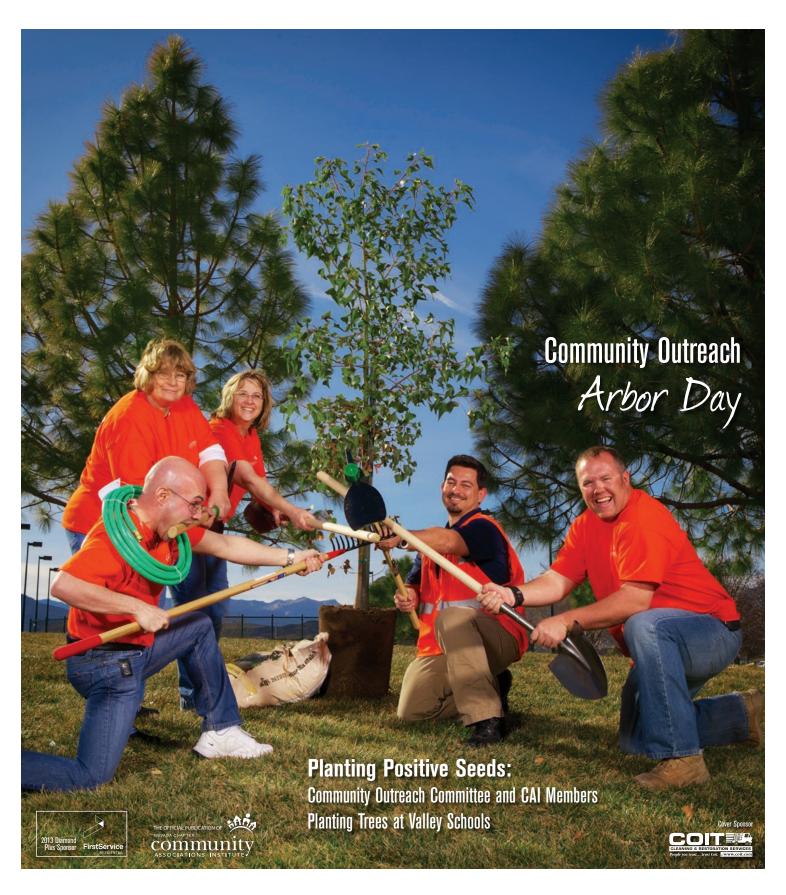
Community Interests

WHAT YOUR INDUSTRY IS TALKING ABOUT ... WHAT HOMEOWNERS NEED TO KNOW





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Magazine Deadline

Community Interests' deadline for advertising or editorial submissions is the 5th of every month to be included in the following month's magazine.

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.

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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





DONNA TOUSSAINT IS A HOMEOWNER, BOARD MEMBER AND 2013 CAI-NEVADA CHAPTER PRESIDENT

President's Message

Several months ago, I took an Effective Communications and Public Relations for Community Associations class at the CAI office given by Andrea Behrens, DCAL and Ruth Furman. You might ask why would any of us need a class like this? Most likely we will never be in a position to speak to the media.

In essence, everything is marketing! Everyone will form an opinion, not only about us but also about what we are saying by the way we communicate.

People want to know what is happening around them and they get frustrated when they are kept in the dark. Regular and effective communication with community residents and owners goes a long way toward overcoming misunderstandings. Community calendars, newsletters, special mailings and a website are critical tools. The more communication, the better!



My personal rule is the Golden Rule. It has always worked for me ... I have never seen it fail.

Another important lesson we learned in the class was effective communication and how to communicate with fellow board members, managers and residents when they attend a board meeting or when they contact one of us with a question. In reality everyone wants the same thing. We want our concerns heard and validated!

Board members and community managers frequently interact with homeowners and residents in difficult situations, which, if not handled properly, can result in serious confrontations and stir disharmony in the community. People who raise concerns should be treated with respect and genuine consideration. Their recommendations should be given serious consideration as well. Respect is the key to disarming difficult situations.

My personal rule is the Golden Rule. It has always worked for me ... I have never seen it fail.

Another thing I learned in the class was to have a disaster plan in place so, when something happens in your community, you are prepared to answer any questions that might arise. Who is the contact person in your community that would deal with the media or fire and police ... depending on the situation? Who is the secondary contact when the primary contact is not available?

Hopefully this class will be given again.

Donna Tougaint



MARY RENDINA CHAPTER EXECUTIVE DIRECTOR

Chapter Commentary

Recently, I have been wondering if 'outstanding customer service' is an unrealistic expectation.

Over the past few weeks, I have experienced less than sub-par customer service at resorts that supposedly pride themselves on their customer service and four-star ratings.

The first experience occurred when I called a local resort to inquire about a pool membership. The response to every single one of my basic questions was, "I don't know". When I finally asked to speak to a manager the young lady answered, "The manager is not available" and that was it. My frustration with the situation was not with the young lady (who I assume was a new hire) but with the apparent lack of training and concern for her capabilities to handle customers. Two other, similar, experiences occurred where representatives of another resort answered me with responses like, "Well, I told you..." or "Do you want me to do anything about it?"

Afterwards, I could not help but think about alternative ways I would have answered a customer in the same situations; ways that would acknowledge a customer's concerns, reflect understanding, and show that I value a person's business even if I disagreed with them.

These experiences allowed me to take more notice of how members are responded to in our CAI office. The CAI office is run in a way that strives to be completely transparent, where we make every effort to respond to all inquiries right away and with respect.

Recently, I attended a presentation about 'professional etiquette.' The speaker said "never answer an e-mail right away because you set an unrealistic expectation. Rather wait at least a few hours, but not more than twenty-four." I tend to disagree with her, but that's just my humble opinion. I would rather risk setting an unrealistic expectation and know I have done my best to get an answer for someone immediately rather than have them wait, even a few hours, for a response.

So my question for you is, "Who is representing your company?" "Are your employees trained and equipped with the knowledge they need to represent you well?"

After all, as Kate Zabrinskie, well-known author, lecturer, and Business Training Company Executive says,

"The customer's perception is your reality."

Mary Rendina

RANDOM THOUGHT

"A customer is the most important visitor on our premises, he is not dependent on us. We are dependent on him. He is not an interruption in our work. He is the purpose of it. He is not an outsider in our business. He is part of it. We are not doing him a favor by serving him. He is doing us a favor by giving us an opportunity to do so."

