

Vol. 33 • No. 7 • July 2015

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COMMON

INTERESTS

Building Better COMMUNITIES



ALSO INSIDE:

Benefits of CAI Involvement
Building Better Relationships
Nurturing Our Planet
Denver Days
And More...!



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- R.Z., Community Manager

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simple to understand."*

-A. J., Community Manager

"I 'HEART' you folks!!!"

- R. R., Community Manager

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President's Message



GREAT SCOTT!
SAVE THE DATE!

**2015 Mountain Conference
& Trade Show**

September 14
Vail Marriott Resort

"We don't need roads where we're going!"



CARMEN STEFU
President
CAI-RMC

With July here, I hope every manager in our Chapter has taken the necessary steps to become licensed. Congratulations to everyone who has passed the exam(s) and is now properly licensed! This is a great personal & professional accomplishment! We encourage all of you to continue growing in this industry!

I would like to thank all the committees the Chapter has and recognize the invaluable amount of time every committee volunteer puts into the success of our Chapter. From organizing events, to taking minutes for a committee, from speaking at our events to answering phones for HOA Line 9, our volunteers are the heart of our association! While this may sound as a repeat of an earlier article, I believe that we don't take enough time to recognize our volunteers, therefore, *thank you for all that you do!*

I'd like to close by wishing you great successes in your personal & professional lives. Remember, keep a positive attitude, adapt to change as quickly as you can and love what you do! 🏡



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Executive Director's Message



BRIDGET SEBERN
Executive Director
CAI-RMC

Our focus in this month's issue is "how to build better lives in your community". I love this focus because ultimately it's what we all should be doing regardless of our role in the industry. I question, however, how often we keep this as our priority. What do you think?

Research has shown that when people are engaged in their communities, they tend to live happier lives. Our goal this month is to encourage our members to make connections every day. If we're not connecting with people, what are we doing? I've asked people this question and the answer usually involves a long sigh and a remark along the lines of simply getting through the day or there's not enough time.

A community can be defined as a feeling of fellowship with others. Fellowship is like most relationships, it takes time and effort. This month, try to do more than just getting through the day. Greet someone who you normally wouldn't have time for. Whether it's at work or in your neighborhood, begin to build a better community by breaking your boundaries. We all have those boundaries that

are there to "protect" us—let's not forget that our neighborhoods should be places of support, security and friendship.

If you're looking for a way to get more involved, come to one of our events. We have great events coming up in August that are sure to be engaging and I hope to see you all at at least one of them! 🏠



"This month, try to do more than just getting through the day. Greet someone who you normally wouldn't have time for. Whether it's at work or in your neighborhood, begin to build a better community by breaking your boundaries."



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ADVERTISING

Deadline: First of each month for the following month's issue.
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Committee Corner



MOUNTAIN CONFERENCE COMMITTEE

We had our Planning Session on June 1st and many thanks goes out to all the mountain community managers that attended the meeting. And they brought with them some great ideas for educational sessions. So all the programs are set for the Conference and I know the attendees will be happy with all the various programs chosen. We will also have a special guest speaker for the Conference this year so all the more reason to attend this year. And remember, the Conference this year will be held about 3 weeks earlier than past Conferences. So we hope you have your calendars set for **Monday, September 14** and we are excited at our new venue, the **Marriott Vail Mountain**

Resort & Spa. It is closer to the heart of the Vail Village and there are many restaurants that are in walking distance. In addition, they have an outdoor pool and 2 hot tubs that will be open during our Conference and take advantage of a Spa treatment while you are there. Many of our members that attend from the Denver area really enjoy this laid back Conference as an opportunity to get out of the rat race of a major city and truly enjoy the serenity of the mountains while attending some great educational programs. I hear from many attendees each year that they always walk away with learning something new from the various educational programs in addition to having a great relaxing time at a first class mountain resort. The Marriott Vail Mountain Resort & Spa has agreed to match the same room rate offered at the Vail Cascade Resort & Spa which is \$119 a night for a standard room + reduced resort fee of \$15 vs the standard fee of \$25. And there is free parking at the main Vail parking garage which is a minute walk. We hope to see you there!



MEMBERSHIP COMMITTEE

We have changed the location and time of our meetings starting in June. Still the first Tuesday of the month but they will be at **2:00 PM at Palace Construction**. Thank you Palace Construction for accommodating our large group. Our committee is working very hard on the assigned tasks from the Strategic Planning Session at the beginning of the year. With the help and collaborative efforts from the **Media and Marketing Committee**, we are in the final stages of the New Members welcome gift. Special thanks to M&M's Chair and Co-chair **Danielle Holley** and **Andrea Daigle**. Keep your eye out for our next mixer. We have dialed in a great motivational speaker and we booked another exciting venue, **The ViewHouse DTC**. This event is going to make our last event look like a Jr. Prom After Party! Cheers!!



PROGRAMS & EDUCATION COMMITTEE

Thank you to those of you who joined us in Denver and Fort Collins in June for our P&E Summer Blockbuster, **"Surviving Your Career" with Matt Jones**, Professional Speaker & Author. Matt shared a wealth of information to help boost our productivity and passion for the work we do professionally and gave us some amazing pointers on how we can live a more fulfilled life personally. We do not have any programs in July, but hope you join us on **August 18th at Maggiano's DTC** for our **Strategic Planning Lunch & Learn with Rob Felix, Regional Vice President for Associa & Larry Healy, General Manager of the Beauvallon**. These gentlemen will share their extensive knowledge on how to prepare a strategic plan and the benefit it can provide to communities. Register now, as this program is sure to fill up fast! If you are interested in learning more about the Programs and Education Committee, please call our **Chair, Melissa Keithly at (303)233-4646** or **Vice-Chair Jenna Codespoti Wright (303)547-7848**. Our next committee meeting will be held on **Tuesday, August 4th at 12:00pm**.



MEDIA & MARKETING

HOA of the Year 2015 is upon us! Do you know of a community that works hard to be a nice place to live? Nominate them for **CAI-RMC's Annual HOA of the Year Awards!** The work they do can be large or small, the point is simply to be a top-notch community to call home. We have some great recognition awards in store for the winners this year. Look online for the application OR nominate someone and we will email them the application.



HOA COUNCIL

Outside of getting the chance to ask questions of great experts in management, legal, insurance and other vital subjects, a wonderful opportunity at our roundtables is the chance to network with other board members. During the light supper offered at the start of the roundtable, individuals from other HOAs can be heard asking each other about the common issues and solutions. Often the evaluations list networking as the best thing about the event.



MOUNTAIN EDUCATION COMMITTEE

As Chair of the MEC, I would like to thank the Committee members for their valuable assistance and constructive input during our series of successful events last month. The MEC committee members include **Dan Reynolds** (RKV Law), **Jonah Hunt** (OCH HOA Law), **Stan Stoll** (Knott Labs), **Lorrie Johnson** (BluSky Restoration), and **April Ahrendsen** (Mutual of Omaha Bank). Also, without the assistance of the CAI-RMC Board, especially **Carmen Stefu** and **Denise Haas**, **Danielle Holley** of the Marketing Committee, and of course **Bridget Sebern** and her staff, our events would not have been as beneficial. A special thanks also goes out to attorneys **David Graf**, **Jonah Hunt** and **Aaron Goodlock** for answering the myriad of questions and concerns raised. We engaged over 70 participants at our Frisco, Edwards, Glenwood Springs, Durango and Montrose venues. Attendees represented the range of our industry groups, some travelling long distances, from (very) small scale managers, potential managers, self-managed community board members, some minimally compensated, developers, real estate agents, contracted vendors such as bookkeepers with slightly expanded duties, to other HOA vendors interested in learning about the manager licensing laws and associated rules. Naturally, the seemingly rapid onset, complexity and obscurity of the laws have our mountain and western slope residents bewildered, to say the least. No doubt we'll all have a lot to say as time progresses.



