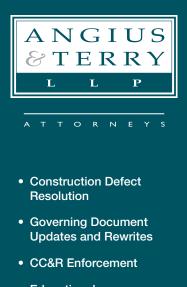
defect resolution.

### **David Bray**

David Bray is an associate attorney with the law firm of Angius & Terry LLP. He practices Community Association law, with a focus on construction

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 Educational Opportunities for Community Managers and Board Members



of disagreement) make a positive impact. Rude or hostile communications also make an impact – but in a different way.

 How often does this person write? This can be a challenge to gauge. Someone who writes often on a specific topic may be considered to be an expert

 and their voice lends credibility, whereas someone who just writes often on several different topics may be considered a gadfly.

A big test is relevancy:

- What is the relevancy of this person to this issue?
- Is this person a stake-holder?
- Why do they care about this?

Here are some of the many Do's:

- Do contact your representatives and other elected officials whom you know.
- Do be polite and respectful.
- Do use thoughtful communications. Remember, you're asking them to do something for you.
- Do explain why this is relevant to you personally.
- Do tell a story that the legislator can repeat.
- Do offer to get more involved (e.g., testify at an appropriate hearing).
- Do keep the communication as succinct as possible. Don't waste their time.
- Do contact them when it's important to you, but remember, if everything is of critical importance, nothing stands out.
- Do include your name and address. Many Legislators keep records of issues that are important to individual constituents, and providing your name and address lets your Legislator know you are a constituent.

Here are some big don'ts:

- Don't pester them when it's inappropriate, such as when they're: out to dinner at a fancy restaurant, at church, stopped at a red light, or in a department store fitting room. (Yes, these have all happened to me.)
- Don't say that you are a constituent, when you do not live in that Legislator's district. Once discovered to be a liar, nothing that person says/writes will ever be trusted.

• Don't misrepresent facts (see above).

Here are some examples of actual emails/letters I have received. As you read through them, imagine that you are the intended recipient. How do you feel? Are you receptive to the writer's message? Why or why not?

### EXAMPLE 1 (MISTAKES INCLUDED):

Hon. Ellen Spiegel

NV

Dear Legislator,,

I am writing to you on a matter of grave personal concern at the suggestion of the Natural Solutions Foundation, a not for profit humanitarian NGO devoted to health and health freedom, to educate decision makers and to petition for respect for our basic human rights. This letter is regarding the proposed Protecting Americans' Self-Shielding bill.

When the people of this district elected you, we anticipated that, true to your election words, you would protect our well-being and our rights. The proposed enforcement of mandatory treatment, including mandatory vaccines, for any alleged "pandemic" condition is both a violation of that commitment and a violation of my rights to control my own body and make my own health choices.

Both State and Federal legislation now provides for the mandatory vaccination, drugging or incarceration for those who refuse such "treatment."

The hype and hysteria of the media and the distortion of the science of infection and contagion by governmental and international bodies, coupled with the pharmaceutical industry's headlong rush to force yet more profits from vaccines which are untested, uninsurable and dangerous, and from drugs which are known to be both ineffective and unsafe, leads me to write to you to urge you to push back this potentially deadly tide of political pandemic response.

Independent physicians such as Dr. Ron Paul MD, Dr. Rima E. Laibow MD, Dr. Julian Whittaker MD, Dr. Joseph Mercola DO, Dr. John Wilson MD, Dr. William Rea MD and Dr. William Sears MD, among others, have all warned about the dangers of forced vaccination and the ineffectiveness of such measures to stop infectious disease. Their independent medical opinions must be given great weight while the self-serving opinions of government "experts" who demand forced vaccinations must be discounted as biased.

It is a clear violation of the Constitutional provisions against both slavery and indentured servitude since a

free, unindentured or enslaved person may make his/ her own health choices while an indentured servant or slave's body is owned by a master who may make health decisions about the body of the slave which may be enforced on a compulsory basis.

In addition to the moral and cultural repugnance which mandatory treatment invokes, it violates the rights of citizens and introduces the possibility of harm to them which cannot, under the current legal structure, be recompensed. Vaccination is an uninsurable risk and vaccine manufacturers are immune from liability for dangerous or even deadly products, while vaccines have never been proven to be either safe or effective. On the other hand, even the CDC admits that there are risks of significant proportion with vaccines.

Any "pandemic vaccine" would be untested upon its use as predicted by the CDC and WHO in the fall of 2009. The possibilities for disaster are enormous. Those of us who do not desire these "treatments" should be free to make such a choice with the endorsement and support of the State.

