

# Common Interest

The Official Publication of CAI-Connecticut

Vol. IX: Issue 5 • 2014

*Inside:*

**EMERGENCY  
PREPAREDNESS**

**AGING TRUSSES &  
STRUCTURAL REPAIR  
PROJECTS**

**TECHNICAL  
EXPLANATIONS:**  
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The Transition  
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|---|--|

**Who Is CAI?**

The Connecticut Chapter is one of 59 Community Associations Institute chapters in the nation. CAI-CT serves the educational, business, and networking needs of community associations throughout Connecticut. Our members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to associations. The Connecticut Chapter has over 800 members including nearly 150 businesses, and over 450 community associations representing 50,000 homeowners.



The materials contained in this publication are designed to provide accurate, timely and authoritative information with regard to the subject matter covered. The opinions reflected herein are the opinion of the author and not necessarily that of CAI. Acceptance of an advertisement in *Common Interest* does not constitute approval or endorsement of the product or service by CAI. CAI-Connecticut reserves the right to reject or edit any advertisements, articles, or items appearing in this publication.



To submit an article for publication in *Common Interest* contact Kim McClain at (860) 633-5692 or e-mail: caictkmclain@sbcglobal.net

**President's Message**



**Richard Bouvier**

*“Hurricane season brings a real threat to associations throughout Connecticut.”*

Now that summer is here, the concerns of associations can shift from snow removal and salting to beautification projects and catching up with maintenance projects

that were put off because of the long cold winter. CAI-CT is staying quite busy with a schedule filled with useful education sessions as well as social events to catch up with old friends. Despite the weather, the annual CAI-CT golf tournament was a well-attended event at Oronoque Village in Stratford.

Looking ahead, we have the Summer Sizzler social event at Amarantee’s Sea Cliff on August 7th and the return of the Common Interest Theater presenting “Who Let the Dogs Out?” dinner and discussion on September 18th in Cromwell, CT.

I find it hard to believe that Hurricane Season has begun. The northeast has had its share of menacing storms in the past decade and many communities sustained major damage. Hurricane season brings a real threat to associations throughout Connecticut. In this edition of Common Interest we will speak to the importance of having an emergency preparedness action plan. Once the storm passes, real struggles begin with streamlining claims and completing repairs in a timely manner.

The CAI-CT website and Common Interest magazine continue to be clear and concise venues where our membership can continue to be tuned in to the ever changing dynamics of the Common Interest Ownership Act.

After a rather active legislative session, the Legislative Action Committee (LAC) is hard at work at preparing for the next symposium on October 23. At this information laden session, members of CAI-CT will receive valuable details concerning recently enacted legislation, industry trends, and other information and advice from knowledgeable professionals. Register early.

Serving as President of CAI-CT continues to be a rewarding experience. Without the team of volunteers and dedicated staff members, it would be impossible to have such a schedule of events for our membership throughout the year. Thank you to all who chip in and keep CAI-CT great.

**Richard Bouvier**  
*Bouvier Insurance*  
 2014 CAI-Connecticut President

**NOTICE TO ALL CAI-CT MEMBERS**  
**Annual Meeting September 9, 2014**

CAI-CT will hold its Annual Meeting on September 9, 2014 at 8:30am in our office at 1489 Main Street., Glastonbury, CT. Election of officers and board members will be held at this time. If you have any questions, or wish to make a nomination please contact us at 860-633-5692 or www.caict.org.

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## From the Chapter Executive Director

**“Let us make a special effort to stop communicating with each other, so we can have some conversation.”**

– Mark Twain



Kim McClain

Courtesy CAI-CT.

Summer time and the living is easy... It's the season for most of us to carve out some time to revel in simple pleasures like longer walks, reading real books, enjoying the company of those we hold dear, etc. But, when you take a break, do you really take a break these days? How many of you reading this hard copy magazine power off from your digital devices – even when you are on vacation?

While we know social media has many benefits, (Have you seen Ask Mr. Condo on LinkedIn lately?), like most things in life, moderation seems to be the key. There are a plethora of studies and excellent articles which discuss the issue of being “over connected.” A growing body of medical research has found that many people are addicted to technology and how it affects their ability to function and deal with stress. It's come to the point where there are now camps – for adults – to completely disconnect from electronic devices. This type of digital detox experience can start at \$400 and go way upwards from there. Even NPR is polling their listeners this summer on the question: “How do you take a tech vacation?”

Although the phones do seem to ring a little less often, and the quiet can be nice, we are working diligently to keep the important details of all the programs and activities in store for the Fall moving forward. Check out the calendar on the facing page and the website for all the upcoming events.

Finally, I wish to include a shout out to Ralph Garside of Bramble Ridge in Suffield, CT. It was great to see Ralph's reply in the most recent issue of *Common Ground* magazine. The question was regarding the appropriateness of accepting an offer from a landscaping contractor to foot the bill for an association's BBQ, as the funds for the event were not in the association's budget this year due to unexpected expenses. Ralph stated it was a bad idea. He said it would be best to have the residents donate directly to the association for the event, as that is what is done in his community. Way to go Ralph!

One of the many great benefits of CAI membership is a subscription to the award winning *Common Ground* magazine. The issues are filled with great information and excellent ideas for association operations. If you have a copy now sitting in your “to read” pile, grab the issue and a nice cool glass of lemonade and enjoy. If you're not receiving *Common Ground*, you are clearly missing out on the benefits of membership. Join today! (See page 6 for a member application.)

Stay cool! ■

## People in the news...

Courtesy CAI-CT.



**Kevin Reeves** received his PCAM certificate at the PCAM ceremony during the National CAI conference in Orlando this past May.

(left to right) Tom Skiba, CEO of CAI and Kevin Reeves, PCAM. Congratulations!

The strength of CAI-CT rests in the people who make up its membership. New members are always welcome.

CAI-CT believes that the primary benefit to being a member lies in the knowledge that your membership helps CAI-CT to continue its long history of effective education and advocacy.

Visit [www.caict.org](http://www.caict.org) to learn more about membership.



## UPCOMING CAI-CT EVENTS 2014

### SEPTEMBER

#### M-100: The Essentials of Community Association Management

September 18 - 20, 2014

Norwich, CT

Members \$445, Non-Members \$545

Successful community management starts with the essentials! This comprehensive community association management course provides a practical overview for new managers, an essential review for veteran managers and an advanced course for board members. You'll receive a 400-page participant guide filled with dozens of sample forms and time-saving tips for working with homeowners, vendors, managers and other professionals. Successful completion of this course is the first step in obtaining a professional designation in community association management.

*This course is required for all property managers per Public Act 12-113*

#### CAI-CT Common Interest Theater Proudly Presents... The 4th Annual Member Dinner & Discussion "Who Let the Dogs Out?"

Thursday, September 18, 2014

5:30 - 8:30 pm

Courtyard by Marriott, Cromwell

Members \$25, Non-members N/A



Back by popular demand, our cast of characters will present a lively board meeting of the fictitious community association "Happy Valley Condominium." Join us as we delve into the often emotionally charged topic of pets. Laugh, learn and listen to what you need to know to best serve your community.



#### The ABCs: A Basic Course for Community Associations

*A comprehensive review of community associations operations.*

Saturday, September 20, 2014

8:30am - 3:00pm

Light Breakfast & Lunch will be served.

JP Maguire Associates, Inc., 266 Brookside Road, Waterbury, CT

Members \$50, Non-Members \$75

A comprehensive review of community associations operations.

*This course meets the requirements set forth in Connecticut Public Act 06-23.*

SPONSOR:



### OCTOBER

#### Managers' Council Lunch — Insurance

October 2, 2014

11:30 am - 1:30 pm

JP Maguire Associates, Inc.

266 Brookside Road, Waterbury, CT

Members \$20, Non-Members \$40

SPONSOR:



**Speaker:** Rob Bouvier, *Bouvier Insurance*

Understanding different policies and what they offer.

*Approved for 2 points for CMCA continuing education*

#### M-206 - Financial Management

October 16-17, 2014

Norwich, CT

Members \$445, Non-Members \$545

Learn how to best manage your association's money. This course gives you the tools to understand and apply the principles of financial management to your community association. You'll learn the entire budget process, from identifying line items to reconciling accounts to gaining board approval. You'll also learn how to analyze and report on association finances.

#### Legal & Legislative Symposium

Thursday, October 23, 2014

Oronoque Village, 600 North Trail, Stratford, CT

Members \$50, Non-Members \$75



#### Sixth Annual Night of Fall Fun

Thursday, October 23, 2014

Oronoque Country Club, 385 Oronoque Lane, Stratford, CT

New Mind-blowing Entertainer! Combining eye-popping magic and mind-blowing mentalism, Mike Kirshner is always a huge hit at affairs, whether performing for the rich and famous like clients Kid Rock, Whoopi Goldberg, Mayor Bloomberg...or good Old Uncle Bob.

You are in for an evening of suspense, wonder, and fun with this master of strolling entertainment...look out for him, because you'll never forget him!



