



## 2018 Annual Conference Learning Sessions

### **The Blessing and Curse of Technology in Community Associations**

**Speaker: Joel Meskin, McGowan Program Administrators**

Among a very few things that everyone can agree upon is that technology is touching everyone's life, expanding and growing faster than any one of us can keep up with, and it is here to stay. The community association industry is not immune to the intended and unintended consequences of the reality of technology. Homeowner Leaders, Community Association Managers and Business Partners are often unsure how to address these potential exposures that will inevitably impact us all. We'll identify the issues and the exposures, determine how to manage the risk, and what insurance exists for when stuff hits the fan. Accordingly, when a board of a community association is considering the use of technology, they need to knowingly consider the cost benefit analysis for their community. This presentation should assist in those decisions. Take-away: a better understanding of cyber liability, data breach and social media exposures and protections.

### **Building Stronger Communities Through Communications**

**Speaker: Harmony Taylor- Black, Slaughter & Black, PA**

It's 2018, and communication has never been easier- or more difficult. What is a board member or manager to do when faced with a dizzying array of platforms and practices- phone, text, email, Facebook, Nextdoor, Twitter? This discussion will focus on positive and proactive ways you can use communication to foster a healthy and informed community, with concrete examples of communities that use various types of communications to effectively share information with residents, owners and outside parties. We'll address best practices when using social media, email blasts, text alerts, and regularly scheduled meetings to keep members informed of significant issues directly affecting them. The discussion will also touch on what to do when communications go bad, and communications are misconstrued or hijacked for improper purposes. We'll also consider how informal meetings and mediation can be used to deescalate individual or group issues effectively. Takeaways will include specifics of effective communications policies; administering social media accounts, and when and how to remove objectionable content; privacy considerations; recommendations for when and how to communicate major issues; and strategies for identifying hot button issues for particular communities.

## **How to Handle Complaints Not Clearly Defined in Your Covenants**

**Speaker: Chris Gelwicks- Moretz, Karb & Gelwicks, PA**

Content: Restrictions nearly always contain terms that are undefined. This results in frustration for Managers and Boards that deal with complaining owners. Examine common real-world issues and answers regarding nuisance clauses, parking, commercial vehicles, as well residential use of property and animals plus alternatives to traditional enforcement. Get analytical tips on whether the complaint is within the power of the HOA to enforce, knowledge of the legal hurdles regarding enforcement, and practical tips for dealing with the complaining and offending owner.

## **Fair Housing: New Laws on Owner to Owner Harassment**

**Speaker: Steve Black- Black, Slaughter & Black, PA**

Content: Recent case law and changes to the Fair Housing Administration Comments may have fundamentally changed and increased the duty of community associations to take action for neighbor-to-neighbor discrimination and harassment, even when the association has nothing to do with the conduct involved. This could create never-before-seen liability for associations with almost no guidance from the FHA on how to monitor, police, or react to these neighbor-to-neighbor discrimination and harassment issues.

Takeaways: We will discuss recommended training for managers and board of directors for this new potential liability exposure, including discussion of step-by-step policies for adoption by management companies and boards on how to handle these third party discrimination and harassment events.

## **How to Drive Volunteerism**

**Speaker: Trent Nelson- SOLitude Lake Management**

It is the nature of volunteering programs to rely on the goodwill and giving nature of participants, but there are ways to more effectively engrain volunteerism in to the culture and every-day life of your community members. We'll review six proven steps that range from branding a program to establishing accountability to creative recognition. Positive change is not always easy to come by, but it is possible to engrain volunteerism and outreach into the heart of your community.

Takeaways will include a better understanding of how to work with members to establish a unique and realistic community action plan that individuals can build upon with tips to help ensure your program continues to grow over time.

## **How to be Smart & Effective with Local & State Governments on Key HOA Issues**

**Speakers: Tom Pullaro - Dragonfly Pond Works; Kris Bass, Kris Bass Engineering**

Effective handling of matters related to stormwater compliance can have significant implications for HOA's. We will present an overview and summarize the key points of successfully navigating the Annual Inspection process for Stormwater Control Measures or SCM's. We'll provide examples of solutions to some of the more frequent problems encountered during the inspection process. We will also provide an overview and examples of where municipal cost-sharing programs can help offset the cost of stormwater improvements. Our take-away value will be a better understanding of how proactive planning and budgeting for stormwater maintenance and repairs can reduce long-term costs and surprise expenditures, and help keep your associations compliant and in good standing with your municipality.