As a person who is neither an indentured servant nor a slave, but a member of your constituency, I urge you in the strongest terms to:

1. Commit to holding fact finding hearings in the immediate future to evaluate the true status of the pandemic threat and pandemic treatment safety; the Baxter Pharmaceutical incident earlier this year where annual flu vaccines intended for 18 countries were "accidentally" contaminated by live Avian Flu viruses, must be fully investigated.

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2. Commit to putting your efforts toward reversing dangerous legislation and policies which can endanger the lives and health of the members of your constituency There were four things about this email that reduced its effectiveness.

- This was a form email that appeared to have been sent out through a cause-related website. It was not personalized in any meaningful way, and there was a typographical error in the salutation. There was not even any recognition of where in Nevada my district is located.
- The proposed "Protecting Americans' Self-Shielding bill" was before the U.S. Congress – and was not being considered by the Nevada Legislature.
- The communication implied that sender is a constituent:

"When the people of this district elected you, we anticipated that, true to your election words, you would protect our well-being and our rights."

"As a person who is neither an indentured servant nor a slave, but a member of your constituency"

In researching the name of the sender, I learned that the author did not live in my district and was not a constituent. I felt that the writer was trying to deceive me.

• The letter was too long.

### EXAMPLE 2:

2/24/2010

Dear Ellen,

We met one day in my front yard when you were running for election in my district. When you asked that day what was my biggest concern in the past and for the future, I answered education. I explained that both my children were less than typical students that required their educators and elected officials to do some thinking outside the box that we view as traditional education. My daughter, who developed epilepsy at 16, was not a success story. She did not have the support system she needed because epilepsy is not considered a chronic disease. She ultimately dropped out of school in her sophomore year. My son who suffers from fibromyalgia was accommodated through Virtual High School and now at CSN using online courses to fulfill his educational goals. I have also entered CSN, and in fact will graduate this May, and plan to go to Nevada State next fall. I was thinking of attending UNLV, but I can't justify paying the higher tuition and fees.

Higher education is the foundation of our state's future. It is imperative that we keep the high quality of our university and college institutions and that they also be both accessible and affordable. The College of Southern Nevada is the gateway for many adults who would not be able to better their education and in turn their employment circumstances without this resource. We are already dealing with closed enrollment at CSN and having to turn away potential students because of our previous shortfall. I had difficulty getting my finite math course this semester, which would have delayed my graduation not because of poor grades, but rather because of lack of space. Finally, both my son and I have enjoyed knowledgeable and devoted instructors during our time at CSN. Nevada will have a difficult time retaining this high quality teaching staff if the state keeps reducing their salaries. We must place education and those dedicated people working within our institutions as our highest priority.

I have seen the newscasters reporting about our state's budget deficit. Recently, my instructors and fellow students held a rally to show their concern about the expected cuts in education funding in the budget. I am also concerned! I have realized "knowledge is power," so I read your letter on your web page and used the link you provided to see the pdf file that Barbara Buckley put together. I do understand "The Facts" that 93% of our state budget provides funding for education, health/ human services spending. I have no problem paying higher taxes either through sales tax or property tax to ensure that the education of our citizens gets the funding needed to offset these cuts. What I do not understand is why cuts in education is not the last resort.

I know from your 'back to school' flier that you believe "Nothing is more important to a student's success in school that the involvement of his or her family." But, I have to disagree. Proper funding by making education a priority is just as important ... not just for our children, but for all our citizens.

Thank you for your time and consideration,

\*\*\* Full Name \*\*\*

Parent, Student, and Nevada Resident Assembly District 21

What a great letter! The writer's introduction was warm and explained her standing. She told a story of personal relevance. Her letter indicated that she also did some research before writing, and she made her point of disagreement with tact.

Your Legislators want to hear from you, and your input is vital for developing good public policy.

Please feel free to contact me with any questions or comments. My email address is: ellen@ellenspiegel.com ④

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# Supporting the Solace Tree by Tonya Bates, CMCA, AMS, PCAM

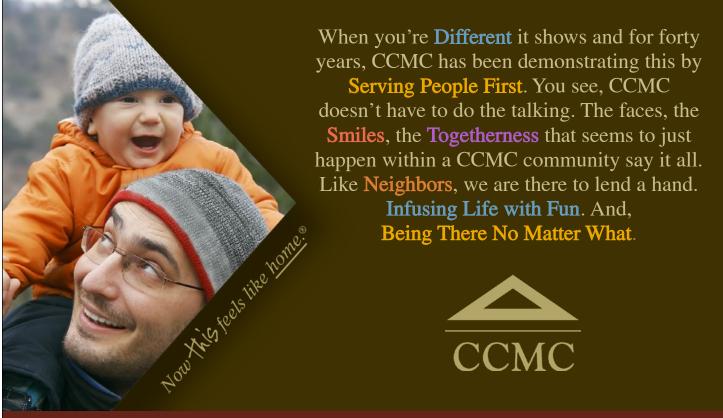
Solace Tree is a grief center focused on Teens and Children suffering with sorrow following the loss of a loved one, caregiver or close friend. After the Ordinary People, Extraordinary Measures Luncheon, the Executive Director opened the doors to provide CAI Nevada Chapter a glimpse of the program.