For updated event information  
and registration visit  
[www.caict.org](http://www.caict.org).

## CAI MEMBERSHIP APPLICATION

CAI, P.O. Box 34793, Alexandria, VA 22334-0793  
 Phone: (888) 224-4321 • Fax (240) 524-2424

### MEMBERSHIP CONTACT:

(Where membership materials will be sent)

Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Association/Co.: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone (W): \_\_\_\_\_ (H): \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_  
 Select your Chapter: CONNECTICUT  
 Recruiter Name/Co. Name: \_\_\_\_\_

### TOTAL MEMBERSHIP DUES\*

#### Community Association Leaders & Homeowners

- Individual Board Member or Homeowner \$114
- 2 Member Board \$200
- 3 Member Board \$275
- 4 Member Board \$345
- 5 Member Board \$395
- 6 Member Board \$445
- 7 Member Board \$500

For 2-3 Member Board application please indicate below who should also receive membership materials. Please contact customer care at (888) 224-4321 for Board memberships exceeding 3.

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 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip: \_\_\_\_\_  
 Phone (W): \_\_\_\_\_ (H): \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

**Managers \$124**

**Management Companies \$400**

**Business Partners \$555**

- Accountant  Attorney
- Builder/Developer  Insurance Provider
- Lender  Real Estate Agent
- Supplier (landscaping, etc.)  
Please specify \_\_\_\_\_
- Technology Partner  
Please specify \_\_\_\_\_
- Other - Please specify \_\_\_\_\_

Total Membership Dues above include \$15 Advocacy Support Fee

### PAYMENT METHOD

- Check Enclosed  VISA  MasterCard  AMEX

Account #: \_\_\_\_\_ Exp. Date \_\_\_\_\_

Name on Card: \_\_\_\_\_

Signature: \_\_\_\_\_

Important Tax Information: Under the provisions of section 1070(a) of the Revenue Act passed by Congress in 12/87, please note the following. Contributions or gifts to CAI are not tax-deductible as charitable contributions for federal income tax purposes. However, they may be deductible as ordinary and necessary business expenses subject to restrictions imposed as a result of association lobbying activities. CAI estimates that the non-deductible portion of your dues is 2%. For specific guidelines concerning your particular tax situation, consult a tax professional. CAI's Federal ID number is 23-7392984. \$39 of annual membership dues is for your non-refundable subscription to *Common Ground*.

## NEW & RENEWING MEMBERS

### Welcome — New Members

#### Associations

Carriage Crossing Association, Inc.  
 Forest Glen Condo Assn.  
 Charter Oak Condo

#### Professional Services

Giordano Associates, LLC  
 National Consulting Group  
 WetCo

Still Mountain Estates  
 Stony Mill Condominium Association  
 Surrey Hill Condominium Association, Inc.  
 The Meadows Association  
 The Village at Hunt Glen Condominium Assn.  
 Tunxis Village Condominium Association  
 Wallingford Staffordshire  
 Wetherell Village Condominium Association  
 White Oak Estates Association, Inc.  
 Woodlake  
 Wooster Brook Condominium Assn., Inc.

### Thank you — Renewing Members

#### Associations

Belvoir Condominium Association, Inc.  
 Birchwood Condominium Association  
 Bishop Meadows Association, Inc.  
 Brook Haven Condominium Association  
 Condominiums at Center Court  
 Country Place Condominium Association  
 Crest Condominium Association, Inc.  
 Crossroads Washington Condominium Assn.  
 East Mountain Village Condominium Association, Inc.  
 Fairfield Village Condominium Association  
 Farmington Woods Master Association  
 Forest Mews at Avon  
 Fox Meadows Condominium Association  
 Glen Oaks Condominium Assn. No. 1, Inc.  
 Harbour Village Condominium Assn., Inc.  
 Heritage Cove Condominium Association  
 Hunters Run Condominium Association  
 Kings Landing Owners Association, Inc.  
 Marina Bay Association  
 Meadow Hill, Inc.  
 Ocean Crest Condominium  
 Oxford Park Community Association, Inc.  
 Plum Ridge Condominium Association  
 Schoolhouse Landing Homeowners Assn.  
 Seaside Village Homes, Inc.  
 Silver Ridge Owners Association  
 Sleepy Hollow-MT Tabor Homeowners Assn., Inc.

#### Management Companies

Accolade Property Management, LLC  
 Audet Property Management & Real Estate  
 Connecticut Condominium Connection  
 Imagineers, LLC  
 Ingleside Associates  
 L & P Property Management Co., LLC  
 Margolis Management & Realty, LLC  
 Merit Properties, Inc.  
 Northeast Property Group, Inc.  
 RM Bradley Management Corporation  
 The Windsor Management Company

#### Professional Services

Accurate Reconstruction  
 Barry E. Smith, CPA  
 Collins Hannafin, PC  
 Cox Communications  
 David Foisey Capentry Association, LLC  
 JP Maguire Associates, Inc.  
 Peter M. Bakker Agency, Inc.  
 Prime Touch Services  
 Reserve Strategies, LLC  
 Scherneck Property Services  
 Southern New England Home Works, LLC  
 The Milford Bank  
 Tomasetti, Kulas, and Company, P.C.  
 Travelers Bond and Financial Products



**NOT A MEMBER?**  
**Sign up here...**

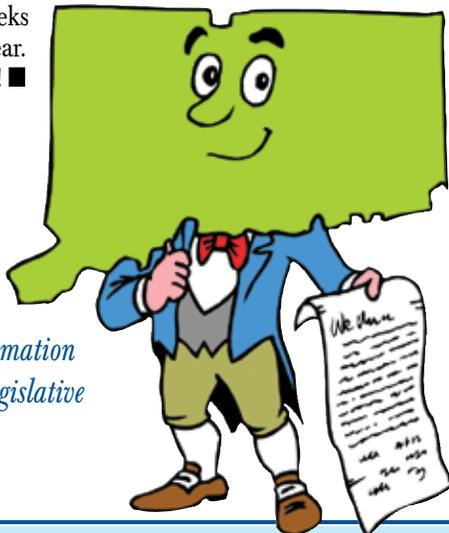
**or visit [www.caict.org](http://www.caict.org) for details!**

## Legislative Update

Since the adjournment of the 2014 session in May, things have been fairly quiet. The LAC has already begun strategizing about our goals for next year. Although we did not prevail with our Special Masters proposal this year, we hope to reintroduce it with a few changes to enhance its chances of making it through the process.

We also plan to develop a proposal about the adoption of a special assessment along the same lines as the budget ratification procedure now in place. Clearly, it will take the efforts of many interested parties to hammer out the details of appropriate language.

We are planning a phenomenal Legal & Legislative Symposium for October 23, 2014. We sold out about two weeks before the event last year. Be sure to register early! ■



See below for information on the Legal & Legislative Symposium...

## Don't Miss a Single Issue! SUBSCRIBE...

Receive 8 issues of *Common Interest*, the magazine of the Connecticut Chapter of CAI, and stay up-to-date on HOA issues affecting our state. You'll find a wealth of information for anyone living in a community association, with the added benefit of the local angle. As a reader, you know *Common Interest* is packed with information on exciting upcoming chapter events and educational opportunities. So subscribe now and continue receiving this great publication!



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## SAVE THE DATE

CAI-CT'S 2ND ANNUAL

# LEGAL & LEGISLATIVE SYMPOSIUM

Proceeds to benefit legislative advocacy.



**Date:** Thursday, October 23, 2014

**Time:** 2:30 - 5:30 pm

**Place:** Oronoque Village Clubhouse, Stratford, CT

**\$50 CAI-CT members; \$75 Non-members**

Our panel of legal experts will cover topics such as: Insurance, Dealing with Problem Residents, Contracts – What You Should Know, FHA Requirements and more!



## BRING YOUR QUESTIONS!

This will be a great opportunity to ask our legal professionals your pressing questions about association operations.

CONNECTICUT CHAPTER  
**community**  
ASSOCIATIONS INSTITUTE

**Seating will be limited.  
Register today at  
[www.caict.org](http://www.caict.org)**

## Legally Speaking...



Adam J. Cohen, Esq.

### Displaying the Flag

By Adam J. Cohen, Esq.

During July 4th, and other National holidays, many people display the American Flag outside their homes in honor of the holiday. Our flag symbolizes and unifies us as a nation, and displaying it where we live is a way of commemorating both the birth of our country and the sacrifices that so many have made for it. When these proud Americans live in communities controlled by residential associations, it's important that they and their boards are familiar with the laws which govern how to display the flag.

Congress has enacted statutes which, although they impose no penalties for violations, explain the expected methods for civilian display of the American Flag. They provide that the flag should only be displayed outdoors during daylight hours unless properly illuminated at night, and never in such a way that it will touch the ground or anything else beneath it or become soiled, torn, or damaged. The statutes go on to say that the flag should be displayed with the blue field stars (called the "union") at the highest point along the staff or, if mounted directly, to the observer's top left. No other insignia, mark, advertising, lettering, or picture of any kind should be placed on the flag; in fact, doing so is technically a misdemeanor under Connecticut law.

