

Common Interest

The Official Publication of CAI-Connecticut

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Inside:

2019 CAI-CT CONFERENCE & EXPO

Registration
and Information

How to Read a STATUTE

When the INSURANCE COMPANY IS WRONG

The Art & Science of EXECUTIVE SESSIONS

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Who Is CAI?

The Connecticut Chapter is one of 63 Community Associations Institute chapters worldwide. 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 900 members including nearly 150 businesses, and over 450 community associations representing 50,000 homeowners.



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

President's Message



Pam Bowman, CMCA, EBP

"This year's Conference & Expo, Navigating Community Success is set for March 16th at the Aqua Turf in Plantsville, CT."

Starting the new year with personal and business resolutions is a good idea. Better planning and setting goals for ourselves and our communities may seem daunting at times, nonetheless, should be done and revisited annually for planning purposes. Associations can gauge their progress by examining their successes and failures. The goals and mission of the community is a shared responsibility both with the Board and community alike commonly invested in the outcome would be an ideal situation.

Looking at the future of the communities needs, changing demographics, aging physical plant mechanics, landscaping, amenities and property sustainability are a few broad categories which have long lasting effects. These items should be an integral part of the research and planning otherwise something gets left behind and unexpected expenses may arise sooner than planned.

The motivation for owners to be involved in ad-hoc committees, steering committees, and social groups, could bring more of a community experience when planning the future. Research done in cooperation with the Board will help educate the community on the options in turn having a better collaboration and success rate for improvements and change.

"Common causes," similar interests and hobbies are things that can involve more owners. As a Business Partner, a condominium owner, and an active member of the Education Committee, I am very interested in the different generations living together in the communities. I am curious about what drives them knowing some people have been there for years when the planning may have started a little too late, and those who are just arriving and want to invest in their future.

This year's trade show, *Navigating Community Success* is set for March 16th at the Aqua Turf in Plantsville, CT. The Conference Committee has worked very hard to bring you subjects, experts and Business partners who can assist you with setting your goals, understanding your needs and those costs to help get your planning off to the right start. Be curious, ask questions, "Oh the Places you will go, with knowledge and understanding."

We hope you have an opportunity to visit our Community Partner table at the Conference & Expo. Our Next Generation Committee will be managing a 50/50 raffle to benefit Healing Meals Community Project. Their mission is to "provide organic meals for people in a health crisis while empowering youth in our communities." We are looking forward to working with this organization to provide some of the food for our Spring Fling event on May 8, 2019 in Bloomfield. (It is probably a good idea to register ASAP!)

Looking forward to seeing you! ■

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From the Chapter Executive Director

"I never learn anything talking. I only learn things when I ask questions."

~ Lou Holtz



Kim McClain

Courtesy CAI-CT.

Our recent Jumpstart January program featured a dynamic speaker, Susan Fitzgerald, CMCA from the Ritz-Carlton Residences. Susan has been a manager for 32 years and has just about seen it all. As part of her presentation about customer service, Susan offered one of her favorite quotes which I included above. Truer words have rarely been spoken. How is it possible to learn if you don't take the time to ask questions and actually listen to the answers?

At CAI-CT we are always interested in knowing your questions. All of our education programs are designed to provide the answers that will help you do your job more efficiently and effectively. Our Annual Conference & Expo is no exception. With hundreds of service providers in our Expo Hall waiting to hear your questions, there are limitless opportunities to get information to take back to your community.

Our Conference Committee strives to ensure that there is an interesting mix of exhibitors. As always, they have added some new folks. We are especially looking forward to having EverSource join us this year. We have been hearing good things about some of their successful energy savings and rebate programs. Perhaps you can get find ways to save your association energy and money and lots more.

All the details about our March 16th Conference & Expo can be found on our website and spread throughout the pages of this issue. Come join us to explore a better path to community success! ■



March 16, 2019

8:30 am - 2:00 pm
Aqua Turf,
Plantsville, CT

Is your Association in Compliance with the Annual Recording Law?

Don't miss the January 31st deadline!

According to the Connecticut General Statutes Sec. 47-270(e), every association is required, by law, to formally file information with the town clerk of their town. The statute reads as follows:

The association shall, during the month of January of each year, file in the office of the town clerk of the municipality or municipalities where such common interest community is located a certificate setting forth the name and mailing address of the officer of the association or the managing agent from whom a resale certificate may be requested, and shall, thereafter, file a certificate within thirty days of any change in the name or address of such officer or agent. The town clerk shall keep such certificates on file in his/her office and make it available for inspection.

Be certain your association contact information is up-to-date. ■

UPCOMING CAI-CT EVENTS

Condo Inc.

Saturday, February 2, 2019 - Open to Board Members & Unit Owners
8:30 am – 3:00 pm – Light Breakfast, Lunch & Education

BELFOR Property Restoration, Wallingford

Do you serve on the board of your association? Are you considering serving? Whether you are a seasoned board member, a recently elected board member or unit owner seeking to understand more about how an association runs, this course is for you!

\$50 – CAI Members, \$100 – Non-Member



Annual Conference & Expo

Saturday, March 16, 2019 • 8:30 am – 2:00 pm

Aqua Turf, 556 Mulberry Street, Plantsville

Our 22nd Annual Conference & Expo is bigger and better than ever!

General Registration Includes:

- 5 General Education Sessions
- Over 100 exhibitors
- Networking with peers
- Prizes and refreshments (morning coffee & danish and afternoon snack)



Additional Options Requiring Pre-registration Include:

- Optional Lunch Session (additional \$32 fee)
- Exclusive Invitation only Presidents' Breakfast Session (Limited to one per association)
- Exclusive Invitation only Managers' Breakfast Session (Limited to state registered managers)

GOOD FOR 4.0 CONTINUING ED CREDITS

Expo Booths & Sponsorships Available

Condo Inc.

Saturday, April 27, 2019 - Open to Board Members & Unit Owners
8:30 am – 3:00 pm – Light Breakfast, Lunch & Education

Waterbury, CT

Do you serve on the board of your association? Are you considering serving? Whether you are a seasoned board member, a recently elected board member or unit owner seeking to understand more about how an association runs, this course is for you!