Solace Tree was founded by Emilio Parga in 2004. While fighting his own battle with cancer, Emilio was also assisting children and young adults in the Washoe County School District cope with the loss of loved ones. As he was working with these individuals, he realized that the area was lacking a resource in grief counseling for youth. Throughout the tour, Emilio kept reciting, "Grief affects all of us, no matter how old we are."

After a thorough outline of the program, it was asked, "How can CAI Help?" Emilio provided



a flyer detailing "National Child and Teen Grief Awareness Day." This day is set aside to recognize children who are dealing with the loss of loved ones, caregivers, or close friends. CAI Participants, as well as Solace Tree participants, were requested to wear blue to bring awareness to the day, then post to Facebook and other Social Media sites. Working as a team, it was decided to collect cash donations from CAI



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Nevada Chapter committee members and participants with matches stemming from the class and media sponsors of the chapter.

Then a tour was provided. The halls are painted blue and lined with pictures of participants smiling at local summer camps sponsored by The Solace Tree. As the tour progressed, Emilio provided a description of each room and the age groups in which it focused.

The Solace Kids are from ages 3-5 and participate in group talk therapy on a bi-weekly basis. Their room is colorfully painted with bean bags and toys to help in self-expression.

Kids Helping Kids ages 6-12 and 11-13 are separated by ages and types of death they have encountered. Their room is also filled with bean bags and a safe environment; they focus on different activities to express their grief.

Hearts for Teens, Teenagers 14-18, meet separately, and their room contains art created by participants, pillows and soft chairs. Emilio pointed out the art on the wall, one painted by a girl who'd lost her mother to suicide. Pointing to the painting while talking, Emilio drew attention to the detached wings and the black cross marks on the wrists. "This is how we help the children, we give them a safe environment to express themselves," Emilio stated, leading the way to the Art Room.

The Art Room is where the magic happens, there are drawers and cabinets filled with art supplies, canvases, crayons, paints and paint brushes, composite books for writing. He then suggested that CAI possibly support the organization in an art supply drive.

The entire tour was soothing and serene, and an open inviting atmosphere for guests and visitors.

On November 20, 2014, the Northern Nevada Committee met at the Peppermill. A donation container was passed to each participant to provide a little something. A brief summary of the Solace Tree was given to the 30-plus participants at the homeowner class. CAI President Norman Rosensteel and Executive Director Mary Rendina then attended an Open House to benefit Solace Tree, and presented a donation on behalf of CAI Nevada Chapter in the amount of \$725.00. Our sincere thanks to all those who donated to this worthy cause. Quality Auto also donated, Seacoast Bank matched the donations, and First Service Residential matched the total.





# Thank You!

Thank you to everyone who donated a Thanksgiving Meal! Forty-four turkey dinners were delivered to the WestCare Women's and Children Campus in Las Vegas.

Thank you to: Associa Nevada South, KRT Fitness & Patio Concepts, Harold Barling, CMG, American Pavement, Denise Sauro, TSI Security, ProTect Building Services, Gothic Landscape, Ideal Community Management, Par 3 Landscape, CCMC, FirstService Residential, Katie Jones, and a very special thank you to George VanOosbree of ProTec Building Services for the delivery! Happy Thanksgiving to all our members.

CAI Nevada Chapter would like to send a Thank You to all of the Sponsors of the Virginia Palmer Elementary School Harvest Meal Drive in Northern Nevada. The School was very gracious in the 30 meals donated this year.

Thank you to all of our Participants 1200 Riverside Association Arrowscape Landscaping Angius & Terry LLP Associa Sierra North CAI Nevada Chapter First Service Residential Get Docs Now Hampton & Hampton **Opus 1 Community Management RDP** Contractors Norman & Sue Rosensteel Seacoast Commerce Bank Signature Landscape Cameron & Lauren Starner 2 Anonymous donors with 4 meals!!!

Together through the generous donations of our CAVL Participants, Managers, Management Companies and Business Partners, CAI Nevada made a donation of \$700 to Solace Tree.

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ATCACG.COM Stay up to date with our "real-time" online status reports. Over \$140 in cash was collected from the participants of the Committee Meeting and Homeowner education class. With the generous matches put in place by our business partners, we were able to achieve our goal.

Thank you to everyone who participated.