In 2005, Congress enacted the Freedom to Display the American Flag Act which prohibits condominiums and similar community associations from adopting or enforcing any policy or entering any agreement that would restrict or prevent unit owners from displaying the American Flag on any portion of the property which they own or have exclusive rights to possess or use. Under Connecticut law, this



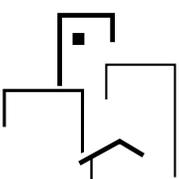
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*"They provide that the flag should only be displayed outdoors during daylight hours unless properly illuminated at night..."*

means the "unit" and the "limited common elements" as those terms are defined in the declaration. Often this means the resident has a legal right to display the flag in the unit's window or on its deck, but not mounted from the exterior siding or on the lawn, which are typically common elements. The Act specifically allows the association to ban disrespectful flag displays and to impose reasonable time, place, and manner restrictions to protect the association's "substantial interests." A condominium board could, for example, fine a resident from displaying a flag at night without illumination or in a location which touches power lines or blocks a roadway.

Connecticut has incorporated the Freedom to Display the American Flag Act into the Common Interest Ownership Act, and also given unit owners a parallel right to display the Connecticut state flag. When displayed together, federal law forbids displaying any state flag higher than or to the observer's left of the American Flag. ■

*Adam J. Cohen is an attorney with the Law Firm of Pullman & Comley, LLC headquartered in Bridgeport, Connecticut. As the Chair of its Community Associations Section, he represents and gives seminars to condominiums, tax districts, and other communities in matters ranging from amendments of governing documents to revenue collection strategies and commercial disputes.*



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# CAI-CT's Fourth Annual MEMBERS ONLY DINNER & DISCUSSION

## COMMON INTEREST DINNER THEATER

PROUDLY PRESENTS...

*“Who Let the Dogs Out?”*

**THURSDAY,  
SEPTEMBER 18, 2014**

5:30 - 8:30pm at the Courtyard by Marriott  
Cromwell, CT

Members Only \$25

*(Must be a CAVL member to attend.)*



To register visit  
[www.caict.org](http://www.caict.org)

Back by popular demand, our cast of characters will present a lively board meeting of the fictitious community association “Happy Valley Condominium.” Join us as we delve into the often emotionally charged topic of pets. Laugh, learn and listen to what you need to know to best serve your community.



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Richard Bouvier

## Emergency Preparedness

By Rich Bouvier

With Hurricane season underway, those of us in the Northeast need to have a plan ready should a significant storm set its sights on the Connecticut coast. From wind damage, flooding to extended power outages, these storms can make claim management very difficult. A prepared association will have the quickest restoration and potentially lessen the damage.

Starting off as a Tropical Wave, or a loosely defined weather system that leaves the Western coast of Africa, such an atmospheric low pressure zone area can quickly gain energy from the very warm ocean waters and if the conditions are in its favor, such a low can develop into a concentrated Tropical Depression. As it follows the prevailing winds and ocean surface currents westward towards the Caribbean Islands it has all the ingredients to develop into a swirling defined and named Tropical Storm with predictable sustained winds. Forecasters then face the trouble of predicting its path of potential landfall.

Now the real difference between a tropical storm and a hurricane is the sustained wind speed. As we saw with Super Storm Sandy, a storm need not be classified as a true Hurricane in order to wreak havoc on coastal communities. This was also the case when Tropical Storm Irene made its way to interior Vermont dumping extraordinary amounts of rainfall, swelling rivers and streams and causing local flooding in proportions that Vermont hasn't seen in nearly a century.

Hurricane Katrina was nothing short of amazing, its power and size was unrivaled. Where it made landfall, New Orleans, was an area struggling to stay above sea level on a clear and sunny day. All these ingredients mixed together created a storm whose destruction took hundreds of human lives and just about all property in its path.

What can an association do to prevent such storms? Nothing. What can an association do to be prepared for such storms and do their best to preserve property, expedite claim settlement and to maintain the safety of its inhabitants? Quite a bit.

Communication prior to any catastrophe is the key to having the 20/20 hindsight we all hear about. From simple reminders of who to contact to report damage to, what emergency supplies unit owners should have handy, all the way to what not to do while weather conditions are threatening can be the life and property savers making all the difference.

Using association websites, newsletters, and special bulletins, getting the word out is also essential. As an insurance agent and Eagle Scout, I may be a bit jaded, but I believe that with regards to being prepared prior to a major storm and to remind unit owners to be properly insured themselves is money and time wisely spent. Should your association sustain major damage, you may not be able to live there for weeks if not months as it is being repaired. This is where the "loss of use" coverage on the unit owner policy form (HO6 policy) becomes quite important as the cost of a hotel room or replacement apartment can quickly escalate.

Do you have the email addresses as well as cell phone numbers

"As we saw with Super Storm Sandy, a storm need not be classified as a true Hurricane in order to wreak havoc on coastal communities."



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for all your residents? Even during a power outage, with the smart phones of today, many of your residents will have access to email, the internet and text messages. Text messages can be among the easiest ways to get a brief message out to a number of people quickly. Also, encourage your residents to keep an eye on each other, spread the word about community-wide announcements, etc. Being a good neighbor could make the difference between life and death should someone be injured and unable to get outside to call for help.

Does your community have streamlined communication? Do your residents know to report all damage to a single point of contact such as a property manager, superintendent, or possibly a designated board member? Duplication of effort can be such a waste of time and resources. Having an established 'hotline' telephone number and email address are easy ways to establish and announce to your community. Also, post this information where newsletters and other community announcements are already posted. This may sound a bit redundant, but when the usual lines of communication are severed, having established back up methods will prove to be beyond useful.

Who do you use as contractors? Do they have back up if they become 'swamped' helping their usual clients when a major storm hits. Most professional management companies have relationships with multiple contractors and multiple emergency restoration service companies. For the small or self-managed communities, your local handyman may not have the tools and resources to be able to respond to a catastrophic weather event in your area. In coordination with your usual repair company, create a second or even a third line of defense with reputable, licensed and insured contractors in your area. This alone may prevent unnecessary delays if you become number 28 on a list of 100+ call backs.

How about seasonal inspections of your community? As hurricane season begins, there's certainly no harm walking your community to look for dead or dying trees that could easily be taken down before they cause a real threat to property. Also, are there notoriously and continuously low lying areas prone to gathering surface water or

worse, flooding of units? Perhaps relocating a storm drain or doing some excavation work could relieve this area of water collection. Do your residents have patio furniture that should be taken in and stored in a garage during a major storm to prevent the umbrellas and chairs from becoming airborne debris? Some of these suggestions may sound obvious, but all are worth mentioning and repeating.

Do any of your residents have continually wet basements and use sump pumps? These are the units that are most likely going to suffer from a major storm with extended rain. It may be wise to have a contractor come on site each May to clean and test these sump pumps. Furthermore, a sump pump is only functional as long as there is electricity to that unit. Should your community consider using its buying power in bulk to purchase battery backup systems for these sump pumps? The opinion of a seasoned professional plumber can help your community make this decision.

As an Eagle Scout, I am quick to repeat the words: Be Prepared. Usually, being prepared is much easier and less expensive than having to deal with the aftermath of a major storm. Also, I fully acknowledge that there will be storms of such magnitude that many methods of pre-storm preparations won't prevent all losses. But, it's always worth trying. The communication portion of a storm preparedness reminder notice is worth the time and effort to establish. Human safety is the most important detail of being prepared. Giving your residents the clear path of communication to the property manager, superintendent or otherwise designated person will help get the community repaired quickly. A little work ahead of the storms can save quite a bit of time, money and aggravation afterwards. ■

*Rich Bouvier works with Bouvier Insurance. He currently serves as President of the CAI-CT Board of Directors. He is also a member of the Legislative Action Committee. Rich is a frequent speaker at CAI-CT education seminars.*

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# 15th Annual CAI-CT Golf Tournament

**S**oggy! The weather gods did not smile upon us very much on June 9 during our 15th Annual Golf Tournament. The skies opened up just before everyone set out to play. Nevertheless, 118 golfers made the absolute best of the day. There was still plenty of hardy laughter and good spirits despite the weather. Indeed, MANY trips were made up and down the stairs to the clothes dryer at the Club House.

Through the rain, our terrific volunteers kept their sunny smiles going strong. We would like to thank the following for all their positive energy and assistance: Steve Bennett – *ServoPro of Manchester/Bolton*, Greg Zajac & Wade Henderson – *Building Renewal, LLC*, Bill Jackson & Eric Schreijack – *JP Maguire Associates, Inc.*, Scott J. Sandler, Esq. – *Perlstein, Sandler & McCracken, LLC*, Lisa Miller – *Adam Quenneville Roofing, Siding & Windows*, Howard S. Rosenberg, Esq. – *Rosenberg & Rosenberg, PC*, Lisa Allegro & Jennifer Height – *Savings Institute Bank & Trust*, Liz Mercer & Ellie Winzler – *Bouvier Insurance*, Donna McCombe & Wendy Colleary – *First Niagara Bank, N.A. and Judy Pitcher – WMH Hotchkiss.*

The staff at Oronoque Country Club provided excellent service (*see mention above about clothes dryer*) and terrific food. We look forward to working with them again next year.