— Mahatma Gandhi



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- Prepared speaking skills
- Evaluating, listening & feedback skills.

This program has been prepared with the help of our local Toastmaster's 116 Club.

Las Vegas Monthly Luncheon • May 14, 11:15 a.m. • Gold Coast Hotel



CAI Nevada Chapter Members' Brag Page

JASON KELLY PROMOTED TO CHIEF OPERATIONS OFFICER

Jason Kelly has been promoted to Chief



Operations Officer of First
Columbia Management, Inc.
His primary responsibility will
be working with Business
Partners and vendors. Jason is
a member of CAI Nevada
Community Outreach
Committee, Education
Committee, Membership

Committee and Toast Masters. In addition to pursuing Graduate Degrees in Business and

Marketing, he is also taking classes to receive the distinguished DCAL (Dedicated Community Associations Leader) recognition. •

If you have anything you want to share, please submit it by the 5th of each month so it can be included in the next magazine. Anything received after the 5th of the month may not make it into the next magazine, but will appear in the following issue. Please submit your items to info@cai-nevada.org or fax to 702-240-9690.



ANDREA CHESTNUT IS CHAIR OF 'COMMUNITY INTERESTS' MAGAZINE COMMITTEE, NOTED AUTHOR AND A MEMBER OF NATIONAL SPEAKERS ASSOCIATION

In This Issue

by Andrea Chestnut

We are springing into April's issue with recaps and reminders.

Our Chapter Executive Director reminds us that a customer's perception is always going to be a provider's reality. After reading the article, ask yourself "how do I and my employees make my customers feel?"

Arbor Day is not just for Charlie Brown. The Community Outreach Committee has been busy planting seeds of kindness and reminding us that little seeds of kindness, no matter how insignificant they may seem to us, will always provide a good harvest.

Education is another way of planting seeds and the recap of the DCAL classes is a reminder that we can never unlearn what we know, nor can we ever stop learning and expect to grow. Our Dedicated Community Association Leader (DCAL) education

program is recognized by CAI National as being the best in the country, thanks to the work of the of our Education Committee.

"Homeless in the Common Area" gives us an inside look at the choices boards have to make and how some choices are harder than others. This story walks the reader through the process of what to do and why it has to be done. The question is what would your board do?

In a time when boards are looking for ways to save money, cheaper is not always better when it comes to insurance. Learn why and how to compare insurance policies for your HOA so you don't lose what you think you are saving.

'Stop in the Name of the ...' Who is really in charge? An even greater question is who is responsible to make it stop? ●



GREG TOUSSAINT IS A MEMBER OF CAI NEVADA EDUCATION COMMITTEE AND PRESIDENT OF THE LAKES HOMEOWNER ASSOCIATION.

Delinquencies aren't so Juvenile

by Greg Toussaint

In today's difficult economic climate, collecting monies owed to our associations is an especially critical responsibility, but many of us find the whole collection process to be murky and full of contradictions.

On March 16th, in the Education Committee's Advanced DCAL Collections in the CIC class, Nevada Association Services Inc. President David Stone shed some much-needed light on the entire HOA collections process.

How should we deal with short sale settlements?

How are bankruptcies different than foreclosures?

Does a bankruptcy wipe out a Common Interest Community lien?

How are payment plans handled?

What happens when the lender forecloses?

Should a Common Interest Community foreclose on an owner?

When and why?

What are the risks and benefits of foreclosure?

When does the 9-month super-priority lien apply and when does it not?

What should be in a collection policy and what should not?

Can an HOA take unpaid debts to small claims court?

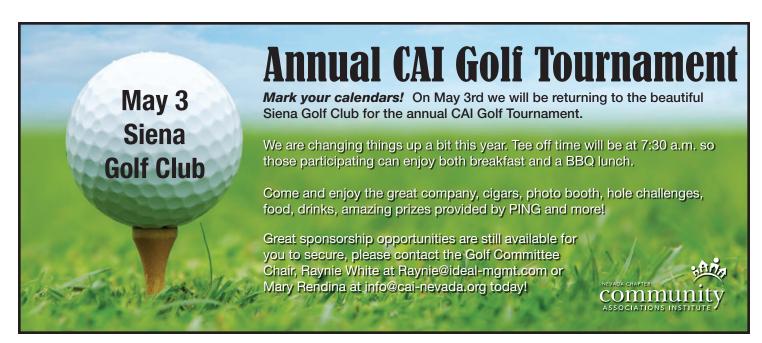
What is the difference between judicial and non-judicial foreclosure?

Most of these questions were pretty unusual just a few years ago, but now they are 'mainstream' issues that every board member needs to understand.

The forty people who attended the class learned how the CIC collection process works under NRS 116 and what their options are as they consider these questions and many more.

David's enthusiastic delivery and tremendous knowledge of the subject brought life to a topic many of us might otherwise consider to be dull. Over 87% of the student survey forms came back with "excellent" ratings.

If you missed this class, be sure to attend the next one. •





ERIC THEROS, CAM
IS A MEMBER OF
THE COMMUNITY
OUTREACH COMMITTEE
AND WITH COMMUNITY
MANAGEMENT GROUP.

Planting Positive Seeds:

Community Outreach Committee and CAI Members Planting Trees at Valley Schools by Eric Theros, CAM

It's no secret that this industry is no stranger to the adage of a few bad apples can spoil a bunch. The Community Outreach Committee is launching a project that will start planting positive seeds throughout the valley in hope those positive seeds will grow and eventually overshadow the previous misconceptions of HOAs.

On Friday, April 26, the Community Outreach Committee has organized a project for Arbor Day that will plant trees in various elementary schools across the valley from as far north as Centennial to the southern tip of Anthem. Each elementary school will receive one tree per grade level so each grade can continue to watch their tree grow during their tenure at the school.

The project is branching out to be not only a fun time for the kids to come outside and get their hands dirty, but also an important learning experience for them as well.