\$50 – CAI Members, \$100 – Non-Member



Spring Fling - You're Being Sued, Now What?

Wednesday, May 8, 2019 - Open to Board Members & Managers
Education from 3:00 pm – 5:00 pm / Networking Party 5:00 pm – 7:00 pm

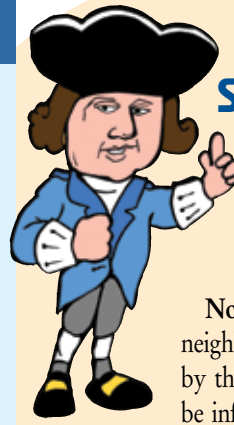
Auerfarm, 58 Auer Farm Road, Bloomfield

Learn how to be prepared for and successfully participate in litigation through a case study. Explore the basics of working with counsel throughout litigation including responding to a complaint, deposition preparation and testimony, discovery compliance and pretrials/ mediation.

Speakers: Kasey Burchman, Esq., Kristen Schultze Greene, Esq. & Michael Feldman, Esq. of Feldman, Perlstein & Greene, LLC

\$25 – CAI Members, \$50 – Non-Members

GOOD FOR 2.0 CONTINUING ED CREDITS



Statutory Snippet...

Is there a state agency which has authority to regulate and oversee the affairs of Common Interest Communities?

No. Common Interest Communities are governed by neighbors. Since volunteer board members are elected by their neighbors, it is the responsibility all owners to be informed about the actions of the board and require accountability and transparency in their activities.

Legislative Update

The Connecticut General Assembly hit the ground running before the session started on January 9, 2019. There are many newly elected Representatives and Senators and we are hopeful that there will be opportunities to share information about our industry.

Our Legislative Action Committee met on January 3, 2019 and affirmed our priorities:

- Clarifying components of the provisions for manager licensing;
- Eliminating the word “gross” from negligence in CIOA; and
- Improvements to CHRO including third party hearings with both parties sharing the cost.

We have already made some headway with the Department of Consumer Protection (DCP) on manager licensing. We are hopeful that we can have a bill submitted soon.

Only one week after the session started there have already been at least 6 bills filed that have something to do with common interest communities. There are two in particular that have attracted our attention:

Bill No. 5353 AN ACT CONCERNING NATURAL DISASTER RECOVERY MUNICIPAL ASSISTANCE FOR HOMEOWNERS ASSOCIATIONS. National CAI has been working on a similar bill at the Federal level for several years. As we know, community associations are typically not able to be reimbursed and/or supported in clean-up efforts after natural disasters.

Bill No. 5122 AN ACT CONCERNING THE FEASIBILITY OF ESTABLISHING THE POSITION OF CONDOMINIUM OMBUDSMAN IN THE STATE. This bill calls for the creation of a task force the study the costs, benefits and efficacy of creating the position of a condominium ombudsman.

We are working with our lobbyists to set up a meeting with the bill's sponsor so we can have a better understanding of why she supports this bill.

Your involvement in legislative advocacy makes the biggest difference at the Capitol. We need your support and voice. Stay connected! Be sure to sign up for Legislative Alerts by going to our website: www.caict.org. ■

Visit www.caict.org to register and for updated information.

NEW & RENEWING MEMBERS

Welcome New Members

Associations

Copper Square Association
Tunxis Village Condominium Association
Twin Lakes Condominium Unit Owners Association
The Village at Oxford Greens

Individual Managers

Patrick Browne
Justin DeCrosta, CMCA
Patrick Kelly
Gregory Kliman, CMCA
Sarah White
Tasha Anne Woodford, CMCA, AMS

Business Partners

Avery Cleaning LLC
The Public's Adjuster, LLC

Thank You Renewing Members

Associations

84 Skyview Condominium
Allyn Estate Homeowners Association
Bartlett Hill Homeowners Association
Brookside Village Association, Inc.
Condominiums at Center Court
Crown Ridge Condominiums Association, Inc.
Crown Village Condominium Association
Far Mill River Condominium Association
Forest Glen Condominiums of Middletown Association, Inc.
Glen Oaks Condominium No. 1, Inc.
Glenwood Green Homeowners
Harbour Village Condominium Association, Inc.
Hathway Farms
Haven Ridge Condominium Association
Heritage Cove Condominium Association
Heritage Village Master Association
Jefferson Woods Community Inc.
Kings Landing Owners Association, Inc.
Laurel Glen Condominium
Meadow Hill, Inc.
The Meadows Association, Inc.
Newington Ridge Condominium
Newtown Woods
Orangewood East Master Association
Pine Meadow at the Canal
The Pines
Condominium Association
Sonoma Woods Condominium
Spring Lake Condominium # 8 Association, Inc.
Strawbridge Association, Inc.
Taft Pointe Association, Inc.

Town in Country Condominium Association, Inc.
The Village at Hunt Glen Condominium Association
Wallingford Staffordshire
Westleigh of Litchfield Condo Assn.

Management Companies

AJM Real Estate Services, Inc.
Connecticut Condominium Connection
Imagineers, LLC
KP Management
REI Property & Asset Management
Signature Properties of New England LLC
Sound Real Estate Services, LLC
ThamesHarbour Real Estate, LLC

Individual Managers

Charlene Barnett, CMCA, AMS
Clyde Arthur Boothby, CMCA
Carina Bridgemohan
Joseph N. Calvo
Victor S. Caprio, Jr., CMCA
Tony Charles Clawson, Esq., CMCA
Mark V. Colello, CMCA
Dennis DeMeglio, CMCA
Stanley DeMello, CMCA
Linda L. DeNoia, CMCA, AMS
Paulo Desousa, CMCA
Cherrie Gillis
Francesca Gregoriades, CMCA
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Andrew Rioux, CMCA
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Douglas Allen Welton, Sr.