Our fabulous sponsors are the critical component to the success of this event. We are deeply grateful for their consistent support for our vibrant organization!

The Golf Committee has already begun working on the 2015 tournament – June 8, 2015 – save the date. We look forward to great event again next year. ■



(above) Raindrops kept falling on our heads...



(above) Joe Spinoso, Peter Kulas, Stan Kulas and Dan Levine



(left) Scott Sandler and Lisa Miller



(left) Donna Rathbun and Kathy Janis

Thank you 2014 Golf Committee for a terrific event!

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We are grateful for the patience and great service from the staff at Oronoque Country Club.



(right) Scott Kozak and John Maschi



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(above) Mike Famiglietti, Dick Famiglietti, Chas Ryan and Scott Napolitano



(above) Dan Rys, Mark Liberman, Stephen Litke and Jasper Liberman



(left) Bill Jackson and Eric Schreijack

*Continues on page 14.*

**...more from the golf tournament. (From previous page.)**



(below) Joe Rodgers, Rich Bouvier, Ryan Kocsondy and Michael Pelletier



(above) Don Grabon, Pamela Bowman, Frank Goeckler and Jeannine Pernerewski

(right Lunch under cover.



(above) Ah yes, the old reliable dryer, the star of the day!





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## Financially Speaking...

### A Recipe for Financial Troubles

By Marsha Elliott & Sam Tomasetti, CPA



Marsha Elliott



Sam Tomasetti, CPA



Our firm has been working with condominium associations for over thirty years now, and we are currently servicing hundreds of them. Over these years, we have seen a number of situations where condominium associations were heading towards or were firmly entrenched in financial distress and most shared certain basic ingredients.

#### **In one situation, the numbers looked like this:**

- ✓ Lots of cash in the operating and replacement reserve accounts.
- ✓ No monthly condominium common charges outstanding.
- ✓ Lots of common charges paid in advance by unit owners.
- ✓ Bills payable to vendors in an amount in excess of the cash in the operating and reserve funds combined.
- ✓ No budget.
- ✓ No replacement plan budget.
- ✓ Self managed.

Although for many of us having lots of cash on hand means everything is fine but a closer look suggested there may be more to the story.

Having lots of cash does not mean things are going well, especially if the amount of unpaid bills is greater than your cash. This association was basically using the funds from today and some from tomorrow to try to keep up with the bills due today. We saw an association that had no financial plan and no yardstick to measure how it was doing in accomplishing its goals. This happens when there are no budgets and no policy for actively monitoring them.

Looking deeper, we determined that the association had no formal bid and contract process with vendors and, as a result, the work was not clearly defined. The best professional for the job was not always hired and quality and cost expectations were vague at best.

In this situation, the association was living in the present in an effort to keep monthly charges down. We saw a group of well-intentioned individuals who were afraid to seek out the help of qualified people who could explain to them the significance of planning.

*“Although for many of us having lots of cash on hand means everything is fine but a closer look suggested there may be more to the story.”*

#### **In another situation, here is what the records showed:**

- ✓ Small cash balances.
- ✓ There were uncollected common charges, and a large percentage of them were outstanding past thirty days.
- ✓ No common charges were received in advance.
- ✓ Lots of bills were owed to vendors and a lot of them were more than thirty days old.
- ✓ Actual expenditures were well in excess of budgets for several years.
- ✓ There was no replacement reserve plan.
- ✓ Their bank loan was in default.
- ✓ The board of directors was uninvolved and contentious.

Because the bank loan was in default, it was easy to see that the association was heading toward financial distress. When the bills are mounting and payments are being missed and no one wants to find a way to work together to face the issues, the situation is certainly dire.

#### **Finally, we see this situation quite a lot:**

- ✓ Cash, common charges due or collected in advance and bills owed to vendors do not appear as trouble spots.
- ✓ There are no significant annual operating budget variances.
- ✓ There is a long list of deferred maintenance items.
- ✓ There is no replacement study or plan.
- ✓ The operating fund used to pay everyday bills borrows from the replacement fund and never repays the loans.
- ✓ The community is hit by external forces such as a financially troubled economy with significant job loss among the unit owners or a pending lawsuit.

If we simply looked at the numbers that are readily available from most accounting systems this situation would have appeared to be fine, but a closer look revealed some significant problems.

The replacement reserve was not fine. It had loaned a lot of its money to the operating fund to pay the everyday bills of running the association with no prospect of being repaid. What would happen if a major repair or replacement was needed? The association did not have a realistic replacement fund balance. The funds simply were not there.

A long list of deferred maintenance items was also a warning sign for trouble to come. In this case, the budgets were on target, but they

were missing the maintenance items that needed to be taken care of today so that the ultimate cost would not be significantly greater in the future. This group was keeping its fees to a bare minimum and hoping things would get better but didn't realize that they needed to plan how to set aside money for future major repairs and replacements.

Sometimes there is additional important financial information that needs to accompany the basics of the financial data to tell the rest of the story. When we attempted to assign costs and a timeline to the list of deferred maintenance items or replacement items, we could see that the association did not have the ability to raise its fees and put away the funds necessary to handle these items (especially when the general economic times were considered).

Our experience in working with condominium associations has taught us that these key points are signs that financial troubles are coming:

- ✓ No budget for operations and replacements.
- ✓ No, or minimal balances in rainy day funds.
- ✓ No accounts receivable management policies in force.
- ✓ No budget monitoring process to analyze variances and deal with them.
- ✓ No analysis of maintenance items and their annual costs.

- ✓ No reserve study and no plan on how set aside money to finance these projects when they will arise.
- ✓ A board of directors that is ineffective in handling the affairs of the association either directly or through the use of outside professionals.

To help combat financial troubles and put together a winning recipe for success, a condominium association must properly plan how much money it needs, plan when the money is needed and how it will get the money. These general rules are not always easy to follow but ignoring them creates a recipe for financial trouble. ■

*Sam Tomasetti, CPA is a principal in the accounting firm of Tomasetti, Kulas & Co., P.C. Sam served on the CAI-CT Board of Directors as its Treasurer from 1999-2003. He is currently Chairperson of the Publications and Marketing Committees. Sam is a frequent speaker at CAI-CT education programs. Marsha Elliott is staff supervisor and has worked with all the financial aspects of condominium associations in the past nine years at Tomasetti, Kulas & Company, P.C.*

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Joel Meskin, Esq.

## **The Checklist** *The “Checklist” provides you with handy tips and ideas for handling common issues.*

### *Do Your Homework* *The Complete Three Part Series –* **PART 3: Insurance**

By Joel W. Meskin, Esq., CIRMS

In parts one and two of this series, we examined the preparation HOA residents should do before they become board members, followed by the work involved in the actual operation of a board. A final key responsibility of the HOA board is obtaining and maintaining the proper insurance.

No matter where you live, there are insurance brokers who specialize in community associations. Just as you would choose a brain surgeon to handle brain surgery, you should choose an insurance broker who specializes in community associations. Don't choose a broker simply because they live in the community or because someone on the board is an insurance agent or has a relative who sells insurance. If the agent specializes in community associations, their relationship to the association doesn't necessarily preclude them from consideration. But the board must always avoid the appearance of impropriety and must conduct due diligence in selecting an agent. The Community Associations Institute – CT can provide names of several agents to interview in your area.

As with any professional, the chemistry between the association and the professional is critical. Ask the agent how many associations he or she handles, how long they have handled these associations and what organizations they belong to in this field. It is not unusual for an insurance agent specializing in HOAs to have 100 to 1,000 associations as clients. On the other hand, having only 10 clients doesn't mean they are not qualified (your geographical area may not have large numbers of associations). But the agent should clearly know what he or she is talking about. Ask them what the typical claims are and what coverages the association should have. If they can't answer these questions, keep looking.

As with all aspects of board management, surveying other community associations is a great way to obtain insurance agents, as well as to determine what coverages you need. Community Associations are not in competition for the professionals and can learn from other communities' mistakes.