Students will be incorporating Arbor Day and the environment into projects in various subjects, whether it be drawing the trees for art class or researching the positive effect trees have on the environment from oxygen level boosting to global warming. Not only is it a positive learning experience that will bring all of the students together, it also came at a perfect time for the schools, who are experiencing budget cuts that have unfortunately placed landscape beautification on the bottom of the totem pole regardless of the benefits.

In a time when everybody is attempting to "go green," the members of the Community Outreach Committee felt there was no better way to show that message than "giving green" to those who are in the generation that will be soon taking over the responsibilities of the planet. Star Nursery, who eagerly jumped on board when Community Outreach member Brian Shelah approached them and asked if they would be interested in helping out, donated all trees.

The trees have been donated, and preliminary irrigation and preparation are underway. However, the Community Outreach Committee needs volunteers from the membership to help on the day of the event itself. The event will be from 9:00 am until 2:00 pm at the schools listed below.

Whether you can volunteer for a few hours or the entire time, each location needs a minimum of 5 volunteers in addition to those we already have from the committee. That means we need 50 volunteers at least! Volunteers will help with anything that is needed while the grade levels are outside.

Each grade level will come out for about one hour to plant their tree. This will be an experience for the kids and will be hands-on for them to dig the holes and help fill them back in. Teachers and faculty will be on hand as well, but there are only so many kids at a time that can dig, and the Community Outreach Committee needs help keeping the momentum and excitement going while the project is being done.

The various locations are:

Bozarth Elementary

7431 Egan Crest, Las Vegas, NV 89166

Cross Streets: Hualapai & Farm

Clyde Cox Elementary

3855 N Timberlake, Las Vegas, NV 89115 Cross Streets: Alexander & Pecos

Red Rock Elementary

408 Upland Blvd, Las Vegas, NV 89107 Cross Streets: Decatur & Alta

Wallen Elementary

2333 Canyon Retreat Dr., Henderson, NV 89052 Cross Streets: Anthem & Somersworth

This project is being spread throughout the valley to give our members the opportunity to jump in and "get their hands dirty" in the best way possible. This event is open to ALL of the CAI members, and is an awesome opportunity for everybody in the CAI spectrum from those who go to everything to those homeowner members who haven't really gotten to experience a CAI event yet (we know you're out there!)

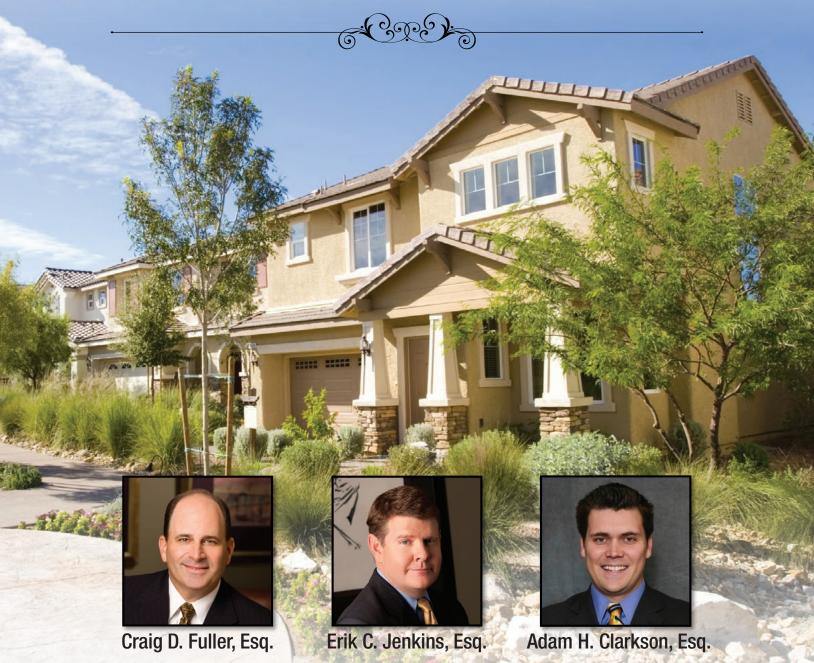
If you are interested in volunteering for this event or want any more details, we ask that you simply e-mail Chris Snow at marketing@cai-nevada.org to let her know what school you are interested in helping.

The only way a project this size can truly branch out and bloom across the valley is for the roots of the project and supporters to be strong and band together.

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ANDREA BEHRENS,
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COMMITTEE, AND
INSTRUCTOR IN
COMMUNICATIONS
SKILLS TO HOA
BOARD MEMBERS
AND COMMUNITY
MANAGERS

Building Event Cachet for Little Cash

by Andrea Behrens, DCAL

Promoting community events doesn't require a large master-planned community's big budget. With a little imagination and a little moxie, you can market small community events for little or no cost.

When devising a promotion strategy for your event, whether it's a neighborhood garage sale, a race, or a park cleanup, ask yourself who is invited and how large a turnout you expect. Focus on your target! Is your event open to just your community's residents or the general public? Is it free or will you charge admission? Is it outdoors or indoors? Will there be food or drinks? Your promotional materials should mention all of these details clearly.

If your event is a private, residents-only function, you can promote it through your community's newsletter, e-blasts and websites and ... as long as the covenants, conditions and restrictions,

aka CC&Rs, allow them ... fliers and posters. If the event is small, keep your promotions simple. Our friend's small condominium community promotes its quarterly wine-and-cheese event for residents exclusively through email.

If your community has Facebook or Twitter pages, post your event there. Both are free to use. Even if your community does not have a Facebook page, you can share these listings on your own Facebook page. If you use Facebook in your community, create the event as a Facebook event and invite people to attend.

'Inkling Media', a Lancaster, Pennsylvania, marketing agency that emphasizes social media, suggests that event promoters "set the virtual sharing in motion" on Facebook.

"You and anyone involved can use the 'share function' to post the event on your personal

Leadership at a time when it's needed most.



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Call 800.672.7800 Visit managementtrust.com walls, thereby letting your friends know," Inkling Media says. "You can also use the 'invite function' to personally invite any number of friends. As people RSVP that they are coming, encourage THEM to share and invite. The more the merrier!"

If you promote your event on Twitter, use your community's 'hashtag' to create an event feed (e.g. #ourcommunity) and ask your community members to tweet it themselves (or retweet your tweets.)

Be sure your event is included and promoted on all communications with community members, and promote events as far in advance and as frequently as possible.