ACTIVITIES COMMITTEE

Our 19th Annual CAI-RMC Golf Tournament was a HUGE success! Congrats to our winners:



Hole-In-One Winner Steve Paul



1st Place Men



1st Place Mixed



Welcome New Members

Scott Bondy—Vivax Pros

N.E. Cygan—Prospector Fractional Owners Association

Susan Kay Elliott—Hammersmith Management, Inc.

Joseph Francis Feeley

Danielle M. Holley—Hearn & Fleener, LLC

Heather Humphrey—

Colorado Association Services-Ft. Collins

Janet Hun—Prospector Fractional Owners Association

Damon Jawitz—

The Management Trust-PMA Colorado Division

Ronald Gerard Legault

Alexander Martin-Barnes—St. Charles Town Company

Kelsey Mason—Colorado Association Services-Ft. Collins

Tina L. McFarlin—Colorado Management & Associates, Inc.

Rich McGilvery—Fox Pointe Residential Association

Garrett Milbrett

Anna M. Nedock—Westwind Management Group, Inc.

James Roland Parker, CMCA—Chimney Peak Properties

Eric Plouffe—JBK Landscape LLC

James Reynolds—Fox Pointe Residential Association

Larry Stone—Cool Planet

Ashley Young—Colorado Association Services-Lakewood

Joy Zeller—Wilson Ranch Homeowners Association



CAI-RMC MISSION STATEMENT

***The Community Associations
Institute Rocky Mountain Chapter
is the recognized leader in the
region for education and
advocacy to better enable those
involved in community
associations to lead and serve
their organizations.***

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Fort Collins

City Spotlight

Located in northern Colorado, Fort Collins is home to Colorado State University and an outstanding public school system. Nestled at the base of the Rocky Mountains, Fort Collins offers exciting recreational opportunities, unique cultural offerings, and is a regional center for employment and shopping. Throughout the year, live music and entertainment, as well as great local dining, can be found throughout the historic downtown area. Fort Collins offers the convenience of a small town with all the amenities of a larger city. If you are seeking the Colorado lifestyle and a community in which you can reinvent and reinvigorate yourself then Fort Collins is your city.

Community

Fort Collins is a vibrant community of 148,000 set against the foothills of the Rocky Mountains, 65 miles north of Denver, CO. As a regional center for employment, shopping, and healthcare, Fort Collins offers the convenience of a small town with all the amenities of a larger city. Fort Collins is an active community; from musical concerts and powerful plays to food and beer tasting extravaganzas, Fort Collins has it all. Indoor and outdoor activities are enjoyable in every season. Fort Collins is the fourth largest city in the State of Colorado, with an estimated population of 148,000, including 31,000 students at Colorado State University.

Sustainability

Fort Collins has earned numerous accreditations for the sustainable practices of the city and its businesses. Some of the most innovative projects and leading sustainable design initiatives stem from right here in Fort Collins. Fort Collins Utilities was the first in Colorado and among the first in the country to offer green energy to its



customers. FortZED is growing to be the world's largest zero energy district. The FortZED area encompasses the Downtown area of Fort Collins and the main campus of Colorado State University. FortZED is a set of active projects and initiatives, created by public-private partnerships, which utilize smart grid and renewable energy technologies to achieve local power generation and energy demand management. The U.S. Department of Energy has contributed \$6.3 million, the Colorado Department of Local Affairs has contributed \$778,000 while locally, private companies and foundations have contributed nearly \$8 million.

Doing Business

Location, demographics, and quality of life are just a few reasons that make Fort Collins a great place to run a business. Fort Collins has big city ideas and small town relationships; craft brewers, bioscience, software, hardware, and clean energy companies contribute ideas, inventions, and products that shape the local economy.

Activities

Cultural events and festivals abound in Fort Collins. The Historic Old Town District is home to numerous events, including the annual New West Fest in August, Saint Paddy's Day parade and the Concert Under the Stars summer series. In town, residents take advantage of 820 acres of developed park land, including 6 community parks and 44 neighborhood/pocket parks as well as 29 miles of trails offering scenic views of the Poudre River and the beautiful Rocky Mountains. There is no better place than Fort Collins for spectator sports. Colorado State University fans delight in watching the popular Rams football, basketball and volleyball teams. ⬆

DID YOU KNOW???

Fort Collins has numerous recognitions that solidify it being a great place to live. Here are just a few:

- Ranked No. 9 of 2015's "Top 10 Healthiest Cities": *Livability.com* - Apr 2015
- Ranked No. 3 in College Ranker's "50 Best College Towns to Live in Forever" list: *College Ranker*—Mar 2015
- Ranked No. 6 in NerdWallet's "America's Most Innovative Tech Hubs": *NerdWallet*—Feb 2015
- Ranked 7th on Best Places for Business and Careers: *Forbes*—Aug 2013
- Platinum Bicycle Friendly Community: *League of American Bicyclists*—May 2013
- Gold Level Certification: *Solar Friendly Communities*—Apr 2013
- 4th Healthiest Mid-Size City in U.S.: *2012 Gallup-Healthways Survey*—Feb 2013
- Ranked 3rd on Allstate America's Best Drivers Report: *AllState*—Sep 2012
- One of the Ten Best Vacation Cities for Beer Lovers: *Yahoo! Travel.com*—Jul 2012



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CAI Involvement= BIG BENEFITS

by Mark Payne
Winzenburg, Leff, Purvis & Payne

I've been involved with CAI for nearly 18 years now – less than some, and longer than many. Indeed, when I think about my early years of involvement, I imagine that they were likely not too different than any other new member's engagement. I realized then that working with community associations was an industry in itself, and often felt that it flew under the radar. How things have changed, and much of that is due to CAI's involvement in the industry, as well as the involvement of its members.

CAI-RMC's mission starts out "CAI-RMC is the primary organization in the region dedicated to fostering vibrant, responsive and competent community associations." How does it do that? Educational opportunities abound, from the many annual conferences, to the Lunch and Learns, manager breakfasts and roundtables. Education is key to CAI's purpose. Community associations have become more complex, and there has become greater demand for responsible governance, accountability and transparency in their operations. CAI has been on the forefront of educational offerings to keep its members up-to-date with the ever

changing environment. There is invariably the opportunity to learn from somebody else in the industry.

But CAI engagement is more than education. Many of us enjoy the benefits of networking with other professionals in the industry, whether those professionals are managers, construction professionals, landscape and maintenance professionals, reserve specialists, insurance professionals, lawyers, and virtually every other business that provides services to community associations. The relationships developed make it easy to call on somebody else who has expertise in the industry to get a perspective, gain knowledge and understanding in an unfamiliar area, or an opinion. CAI membership also creates a commonality of experience—sometimes commiserating with others in the industry; other times seeking a solution from somebody who has had a similar experience.