Business Partners

Advanced Reserve Solutions, Inc.
Gambardella, Cipriano, Gottlieb & Hathaway PC
M & S Paving and Sealing, Inc.
Mark D. Alliod, CPA
New Look Painting
Pilera Software
ReadySetLoan.com
Sandler, Hansen & Alexander, LLC
Savings Institute Bank & Trust
Savol Pools
SouthData, Inc.
The Milford Bank
The Window People, a TWP Home LLC Company

**For Membership Information —
Visit www.caionline.org.**

Website Insights – CAI-CT Member Pricing



Did you know CAI-CT Members get discounted pricing on most CAI-Connecticut Chapter events?

It's true. Save up to 50% off non-member pricing!

Be sure to log into your profile before you register for an event so we recognize you. If you don't know your log in, please contact ellen@caict.org to have your password reset.

Not a CAI Member yet? We can fix that. Contact info@caict.org for more information on how to join!

**www.caict.org
the official website of the
Connecticut Chapter of CAI**



Have your community association board members changed since last year?

Be sure to update

your board's member names, titles (President, Vice President, Treasurer, Secretary, and Board Member), and contact information to ensure your board members receive all the latest CAI member benefits!

Update today:

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**Frank Pingelski, EBP
Secretary**



**Christine Carlisle, CPA
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Jim Carroll



Wendy Colleary, EBP

Pamela Bowman, EBP, CMCA, President

Pamela Bowman, CMCA is a Regional Manager and Director of Marketing with PrimeTouch Services. Pam was formerly a community association property manager for over 10 years. She is actively involved in several community organizations in addition to working at Okemo during the ski season. She currently co-chairs our Education Program Committee.

Reggie Babcock, President-Elect

Reggie Babcock is Chief Operating Officer & General Counsel for Westford Real Estate Management, LLC. Reggie serves on the Publications Committee and is a regular contributor to Common Interest. He maintains a particular interest in the governance matters that concern boards of directors. He previously served for more than 20 years as vice president, general counsel and secretary of Connecticut Natural Gas Corporation, as chair of the Glastonbury Ethics Commission and as an aide in the U.S. House of Representatives. A member of the Connecticut bar, he received his BA degree and his JD degree both from American University.

Frank Pingelski, EBP, Secretary

Frank Pingelski is the Vice President of Community Associations at Tooher-Ferraris Insurance Group. Frank has over sixteen years of experience in risk management implementation as a program manager and as an infantry officer in the US Army. He currently serves on the CAI-CT Annual Conference Committee and is a Director for the Connecticut Young Insurance Professionals.

Christine Carlisle, CPA, Treasurer

Christine Carlisle, CPA is an audit staff member at Carney, Roy and Gerrol, P.C. She has eighteen years experience in the condominium industry. She works for a firm which provides audits, reviews and tax services to many of our Connecticut associations. Christine is a member of the Connecticut Society of Certified Public Accountants and American Institute of Certified Public Accountants.

Board Members:

Jim Carroll is President and Owner of JP Carroll Construction, Inc. in West Hartford. For over twenty-nine years, Jim has worked with many Community Associations, advising Boards and Property Managers honestly and providing quality roof replacements and maintenance. He has enjoyed active participation with CAI-CT over the past six years and looks forward to serving in the capacity of Board Member.

Wendy Colleary, EBP is a Vice President in Commercial Lending Business Development at Windsor Federal Savings. Wendy has spent her banking career in credit analysis and commercial lending and now specializes exclusively in lending to condominium associations throughout Connecticut, Massachusetts, and Rhode Island. She has been an active member of CAI-CT for many years and currently serves as chair of the Membership Committee.

Bill Jackson, EBP is an Account Manager with BELFOR Property Restoration. Bill has eleven years' experience working with property managers and condo board members assisting them both before and after a property loss occurs. Bill has been an active member of our chapter as part of the Conference, Golf and Fall Fun Committees.

Karl Kuegler, Jr., CMCA, AMS, PCAM - Karl has been a member of the community association management staff at Imagineers, LLC for over 25 years serving the last 14 years as its Director of Community Association Management. Karl has served CAI-CT in several capacities including his current roles as chair of the Conference & Expo Committee, Vice Chair of the Legislative Action Committee and committee member for the Legal Symposium Committee. He was the recipient of the CAI-CT 2016 Community Association Executive Award.

Gregory W. McCracken, Esq., EBP is a partner at Jacobs, Walker, Rice & Barry, LLC. His practice emphasizes common interest community law and land use, planning, and zoning law. He represents community associations and developers, and he advises property owners and other lawyers. He was admitted to the California Bar in 1993 and the Connecticut Bar in 2001. He is a member of the Executive Committee of the Real Property Section of the Connecticut Bar Association (CBA), the Planning and Zoning Section of the CBA, and the Developers Forum of the Connecticut Home Builders and Remodelers Association (HBRA-CT). He represented the HBRA-CT when he served on the Connecticut Law Revision Commission Study Committee, which adapted the 2008 revisions of the Uniform Common Interest Ownership Act for adoption in Connecticut, and he is a co-author the Connecticut Common Interest Ownership Manual (2nd Ed.), published by the CBA. Greg is a frequent speaker for Connecticut Chapter of CAI, and he has given presentations on the Common Interest Ownership Act for CBA and HBRA-CT.

Charles ("Chas") Ryan, Esq., EBP is a partner at Pilicy & Ryan, PC. The firm represents condominiums, planned communities and cooperatives throughout Connecticut. Attorney Ryan is an active member of CAI-CT's Lawyer Council, Legislative Action Committee, Education Program Committee, and Conference Committee.

Greg Zajac, EBP is the managing partner of Building Renewal, LLC of Durham, CT. His firm repairs defects in condominiums due to water intrusion and poor construction and manufactures and installs stainless fireplace chase caps. He has built over 2000 new homes in the last forty-seven years, has been condominium resident for thirty years, and a Board President for nine years. He is a member of Home Builders of Central Connecticut and The Remodelers Council.



Bill Jackson, EBP



**Charles (Chas) Ryan, Esq.,
EBP**



**Karl Kuegler, Jr., CMCA,
AMS, PCAM**



**Gregory W. McCracken,
Esq., EBP**



Greg Zajac, EBP

*Thank you to our
retiring board members:*

**Donna Rathbun,
CMCA**

Mark D. Sperry

William W. Ward, Esq.