If your event is open to the general public, remember that most newspapers and television stations have website space, print space or community calendars where you can post most events for free. You might even find your event receiving news coverage.

You may choose to proactively promote the event to news media for coverage. If you don't have a media list, you can find contact information on their websites.

If you decide to promote the event to media, paste all of your information in the body of an email and say whether photos are available. If this is an annual event, include photos from previous years. Make your subject line really compelling, since reporters receive a lot of spam ... and build buzz by asking area politicians or local celebrities to attend, and then promote that they will be there. The farther in advance you send information to media, the better your chances of landing coverage during or before your event.

Consider partnering with a charity; this will add appeal and news value! When we've hosted educational seminars, for example, we've invited attendees to bring items to donate to a local food bank. In some cases, the charity you partner with will also promote your event.

If you're a community manager, ask board members for help in promoting events. If you're a board member working with a community manager or other vendors, ask for their support in promoting and attending your community events.

Events are a great way to build communities. Promoting them properly using free tools is a great way to get the word out!

When you think Community Association... THINK



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ROBERT ROTHWELL, PH.D., DCAL IS CHAIR-ELECT OF CAI NATIONAL CAVC AND A MEMBER OF CAI NATIONAL BOARD OF TRUSTEES.

CAI is Working for You!

Researched by Robert Rothwell, PhD, DCAL

CAI is your link to legislatures, regulatory bodies and the courts, representing the interests of community association residents and professionals before the United States Congress, Federal Agencies and a multitude of other policy setting bodies. Additionally, as state governments grow more active, CAI National works closely with Chapter Legislative Action Committees (LAC) to protect member's interests.

This aspect of CAI's overall Government and Public Affairs program is vital to preserve the legal rights of community associations and their homeowners.

This is the second in a monthly series providing you with accepted CAI Public Policies.

RIGHTS AND RESPONSIBILITIES FOR BETTER COMMUNITIES

Every community has its own history, personality, attributes and challenges, but all associations share common characteristics and core principles. Good associations preserve the character of their communities, protect property values and meet the established expectations of property owners and homeowners. Great associations also cultivate a true sense of community, promote active homeowner involvement and create a culture of informed consensus. The principles below can serve as an important guidepost for board and committee members, community managers, homeowners and property owners and non-owner residents.

Homeowners have the right to:

- 1. A responsive and competent community association.
- 2. Honest, fair and respectful treatment by community leaders and managers.
- 3. Participate in governing the community association by attending meetings, serving on committees and standing for election.
- 4. Access appropriate association books and records.

- 5. Prudent expenditure of fees and other assessments.
- 6. Live in a community where the property is maintained according to established standards.
- Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
- 8. Receive all documents that address rules and regulations governing the community association, if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
- 9. Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

Homeowners have the responsibility to:

- 1. Read and comply with the governing documents of the community.
- 2. Maintain their property according to established standards.
- 3. Treat association leaders honestly and with respect.
- 4. Vote in community elections and on other issues.
- 5. Pay association assessments and charges on time.
- 6. Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
- 7. Request reconsideration of material decisions that personally affect them.
- 8. Provide current contact information to association leaders or managers to help ensure they receive information from the community.

9. Ensure that those who reside on their property (e.g., tenants, relatives and friends) adhere to all rules and regulations.

Community leaders have the right to:

- 1. Expect owners and non-owner residents to meet their financial obligations to the community.
- 2. Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.
- 3. Respectful and honest treatment from residents.
- 4. Conduct meetings in a positive and constructive atmosphere.
- 5. Receive support and constructive input from owners and non-owner residents.
- 6. Personal privacy at home and during leisure time in the community.
- 7. Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

Community leaders have the responsibility to:

- 1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
- 2. Exercise sound business judgment and follow established management practices.
- 3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
- 4. Understand the association's governing documents, become educated with respect to applicable state and local laws and manage the community association accordingly.
- 5. Establish committees or use other methods to obtain input from owners and non-owner residents.
- 6. Conduct open, fair and well-publicized elections.
- 7. Welcome and educate new members of the community owners and non-owner residents alike.
- 8. Encourage input from residents on issues affecting them personally and the community as a whole.



- 9. Encourage events that foster neighborliness and a sense of community.
- 10. Conduct business in a transparent manner. Only use executive sessions under circumstances permitted in the association's governing documents, permitted by local or state law or as necessary to conduct sensitive and/or confidential business matters.
- 11. Allow homeowners access to appropriate community records when requested.
- 12. Collect all monies due from owner and non-owner residents.
- 13. Devise appropriate and reasonable arrangements, when needed and as feasible, to facilitate the ability of individual homeowners to meet their financial obligations to the community.
- 14. Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights where permitted by law and the association governing documents.
- 15. Initiate foreclosure proceedings only as a measure of last resort.

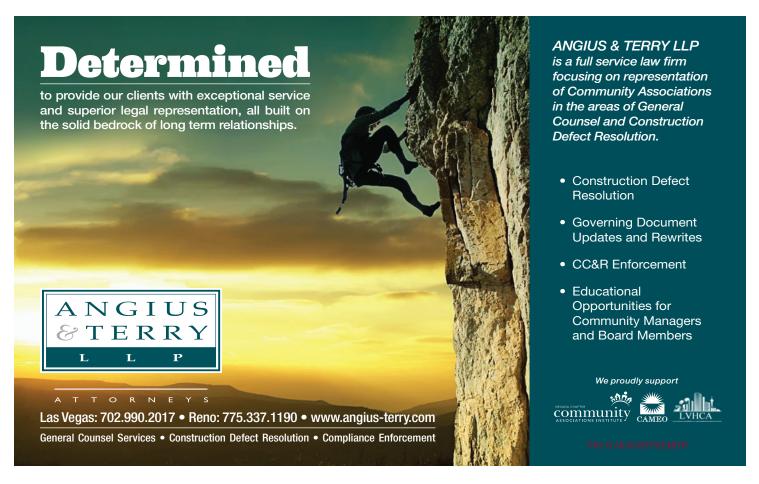
- 16. Make covenants, conditions and restrictions as understandable as possible, adding clarifying "lay" language or supplementary materials when drafting or revising the documents.
- 17. Provide complete and timely disclosure of personal and financial conflicts of interest related to the actions of community leaders, e.g., officers, the board and committees.