I'm sure I'm not the only person who, when speaking to a community association client, reviews the CAI-RMC service directory to see if the person hired by the client is a CAI member. Why? Because membership lends a benchmark of credibility. If

I see that a vendor hired by a client is a member of CAI, I will automatically associate a level of expertise to that vendor, giving them the benefit of a doubt. Similarly, if a vendor is not a member of CAI, I will automatically assume, rightly or wrongly, that the vendor may not have the necessary qualifications or credentials to operate effectively and knowledgeably in this industry. They must prove themselves. If I am asked by a client for a referral to a vendor providing some service to community associations, I will nearly always refer them to a CAI business partner. Similarly, when I see a business partner who has credentials attached to his or her name or company, such as CMCA, AMS, PCAM, CIRMS, CCAL, Reserve Specialist, or I know the person is affiliated with somebody who has those credentials, I am comfortable that that person or company understands this industry better than a similar professional without the credentials.

For me personally, and I know, for many others, engagement with CAI means an opportunity to “give back” in an industry that I care about—to educate newcomers, to be a mentor to others in

the industry, to be an advocate. There are many opportunities to provide education, and be a mentor, including being involved on committees, presenting at educational events, participating in the legislative process.

Engagement with CAI also brings the benefits of advocacy for the industry through the legislative action committee. Colorado has become a state of active legislative involvement with community associations - sometimes due to vocal groups of owners, sometimes due to homebuilders, sometimes because a legislator has a particular constituent to look after. Whatever the reason, the voice of one can easily be smothered. CLAC provides the voice of many, bringing to the table an understanding of the issues, careful consideration of the political process, and receives the respect and recognition of our legislators.

The benefits of CAI engagement are many. For me, one of the greatest benefits is the friends and associates I have met through CAI. Is it time for you to become involved? ⬆

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Building Better Relationships



To Build Better
LIVES

We have all heard the saying, “It’s all about who you know.” This is why networking has become so relevant in our everyday lives and workplace. Those people “you know” are the ones that can help you and others get where you want to be in life or help you solve problems or get what you want. That is only true if you have built good strong relationships with those people. Think about a relationship that you might have with someone. Is that relationship a strong healthy one that will benefit you or someone you know? OR is that relationship one that you can make better?

These relationships are not only benefitting you personally but think about how it is directly affecting your life and the lives around you. Negative relationships put an anchor on your ship and sink it to the bottom, weighing you down. Good, positive, strong relationships are the wind that moves your ship to bigger and better places that make life better.

Here are 7 key habits to help you build better relationships, personally and professionally:

1. Become A Great Listener

Everyone has the basic desire to be heard and understood. Unfortunately few of us are taught how to be great listeners. Most people are too busy thinking of what they want to say next to really listen to what the other person is saying.

When you notice yourself doing this, take a breath and correct your pattern by listening well. We naturally bond with people who really listen, hear us, and that we’d want to spend time with.

2. Ask The Right Questions

The best way to let people know that we hear them is to make sure that we first understand what they are saying. To do this we dig deeper and ask questions. We repeat back to them what they said in our own words to make sure what we heard makes sense to us. One possible way of making this happen is to say, “What I heard you say was . . .”

When others sense that we are making a sincere attempt to understand them, they tend to open up and share more with us.

3. Pay Attention To The Whole Person

We tend to remember and appreciate the people who ask us if everything is okay, even if we haven’t told them that anything is wrong. This tells us they are paying attention to us, and we all want that.

When someone is speaking, focus not only on the tone of their words, but also their facial expression and body language. Notice when someone’s words don’t match their facial expression or body language.

4. Remember Things That Are Important To Others

There is no more beautiful sound to our ears than the sound of our own name. Remembering people’s names is the first step to relationship building, and remembering other important aspects about them continues the building process. They will tell us what is important in their lives, all we need to do is listen and pay attention.

When they are speaking about a family member, an event, or a hobby and their faces light up, remember this factoid, as it is important to them. We don’t have to remember everything about them, just focus on their names and one important piece of information.

Some people known for building relationships keep a small portfolio of important information on significant people in their lives so they will have a written record to refer to in order to the keep facts accurate.

5. Be Consistent And Manage Emotions

People whose mood swings from hot to cold have a difficult time creating meaningful relationships. Regardless of how we are feeling, we need to be able to temporarily put those feelings aside to fully listen and engage others that are important in our lives.

6. Be Open And Share When The Time Is Right

We all know people who tell us their whole life story in the first five minutes of meeting us, totally oblivious to the fact that we likely have absolutely no interest in hearing it. To build strong relationships we need to be able to pace ourselves and share when it’s appropriate and at a level that is consistent with the depth of the relationship.

Good relationship builders show they are sharing the feelings of the other by mirroring emotions of the person speaking. Sharing excitement, joy, sorrow, frustration, and disappointment helps connect us to others.

When possible share a situation from your own experience to show that you can relate to the other’s experience, but never so that it overshadows or competes with their experience. This requires empathy and sensitivity to their feelings.

7. Be Genuine, Confident, Humble, Trustworthy, Positive, And Fun

People who build great relationships feel good about who they are and always look for the positive in their world. They genuinely want the best for others and want to see them succeed.

The energy of people who are comfortable in their own skin, upbeat, and positive creates an atmosphere where we feel good, want to be around, and want to spend time with them. They don’t gossip about others and keep what we tell them in confidence. Being self-confident, they don’t feel the need to draw attention to themselves. They always have time for the significant others in their lives. They are life-long learners who are always open to and looking for opportunities for self-improvement.

Now go and build better relationships to better your life and the community around you! Having those good relationships can come in handy when trying to handle an angry homeowner at a board meeting. ⬆



Nurturing Our PLANET

To Better Our Lives

Reduce, Reuse, Recycle! The commonly known 3 R's remind us to take care of the planet, but those are not the only things we can do to better where and how we live and preserve it for the future. Now whole cities and states have taken on wide range programs and opportunities to get people involved in "going green".

The City and County of Denver's Sustainability Office have adopted the Sustainable Neighborhoods Program which was developed in our own backyard by the City of Lakewood. The Sustainable Neighborhoods Program gives residents the opportunity to become active partners in making a vibrant and sustainable community. Neighborhoods participating in this unique certification program use guidance from city/county staff to organize workshops, projects, and events that enhance the livability of their neighborhood and reduce resident's ecological footprint. Participating neighborhoods earn program credits for their efforts and, depending on the number of credits earned in a given year, may receive designation as a "Participating Sustainable Neighborhood" or an "Outstanding Sustainable Neighborhood" from the city/county. For more information on the Sustainable Neighborhood Program visit: sustainableneighborhoodnetwork.org

The City and County of Denver offers other ways to get involved in "going green". You have the Bike to Work Wednesdays which is May 13 - June 24 and the well known Bike to Work Day June 24. Colorado Crop Calendar allows citizens to know when and where to buy local produce. The B-Cycle has allowed Denver to grow its commute options in downtown. For more on Denver's sustainability events and news visit: denvergov.org/sustainability

As a community manager you can get your HOA involved in the surrounding area's programs and opportunities. Many cities and counties provide events for recycling items like electronics that need special attention. It could be as simple as a neighborhood clean up day or a neighborhood garden that get homeowners interested and motivated to build better lives through saving the planet. When people get involved in a big movement like "going green" it gives them a sense of belonging to something great that will make them feel great for doing it.