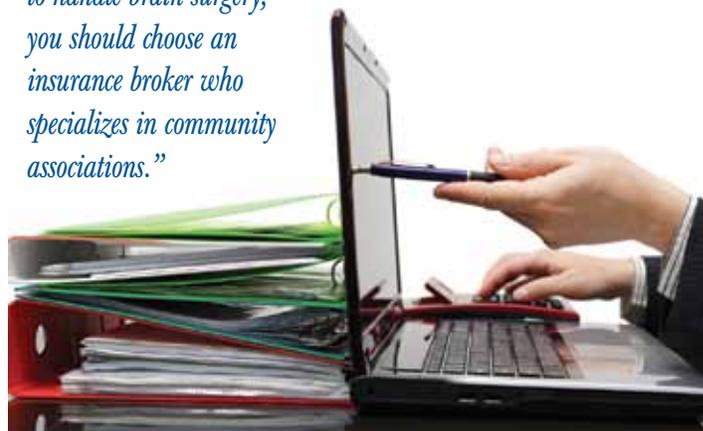
#### **Plan Your Coverage**

Every association is different and requires coverage tailored to its own needs and the needs of its members. A high-rise cooperative in Manhattan with \$3MM units may not have the same needs as a 10-home association in Arizona with \$250,000 average unit value.

#### **Among the components of typical coverage are:**

- *Property Coverage* – This is a large part of the condominium association's insurance profile. As an HOA board, you must understand – and the policy must specify – what the association's responsibility is and what the individual unit owner's responsibility is.

*“Just as you would choose a brain surgeon to handle brain surgery, you should choose an insurance broker who specializes in community associations.”*



- *Boiler and Machinery* – Coverage against mechanical or electrical breakdown is critical for most associations.
- *Liability Coverage* – Every association needs liability coverage to protect the association and its members when individuals are injured or suffer property damage.
- *Workers Compensation* – All associations need workers compensation whether they have employees or not, even if it is a minimal policy in the event that someone claims to be an employee.
- *Auto Liability* – This coverage is necessary if the association has any mobile equipment or autos.
- *Directors & Officers Liability Insurance* – This protects the board from allegations of improper conduct committed in the course and scope of its responsibilities. Such conduct includes employment liability exposure, discrimination and general claims of defamation. D&O policies are not a big-ticket item, but are critical in that they protect board members' personal assets as well as those of the association.
- *Fidelity/Crime Coverage* – This coverage protects the association from employees or third parties who might steal amounts held in operating or reserve accounts. It includes forgery and wire and computer fraud.

One area of insurance that is often overlooked is coverage for lessees, vendors or other entities operation within the community. First,

it is critical that these entities have the appropriate insurance. Second, the insurance issued to these third parties should name the association and (if appropriate) the board members as being covered. Again, the association's agent can often assist with this, and will often handle it as a value-added service.

**Homework & Discipline**

In this three part series, I've outlined the basic homework of an association board. The next step is discipline, which is two-fold. First, the association must continue with the homework process; an association is continually changing and the board must continue to do its homework and remain flexible. Second, once the homework has been done, use it. It is not enough to have done the preparation. You have to act on all the preparation you've done.

Managing an association does not have to be difficult. However, to do it correctly and to avoid problems that can give rise to claims, the board needs to know its duties and must operate accordingly. ■

*Joel Meskin, Esq., CIRMS is vice-president of community association products with McGowan & Company, Inc.*

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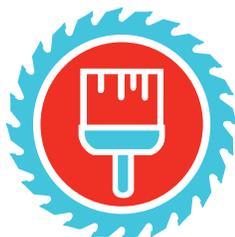
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## Communication Corner...

COMMUNITY



Bob Gourley

# The Importance of Proper Association Insurance Coverage in a Time of Escalating Storm Intensity

By Bob Gourley

If you are a fan of great films, you have likely seen the movie, “The Perfect Storm.” Released in 2000, it tells the story of a group of unlucky New England fishermen who risk their lives to venture to the Flemish Cap where they have tremendous success in landing a great catch of fish they can sell at market for a handsome reward. However, standing in their way back to shore is the nightmarish hurricane that would become known as the Perfect Storm. If you’ve seen the film, you know the final outcome is simply tragic.

In the past, it seemed as though this Hollywood-style blockbuster of a storm was limited to faceless villains for suspense movies. However, with weather in our state and around the globe, it is clear that as community association leaders we must pay great attention to the havoc and real world losses these super storms can bring. We may not be able to avoid the storms but we can take steps to protect our communities from the financial destruction that is likely to ensue.

Whether you believe in climate change or not, the insurance industry is taking the threat of escalating storm intensity very seriously. The Insurance Information Institute (<http://www.iii.org>) provides accurate and timely information on insurance subjects. They have published a paper on climate change that addresses the very real impact on the insurance industry and those properties which underwriters insure. They acknowledge that while science has not yet provided all of the answers, they are encouraging insurers to spread the word about climate change and how insured properties can take steps to minimize potential damage. You should not ignore their warning; it will impact the cost of your insurance.

Insurers often talk about disasters in terms of catastro-

phes. A catastrophe is a natural or man-made disaster that is unusually severe. The insurance industry declares a catastrophe when claims are expected to reach a certain dollar threshold, currently set at \$25 million, and more than a certain number of insurers and policyholders are affected. A catastrophe can be a hurricane or tropical storm, which over the past decade have accounted for the largest portion of catastrophe losses, a tornado or winter storm, or any other type of disaster such as terrorism and earthquakes.

Catastrophes appear to be growing more destructive, but insured losses are also rising because of inflation and increasing development in areas subject to natural disasters. In 2005, the year of hurricanes Katrina, Wilma and Rita, catastrophe losses totaled more than \$60 billion. Hurricane Katrina caused losses of \$41.1 billion, the highest on record, about twice as much as Hurricane Andrew would have cost had it occurred in 2005. If, as suggested, hurricane-related losses grow by as much 40 percent over the next 20 years, a Katrina-like storm could cause \$60 billion in losses, or significantly more if it struck a densely populated metropolitan area like Miami or New York City. For more information, read the excellent article at [http://www.iii.org/issues\\_updates/catastrophes-insurance-issues.html](http://www.iii.org/issues_updates/catastrophes-insurance-issues.html).

You may be wondering how to best protect your community and financial investment in these times of climate uncertainty, escalating storm intensity, and more frequent storm prediction. Work with your community association insurer to review where you are most at risk and then purchase adequate insurance to protect unit owners from the potential ravages of a super storm. Schedule a meeting with your insurance broker and discuss your concerns as well as new insurance policies to protect your community association. Being prepared is always the best policy! ■

**“Whether you believe in climate change or not, the insurance industry is taking the threat of escalating storm intensity very seriously.”**



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Bob Gourley is one of the founders of MyEZCondo, a communications firm that specializes in newsletter production and other communication solutions for condominium associations. He also serves as Board President of Captain’s Walk in West Haven, CT. Bob serves on the LAC, Publication, Conference, Fall Fun Night, Membership and Website Committees and is Past President of the Board of Directors for CAI-CT.

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## Manager's Column...

# Technology is Renovating the Management Industry: *Don't Get Left in the Dust*

By Allen Borza

An important part of being a property or association manager is supposed to be effectively managing projects while protecting clients' interests. Unfortunately, in such a time-consuming and complex industry, good project management is commonly side-stepped. At times it may not be their fault, as the traditional tools provided to managers can fall short of what's truly needed and expected. In other cases, available tools are simply overlooked.

In the five years I have spent developing project and vendor management tools for the community association industry, I have observed that many managers end up working harder than they should simply because they don't have access to, or are not aware of, better technologies.

The following scenario is an example of a common, yet insufficient approach to property management:

- A manager receives a complaint from a resident/tenant about a leaking roof.
- The manager proceeds to contact the only two roofing companies (s)he prefers to do business with.
- The manager then verbally communicates the problem to each vendor separately, potentially delivering a different scope of work each time.
- After the vendors do a site-visit, they provide a different solution and price.
- The manager gathers the varying proposals and delivers them to the board.
- The board does their best job to decipher the estimates and choose a vendor.
- Once a vendor is hired, the manager then may ask for current licensing and insurance, even though the vendor already walked onto the property during the site-visit and the bidding process is over.
- If no change to the original scope of work is required, and the board approves a contract, the repairs are scheduled and no further action is taken by the manager.

In the end, the manager gambles that everything will turn out all right and the roofing company will satisfy their client's needs. This all-too-common approach to project management is not providing the value and service that each and every client deserves, even if it's not always expected. Worse, what if the client has an issue with the hired vendor (i.e. improper solution, inflated costs, worker injured on the job, lapses in insurance, unhappy with product or workmanship)? In those cases, the manager may not have taken the proper due diligence or have the necessary records to protect the property, resolve the issue, and retain the client.