Karl Kuegler, Jr.,
CMCA, AMS, PCAM

Conference Committee Chair Message

By Karl Kuegler, Jr., CMCA, AMS, PCAM

The path to successfully running a common interest community can often be fraught with wrong turns and some bumps in the road. Our Annual Conference & Expo offers many ideas for smoother navigation. Once again, we will hold our premier event at the Aqua Turf on Saturday, March 16th. The high energy exhibit hall will be filled with over 100 booths. Our varied service providers have a great mix of skills and experience to help chart your course. Our roster of speakers include CAI-CT chapter members who are experts in their fields. As you browse through the program description, you will note a wide variety of topics and issues.

We encourage you to begin your day on our exhibit floor. But before you get in the car, we suggest that you map out your day so you can make the best use of your time. Are there particular services needed in your community now or in the near future? Find those companies and mark them on the exhibit hall floor plan. Be sure your cruising time is spent as efficiently as possible so that you will be able to turn to the knowledge and advice of attorneys, insurance agents, managers, bankers, contractors and many more. There will be plenty of complimentary tools and contact information provided to add to your bag of tricks for navigating a good course.

You are in luck if you're looking for an opportunity to hear the advice of attorneys. In our Legal Panel session, watch as attorneys serving common interest communities respond to questions posed by attendees. You will walk away understanding that there is more than one way to look at or answer a legal issue giving new meaning to term "legal opinion." Come away with a new perspective on common problems so to be able to avoid common pitfalls and traps that create added aggravation and expense. If nothing more, you will understand the road with the least obstacles can be found when your association understands and appreciates the importance of seeking legal advice from an attorney skilled in common interest law.

"...before you get in the car, we suggest that you map out your day so you can make the best use of your time."



Back by popular demand, our "Lunch with an Expert" provides those who choose this option with excellent choices in lunch table topics led by industry experts. From legal to insurance to reserves to community living, we have you covered. Please note that this session does require a nominal additional fee, attendees can refuel their bodies while topping off their tanks with these focused discussions. Don't hesitate in registering as tables fill up quickly.

We end our day's journey with our popular raffle. The plethora of raffle prizes are provided due to the generosity of supporters. Going home with a raffle prize is great, but the true winners of the day are the attendees who leave with newfound knowledge and support for managing their communities.

Be sure to register as soon as possible for the best pricing. Navigating the many twists and turns of community association management is challenging. Your day at the Conference & Expo will give you some new insights in how to govern and serve your community based on information you will gain from a day of networking and educational sessions. Take this opportunity to set your board or company on a path of success by inviting others to attend.

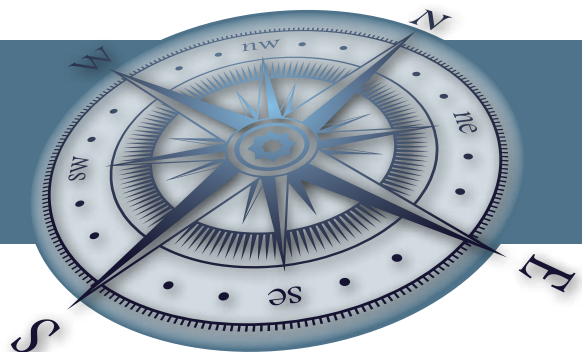
As the event chairperson, I want to extend a very special thank you and appreciation to the members of the committee and our excellent CAI-CT professionals, Kim & Ellen. The planning for our conference and expo started more than a year ago. We can't wait to see you all on March 16th! ■

CAI-CT Annual Conference & Expo

Saturday, March 16, 2019

8:30 am - 2:00 pm

Aqua Turf, 556 Mulberry Street, Plantsville





CT's Condo Insurance Specialists

We are the largest insurers of Condominium Associations in Connecticut, it's our specialty. Let us help you make sense of coverage options with a review of your association's program.



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Legally Speaking...



Adam Cohen, Esq.

How to Read a Statute

By Adam J. Cohen, Esq.

Lawyers and judges spend a great deal of their time interpreting statutes. They know they need to take this job very seriously, and so do the legislators who write those statutes. A law's exact wording as well as its context, history, and even punctuation can make a profound difference in its meaning and application. And that can make the difference between somebody winning or owing millions of dollars, going to or staying out of prison, or keeping or losing custody of their children.

In this online era where statutes and legal information are easy for non-lawyers to research on their own, it's important for them to understand how to read a statute properly. The principles of statutory construction, as they're known, have been developed over centuries of court cases with the objective that people who have a duty to follow the law understand what the legislature expects of them. Lawyers learn this in law school and with experience, but lay people can be confused or misled by legalese, and make bad decisions as a result. This problem comes up often in the context of community associations, since unit owners and board members often want to just look up the answer to a minor legal question without having to hire a lawyer.

The cornerstone of statutory construction is that the law's plain language must be followed as long as its wording is unambiguous and won't cause absurd results. This means courts will typically interpret the wording in accordance with ordinary usage and definitions found in a dictionary. In the relatively uncommon situation that the wording is ambiguous or leads to an unintended outcome, the court might rely on outside resources such as "legislative history," that is, the comments and motivations of the lawmakers who wrote it. Connecticut actually has a statute that sums up how to interpret all others: "The meaning of a statute shall, in the first instance, be ascertained from the text of the statute itself and its relationship to other statutes. If, after examining such text and considering such relationship, the meaning of such text is plain and unambiguous and does not yield absurd or unworkable results, extratextual evidence of the meaning of the statute shall not be considered."¹



The Connecticut Appellate Court had to apply the "absurd results" exception in a condominium case in 2001. A unit owner facing foreclosure challenged the legitimacy of two annual budgets because the notices for the approval meetings were untimely. The board responded that even if those budgets were void, the last properly approved budget would carry over anyway. The problem was that the Common Interest Ownership Act's (CIOA) plain language was that only a "rejected" budget caused the previous one to carry over, not one that was defectively approved. The Appellate Court said that the important goal of preventing associations from operating without budgets justified liberally interpreting the statute beyond its plain text to include this situation, to avoid "difficult and possibly bizarre" results.² Other common tools of statutory interpretation are a bit more straightforward. Courts often hold that the word "shall" usually means mandatory while "may" means optional, and that "and" means both while "or" means either. No part of a statute will be read in a way that makes another part meaningless, such as when one interpretation would be so broad that the rest of the statute could never apply to anything.