Readers are encouraged to share this information with State Legislators and other homeowners. •

RANDOM THOUGHT

"I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel."

---Maya Angelou



UpcomingEvents

Southern Nevada

	II			
APRIL	4/9	Las Vegas Monthly Luncheon	Gold Coast Hotel	11:15 a.m.
	4/9	CAI Nevada Chapter Board Meeting	Gold Coast Hotel	1:30 p.m.
	4/17-20	CAI National Conference	San Diego, Ca	
	4/30	Las Vegas Manager Breakfast	CAI Training Center	9:00 a.m.
	4/27	Las Vegas Homeowner Seminar	CAI Training Center	9:00 a.m.
MAY	5/3	Golf Las Vegas	Siena	6:00 a.m.
	5/14	CAI Nevada Chapter Board Meeting	Gold Coast Hotel	1:30 p.m.
	5/14	Las Vegas Monthly Luncheon	Gold Coast Hotel	11:15 a.m.
	5/18	Las Vegas Homeowner Seminar Essentials	CAI Training Center	8:00 a.m.
	5/21	Las Vegas Manager Breakfast	CAI Training Center	9:00 a.m.

Northern Nevada

APRIL	4/17-20	CAI National Conference	: San Diego, Ca	:
	4/25	Northern Nevada Manager Breakfast	Peppermill Hotel	9:00 a.m.
	4/25	Northern Nevada Homeowner Seminar	Peppermill Hotel	6:00 p.m.
				:
MAY	5/16	Northern Nevada Homeowner Seminar	Peppermill	6:00 p.m.

All Dates and Events are subject to change or cancellation.





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COMMUNITY MANAGER WITH FIRST SERVICE RESIDENTIAL AND A MEMBER OF THE SOCIAL COMMITTEE

Oh, What a Night! by Corey Clapper

You can say that again! The Nevada Chapter Social Committee held our first event for 2013 on March 22! The night was filled with great laughs and lots of fun. The theme of our first social was "Wine and Canvas" ... and the art rendering was of "Cherry Blossoms." You can imagine that many who attended were a little apprehensive about trying their hand at painting, but these aspiring artists soon gained confidence with the help of step by step instructions from a professional ... and several glasses of wine!

By the end of the night, Social Committee voted on the "Best of..." Categories including:

'Painting Under The Influence' - Blossom Tavares

'Best Adaptation of Original Design' - John Dubois

Artistic Design Through Wine Goggles - Donna Toussaint

'Too Much Wine, Not Enough Canvas' - Rosa Bryant

'Best Use of Color' - Preston Hopkins

'Most Creative Adaptation of Original Design' -Katie Rendina

The winners 'artistic' works will be displayed at an upcoming luncheon, so be sure to check out our very own CAI Artist's Masterpieces!

The night was a true success! All who attended were glad they came and were interested in attending future events.

Space was limited for this event and we could not accommodate many who wanted to attend.

Since the outcome was so great and, in the future, we do not want to disappoint those who were unable to attend this event, an email-voting poll will be sent via CAI Nevada Chapter requesting your feedback.

The responses would include feedback from those who attended and those who wish to attend a future "Wine and Canvas" event.

A BIG Thanks goes to all the Social Committee members and to those who participated for making this night happen!

We look forward to our upcoming events being bigger and better but with just as much fun!

Be sure to join us, you won't want to miss out on a great time!

View the event photo gallery on pages 18 and 19.



Social Committee's Wine and Canvas







CHUCK NIGGEMEYER, DCAL IS PRESIDENT OF SAGE HILLS HOMEOWNERS ASSOCIATION AND A MEMBER OF CAI NEVADA LEGISLATIVE ACTION COMMITTEE

Finances in the Common Interest Community

by Chuck Niggemeyer, DCAL

Instructor Randy Watkins began our recent DCAL class on finances by pointing out that one of the most important documents in a typical home-owners association is our budget. The budget is the basis for the assessments, the foundation of the association's fiscal health, and without it the associations could not function. Budgets are required by Nevada Revised Statues and Administrative codes and every association's governing documents. Budgets must be adopted, ratified and provided every year to all association members.

Association budgets contain a classification of expenditures for common items such as utilities, insurance, administrative costs, landscaping, etc. Randy pointed out that all budgets 1) must allocate ADEQUATE RESERVE FUNDING, 2) have a contingency funding for unplanned events, and 3) have a budgeted expense for doubtful accounts.

Budget methodology using zero-based historical trends and year-to-date trends were discussed and examples provided.

Determining income required for budgets includes an accounting of monthly, reserve, and special assessments. The income for a typical association equals total expenses plus reserve allocation divided by the number of units in the association. The budget goal for each year is to have all bills paid and no monies left over by year-end.

The next class topic was on Reserves and the Reserve Study. Randy reminded us that reserve funds are set aside, by law, for replacing common element components and portions of the community that the association is obligated to maintain, repair, replace or restore. Reserve funds are expended when required for repairs that don't occur on an annual basis and should

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cover repairs without the need for a special assessment. A full Reserve Study, Level 1, is required every five years and is conducted by a Reserve Specialist accredited in the State of Nevada. Association Reserve Studies need to be reviewed annually and funding adjusted if necessary.

A Reserve Study is a thirty-year schedule of funds required for replacing the inventoried list of major components within an association, as they require replacement. The Reserve Study, adjusted for inflation and interest, must be ADEQUATELY FUNDED, which may require increased assessments. ADEQUATELY FUNDED reserves means funds sufficient to maintain the common elements. Funds once placed in the Reserve Fund can only be disbursed for their intended purpose and cannot be transferred to everyday operating funds.

The next phase of the class concentrated on financial reporting in common interest communities. The State of Nevada requires the use of accrual and fund accounting. Homeowner Associations must review their 'financial status reports' a minimum of once a quarter and not less than every 100 days. Some examples of financial details that need to be reviewed are:

- Current year-to-date financial statement;
- Current year-to-date schedule of actual revenue and expenses compared to the projected budget;
- Current reconciliations of operating and reserve accounts;
- Latest bank statements.