So how do managers ensure they're taking proper actions for every project in order to cover the "backside" of their client, firm, and themselves, all while proving it? The answer to this question is multi-

*"Tools are now available to help to better organize and streamline vendor compliance, project management and bidding."*



faceted and includes an investment of time and effort on behalf of the manager AND client. To give a clearer idea of a potential solution, here's an example of an effective approach to property management which should satisfy even the most discerning of clients:

- A manager receives a complaint from a resident/tenant about a leaking roof.
- The manager then simultaneously contacts up to ten pre-qualified (i.e. licensed and insured) roofing companies to potentially do business with.
- The manager then creates a detailed request for proposals (RFP) and electronically delivers it to each of the participating roofing companies.
- After the vendors do their site-visits, they each provide a solution and price based on the manager's RFP.
- The manager gathers the proposals and builds a detailed proposal report, objectively comparing the vendors. The proposal report is then delivered to the board.
- The board reviews the proposal report and chooses a vendor.
- Once a vendor is chosen, the manager then asks again for updated insurance and licensing before a final contract is written.
- If no change to the original scope of work is required, and the board awards the contract, the repairs are scheduled.
- On the day the vendor is scheduled to start work, the manager does a 3rd review of the contractor's qualifications (i.e. insurance and licensing). This is also an ongoing process until the vendor has completed the work to the client's satisfaction.
- The manager then does a walk-thru to ensure the completed work was done properly, noting any punch list items. If anything is out-

standing, these items are electronically delivered to the vendor for immediate completion.

Manually doing the process stated above is rarely followed due to the length of time and amount of effort required. Tools are now available to help to better organize and streamline vendor compliance, project management and bidding.

Managers are required to take on a multitude of responsibilities these days. Therefore we encourage them to research the types of tools and services which will help them handle the many facets of maintenance and project management. ■

*Allen Bozys is Co-Founder of MyVendorCenter.com a vendor compliance, management and bidding suite program.*

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*Common Interest* welcomes the submission of articles, news and announcements subject to space limitations, editing and appropriateness, including educational value. The *Common Interest* Publication Committee will make every effort to publish articles submitted and may even be able to help you with your submission.

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## You Ask Mister Condo, Now Mister Condo Asks You!

Every issue of *Common Interest* features an “Ask Mister Condo” Question submitted by a reader of the Ask Mister Condo website at <http://askmistercondo.com>. There are often many reasonable suggestions and solutions to condo questions. Mister Condo is asking you to participate and share your wisdom with the world. Review the question below and submit your answer in an email to [askmistercondo@askmistercondo.com](mailto:askmistercondo@askmistercondo.com). Look for your answers in future issues of *Common Interest*. Here is this issue’s Ask Mister Condo question:

### **B.S. from New Haven County writes:**

Dear Mister Condo,  
If my condo has an assessment for roofs and we have a fire and the roof is rebuilt in the fire, do we still have to pay the assessment?

In a previous Ask Mister Condo column, you were asked to help a reader with the following question:

### **P.P. from Fairfield County writes:**

Dear Mister Condo,  
Does a unit owner who is 48 months behind in condo fees and refuses to pay the roof assessment have a right to vote in association meetings? Our condo was formed in 1979.

### **Mister Condo replies:**

P.P., I can’t imagine why the association hasn’t taken foreclosure measures against this seriously delinquent unit owner. You and your fellow unit owners are effectively subsidizing this unit owner’s share of the common fees. In a small condo like yours, I would imagine that impacts every facet of the association’s finance. Obviously, I encourage you to follow up with your Board and demand that the Board take the appropriate steps to recover as much of that delinquency as possible. But your question was about voting rights. I reached out to a local legal expert for an expert opinion. Here is the response:

Yes, the delinquent unit owner may vote. According to Section 47-244(a)(19) of the Common Interest Ownership Act, regardless of when the Association was formed, its Board “[m]ay suspend any right or privilege of a unit owner who fails to pay an assessment, but may not ... (B) Suspend a unit owner’s right to vote or participate in meetings of the association....”

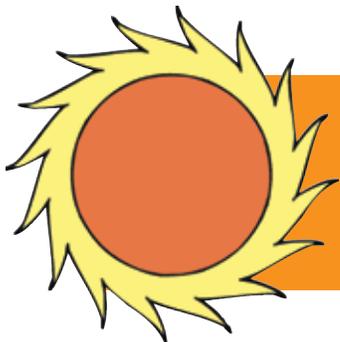
In other words, P.P., the Board can prohibit the delinquent unit owner from using an amenity like visitor parking or a pool but the Board cannot suspend the unit owner’s right to vote at association meetings. Good luck in recovering your community’s delinquent funds. I hope you attract a new unit owner who will uphold his or her agreement to pay common fees to the association.

Several Facebook, LinkedIn, and Twitter followers liked or agreed with Mister Condo’s answer. Thanks for the support, fans! Visit us at <http://caict.org/askmistercondo/>. Follow us on Facebook and Twitter and join in the conversation! ■



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## Environmental Tip: *Summertime Energy Conservation Tips*

*Source: CAI National*

**S**ummer can quickly become an expensive season, but being mindful of energy conservation can help reduce your electricity bills—and your carbon footprint. Take a look at the following suggestions to increase your energy conservation efforts and beat the heat without breaking the bank.

- Cook dinner outside. Save electricity by using a charcoal or gas grill to cook your favorite summertime meals.
- Open the windows. Instead of cranking the air conditioning on summer evenings, opt for fresh air instead. Invest in an inexpensive electric fan to circulate the air.
- Light candles. Since longer summer days afford more daylight, reconsider turning on the lights and use candles instead or as a supplement. Be sure not to leave burning candles unattended, especially around pets and children.
- Modify the AC when you're not home. Adjusting the thermostat—even by a few degrees—when you're not home can conserve a significant amount of electricity.
- Turn off the electronics. Power down the television and computer to spend time with friends and family outdoors. Splash around in your community pool or have a potluck barbeque in your backyard.
- Take a walk. If possible, choose to walk to nearby stores and restaurants instead of driving. Early mornings and evenings are prime times for a stroll, especially in areas with hot climates.
- Take a cool shower or bath. For a refreshing alternative to a hot shower, reduce your hot water heater usage by bathing in cooler water a few times a week.
- Limit water consumption. Water the lawn every other day at off-peak times, use environmentally-friendly, disposable plate ware and utensils instead of running the dishwasher and spend a little less time in the shower. ■

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Timothy Wentzell, P.E.

## TECHNICAL EXPLANATIONS

*This column appears in each edition and is intended to touch on technical topics of general interest to common interest associations. Topics will be of a general nature, but I will also accept and respond to questions from readers. On occasion, it will be guest authored when topics can best be addressed by experts in other fields.*

### Building Codes, The Transition Period and Construction Defects

By Timothy Wentzell, P.E.

Certainly this would seem to be three very distinctly different issues, however, they all become pertinent when a common interest community with construction problems undergoes the transition from developer control to unit owner control. One of the most difficult aspects during transition is when the board senses there are issues with the buildings or grounds, but just doesn't seem to know the scope of these concerns. Usually during this period, the developer handles many of these problems because of warranties between the seller and buyer or general warranty issues with the association. Often the intensity of these problems may not appear until late in this process, as an association may not see the bills for problems and may have the sense that the concerns are simply being taken care of and the problem solved.

Once a home owners' board takes over, often with the developer's representatives still on the board, the problems may seem to be manageable and "typical" for new buildings or grounds. In some cases they may be surprisingly blatant but still unnoticed. For example, one association we reviewed had only one third of the street lights installed that were shown on the plans and the landscaping was far less than half of what had been committed. However, a unit owner or board may not have ready access to the plans or certainly doesn't spend their spare time counting street lights and assumes things are done as required or more commonly simply assumes that someone else must be checking. Ironically, the aforementioned association had even complained to the town about how poor the lighting was in their complex and was proceeding to view options for adding additional lighting at their expense. Luckily, in this case the developer's performance bonds were still in place with the town. And they were able to take action before the bonds were released.

Often far more noticeable issues include: siding blowing off during heavy winds; possibly shingles being regularly found on the grounds,



**“...one association we reviewed had only one third of the street lights installed that were shown on the plans and the landscaping was far less than half of what had been committed.”**

or intermittent leaks showing up in ceilings or walls. All of which can be isolated problems or symptomatic of much broader issues. When these problems are investigated, questions are often raised regarding what building codes offer in these situations. There is also the far more common misconception is that somehow the municipal officials would be following all of these issues and would notice if any and all building code requirements are followed.

little guidance and would appear not to cover many items of concern. Typically digging a little bit deeper often uncovers much more. For example, taking the leaks discussed previously on a roof or wall system, the code states numerous things. First, a building product proposed to be used on a building structure has to be what is called a listed assembly. What this means is that these products need to be tested by an independent testing laboratory to the code requirements and the associated manufacturer's installation instructions should match the testing conditions. Hence, it is very important that these manufacturer's instructions delineate the requirements for all related items that would have been part of the testing scenario, such as hidden flashings or membranes, if they were present. In order to make the product suitable during testing they should be installed with all assemblies as well. These testing conditions would include testing that would indicate a product can provide a weather resistant exterior envelope and this test should have been done at rated conditions, which would include for example potential wind velocities of the area in which the product is to be marketed. There is no wiggle room in this requirement for an almost weather resistant product or one that leaks only under very specific conditions as long as those conditions are less than the required code requirement.