Also, the same word or phrase used multiple times in the same statute or related statutes will have the same meaning in each, while different words or phrases are presumed to be deliberate indications of different meanings. An example of this last principle is that CIOA measures certain deadlines by a fixed number of "business days," but

others in just “days,” meaning that the latter must refer to calendar days. Similarly, a more specific statute takes precedence over a more general one. So when CIOA says that one of the things that should be listed in the declaration is any restriction on the ability to sell a unit, that means a right of first refusal must appear there rather than in the bylaws even though CIOA allows bylaws to more generally contain “any other matters the association deems necessary and appropriate.”³

When a statute lists exceptions to a general rule, those exceptions are read narrowly and no additional exceptions should exist. For example, the Supreme Court once held that CIOA’s list of reasons why someone could choose to rescind the purchase of a condominium unit was exclusive, so rescinding for a different reason was not allowed.⁴

A caveat to this principal is that if statutory language suggests a list is intended to be merely a set of examples, the additional exceptions which might be found to exist must still be similar in type to the to the listed ones. This is why another court concluded that special assessments are entitled to the same nine months of priority as regular common charges. CIOA gives that priority for “common expense assessments,” but not for “other assessments.” The court relied on another list of exclusions in the same subsection for “late fees, interest, or fines” which suggested that only charges applicable to particular owners such as these, instead of all owners like special assessments, should be excluded from priority.⁵

The well-known Limberger decision, which invalidated many associations’ foreclosure policies a few years ago, was an extreme exercise in

[Continues on page 37.]

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CAI-CT 22nd Annual **CONFERENCE & EXPO**

March 16, 2019

CONDO/HOA
2019
CONFERENCE & EXPO



It's time to set your course for the biggest event of the year for the Condo/HOA industry! March 16, 2019 is the date and the Aqua Turf Club in Plantsville is the place for CAI-CT's Annual Conference & Expo. Has your association ever felt lost or on the wrong track? Or, is your association on a solid path and you could share your successful techniques with others? Navigating Community Success is our theme this year. Operating a common interest community requires many skills and also the ability to see what may lie down the road ahead.

Our lively education sessions will include: Aging Infrastructure; Managing Legal Budgets; How to Reduce Insurance Premiums and so much more! AND, if you wish to join and expert at lunch, you can include the lunch option for an additional \$32 as part of your registration package.

Over 700 condo board members, community association managers and service providers will be finding their way to our event. Will you be among them?

Plan to arrive early with a road map of which exhibitors you would like to see. Do you have any legal questions? There will be over two dozen attorneys present who can suggest a path for legal strategies. Lots of service providers will be available to discuss roofing, painting, paving and all the other construction projects in between. As always, we will have a plethora of prizes at the end of the day.

This is THE Condo/HOA event of the Year. Don't Miss Out! R.S.V.P. today!

Do you ever wish more of your board members understood which direction the association is driving? Make sure you convince them to attend!

Conscientious and proactive boards encourage as many of their members as possible to take advantage of the variety of learning opportunities. Check out the board resolution in this issue (p.16) for association support to attend the conference. Don't delay - register today!

Our Exclusive Breakfast sessions for Association Presidents and Property Managers require pre-registration to attend. If applicable, please select this option when you register. There will be very limited seating for non-members.

Save money and register early for the low-cost admission of only \$25/members, \$45/non-members and \$100/\$150 for business partners. You must R.S.V.P. by March 3rd to avoid the late registration fee of \$10. **There will be PLENTY of FREE parking!**

**Register Early and Bring
Your Entire Board!**

**For the Best Pricing —
Register Now at www.caict.org**

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BELFOR Property Restoration	Plaza Realty & Management Corporation
Bender, Anderson and Barba, P.C.	PPG Paints
Bill's Landscaping LLC	Prime Touch Services
Blue Lagoon Pools	The Reardon Agency, Inc.
Blue Wave Pool Service & Supplies, Inc.	Reficio Company
Bouvier Insurance	Reserve Advisors, Inc.
Building Renewal, LLC	Safe Roof Cleaning, LLC
CertaPro Painters of Mystic-Glastonbury	Sandler, Hansen & Alexander, LLC
CM Property Management	SavaTree/SavaLawn
CRC of Connecticut, LLC	Savol Pools
Crystal Restoration Services of Connecticut	Schernecker Property Services, Inc.
Crystal Restoration Services of New England	Sentry Management, Inc.
CSC ServiceWorks	Servpro of New Haven/Waterbury
Digiorgi Roofing & Siding, Inc.	Simsbury Bank
EastCoat Pavement Services	SOLitude Lake Management
Eversource Energy	SOMAK Property Management
Exteriors of CT LLC	SouthData
Falcon Engineering, Architecture & Energy Consulting	Tamko Building Products
FCB Insurance Services, Inc.	Tomasetti, Kulas, and Company, P.C.
Feldman, Perlstein & Greene, LLC	Tooher - Ferraris Insurance Group
First County Bank	United Cleaning & Restoration, LLC
GAF	V. Nanfita Roofing & Siding, Inc.
Hodge Insurance Agency	Westford Real Estate Management, LLC
Imagineers, LLC	White & Katzman Management Inc.
ION Bank	The Window People
Jacobs, Walker, Rice & Barry, LLC	Windsor Federal Savings
JP Carroll Construction, Inc.	Zeldes, Needle & Cooper, P.C.

8:30 - 9:30 am

(GLASS ROOM)

PRESIDENTS' BREAKFAST:

IS THERE A PATH TO LOW COMMON FEES?

This event is exclusively for association presidents. You MUST select this registration option if you wish to attend!

Speakers: William Ward, Esq. - Ackerly & Ward
Lynn Jackson, CMCA, AMS - The Property Group of Connecticut
Lew Finkel - Springhill Terrace Condominium Association

Moderator: Pamela Bowman, CMCA, EBP - Prime Touch Services

Please note: Seating preference will be given to CAI-CT members. Only 25 seats are available for Non-members. Act fast and register today!