Urge your board to encourage a sense of pride in the community and the planet we live on. It is a win-win-win for everybody involved; saving the planet while getting people involved to better the community where they live. 🏡

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Career Paths

Part II

Meet our CAI-RMC Board Members as they share their stories of how they've gotten to where they are today, some of the surprises, and what advice they have to offer.

Denise Haas is a partner and community manager at 5150 Community Management where she has been for just over a year and a half. She brings ten years of community management experience to her role enhanced with an extensive construction background. Her previous positions include being in business development for a construction company and an office manager for a consulting firm that catered to the construction industry. She says, "I always saw myself owning my own business, but I was never sure what industry I'd end up in."

As far as career paths and our ability to learn something of value from a range of experiences, Denise references her stint as a candy stripper in a hospital in Granger, Utah. She recalls, "It taught me the differences in people and that each person has a unique way in which they need to be cared for to have a successful outcome."

Her advice: Take care of yourself first and the rest will follow. Always know that there is another manager out there that is awake at 3AM wondering the same things that you are, like, "Oh, I need to remember to take care of this first thing ..." You are not alone! And don't ever be afraid to ask questions. It opens doors.

Kim West is the Director of Business Development/Client Relations at ASR Companies, a client-focused, general contractor specializing in the repair, restoration and renovation of occupied residential properties, where she has worked for the past four years. Some of her work involves dealing with insurance-related projects, where she brings significant experience to the table. Kim started her career getting her insurance brokers license and was in the insurance industry for ten years before leaving to start a family (She shares, "I have two phenomenal kids that I couldn't be more proud of and they are one of the great blessings in my life."). Prior to joining ASR, Kim worked for Dream Home Designs as their business development manager for five years.

Kim was born in Illinois, went to high school in Missouri and

moved to Colorado in 1999. Her father is in the construction industry, so she has been around construction her entire life. Kim's outgoing personality, coupled with her problem solving skills and genuine desire to help people find solutions, helped her gravitate to sales. She confirms, "I am passionate about helping people, and in my work, I am very client-focused. I also do a lot fundraising for various organizations and I have started a non-profit organization that benefits children who are fighting pediatric cancer. For me, helping people is the thing that makes me get up and go every day."

Kim's advice: Honesty, integrity and good communication are the most important things. Smile and have a positive attitude. This is a business that is 100% based on relationships and reputation. You want people to say you showed up, provided a quality product or service, and delivered it safely, on schedule and within budget.

Ginny Zinth has been with Moeller Graf for almost nine years. She started with them as a paralegal and now holds the position of firm administrator. Previously she was a portfolio community manager. She also served on the Aurora Planning and Zoning Commission and has a short period as an elected city councilperson in Aurora. She attests, "I never saw myself where I am today. I only vaguely knew the responsibilities of a community manager when a friend asked me to be a community manager in his firm. When I left community management eight years later I anticipated leaving the industry. Little did I expect that an invitation for lunch from David (Graf) and Tim (Moeller) was more than lunch. Here I am, sixteen years later."

Ginny was also a military wife and recalls moving more often than she cares to remember. She stayed home with her children


which meant she started down her career path in this industry later in life. She admits, "I was, however, one of those dreaded "neighborhood activists" and was front and center in many task forces and committees fighting for what I thought was right. This involvement along with neighborhood involvement gradually morphed into where I am today."

Her advice: There are so many opportunities in this industry, look around to find a position that fits your personality, education and interests. Do your current tasks well, but be proactive in showing that you are willing to learn and grow in the position. Cultivate a sense of humor, and learn that not everything is, or can be, an emergency. Always work with integrity, and compassion and treat everyone with respect. To be successful, you have to find "joy" in your career.

Find what you like to do and then apply yourself.

Jerry Orten has been an HOA attorney for 33 years. He is the co-managing member of Orten Cavanaugh & Holmes and works with community associations in all areas of law. He has been involved in community formation and community change and amendment, to governance, collection and enforcement issues. He frequently provides expert counsel to other attorneys, testifies as an expert in court, testifies at the State Capitol and advises legislators and lobbyists. He says, "Growing up I never envisioned that I would become an attorney, like my father had urged."

Before he became a lawyer, Jerry managed swimming pools, was a swim coach and ran swim lesson programs. Prior to those jobs, he held positions of every kind at private and public swimming pools. It was only when he was 19 and was in danger of losing his driver's license, that he hired an attorney who saved his license. He recounts, "I saw what a lawyer can do – apply law, logic and separate emotions from the issue, and so began a career path that I am still on."

His advice: Find what you like to do and then apply yourself. While you are looking for your perfect career, apply yourself well and manfully. Who knows where you end up! 



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The Top Ten Virtues of Board Member Education

By Wes P. Wollenweber
Ciancio Ciancio Brown, P.C.

In the years that I was the chair of CAI's Programs and Education Committee (P&E), the education event that I felt the most passionate about was the Association Leadership Series (the ALS). Who do we most want to advocate through education? Yes, our dedicated volunteers who lead their communities. Designed as an evening event to promote more effective volunteer leaders, this event is truly geared for board members interested in bettering themselves and the governance of their communities.

ALS events are usually scheduled three to four times a year and take place for two hours on a weeknight. Many community managers have shown commitment over the years for ensuring that their board members attend these great events. When managers and board members come together, it can really strengthen their working relationship. Many great topics have been covered,

including programs designed to build community, such as "The Art of Neighboring" (based on the book by Jay Pathak and Dave Runyon). Likewise, topics that help board members comply with critical laws and avoid lawsuits are often the focus. This is a CAI-RMC event that truly embodies the heart of and soul of the education we offer to truly be "Your Community's Education Partner".

As such, it is an opportunity that should be embraced and vigorously promoted. When asked to justify that position, I decided to list all the virtues of this event, which I have witnessed on many occasions. In the spirit of the recently retired but immortal David Letterman, here is the top ten list for why the ALS event is so critical to this chapter:

10. Community managers who attend get to eat and relax and get a break from being in charge of yet another "board" meeting (slight pun intended).

9. Board Members who attend get a pass from paying bills, watching reality shows to please a family member who is addicted to such shows, and other routine evening events.

8. Board members love their community managers who are willing to take them to events, where they are fed, and empowered with great educational training on topics such as community and urban development, fair housing, how to run a proper board meeting, etc.

7. ALS topics often are designed to help both managers and board members govern more effectively and protect the assets of their community.

6. Community managers and board members who attend together realize the value of training designed to help them cover their "assets" and behinds.

5. The ALS topics are often geared on promoting and building community, and many board members love the idea that there is more to life as a volunteer than simply enforcing the rules.

4. While it's a volunteer job and doesn't pay well, being on a board means having power; and, in the wise words of Spider-Man's uncle, with that power comes great responsibility; ALS education helps board members meet that responsibility.

3. Board members who come and are not yet CAI-RMC members get to interface with charming CAI-RMC ambassadors, willing to share the many benefits of membership.

2. CAI-RMC membership is a tremendously good thing (sorry, had to throw that in, as I'm on the Membership Committee these days).