Marilyn Brainard, DCAL Quality Auto (Mitch & Lorrie Olson) Gaston Wilkerson Association Services Seacoast Commerce Bank First Service Residential And all of our volunteer homeowners (

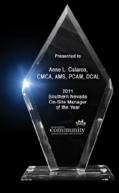




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THOMAS M. SKIBA, CAE IS THE CHIEF EXECUTIVE OFFICER OF CAI

# CAI Nevada at 25

by Thomas M. Skiba, CAE

On behalf of the CAI Board of Trustees and the national staff, congratulations to members of the Nevada chapter on your 25th anniversary!

We all know CAI chapters provide an array of member benefits, from periodicals and regular membership events to education courses and website content. But these services are only part of the chapter experience. Many of our challenges manifest themselves most acutely at the local level. Whether it's local public policy issues or unique regional concerns, chapters provide members the opportunity to work with others for the common good or learn from others when they need help.

CAI chapters serve as invaluable platforms for coordinated initiatives, information exchange, education, professional networking and personal friendships—all advantages of CAI membership. Put simply, chapters are the backbone of CAI. They are an indispensable part of the CAI family, and Nevada exemplifies the best of what CAI chapters can accomplish with dedicated leadership and engaged members.

No membership organization can grow and succeed without the active support and contributions of member volunteers. With every milestone celebrated, we remember and thank those who have dedicated their time and talents—not to mention untold hours—to bring our vision to reality.

To all members—past and present—who have made the Nevada chapter what it is today, enjoy your celebration. You made it possible. •



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### BANKS

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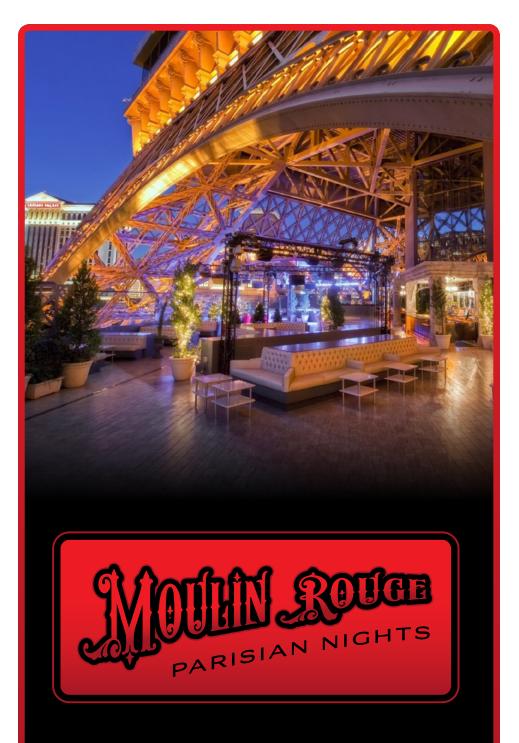
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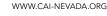


# **BINGO** Card Tips

Below is a rundown of each square so you can be sure to get credit for all squares you complete. Some squares will require proof of completion to be included with the final submission and some are self-explanatory. If you have any questions or concerns, please contact Chris Snow (marketing@cainevada.org) or Tonya Gale (tonya@ideal-mgmt.com).

- B1 Check in required at CA Day
- B2 Be sure you place your name as the recruiter Chris Snow once you are sure the application has been submitted so she can ensure you received credit for the recruiting.
- B4 Take a picture of you giving the CAI representative the gift card for the drive and attached the picture to the final Bingo Card submission
- **B5** Same as B2
- I1 Snap shot of testimonial included with final Bingo Card submission
- I2 The actual 50/50 raffle ticket should be included with the final Bingo Card submission
- **I3** Copy of Certificate of Completion to be included with final Bingo Card submission
- 15 There are certain committees looking for new members. Contact CAI office for additional information

- N1 Contact CAI if you need your log in information to vote
- on the CAI application. You should also contact N2 Take a picture of you at the event with another CAI member and submit a copy of the picture with final Bingo Card submission
  - G1 Take a picture of you giving the CAI representative the bike for the drive and attach the picture to the final Bingo Card submission
  - G2 Check in required at Luncheons
  - G4 Same as B2
  - **G5** Email your good potential CAI members to Tonya Gale at email address above
  - O2 Contact CAI Office on how to RSVP with the prospective member
  - O4 Contact CAI office to learn how to join the respective teams
  - O5 Same as B2



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2	Recruit 3 New CAI Members	Buy 50/50 Raffle Tickets	Attend Social Committee Neon Museum Event	Attend 3 CAI Luncheons	Bring 1 Prospective Non- Member to a CAI Luncheon or Breakfast				
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5	Recruit 1 New Business Partner	Be an active CAI Committee Member*	Purchase a Gala Ticket	Send 10 Good Prospective Members to CAI Membership Committee	Recruit 1 New Community Volunteer Leader Member				

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