Care needs to be taken. For example, a roof shingle may be rated or warranted for 80 mph which would be fine for many locations but

for others for other locations such as near the coastline this would be unacceptable. Or the same product if installed in a specific manner with specific accessories, a higher rating may be achieved. The failure of a building component can be attributed to inappropriate use of the product, i.e. used in an area or in a manner for which it was not designed. Or a product may be specified by the designer or a contractor when it may have been suitable on the last project in a different location but not appropriate in this case. Or improper installation techniques or accessories may make the application unsuitable as well. On some rare occasions, it may have even been correct to use under a prior building code but current revisions can sometimes change this as well. As an example, recent code revisions have increased the minimum thickness requirements for vinyl siding. All of this can make code compliance in some cases a very complicated web.

What we see far more often when these types of problems arise is that a material may have been tested in an appropriate manner but the testing included auxiliary items. For example, weather barriers or flashing used in testing which were not duplicated on the current project. This refers back to the manufacturer's instructions which were developed based on how the acceptability testing was conducted, not as a specific code requirement. However, in many cases such as in the situation of water penetration, the code provides quite clear wording that the product as installed should be weather resistant. The 1990 code states that the exterior walls shall be faced with an approved weather resistant covering that is properly attached to resist wind and rain. The 2003 code states slightly more straight forwardly that exterior walls shall provide the building with a weather resistant exterior envelope. So in essence if your building leaks, it doesn't meet the code requirements.

How does this help if disputes occur during transition? With regard to these issues on almost all building projects, when the code is invoked, the ambiguity should vanish. Such arguments that buildings would typically leak under extreme storm conditions are not valid, unless of course this storm exceeded the code weather criteria for a building in your particular locale, which interestingly would rarely occur with the exception of a major hurricane or potential tornado, as a low intensity hurricane would be lower than typical code criteria.

The reason the transition period is where these concerns should be raised is that going forward, the association is now taking responsibility for these issues and their associated costs. For example, a relatively new building can often have a significant level of structural deterioration which can be far greater in cost than merely repairing the leaks. In the case of a leaky building, a leak may never be noticed in a common interest community if the water doesn't penetrate the living structure. It could be occurring in a wall structure, running back outside at the base of the wall and never be noticed within the building causing extensive rotting and deterioration and a very expensive repair. That pesky, small leak can turn into a major rotted structure; becoming a huge expense for the association.

Ironically as these periods go on, the burden for the association often becomes even larger as time so often increases the cost for addressing many of these problems. ■

*Please address any questions or areas of interest that you would like answered in future columns to Timothy Wentzell, P.E., Connecticut Property Engineering, 630 Governor's Highway, South Windsor, CT 06074 (860-289-8121) (e-mail: ConnPropEng@cox.net).*

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Scott Wilton, P.E.

## Aging Trusses and Structural Repair Projects: *Mystery Diagnosis*

By Scott Wilton, P.E.

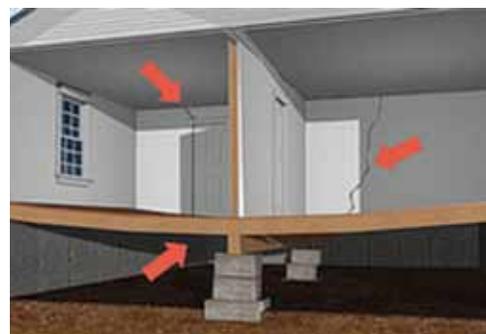
We have been responding to homeowners' complaints of sagging ceilings in the living space of townhomes which were built in the 1980's. Beginning in 2010 and continuing through today, we have observed the condition of ceilings in over 30 homes in a townhome community of close to 400 homes. Our findings are that upwards of 80% of the homes investigated have deflection which exceeds design criteria and are in need of repair. Repairs are relatively simple, but costly to the Homeowners Association having responsibility for the structural components of these buildings. Because of the need for financial planning, Associations want to understand the factors which influence the failures of these aging structures. For the purposes of this discussion, we are talking about failures which occur due to mysterious origin, rather than catastrophic failures of excessive wind or snow loads, or abuse from excessive loads that the trusses were not designed to accommodate (such as water beds or heavy stone finishing materials).

Wood trusses have been widely-used in single and multi-family residential construction since the mid 1960's. Trusses that we commonly see are frames of triangulated lumber fastened with galvanized steel connector plates, referred to as truss plates. Typically, they are constructed with 2x4's with the lumber oriented flat to provide a wider, more stable platform to fasten sub-flooring and ceiling drywall. The advantages are that framing is both lighter and more efficiently manufactured, floor plans are more flexible with longer spans, and the open web design of the trusses make convenient runs for plumbing, electrical cables and mechanical ducts.

Wood trusses are anticipated to perform for the service life of the residences, yet, we are beginning to find evidence of creeping failure now that the buildings are approaching a life of 30 years. While there is not a standard which is utilized to define a "failure" based on the deformation of a wood truss assembly in an aging structure, we have utilized the design criteria for allowable deflection of new structures as it relates to spans. For a combination of live and dead loads, deflection shall not exceed length of span divided by 240 for new structures. In most of the homes which we have observed, the span is 18 feet and allowable deflection would be 0.9 inches. We can judge that an assembly needs repair when there is a loss of function. We have observed that ceilings which exhibit deflection which exceeds 1-inch typically are accompanied with cracked drywall and noticeable sagging of the floors above. As deflection exceeds 20% greater than allowable deflection for a new structure, the loss of function is evident by the observed damages.

In this scenario with a span of 18', ceilings which exhibit deflection up to 1-inch are no more than 10% greater than allowable deflection for a new structure and should be monitored over time because deflection can continue to creep to the extent where repair will be necessary. At this level of deflection, we are not yet observing significant damages to the ceilings or floors above.

*"Circumstances with repetitive cycles of wetting and drying are significant indicators of potential problems."*



Courtesy CAI-CT.

The evidence of truss deformation which triggers a need for repair can be described by ceiling deflections greater than 1", with creaking and springy floors above, coupled with drywall failure to the ceilings. In the extreme cases, trusses have deflected to the extent where plumbing failures have occurred within the floor/ceiling assembly.

During our research into truss "failures," we found the most relevant commentary regarding the design of MPC joints (truss plates or connector plates with "teeth"). Laboratory studies by researchers and the author indicate that as tension load is incrementally applied to a connector plated joint, wood members tend to slip past the connector plate. The "slip and slide" action is manifested by incrementally increasing force of wood against the teeth, forcing the teeth out away from the wood into an "arch" configuration, also described as "peeling" or "plate back-out." The mode of failure noted most often was withdrawal of the teeth from the wood combined with plate bending. One of the prime contributing factors for "peeling" is repeated cycles of wetting and drying.

This coincides with our observations of wood trusses without apparent defects except that small gaps between webs and chords indicate "peeling" of the connector plates. We found more significant separation on the occasions where we found splices in the bottom chords which are secured with connector plates.

The progressive nature of these failures manifests as deflection of a truss or trusses "creeps" over time. The point in time that the truss or joint has actually "failed" can only be defined when the resident suffers a loss of function of the structure and it must be considered that continued use of the structure past the point of function could be unsafe. In circumstances that we observed, truss deflections were so severe that plumbing failures occurred and caused significant damage to the drywall ceilings.

Patterns of failure can be observed in buildings with standardized floor plans where joint failures occur in near-identical trusses at near-identical locations. This coincides with examples we have seen where deflection is maximum underneath washer and dryer locations, with the associated vibration. Circumstances with repetitive cycles of wetting and drying are significant indicators of potential problems. An

example may be locations underneath bathroom floors, where leakage from tubs and showers, or poorly maintained flooring, may be the source of un-noticed water that infiltrates into the floor/ceiling cavity. Other circumstances may occur where warm, humid outdoor air can be exposed to air conditioning ducts in the summer, with condensation and high humidity becoming the source of wetting.

It is not feasible to adequately predict the incidence of truss failures. It can only be suggested that suspicious locations with excessive deflection be investigated by a qualified licensed engineer. It should be noted that deflection will creep over time and when truss deflection exceeds design criteria, there is increasing danger that plumbing damage will occur, followed by more severe failure. We have noted that deflections are normally associated with drywall cracks which are futile to repair. When residents explain that drywall cracks have been repaired, only to reappear, this is an indication of the nature of failure where the structure “creeps” over time.

The recommended method of repair for trusses which are less than 24-inches deep is to remove the ceiling drywall and install plywood plates on both sides of the truss to fortify the structure. The plywood must be fabricated on-site with the necessary cut-outs for plumbing, cable and ducts. The plywood is often fabricated in convenient-sized segments to fasten to the trusses in-place, by gluing and screwing the plywood into position. In effect, the trusses are redesigned in place as box beams.

Repairs are essentially fortifying the failures that result from “peeling” of the truss plates. Deflections may also occur when web or chord members split or have a failure due to knots in the wood. In these circumstances, the wood members can be fortified by attaching “sistered” components with dimensional lumber. It is often necessary

to have plans prepared by a licensed engineer which detail the repairs for building permit application, depending upon local ordinance.