1. Those willing to dedicate an evening to education are the type of leaders in our industry we want to empower.

Many will make a commitment to better lead by attending an evening event if that event will add value to their role. The ALS events bring great value to both managers and board members alike. You will definitely bring value to your community when you promote these events to your Boards. ⬆



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The Roles of the HOA and Legal Counsel

What Board Members need to know about the role of the HOA attorney in order to make the relationship work better— It's not just about litigation!

by Brian W. Denlinger, Esq.
WesternLaw Group LLC

Introduction:

Homeowner Associations (“HOA”) are created to preserve the planned residential community concept. When successful, an HOA offers many benefits to its residents. HOAs provide residents with amenities and beneficial services while maintaining common property. They also prevent nuisance neighbors, provide community security, stabilize and enhance property values, and facilitate communication between members of the community. To properly function, HOAs depend on the inter-relationship between the Board of Directors, the community manager, and legal counsel.

The Association is governed by a Board of Directors. Board members are generally volunteers and homeowners in the community. The Board has a fiduciary duty to make decisions on behalf of the HOA to protect its assets and property, manage its finances, and enforce its governing documents. This means the Board must enforce covenants and restrictions while balancing the rights of individual owners with the goals of the HOA to ensure the HOA's interests are being met. Oftentimes, a community manager is hired to assist the Board of Directors with financial services, maintenance duties, assessment collection, and other management responsibilities. The Homeowner Association's legal counsel represents the HOA and assists the Board in properly discharging its duties. The HOA attorney's responsibilities include:

- Drafting, interpreting, and preparing governing documents and policies to ensure they comply with Federal, State, and local law;
- Representing the HOA in covenant enforcement and compliance disputes;
- Collecting delinquent assessments;
- Contract review.
- Legal counsel is also strongly encouraged to provide education to Board members, the community manager, and individual homeowners regarding their respective role and duties within the HOA. Maintaining clear and continuing communication between the Board of Directors, the community manager, legal counsel, and the community residents is extremely important in order to help resolve conflicts and prevent future legal issues before they happen.

This article will explore the respective responsibilities of the Board and its legal counsel, and the interplay of those two and the community manager.

Board of Directors: the HOA Decision-Maker

The Board of Directors is the decision-making entity of the HOA. While some decisions may require a homeowner vote, or even consent of the first mortgagees, the Board has broad authority to enact policies, rules and regulations, and to make budgetary decisions concerning the HOA. In exercising this authority, the Board is bound by the HOA's governing documents. Board members must act in the best interest of the HOA when executing their responsibilities towards the HOA, and must exercise due care when making decisions on behalf of the HOA. In the discharge of these duties, the Board is assisted by other players: the community manager and legal counsel.

Legal Counsel: the HOA's Legal Representative

An HOA employs legal counsel to help the HOA function in compliance with the HOA's governing documents, Federal/State laws, and local ordinances. Importantly, the HOA's attorney represents the HOA itself, rather than the Board, a particular Board member, or individual homeowners. However, to properly represent the HOA, the attorney must work closely with the Board of Directors and community manager. This connectivity manifests itself in all aspects of the relationship, including community education, preparation and interpretation of governing documents, conflict resolution, and serving as the registered agent of the HOA.

Community Education

Legal counsel plays a fundamental role in educating the HOA's Board of Directors. While the Board of Directors should be aware of its general responsibilities and requirements, members should call upon legal counsel for guidance when they are unsure about a particular issue as it relates to their responsibilities. Among other matters, legal counsel can provide educational assistance in preparing for and conducting Board meetings, proper handling of covenant issues to preserve the community concept, and ensuring compliance with all statutory requirements.

Additionally, HOA Boards are required to provide homeowner education under the Colorado Common Interest Ownership Act (CCIOA), which provides that “the association shall provide...

education to owners at no cost on at least an annual basis as to the general operations of the association and the rights and responsibilities of owners, the association, and its executive board” (C.R.S. § 38-33.3-209.7). Legal counsel oftentimes plays a role in this education through speaking engagements, classes, and aiding with the preparation of circulated community newsletters.

Preparation and Interpretation of Governing Documents

Legal counsel also aids the HOA, the Board, and the HOA membership by drafting and interpreting the rules which govern HOA membership and activity. These rules are embodied in the HOA’s governing documents, which include the Articles of Incorporation, Declaration, Bylaws, Policies, and Rules and Regulations. The HOA attorney is charged with keeping abreast of legislative developments which may affect an HOA or its governing documents, drafting new documents or amending old documents to reflect a change in law, and interpreting what the rules say in case of confusion by the Board or community manager.

The HOA attorney will oftentimes make recommendations to amend, rewrite or supplement governing document sections which are out-of-date, duplicative, or conflict with other provisions. In this manner, the HOA attorney is helping to minimize the HOA’s (and the Board’s) liability exposure.

Therefore, as the Board works through decisions which involve legal documents (including non-governing documents like third party contracts), they are advised to consult with legal counsel regarding such documents. The attorney will have a valuable opportunity to provide opinion on the appropriateness of the action considering the duties of the Board, and whether the action conforms to the HOA’s governing documents and relevant law. This habit is also a good protection against the Board or community manager accidentally engaging in the unauthorized practice of law. For instance, neither a Board member nor community manager may draft a legal document for the HOA, negotiate legal rights, or give legal advice to another person or entity in an administrative or judicial procedure, or negotiating legal rights.

Conflict Resolution

Common legal actions typically involve assessment collection, covenant enforcement and resident violations, and governing document compliance. With community residents, the governing documents create rules for topics such as past-due assessments and restrictive covenants. If a homeowner fails to abide by those rules, the same set of governing documents provide enforcement mechanisms to the Board, community manager, and attorney. The attorney alone, however, has the license to state a formal cause of action against a potential Defendant.

The attorney works closely with the Board and community manager in analyzing possible remedies to breaches of the governing documents. Depending on the scenario, the HOA has a wide variety of such remedies available to it, ranging from pre-litigation outreach to the homeowner to a more severe remedy, such as judicial foreclosure. As the legal representative for the HOA, the attorney will present options for the Board to consider in determining the best strategy for resolving the issues. In some

cases, the attorney may recommend a mediator, arbitrator, or litigator, or they may be the one to litigate on behalf of the HOA. The attorney aids the Board in selecting and pursuing resolution through the appropriate remedy(s).

Registered Agent

It is highly recommended that legal counsel be the registered agent of the HOA. This ensures that legal counsel receives all correspondence and notices regarding the HOA so issues are properly and uniformly dealt with. If the HOA assigns a different registered agent, legal counsel may not timely receive important notices, which can have adverse consequences on the HOA. Similarly, it is recommended that the Board of Directors authorize legal counsel to complete the required HOA registration pursuant to C.R.S. § 38-33.3-401(1) with the Department of Regulatory Agencies (DORA) and with the Secretary of State on annual reports, because any HOA that fails to register with the Director of the Division of Real Estate on an annual basis is ineligible to impose or enforce an assessment lien or pursue other enforcement actions. Additionally, the HOA’s registered address with the County Clerk and Recorder should be the address of its legal counsel to ensure that all foreclosure notices are received by legal counsel in a timely manner so appropriate action can be taken. See C.R.S. § 38-38-506, regarding omitted parties to a foreclosure.