Finally a brief discussion followed on auditing requirements and the different types of audits. Generally, associations require either a review or annual audit based on the amount of their yearly budget. Audits are conducted utilizing General Accepted Accounting Procedures (GAAP).

Class participants were provided a sample financial package to review as a class exercise. Randy led the review utilizing a step-by-step financial checklist, which all associations are encouraged to use for their own reviews.

This finance class is just one of many classes offered by CAI Nevada providing education to board members, homeowners, and business partners alike.

See you at a future class! •



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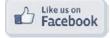
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TONYA BATES, CMCA, AMS, PCAM IS SUPERVISING COMMUNITY MANAGER FOR EQUUS MANAGEMENT GROUP.

Around The Block

Around the Block is an idea for a new regular segment in the monthly magazine that presents articles relating human-interest stories from our family of communities. If you have a story to relate, be it a tale about competition, coffee clutches, sewing circles, hobbyists, book clubs, community activities, and/or people or groups who deserve recognition, this is the place to tell it. We are looking for humor, ideas and upbeat examples of what makes your community a great place to live in 600 words or less. The magazine committee looks forward to hearing from you and thanks you for your contributions.

Homeless in the Common Area

by Tonya Bates, CMCA, AMS, PCAM

It was 10:30 on that brisk December morning, when the text arrived, "Call Reno Police Department at 555-1212 ASAP, regarding Happy HOA." Everyone knows in the Common Interest Community Industry, a text such as that is never good.

Happy HOA is a mixed use PUD in Reno, NV with over 30 acres of undeveloped common area, including walking trails. Undeveloped common area is defined as property owned and maintained by the Association; however, it is populated by natural desert vegetation and wildlife ... no landscape, no irrigation, and no structures.

When returning that call, a number of fears and possibilities can pass through one's head ... that day was a first in many years of experiences in Community Management. Of course, most community managers have experienced the homeless person utilizing the pool shower or bathroom to clean and bathe. So when the answerer responded, "This is Detective AJ Beiber from Reno Police Department. We need you to come down here and trespass an individual so that we can arrest him."

The dialogue progressed to the following scenario:

As a homeowner was hiking with his son, they stumbled upon a makeshift homeless shelter. In concern for the health, safety, welfare of his family, he reported the issue to Reno Code Enforcement. Because the shelter is in the middle of the Association's common area, the Homeowner's Association was responsible for the trespass and eviction. Neither Reno Police nor Code Enforcement could assist, unless a

representative from the HOA was present to "Formally" Trespass the individual.

The shelter was completely hidden in a green patch and shaded by natural growing willow stalks. It was ½ mile into the common area with a 60-foot vertical climb. The transient had taken the time to construct steps to make the climb easier.

Entering the shelter, it was completely roofed, floored and walled with plywood, then reinforced with waterproof tarps. There were 2 rooms ... a living area and sleeping area. The hut had a locking door, and since it was 10 days before Christmas, a green and red wreath hung on the door. Gates were erected on both sides of the shelter on the ridge. This was not a regular, temporary transient camp.

A review of an aerial view of "Google Earth" gave a time line of the camp development dating back to July of 2010. Because this shelter was established and unnoticed for multiple years, the Association could not merely tear the shelter apart.

The Board and manager consulted with their insurance agent and legal counsel, as well as Reno Police Department. The first step, according to Reno Police Department, was to notify the transient that he was trespassing. Then he could be arrested; however, homeless advocates suggested a much more humane approach.

Just before Christmas, a Board Member, Community Manager, Landscape Representative, and another witness hiked to the area to post a "Notice to Vacate." This notice



Picture of the structure from the Ridge above.

enforced the Homeowner Association's rights and notified the transient he was trespassing.

Pictures were then taken of the posting for legal documentation.

During the 30-day notice, the insurance company was notified, in case the transient filed an Illegal Eviction Lawsuit against the Association. Security companies were contacted, interviewed and hired to observe the area from area thoroughfares and to watch for ingress and egress into the camp. If the transient were observed, he would be trespassed on behalf of the Association.

Finally at the expiration of the 'Notice To Vacate', the Board member and landscape consultant hiked to the area and posted a '5-day Quit Notice'. At the time of this posting the camp had been cleaned out of all personal belongings and valuables.

Five days later, the landscape company began clean up. What took almost 3 years to build was cleared and removed in 6 hours without incident.

Convincing the Board to act on the perceived threat was difficult. The Board wanted to have a "heart," especially at Christmas.

Through guidance from the experts: the insurance agent, legal counsel and homeless advocates, the Board maintained the health, safety and welfare of their common areas, while treating the transient with dignity and respect.

Had the Board not acted with diligence, the Association could have opened the door to additional liabilities and problems. •



Picture of the 30-Day Notice to Vacate.



Picture of the camp at the 5-day notice to quit.



Picture after clean-up.



BARBARA WESTHOFF, CIRMS IS ACCOUNT MANAGEMENT CONSULTANT FOR COMMUNITY ASSOCIATION UNDERWRITERS OF AMERICA, INC. (CAU).

So, You Think Cheaper Insurance is Better? Think Again ...

by Barbara Westhoff, CIRMS

Often times a Community Association Board's thought process is that a lower premium equates to saving their association money. As long as they don't have a claim, that may be correct, but just when you think you will never have a claim, a claim happens! When seeking bids, the Board should review not only the premium (cost), but coverage limits, policy deductibles and a few key points of coverage within those policy limits. What will that "cheaper" policy really cost the association?

Let's look at the four (4) basic coverage groups:

Property (physical assets of the community) – For condominiums this coverage would include the residential buildings/units and all other common areas. For most single-family home community associations this would cover the basic common area elements such as streets. gates, clubhouse, pool, etc. Is the coverage provided on a true Guaranteed Replacement Cost basis wherein there is no dollar limit to repair or replace the damaged elements based on original plans and specifications, or is there a dollar limit? Extended Replacement Cost and Agreed Amount/Value Coverage all have limits. Check your certificate of insurance or your policies. Do you have a co-insurance clause? The association may have to pay a percentage of the claim. Is there a dollar limit on the sewer back-up coverage? Do you have to request this by endorsement? Not all policies include it or have it. How about your deductibles? Is the deductible so large that the importance of the coverage is greatly diminished? Is there a vacancy/unoccupancy clause? If a unit is unoccupied for 30 or 60 days prior to a loss, coverage may be significantly reduced. Are there foreclosures or vacant units in your association? What about snowbirds or owners that may have this as a second home? The last thing the association or an owner wants is to suffer a loss and report it, only to find out that coverage does not apply to their loss!