What are the realities of low common fees? Easier sales? Deferred maintenance? Is the "cost" of low fees worth the constant worry of not having enough resources to run the association properly? Learn why it is important to have a good working team to ensure your common fees are meeting the long and short-term needs of your association.

Sponsored by: Prime Touch Services

8:30 - 9:45 am

(WAGON ROOM)

MANAGERS' BREAKFAST:

THE MANAGER'S ROLE IN NAVIGATING REALISTIC BUDGETING

This event is exclusively for state registered Community Association Managers (CAMs). You MUST select this registration option if you wish to attend!

Speakers: Dan Levine, MBA, CPA - Tomasetti, Kulas, and Company, P.C.
Karl Kuegler, Jr. AMS, CMCA, PCAM - Imagineers, LLC

Moderator: Greg Zajac, EBP - Building Renewal, LLC

How often are you asked to help keep costs down? Sometimes it is hard to hear the truth. Board have a duty to act in the best interest of the association as a whole. It is a manager's role to explain the realities of current and future budgetary needs. This session will offer tips and techniques to help convince boards to adopt realistic budgets.

Sponsored by: Building Renewal, LLC

8:30 - 10:15am EXHIBIT HALL OPENS • REGISTRATION AND CONTINENTAL BREAKFAST (COFFEE & DANISH)

10:15 - 11:00 am: General Session I

A: AGING INFRASTRUCTURE:

MAPPING A PATH THAT IS NOT RIDDLED WITH POTHOLE

(GLASS ROOM)

Speakers: Russ Fernandes - Becht Engineering BT, Inc.
Mike Carrier, CMCA - SOMAK Property Management

Moderator: Jack Arcouette - Arbella Insurance Group

Associations constructed in the 1980s, 1990s or even the early 2000s are showing their age - and then some! Is saving a few dollars on repairs this year really worth it if you are setting up the association for a very large capital improvement project in the near future? Learn how to determine what the differences are in must address now projects versus those that can be handled with some reasonable repair effort now.

Sponsored by: Prime Touch Services

B: PAYING FOR YOUR LEGAL GPS:

HOW TO MANAGE YOUR LEGAL BUDGET

(WAGON ROOM)

Speakers: Chas Ryan, Esq., EBP - Pilicy & Ryan, P.C.
Suzanne Berry, CMCA, AMS - Imagineers, LLC

Moderator: Ben Harrison - GAF

Your association has a realistic line item for legal expenses - correct? Being proactive about potential legal issues before they erupt into something more significant is one of the many ways associations can manage legal fees. Our speakers will discuss issues you can identify which require the skills of an attorney and those which may not.

Sponsored by: All Waste, Inc.

11:00 - 11:45AM - EXHIBIT HALL

11:45 - 12:30 pm: General Session II

A: EDUCATION IN A FLASH:

A SHORT TOUR ON THE LEARNING CURVE

(GLASS ROOM)

Speakers: Mike DeSanto - Bartlett Tree Experts
Keith Santos - All Waste, Inc.
Jean Walker, EBP - Crystal Restoration Services of Connecticut
Keith Anderson - SAVOL Pools

Moderator: Greg Roberts, CMCA - Westford Real Estate Management, LLC

Our experts will share a lot of information in a short span of time. They will provide you with some tips and ideas that will help save time and money. Our speakers will each take eight minutes to discuss their topic: How effective tree management will avoid headaches; What's In and What's Out for Recycling; Surface Water Issues; and Pool Management 101.

Sponsored by: Imagineers, LLC

B: INSURANCE:

CHARTING A COURSE FOR BEST PRICING!

(WAGON ROOM)

Speakers: Carrie Mott - Bowvier, Insurance
Frank Pingelski, EBP - Tooher-Ferraris Insurance Group

Moderator: Deann Uberti, CMCA - Westford Real Estate Management, LLC

Insurance costs are rising due to many factors including major natural disasters near and far. However, there are still things you can do in your association to keep insurance premiums from skyrocketing.

Sponsored by: CM Property Management

1:00 - 2:00 pm: General Session III

**A: LEGAL PANEL: RULES OF THE ROAD
(GLASS ROOM)**

Speakers: Kasey Burchman, Esq. - *Feldman, Perlstein & Greene, LLC*
Christopher Hansen, Esq. - *Sandler, Hansen & Alexander, LLC*
Gregory McCracken, Esq., EBP - *Jacobs, Walker, Rice & Barry, LLC*

Moderator: Mark Liberman, CMCA, AMS - *On the Mark Management, LLC*

Wondering if your board's approach is legal? Our panelists will answer questions about your legal path. Discuss ways to map out your legal course of action to try to avoid legal pitfalls

Sponsored by: Pro-Klean Cleaning & Restoration Services

**B: LUNCH WITH AN EXPERT OF YOUR CHOICE
(WAGON ROOM)**

You MUST select this registration option if you wish to attend! *Additional \$32 fee required. Seating limited to 8 per expert.*

Moderator: Walter Palma, CMCA - *Plaza Realty & Management Corporation*

Have lunch with ONE expert of your choice from a list of the best and brightest in our industry. This is a great opportunity to explore your concerns on a specific topic with a small group of your peers in a more comfortable setting.

Your Choice includes:

Exclusively for Board Members

- Insurance – Dave Pilon, EBP - *Bouvier Insurance*
- Legal – Robert Pacelli, Esq. - *Zeldes, Needle & Cooper*

Exclusively for Community Association Managers (CAMs)

- Insurance – Bob Jones, EBP - *FCB Insurance Services, Inc.*
- Legal – General - Chas Ryan, Esq. - *Pilicy & Ryan, P.C.*

Open to All – Best Practices

- CHRO - Christopher K. Leonard, Esq. - *Collins Hannafin, P.C.*
- Holding Meetings and Hearings - Matthew N. Perlstein, Esq. - *Feldman, Perlstein & Greene, LLC*
- FHA – Brian R. Smith, Esq. - *Robinson + Cole, LLP*
- OSHA – Pamela Bowman, EBP - *Prime Touch Services*
- Tree Care – Victoria McCarthy - *SavATree/SavALawn*
- Reserve Studies & Projects – Richard Filloramo - *National Consulting Group, Inc.*
- Capital Improvement Projects - N. Lynne McCarron, CMCA - *Sentry Management, Inc.*
- Building Defects – Existing and in Transition - *The Falcon Group*

2:00PM – RAFFLE – WAGON ROOM

**BE SURE TO COMPLETE YOUR RAFFLE
CARD AND DROP IT OFF AT THE
CAI-CT MEMBER BOOTH!**

Registration Information On The Next Page!