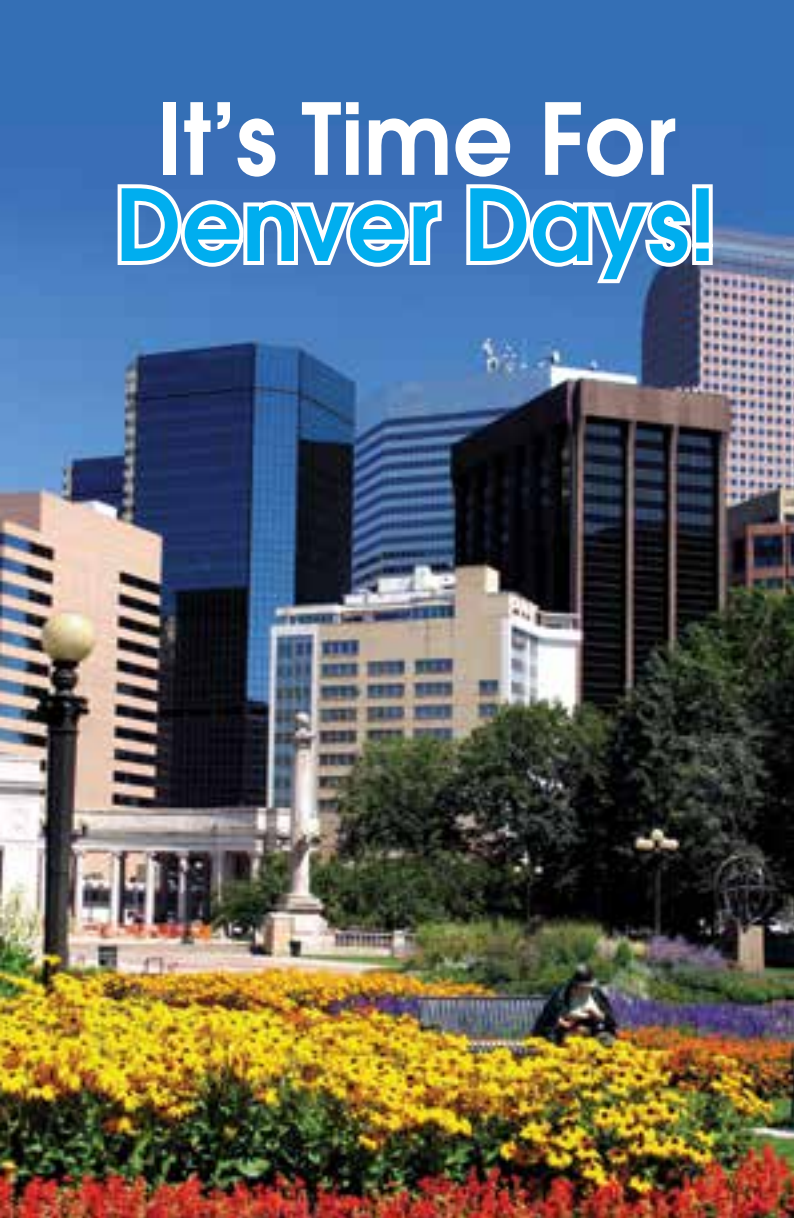
“The Board of Directors must uphold its high standard of responsibility as the decision maker for the HOA. To that end, the Board will use the HOA’s attorney for education, preparation and interpretation of governing documents, and litigation purposes.”

Conclusion

When functioning properly, Homeowner Associations are extremely valuable in providing continuity, predictability, and desirable benefits to residential communities. To ensure the HOA functions properly, the Board of Directors will rely on the governing documents of the HOA and the advice of its community manager and attorney. The Board of Directors must uphold its high standard of responsibility as the decision maker for the HOA. To that end, the Board will use the HOA’s attorney for education, preparation and interpretation of governing documents, and litigation purposes. In addition, we recommend that legal counsel serve as the HOA’s registered agent.

In order for a Homeowner Association to be successful in protecting its interests and the interests of its membership, it is crucial that there is continuing and quality communication between the Board of Directors, community manager, legal counsel, and homeowners. This open communication is vital towards solving problems that arise, as well as anticipating future issues and preventing them from happening. 🏡

It's Time For Denver Days!



By Gayle Rodgers

Mayor Hancock started Denver Days two years ago as a way to build community. His vision is to unite neighbors and neighborhoods together through love and service. This year the dates are August 1 – 9. We are encouraged to have block parties, social events and service projects. To register your event or to find more information on planning an event, please visit www.denvergov.org/denverdays or email denverdays@denvergov.org.

Why sign up during these dates? You save money. You do not have to pay the permit fee or buy insurance for block parties. If you want to block off your road, they will supply barricades at no cost. Some cities, like the City of Arvada, are even helping to cover some of the costs of hosting summer block parties.

If you have an idea for a service project, email myspsna@gmail.com.

You can read, watch, and share the latest from Denver Days and use the hashtag #DenverDays2015 on social media as you begin planning your Denver Days 2015 event.

Facebook: <https://www.facebook.com/denverneighborhoods>

Twitter: @DenverDays2015

Ideas For a Block Party or Neighborhood Event

A fun way to increase community spirit in your neighborhood is to have events. They could be large events or just a few homes/condos getting together. In the planning and during the event, you will get to know your neighbors better. A side benefit to that is it makes your neighborhood safer. Research shows that when you know your neighbors, crime goes down because you look out for each other. Here are some ideas to get you started planning your events:

Activities for Youth

- Art projects—Glue foods to something to create a design, sidewalk chalk art, make a project using popsicle sticks, paint a birdhouse, coloring with crayons, create a mural
- Bike/Trike/Wagon Parade. The bikes can be decorated ahead of time or let them do it at the event. An award can be given for the best decorated vehicle.
- Break open a piñata
- Duck pond
- Face painting or temporary tattoos
- Hopscotch
- Squirt guns, blowing bubbles

Activities for All-Ages

- Book exchange/swap: trade some books you have read with others. If there are some left at the end of the party, they could go to a charity.
- Icebreaker games: name on back and you need to guess who you are. Others can only answer yes or no. Bingo game where people sign their name if it relates to them (such as works in downtown Denver, runs marathons or you ski).
- Limbo
- Live music, sing-a-long, karaoke, street dance
- Races: cotton ball on spoon, 3-legged race, gunny sack race, water balloon toss, etc. There are many race and relay ideas online.
- Ring toss contest, bean bag toss or clothespin drop, cakewalk or musical chairs
- Scavenger hunt
- Skit or talent show. It would be easier to create a couple of teams and play Charades.
- Soccer, volleyball, badminton, dodge ball, four square
- Storytelling: truth or fiction.
- Tour your neighbor's gardens. Have a plant exchange or plant sale.
- Watermelon spitting contest
- White elephant exchange

Community Service Ideas

- Clean up graffiti
- Collect books for a charity, especially children's books
- Collect non-perishable food for a charity
- Create some neighborhood street libraries
- Help a neighbor clean up their yard
- Improve a common area in the neighborhood

- Neighborhood improvement party—find out what projects the neighbor's want done. If several want a new driveway or a new roof, they could negotiate with a company for a better price.
- Plan a fall clean-up or bulb planting
- Video party—neighbors are recorded sharing what they love most about the neighborhood. Post on the neighborhood website.
- Voter registration drive