General Liability (loss to another party) – You will commonly see limits of \$1,000,000/\$2,000,000 ... so let's use these limits as an example. The first number is the per occurrence limit. A General Liability claim can

be paid for any one occurrence up to \$1,000,000. The second number is the annual general aggregate limit. This \$2,000,000 limit is the most that will be paid for General Liability claims in a policy period. For example, if a community association were to have two \$1,000,000 general liability losses in one policy year, the aggregate limit would then be exhausted and there would be no money left to address any further general liability claims. This is important in communities with a lot of exposure such as many units, many amenities or both. General Liability also applies to property damage claims like a homeowner's car damaged by a gate that the association knew was faulty. The car belongs to someone else, not the association.

Fidelity Bond/Employee Dishonesty/Crime (financial assets) – Is your Employee Dishonesty coverage equal to 3x the total monthly assessments plus reserves? If not, you are in violation of SB204 effective 1/1/2012 requiring same. Does it include computer fraud and depositor's forgery? Does it include manager/management company coverage? What is the Employee Dishonesty Deductible?

Directors' & Officers' Liability (Wrongful Acts) – What is the limit and what is the retention? Is the manager/management company covered?

Make a spreadsheet. List the carriers on the column headings, carrier A, B and C. On the rows: Policy term: Property; limit, deductible, sewer back up, vacancy clause. General Liability: per occurrence/general aggregate limits. Employee Dishonesty: limit, deductible, computer fraud/depositor's forgery limit, deductible, coverage for the manager/ management company. Directors' & Officers' Liability: limit, deductible, coverage for the manager/management company. At the bottom of each column show the premium. For A, B and C, look at the deductible and whether they have key property coverage such as sewer back up and no vacancy clause included Is it an additional premium? Is it even offered? Get it in writing. Same with the other limits listed above.

The true test of any policy is when you have a claim. If you select to be insured with a carrier

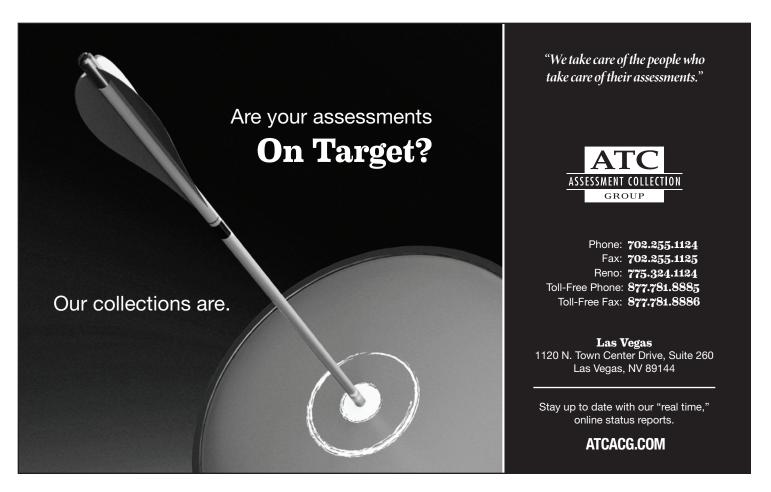


that has no sewer back-up coverage, or has no vacancy/ unoccupancy clause, that inexpensive premium policy may get very expensive because you may not have the coverage you need. If the premium with one carrier is higher but the deductibles are lower, what did going with a lower premium just cost you on your first claim? You must figure the deductible and coverage into the bottom line of the policy. CLAIMS HAPPEN!

Overall policy premiums for insurance companies are impacted by what the insurance company pays out in claims. Think east coast storm Sandy! Lots of claims = higher premium.

Lastly, but foremost, is customer service. You can't put a price on your agent's customer service and how the insurance company handles your claim. How fast do they respond? Is there open communication between the carrier and the manager? How helpful are they to you, the Board and the homeowners?

The bottom line is far more than just the Insurance premium. •





JUDITH HANSON, DCAL IS PRESIDENT OF ALIANTE MASTER ASSOCIATION AND A MEMBER OF THE SUN CITY ALIANTE BOARD OF DIRECTORS.

Record Keeping and Documentation within a Common Interest Community

by Judith Hanson, DCAL

Another class by Sara Barry! Yes, you know it has to be good. And it was. From one manager's perspective: "It gets the mind turning (thinking)." And that is exactly what this class did.

If you as a manager took nothing else away from the class, you should have taken away the idea that a Retention Policy is needed and it needs to be adopted by the Board of XYZ Association that you are managing. After all, whose records are you retaining ... yours? ... the Board's? You are retaining the records of the HOA that you manage and no one else's. This is not just Sara Barry talking to hear herself talk, this is a requirement of NRS116.

And, with that in mind, what do you save and for how long? This subject drew a lot of questions and conversations, especially when we broke up

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 by the 5th of each month for the following month's publication Submit your items to info@cai-nevada.org or fax to 702-240-9690.

into smaller groups. The following are some of the items that should be kept permanently: Accident Reports (especially if a minor is involved), Articles of Incorporation, By-laws of the Association, and CC&R's. In addition, Minutes of Meetings (By Nevada Law), plat maps and deeds, along with public offering statements. More can be added to the list and were.

What about a fifteen-year window? The following all came under this category: anything relating to accounting ... cash disbursement journals, cash receipts journals, check registers, accounts payable and receivable ledgers, business tax returns.

There was disagreement about how long to keep tax records ... 10 years, 15 years, or forever. Even the IRS cannot answer this question. So, to settle any disagreements on what you should keep and for how long, consult the Association's CPA and their Attorney. Should you desire to learn more of what falls under these guidelines, take Sara's next class.

Do you have a 'bad copy' policy? NO! Then perhaps you need to think this one through. If you make bad copies, do you shred these copies or just throw them into the nearest trashcan? You best have a policy in place to shred 'bad copies' in a cross-shredder.