Visit the Community Partner table sponsored by the CAI-CT Next Generation Committee! Participate in the 50/50 raffle to benefit Healing Meals Community Project*. We are looking forward to working with this organization to provide some of the food for our Spring Fling event on May 8, 2019 in Bloomfield.

**Healing Meals Community Project's mission is to provide organic meals for people in a health crisis while empowering youth in our communities*

MAIL REGISTRATION INFORMATION FOR MARCH 16, 2019 at the Aqua Turf in Plantsville, CT • 8:30am - 2:00pm

March 16, 2019 Conference & Expo Registration Through U.S. Mail – (Clip & Mail, Copy as Necessary)

***Pre-registration by March 4, 2019.**

Company/Association: _____

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Please select best description for you:

☐ President ☐ Board Member ☐ Manager ☐ Other

Please Select Member Status:

☐ CAI Member Manager, Board Member or Unit Owner (\$25)*

☐ CAI Non-Member Manager, Board Member or Unit Owner (\$45)*

☐ CAI-Member Service Provider (\$100)*

☐ CAI Non-Member Service Provider (\$150)*

If you are a President, do you plan to attend the Presidents' Only Breakfast?:

☐ No ☐ Yes ☐ Not a president ☐ N/A

If you are a state registered manager, do you plan to attend the Managers' Only Breakfast?:

☐ No ☐ Yes ☐ Not a state registered manager ☐ N/A

Would you like to attend the Lunch with the Experts for an additional \$32*:
(Please note: seats are limited and are assigned on a first come first serve basis. You will be contacted if your selection is not available.)

☐ No ☐ Yes, please also select one expert below.

Exclusively for Board Members

☐ Insurance: Dave Pilon, EBP - *Bouvier Insurance*

☐ Legal: Robert Pacelli, Esq. - *Zeldes, Needle & Cooper*

Exclusively for Community Association Managers (CAMs)

☐ Insurance: Bob Jones, EBP - *FCB Insurance Services, Inc.*

☐ Legal: General - Chas Ryan, Esq. - *Pilicy & Ryan, PC*

Open to All – Best Practices

☐ CHRO: Christopher K. Leonard - *Collins Hannafin, P.C.*

☐ Holding Meetings and Hearings:- Matthew N. Perlstein, Esq. - *Feldman, Perlstein & Greene, LLC*

☐ FHA: Brian R. Smith, Esq. - *Robinson + Cole, LLP*

☐ OSHA: Pamela Bowman, EBP - *Prime Touch Services*

☐ Tree Care: Victoria McCarthy - *SavATree/SavALawn*

☐ Reserve Studies & Projects: Richard Filloramo - *National Consulting Group, Inc.*

☐ Capital Improvement Projects: N. Lynne McCarron, CMCA - *Sentry Management, Inc.*

☐ Building Defects: Existing and in Transition - *The Falcon Group*

Total Enclosed : _____

MUST BE POSTMARKED BY MARCH 3, 2019.

Mail to: CAI-CT
1489 Main Street
Glastonbury, CT 06033

Community Association Board Resolution for Attendance at the CAI-CT 2019 Conference & Expo

Whereas, The _____ Association (hereafter referenced as the "Association") board serves in the best interests of all owners in the community;

Whereas, The Association directors have the fiduciary responsibility to manage the assets of the Association according to established business practices and principles, and pursuant to competent, ethical and positive community governance; and

Whereas, The Association directors need to stay abreast of trends and best practices in community association governance, management and operations; and

Whereas, Community Associations Institute (CAI) is dedicated to providing information, education and best practices to help association leaders build and sustain strong and viable communities; and

Whereas, CAI is the leading advocate for common-interest communities before state and federal legislative and regulatory bodies; and

Whereas, Current and future Association residents will benefit from the training and education provided to their directors by CAI-CT; and

Whereas, attendance at the 2019 CAI-CT Conference & Expo will give Association directors access to valuable ideas, information and insights through educational sessions and awareness of products and services;

Resolved, That the Association invest in a funding the attendance of _____ board member(s) to attend the 2019 CAI-CT Conference & Expo; and

Resolved, That the Association's annual budget shall include funding for attendance at the CAI-CT Conference & Expo. Attendance at CAI education events may be paid by the Association, at the discretion of the board, requiring an affirmative vote by a majority of the directors and recorded in the open meeting minutes; and

Resolved, That the Association strongly encourages its manager and other professional service providers to attend the CAI-CT Conference & Expo to gain the knowledge, information and insights that enable them to better serve the association.

SO RESOLVED BY THE BOARD OF DIRECTORS on this, the _____ day of _____ in the year _____.

Secretary of the Board

Board Members — Present this resolution at your next meeting to include the cost of your attendance in your association's budget.



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.

Look for your answers in future issues of *Common Interest*. Here is this issue’s Ask Mister Condo question:

Dear Mister Condo,

My daughter bought a condo where her association fees are \$450.00 per month. Due to a future major roof improvement job her payment will increase by \$300.00. We feel the seller had to know about this upcoming project and didn’t reveal this very crucial information. The other choice to pay would be a one-time payment for \$22,000.00 per unit. There are 40 units. Something doesn’t seem legal here. Your thoughts?

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

L.S. from New Haven writes:

Dear Mister Condo,

When a unit owner turns ownership of their unit to a son or daughter but still lives there with life use. Who gets to vote on budgets or elections for that unit, the owner or the person still living there under life use?