Refreshments

- Bring your own picnic or snack
- Bugs on a log (peanut butter in celery with raisins on top)
- Coffee, tea and dessert, cup cakes
- Fruit, vegetables and dip, carrot and celery sticks, watermelon
- Cheese and crackers
- Finger jello
- Guacamole, salsa, chips and dip
- Hot dogs, brats, pulled pork sandwiches, gourmet burger bar
- Lemonade, root beer floats and cookies
- Make your own sundaes, ice cream cones, homemade ice cream
- Popsicles
- Pretzels, popcorn, s'mores
- Sandwiches cut with cookie cutters in fun shapes –peanut butter and jelly is good for kids of all ages
- Spicy chicken wings

Party Themes

- Art/Paint Party
- Carnival Party with corn dogs and carnival games
- Chocolate tasting party
- Cookie exchange
- Cooking party – like making crazy muffins or decorating cookies
- Game Night
- Ice Cream Social Party – bring ice cream and toppings to share
- International Party – food from around the world
- Mexican Fiesta – food and music from south of the border. Same idea for other locations like Asia, Hawaiian Luau, Hollywood, London, Paris, Mardi Gras, Safari
- Music party for a particular style of music like country or disco
- Pick an Era Party like the 50s, 60s, or 70s: select music and clothes from that decade
- Pizza Party
- Pool party – could be with kid's wading pools
- Popcorn and Movie Party – pick your favorite movie
- Potluck – each person brings something
- Progressive dinner – each course is served at a different house
- Sports Party Themes
- Superhero Party – dress up like your favorite hero ⬆

Submitted by Gayle Rodgers, an ambassador for Denver Days and author of a forthcoming book about how to create a neighborhood where everyone wants to live. You can reach her at 303-929-0909 or gayle@gaylerodgers.com.



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After the STORM

A Race to the BOTTOM

by Scott Benglen
Colorado licensed Public Adjuster

Property damage claims are on the rise in Colorado, especially for HOA's. 2014 saw significant storm damage from Colorado Springs to Ft. Collins and as of this writing, storms are already bringing property damage claims in 2015.

There's growing concerns in Colorado about restoration and repair contractors acting as policyholder representatives in the negotiation and settlement of insurance property damage claims. A cottage industry has sprung up in recent years as contractors, roofing consultants and "insurance claim specialists" offer to represent policyholders in regards to property damage claim settlements. It's a growing trend, one which generally is not good for the insurance companies or the policyholders because of inherent conflicts of interest.

The National Association of Public Insurance Adjusters (NAPIA) has a longstanding ethical rule that its members not act as repairmen and contractors. The State of Colorado enforces this through their regulation of public adjusters. The reasons are obvious: not only is it a conflict of interest, but also third party representation.

In general, public adjusters determine a theoretical amount of value of damage. The policy wording, benefits, timing of the benefits, laws and regulations affecting the policy all go to determine the amount the policyholder may take as money, repair as it was, repair differently or replace at another location. There are an infinite number of calculations which can be considered regarding the value of a loss. Adjusters determine the measures and make estimates to arrive quickly at a fair amount of value.

Contractors have another mission, to profit from the construction. If a contractor is attempting to negotiate claim settlement, they are negotiating for their own benefit, not the policyholders. Colorado regulates what contractors can and cannot do in regards to settling claims. Senate Bill 38 makes it clear contractors can discuss "scope" of the loss but are not allowed to "adjust" the loss.

I've jokingly coined this process as "A Race to the Bottom." The contractor wants his profits as high as possible. To achieve this, he pays his subcontractors as little as possible. In turn, the subcontractors cut corners and costs as much as they can so they can profit as well. I've seen this scenario play out countless times here in Colorado. Roofing consultants, insurance claim specialists and contractors all extract as much money as possible out of the claim for themselves.

In the field, I'm finding many insurance recovery contractors get construction jobs with one-page contracts that ambiguously indicate they will fix the repair for the amount paid by the insurance company. To get the business, many promise they will do the job and "absorb" the policyholder's deductible. Once the contractor is established the "Race to the Bottom" begins. Claims are settled for less than what is rightfully owed under the policy, then subcontractors are squeezed so GC's can take as much money from the claim as possible.

More recently, contractors working to settle claims are running into insurance carriers and their adjusters who are not cooperating and not adjusting the loss correctly. Inevitably, this creates a

contentious claim that jeopardized the association's ability to receive full recovery for their damages.

Even worse, we see situations where contractors attempt to do the work on an improperly settled claim, often having the association submit incorrect proof-of-loss documents. This scenario can be devastating for an association and nearly impossible to recover from. Longer term, the association now has a real issue with old damage should another hail or weather event hit the community.

Overall, it's critical for HOA's to manage their insurance claims honestly, legally and ethically. Property managers have a fiduciary responsibility to the association, as does a public adjuster working on behalf of the association.

Once the claim is settled the scope of loss will be complete and a full contractor agreement can be written, not one that is ambiguous and assigns the contractor all of the claim proceeds, but one that outlines all the work, quality of materials, etc.

This issue deserves more discussion by everyone in the industry. It is clear that attorneys should practice law, public adjusters adjust for policyholders, and contractors build and construct. Contractors have the education and licenses required to build; they do not have the education or licenses required to give legal opinions and interpret insurance policies. ⬆

Scott Benglen is Founder, President and Managing Partner at Denver based Claim Solutions, LLC. Claim Solutions is currently managing over \$50 million in property damage claims for Colorado HOA's. Scott can be reached at (303) 596-6043 or sbenglen@gmail.com.



“A cottage industry has sprung up in recent years as contractors, roofing consultants and “insurance claim specialists” offer to represent policyholders in regards to property damage claim settlements. It’s a growing trend, one which generally is not good for the insurance companies or the policyholders because of inherent conflicts of interest.”



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Engage Your Owners in a Crossword Challenge