Do you have a policy on Social Media for Managers? Maybe you should think about one. This is particularly important if your management company engages in Facebook, Twitter or another social media. Thieves are becoming more sophisticated these days, especially when it comes to hacking information about your 'friends' on Facebook.

Do your Board members sign a confidentiality agreement, also called a 'Non-disclosure Agreement'? This is a legal contract between at least two parties that outlines confidential material, knowledge or information that the parties wish to share with one another for certain purposes, but wish to restrict access to or by third parties. Perhaps you need to think one through?

What information is the Real Estate Division entitled to? For starters they are entitled to Annual Registration, updated Director Changes, and Reserve Study update filings. But there are plenty of items that they are not entitled to, including attorney-client information. What if the Division wants hard copies and you have shredded all the documentation that they are looking for? Who pays for this? You? Your Management Company? The homeowner?

Do you have an Inventory of Records? Not only does this save time, but also can help when you transition from a Declarant Board to a Homeowner Board or when you transfer from one Management Company to another. I remember sitting in an Ombudsman's class several months ago and a board member from a small community stated that her community manager had no record of what tax bills they had paid, where to locate financial statements, if an annual audit had been completed and the list went on and on. That association ended tup having to hire not only the Ombudsman's office to resurrect these files, but an attorney as well. Imagine how costly this was for her Association!

What about keeping a public list containing any chemicals used within your office? Do you have one? Perhaps you should. Even the ingredients in 'whiteout' can have an adverse reaction if not properly sealed.

What about 'cloud' storage? While 'cloud' storage might sound like it has something to do with the weather fronts and storm systems, it really refers to saving data to an off-site storage system maintained by a third party. Instead of storing information to your computer's hard drive or other local storage device, you save it to a remote database. Is this a good business practice? Will you come under some form of liability if all of a sudden a homeowner (or any other person not authorized) comes in contact with a board member's social security number or checking account number?

As stated in the opening paragraph, this gets the mind to turning (thinking).

So, if you as a manager came away with nothing else from the class, you need to have your board look at and review a retention policy and you need to have an inventory of records in place.

If you didn't take this class, perhaps you should look into it the next time it is taught! •

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KATHERINE M. WOLFE, DCAL, CMCA, AMS, PCAM IS DISTRICT MANAGER FOR EUGENE BURGER MANAGEMENT CORPORATION.

Stop in the Name of the ...

by Katherine M. Wolfe, DCAL, CMCA, AMS, PCAM

What? Who? The police? The Management Company? No ... wait ... maybe it's the homeowner association.

Homeowner association documents (usually the CC&Rs) contain a section dictating deed restrictions (also known as Use Restrictions), which homeowners agree to abide by upon the purchase of the property. Deed restrictions can be as simple as ensuring the trash can is out of view on non-collection days ... or ... they can be as complicated as submitting an ARC (Architecture Review Committee) application with engineered drawings and neighbor signatures.

Nevertheless, these are restrictions that the Board enforces as part of their fiduciary responsibility to their association.

If you've ever been on the Board of Directors for your community or attended a board meeting,

you have probably heard some of these complaints from the homeowners:

- Why did I get a violation notice for leaving my trashcan out when my neighbor has weeds three feet tall?
- I'm not paying my assessments because the association does nothing for me.
- Close the pool. I don't care. I don't use it.
- Why do I have to submit an ARC application and get my neighbor's signature when he didn't get my signature when he installed a pool (fence, tennis court, substitute your favorite complaint)?
- I am tired of you people harassing me. There's nothing wrong with my trees.



- What are we paying for anyway?
- And my personal favorite ... We don't live in Nazi, Germany. We live in the USA. We don't have to follow these rules because we are a free country.

Well, yes, we live in a free country but the people living in America have rules to follow as well. For example, obeying a traffic signal, having insurance on your vehicle, having a valid driver's license if you want to drive a vehicle, registering vehicle plates, and paying income taxes. So why is it so hard to live by your association's rules when you live with governmental rules every day?

The difference between the rules of an association and other rules we must follow (federal, state, city, employment, etc.) is that the association's rules are perceived as an invasion of our personal space, our refuge and our home. "No one is going to tell me what to do. This is my house and my yard, and I'll do what I darn well please with it." Sound familiar?

Deep down inside, most homeowners want to maintain, protect, preserve, and enhance their investments. They follow the rules and regulations of their association and expect everyone else to do the same. If life was only that simple!

The old saying goes, "treat others just as you would like to be treated." The deed restrictions, rules, and regulations are guiding factors toward maintaining harmony within the community. If you signed on the dotted line when you purchased your home, then you committed yourself, family, friends, and tenants to follow those guidelines. No exceptions!

If you are on the Board of Directors, compliance committee, or ARC committee, enforce the restrictions with some common sense.

If the deed restrictions state that all landscaping must be free of weeds and maintained properly, you wouldn't write up your neighbor, who regularly maintains his/her yard, just for having two little weeds in the landscaping that sprung up when they were out of town for the weekend?

You would be surprised at the number of people who would send out a violation notice for that. Never mind that the neighbor didn't feel well that week or was out of town. They broke the rules and they will be punished! Use common sense! If that were you with the two weeds growing in your yard, how would you feel about receiving a violation notice?

A misconception is that the management company is unfairly enforcing the provisions of the governing documents. "Get rid of that management company. They don't do anything for me. I'm being harassed by them!"

What homeowners don't realize is that the management company doesn't make decisions for the association — the board members make the decisions, which are then communicated to and implemented by the management company.

Homeowners should also not expect the management company to act as the police.

Management is in place to, among other responsibilities, ensure the governing documents are followed uniformly and consistently at the direction of the board.

Management doesn't toss out illegal immigrants, keep children off your lawn, or discourage gang activity. Call the local police department for activities breaking state and local laws and don't expect management to do it for you.

Take some responsibility for what happens in your neighborhood and become involved in community activities. Become a member of the board ... join the welcoming committee ... form a Neighborhood Watch.

It is said that the best way to learn about something is to teach someone else about it. Become more informed and involved in the community where you live. You just may learn a thing or two about your association!



This next correspondence is from Gladys Tidings, She wants to know why the pink flamingos in her front yard have to go.

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