## **Using Parliamentary Procedure for Civil and Constructive Meetings**

**Speaker: Tim Sellers- Sellers Ayers Dortch & Lyons PA**

Since 2005, North Carolina associations have been required to conduct meetings in accordance with the most recent version of Robert's Rules of Order. That "little" book (now almost two inches thick) is enough to intimidate the most seasoned presiding officer. Robert's Rules, however, can be the key to having a civil and constructive meeting where real business actually gets done. As long as everyone behaves, "Bob's" rules can be followed and result in meetings that are downright pleasant! If they don't behave, Robert's Rules provide the tools you can use to keep the meeting under control and on track. We'll explore how those rules can work for you, from agenda to adjournment! Takeaways: A better understanding of how you can preside with courtesy and confidence regardless of how your meeting unfolds.

## **Contracts: Scope of Work through Sign-off**

**Speakers: Kevin Giles, RS- Criterium-Giles Engineers; Zac Moretz- Moretz, Karb & Gelwicks, PA; George Garven, Baker Roofing Company**

Perspectives of a reserve specialist, attorney and contractor on managing the scope of work/RFP development, bid review process, construction process, payment processes and final inspections, including the role of independent consultants in the process.

## **Emergency Communication and Effective Emergency Management Plans**

**Speaker: Ashish Patel- Pitera Software**

Preparing for an emergency, whether anticipated or unexpected, is a critical part of every community's operations. Identifying potential risks that may impact your community early on and creating

comprehensive plans and procedures can help your staff to be prepared for safely overcoming the challenges an emergency situation brings. Effective communication through each step is key to ensuring that procedures are followed and community members are informed. This session will cover how to evaluate your community's strengths and weaknesses to best plan for a variety of emergency situations and combine this plan with modern technology and effective communication to help save lives, bring peace of mind, and reduce the financial burden to your community."

Gain a better understanding of emergency risks a community may encounter, the plans and procedures managers should create to mitigate and manage risks, and how modern technology can be used to bring peace of mind to community managers, staff, and residents.

## **Common Construction Defects – What to Look For At Developer Transition**

**Speakers: Kevin Giles, RS, and Tyler Hall- Criterium-Giles Engineers**

As part of the transition process for new communities, the new homeowner-controlled board of directors assumes building and site maintenance responsibilities from the declarant. The presentation will focus on typical construction defects in association-maintained components such as common areas (drainage systems, ponds, private streets, amenities) and possibly building exterior components (roofing, siding, etc.). Learn through photographs and discussion of how to recognize defects in construction of asphalt paving, stormwater control measures, siding, roofing and amenities. The presentation will also discuss severity of concerns and how to know if it is a "big deal" or not. Spoiler alert: hairline cracks in concrete sidewalks are NOT a big deal.

## **Think the Covenants are the Last Word? Think Again: Navigating the Fair Housing Act and Americans With Disabilities Act**

**Speakers: Adam Beaudoin and Caroline Outten- Ward and Smith, PA**

Content: A community association's governing documents usually include long lists of permissible and prohibited activities for association members, directors, managers, and others. Those tasked with enforcing the governing documents are often under the impression that the covenants are the end of the line, and when those covenants are violated, the association is well within its right to begin enforcement procedures such as hearings, fines, and suspension of privileges. However, when the Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA) are implicated, a whole new set of exceptions to those rules come into play.

Takeaways: A better understanding of how the FHA and ADA generally apply to community associations; how community associations and management companies should implement compliant FHA and ADA policies; and common pitfalls to avoid when navigating the FHA and ADA.

## **Insurance Claims Through the Lens of the Adjuster and the Restoration Company**

**Speakers: Hunter Litaker- Litaker Insurance; Claude Dawson- AFTERDISASTER Metrolina**

Your worst nightmare happened, and you receive a call that disaster struck and you need to get the Association back to pre-loss condition as soon as possible. What to do and where to begin? How will you pick up the pieces and who will pay for it? Through real world examples participants will gain insight on not only what you need to know before disaster strikes, but also “Best Practices” to get the property restored and the claim paid for as efficiently as possible. We’ll discuss why it’s critical for both the restoration company and the adjuster to be “on the same page,” who should be managing the claim, and what to do if you disagree with the end result.