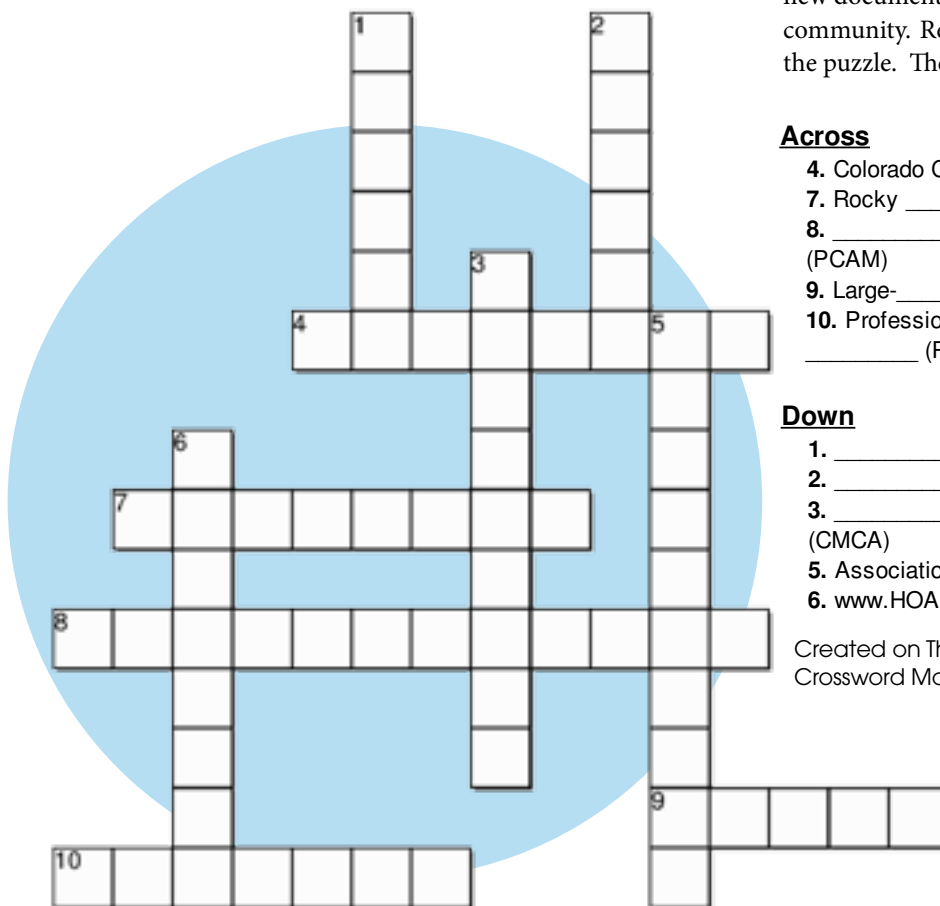
by Jean Ronald, CMCA, AMS

How often do you hear someone in the industry say that reading the Association Documents are a great cure for insomnia? Well, there probably is some truth in that statement. Or, have you been on the phone, or at a meeting, and referred an owner to the latest edition of an informative, seasonal fun packed, four page newsletter, only to hear, "I think I might have thrown that in the trash".

For years now, I have strived to find better ways to get the Association message out to owners, in hopes that somebody... anybody, reads the newsletters, letters, and notices. As an owner myself, I make pretty quick decisions about what I think is important, and yes, I've been known to throw out mail that doesn't hold my attention. Whether its snail mail or email, a quick skim through the first couple of lines and it goes into the category of "Better pay this bill" or, "Into the trash", or "Hey, this looks interesting!". With this in mind, my goal is try to get everything HOA to fall into the third category, "Hey, this looks interesting!", by :

1. Putting together a well written memo, with bullet points leading the eyes of the reader down the page, hoping to keep their interest, all ...the... way...to... the...very... last...word.
2. Rewriting sentences and deleting unnecessary words, to keep the text to a one page minimum. Not even the signature line on a second page.
3. Basically trying a little of everything: color, font, size, bold, italic, page colors, page borders, clip art, watermarks, to ensure that the precious words are read and not placed in the circular file found in the nearest corner.
4. How about a story in chapters that brings to life the never ending saga of cleaning up pet waste in the community. Look forward to Chapter III "A better Pooper Scooper" in the July newsletter edition.
5. Or, try... A CROSSWORD PUZZLE. This is truly a lot of fun, believe it or not. For example, you have just sent out the newly adopted RULES & REGULATIONS and there are one or two important changes, plus bits and pieces here and there clarifying language. You want everyone to read this important new document. Google "Crossword Maker" and engage your community. Reading the Rules & Regulations will complete the puzzle. There are several websites to choose from. 

Complete the crossword below



Across

4. Colorado Common _____ Ownership Act
7. Rocky _____ Chapter
8. _____ Community Association Manager (PCAM)
9. Large-_____ Manager (LSM)
10. Professional Management Development _____ (PMDP)

Down

1. _____ Interests (CAI Publication).
2. _____ your community (involve).
3. _____ Manager of Community Associations (CMCA)
5. Association Management _____ (AMS)
6. www.HOA-_____.org

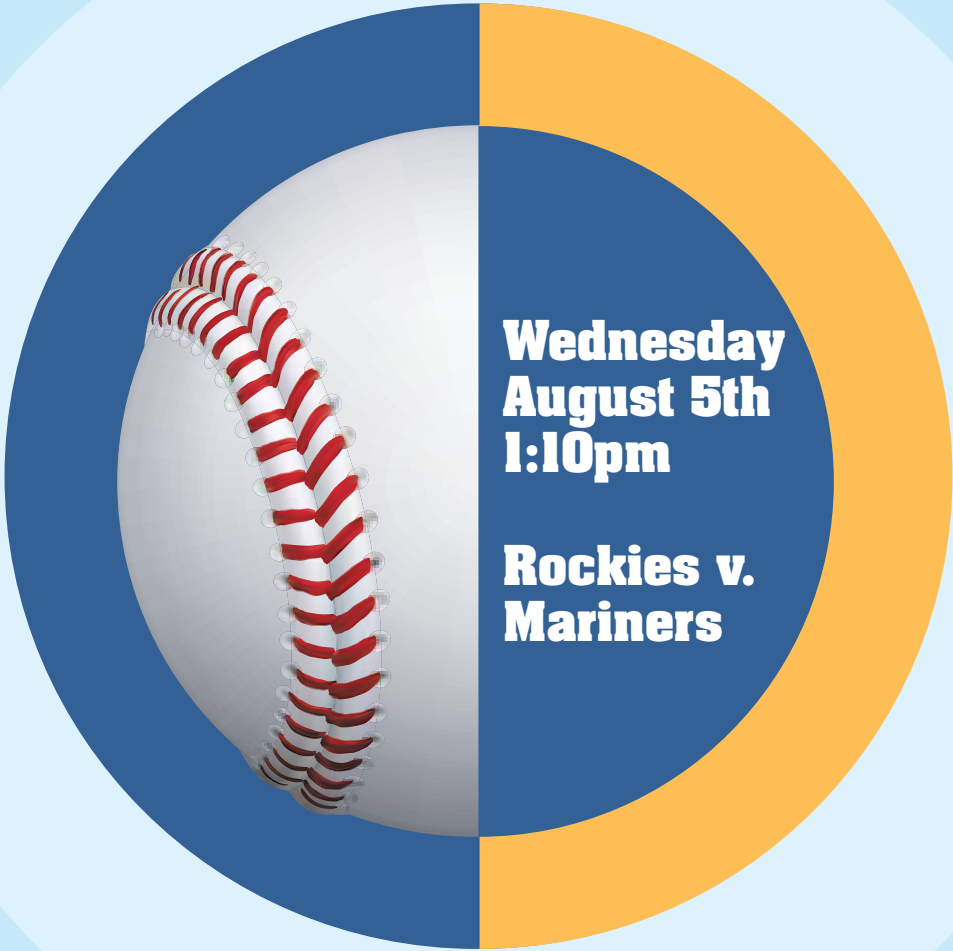
Created on TheTeachersCorner.net
Crossword Maker

Calling CAI-RMC Community Managers

Did you know CAI-RMC now has a new column every other week in the Denver Post? We're being published in 10 local zones in the Hub section, both in print and online. This is an advertorial – part advertising and part editorial. It's a bit of a "Dear Abby" to answer questions for the public about everyday HOA community living solutions and best practices. Each answer is between 120 – 200 words. We have a list of questions to be answered, and of course, you are welcome to suggest your own. We are inviting

our community of experienced community managers to lend their expertise and voice to this initiative. Each of the answers is credited to CAI, and all have an attorney review for technical accuracy. We invite your participation to further the visibility and value of CAI-RMC to homeowners and Board Members alike. Please contact philippa@shakerpainting.com to be invited to review the list of available and sample questions, and share your answers. ⬆

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18
Tue

Lunch & Learn
Maggianos DTC •
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27
Thu

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SEPTEMBER

14
Mon

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12
Thu

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