Buildings have a tendency to “settle” into the deflection of structural components. It isn’t always feasible to restore the floor/ceiling assembly without affecting other components of the residence. The repairs should be accomplished under watchful eyes throughout the building to ensure that efforts to level the ceiling aren’t causing costly damages in other areas. As always, the repair effort has to be undertaken with reasonable care and diligence. Repairs will extend the service life of the existing trusses to avoid far more costly replacement of flooring systems in the future. ■

*Scott Wilton, P.E. is a Senior Engineer with Falcon Engineering, Architecture and Energy Consultants.*

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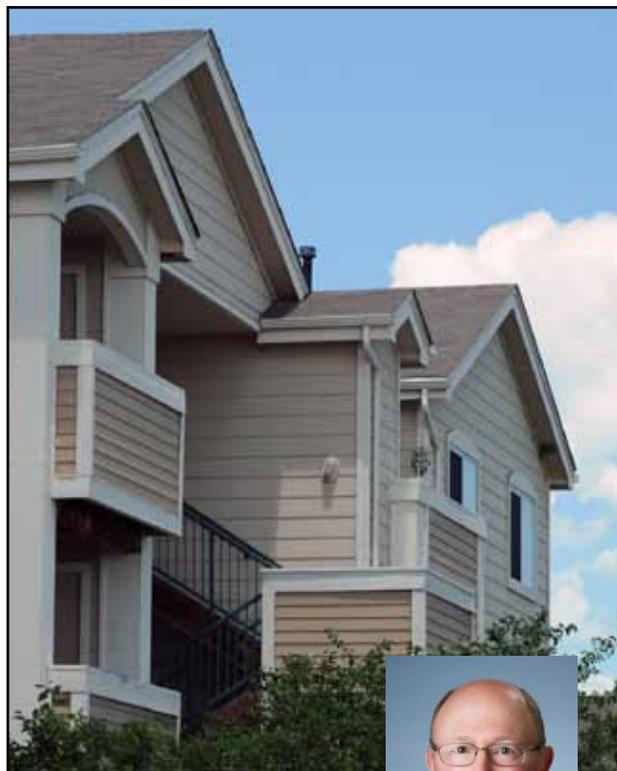




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## Protecting People with Dementia

The National Institute on Aging reports that as many as 5.1 million Americans may have Alzheimer's disease, the most common cause of dementia among older people. In addition to memory loss, symptoms include sleeplessness, agitation, depression, anxiety, anger and wandering.

According to the Alzheimer's Association, six in 10 people with dementia will wander. Because a person with Alzheimer's may become confused and disoriented and may not remember his or her name or address, wandering is particularly dangerous.

To avoid panic and improve the chances of a safe return, it is important to have an emergency plan in place in case a person with dementia becomes lost. The National Institute on Aging and the Alzheimer's Association recommend that caregivers take the following precautions:

- Make sure the person carries some form of identification or wears a medical bracelet indicating his or her illness and where he or she lives.
- Ask neighbors, friends and family to call if they see the person alone.
- Know your neighborhood. The Alzheimer's Association reports that 94 percent of people who wander are found within 1.5 miles of where they disappeared, so be aware of dangerous areas near the home, such as bodies of water, open stairwells, dense foliage, tunnels, bus stops and roads with heavy traffic.
- Because wandering usually follows the direction of the dominant hand, note whether the person is right- or left-handed.
- Make a list of people to call for help, and keep the list easily accessible.
- Let neighbors and local police know that the person tends to wander.
- Keep a list of places where the person may wander, including past jobs, former homes, places of worship or favorite restaurants.
- Keep a recent close-up photo and updated medical information to give to police if the person becomes lost.
- Consider enrolling the person in the MedicAlert + Alzheimer's Association Safe Return Program (visit [www.alz.org](http://www.alz.org) or call (888) 572-8566 to find the program in your area).



*“Consider having the person carry or wear an electronic tracking GPS device...”*

- Consider having the person carry or wear an electronic tracking GPS device, such as Comfort Zone and Comfort Zone Check-In, which helps identify location.

### When someone with dementia is missing:

- Begin search-and-rescue efforts immediately.
- Search the immediate area for no more than 15 minutes before calling for help.
- Call 911 and report that a person with Alzheimer's disease—a “vulnerable adult”—is missing.
- Call (800) 625-3780 to file a report with MedicAlert + Alzheimer's Association Safe Return. First responders are trained to check with MedicAlert + Alzheimer's Association Safe Return when they locate a missing person with dementia. You do not need to be enrolled in MedicAlert + Alzheimer's Association Safe Return to file a missing person report. ■

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Eric Boucher

## Will FHA Spot Loans Return?

By Eric Boucher

In March 2014, I was invited to attend a roundtable session in Washington D.C. as an industry expert for FHA Condo Approvals. During the session, one of the topics of discussion was the potential for the return of FHA condominium spot loans.

Prior to going to Washington DC, I inquired with my referral and business partners as to what they would have me ask while at the roundtable. One of the most common responses I received was to ask about spot loan approvals in projects that were not on the FHA approved condos list.

I never had to mention it; it was already on the agenda because of the number of inquiries and requests that FHA has received about reinstating this program. FHA is already in discussion about again allowing spot loans.

But let's talk about the history of spot loans.

Spot loans were initially allowed in 1996 and the intention was to permit single loans in smaller projects that were not willing to get



Courtesy CAI-CT

approved with FHA or to change their legal documents to conform to FHA's standards for project approval.

The program posed a risk that was beyond FHA's threshold which ultimately led to the cancellation of the program. Among other reasons, spots loans were hard to track and could have led to excessive use in projects where they probably shouldn't have.

**“Among other reasons, spots loans were hard to track and could have led to excessive use in projects where they probably shouldn't have.”**

In addition, the former spot loan approval form that accompanied the loan submission package could be completed by almost anyone. The form asked many questions about the condominium project but it was not required that the form be completed by someone who was involved with the project, such as a member of the Board of Directors, an attorney or the property manager. The form could be completed by the loan officer or the developer, and frequently it was.

As a former loan officer who worked on a handful of spot loans, it was plain to see that this could have resulted in false certifications as many who completed the form had a vested interest in the approval of the spot loan.

All FHA loans are tracked by their case numbers. Currently, a case number may not be assigned for a loan in a project that is not FHA-approved. When a project is approved, it is given a condominium ID number. Previously, when a spot loan was done, it was not tied to a condo ID which would have made tracking these loans nearly impossible.

However, FHA does realize that spot loans provide a viable financing option and it has been discussing this for some time. In order for spot loans to return, it will have to go through the rule-making process, which could be lengthy.

It is not known whether or not spot loans will be reintroduced as a financing option for condominiums but it certainly is promising to know that a discussion is taking place. ■

*Eric Boucher is the "FHA Condo Approval specialist" and VP of Operations at ReadySetLoan*



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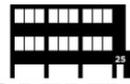
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**Picture Perfect:**  
*Smartphone Photography Tips*



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Summertime may give you more opportunity to experiment with your photography skills. National CAI put together some great ideas for how to improve those shots taken with your smartphone. Here are 10 tips for making the most of every photo opportunity:

- 1. Perfect your lighting:** Use natural light whenever possible, with the sun behind you or over your shoulder. When shooting indoors, find the brightest spot in the room and position your subject directly under it.
- 2. Forget the flash:** Because the duration of a smartphone's flash is too long, it doesn't freeze the action in a frame the way a traditional flash does. This results in blurry and poorly lit images. Unless you have no other option, avoid the flash and look for more creative low-light solutions.
- 3. Compose your shot:** Avoid placing your subject dead center—you create more visual interest if you vary your composition. Keep the horizon as straight as possible unless you are intentionally shooting an angled shot.
- 4. Move in close:** Small details can often make a photo more interesting – move in when shooting. Avoid using the zoom feature—it enlarges pixels but does not bring your subject closer.
- 5. Stay steady:** Your photo's clarity depends on how steady you keep your phone, so support your device with your palm, keep your grip firm and lean against a wall or other support when shooting.
- 6. Tap, then snap:** Just before taking a photo, tap your subject on the touchscreen—on most smartphones, this will adjust the lighting and focus on the subject.
- 7. Use HDR:** Turn on the HDR (high dynamic range imaging) setting to enable your device to take two photos—one that focuses on bright areas and one that focuses on dark areas—and merge them for an optimal image.
- 8. Keep it clean:** Chances are your smartphone gets a lot of use and a lot of smudges, so use a Q-tip to gently clean your lens periodically.
- 9. Rein in the rays:** To remove glare and soften harsh lines and shadows in outdoor shots, hold a sunglass lens over the camera lens as close as possible.
- 10. Style and share:** There are a wealth of apps for editing your digital images, so use them! Instagram, Hipstamatic, Retro Camera and Vignette are just a few of the popular tools for perfecting (and sharing) your pictures.

**Happy picture taking!**

*If you have something fun and/or interesting from your community, send it to us! We'll try to include it in the magazine.*

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