Mister Condo replies:

L.S., typically the unit owner is the one who holds the power to vote. You need to look at the association’s governance documents for further qualification but most would state that the vote is assigned to the unit owner of record. It is also possible for the unit owner (son or daughter, in this case) to give proxy to the resident to vote. It is really at the discretion of the unit owner of record at the time any vote is taken. All the best!

Did you know that you can follow Ask Mister Condo on Twitter? <https://twitter.com/askmistercondo> You’ll get daily updates on current questions delivered right to your phone, desktop, or tablet. Just follow @AskMisterCondo and let Mister Condo come to you! There are now more than 1600 questions and answers on the “Ask Mister Condo” website! Since 2012, Mister Condo has been politely offering some of the best HOA and condo advice to readers just like you! Join in the friendly conversation on Twitter, Facebook, and LinkedIn or on the website. Visit us at <http://askmistercondo.com>. There’s plenty to talk about! ■

Jump Start January

Our Annual Jump Start January event on January 10th was on the topic of customer service. Our speaker, Susan Fitzpatrick, CMCA from the Ritz-Carlton Residences offered many great tips for the community association managers, administrative assistants, and Business Partners. The major takeaways were that communication is key and the importance of seeking opportunities to let people know you are paying attention to important events in their lives like a simple balloon for a birthday and other creative ideas.

We are fortunate to have excellent volunteers. Mike Famiglietti, CMCA from CM Property Management and Rick Torello from BELFOR Property Restoration were phenomenal parking attendants. We also had assistance from Leshea Wilson, CMCA from Palmer Property Management for registration. Thank you!

We are grateful to Oronoque Village for their fabulous hosting of this event. We always appreciate being able to showcase some of the fabulous communities we have in our state. ■



(above) Pam Bowman, CMCA, EBP - Prime Touch Service; Susan Fitzpatrick, CMCA - Ritz-Carlton Residences; Frank Pingelski, EBP - Toohar - Ferraris Insurance Group

(right) Suzanne Rourke, CMCA & Melissa Gouveia, CMCA - Alan Barberino Real Estate, LLC



Financially Speaking...



Daniel Levine, CPA

The Statement of Cash Flows

By Daniel Levine, MBA, CPA



changed over a period of time. It lists the activities that impact cash and reconciles cash from the beginning of the period to the end of the period presented. It provides readers a concise presentation of what cash was spent on and what were the ways cash was received which allows for decision-making and analysis. The statement also serves as an important link between the income statement and balance sheet as it relates to cash.

The Statement's Main Components

The statement of cash flows will have three main components to it. The components are labeled as the following:

1. Cash Flows from Operations — This area will reflect cash receipts/disbursements from normal operations and includes:

- a. Cash collected from member assessments
- b. Cash from other income collected such as:
 1. Laundry income
 2. Key income
 3. Fine income
- c. Cash disbursements for operating expenses

2. Cash Flows from Investing Activities — This area will reflect cash receipts/disbursements relating to the purchase or sale of fixed assets/other financial instruments not considered cash and includes:

- a. Sale of property and equipment
- b. Certificate of deposit activity not classified as cash & cash equivalents

3. Cash Flows from Financing Activities — This area will reflect cash receipts/disbursements relating to items used to finance the association's operations and includes:

- a. Interfund transfers
- b. Long-term borrowings
- c. Short-term borrowings
- d. Interfund loans

For "Cash Flows from Operations" there are two available methodologies of presentation in this section. The first is the "direct" method and the other option is the "indirect" method.

The indirect method calculates cash flows from operations by starting with net income and uses adjustments in related balance sheet

When an individual serves on their board, or reviews records as a unit owner, it may be the first time they encounter formal financial statements. For those not familiar with reading statements it can often seem like you are learning a new language to understand what they are saying.

Couple that with the fact there are many different statements to review and each is presenting a different component of financial activity it can be quite a task to understand the importance and need of each statement.

This article will take look at one of these documents: the statement of cash flows. We will be focusing on the statement's purpose, main components, and why it's an important part of financial reporting.

What is the purpose of the statement

In most financial statements there are three main statements. The first two most are familiar with are the balance sheet and income statement (profit and loss). The third statement is called the statement of cash flows. A board will typically see this third document when receiving formal statements prepared by a CPA for an outside engagement like an audit.

While a balance sheet reflects all assets, liabilities, and equity at a specific date and the income statement is showing all income and expense over a period, the statement of cash flow is only focused on one area: cash.

How cash is earned/spent is such an important predictor for the success of any business entity that this statement was developed to provide readers of the financial statements insight into how cash has

items to arrive at net cash provided by operations. The direct method adjusts each income line to change it from the accrual basis to the cash basis to show cash from operations.

Why the Statement is Important

This statement is important as it provides insight to how association funds are spent and where they are coming from. It also provides a way for those on the accrual basis to reconcile how cash changed and what were the reasons for it.

Users of this statement should pay attention to each overall section in addition to the final result. If cash decreases from one period to another what area was the driver of this overall result? Was it from operations, investing or finance?

If the association has overall negative cash from operations it means the normal operations of the association are disbursing more money than they are receiving. This could be from a variety of reasons and the board will want to better understand if it was due to a one-time event or is something that will require modification to fees going forward. Reviewing if your accounts receivables have increased or payables have decreased will help you understand if less money was collected or if more money was spent and make the appropriate decisions.

If the association has an overall reduction in cash, but the negative use of cash is coming from investing or financing this could paint a different picture. For example, if an association acquired investments, that is considered a use of cash which will reduce overall cash but

doesn't mean that the association has less in assets. If an association writes off an inter-fund borrowing this will be reflected in the financing section but also isn't a reduction in association liquid assets.

One last reason this statement is important is it can be an easier statement to understand than the other accrual basis statements. Accrual basis accounting can have complicated presentation to comply with generally accepted accounting principles. Therefore, reviewing the statement of cash flows can provide a more intuitive analysis of the association's use of funds. This doesn't mean however that the other statements should be ignored in favor of this one. Each statement is relevant to providing a total financial picture of the association.

Conclusion

Board members have many different financial statements at their disposal to understand the fiscal health of their association. The statement of cash flows is just one of these and allows for an understanding of the inflows and outflows of cash during the year. It allows for valuable analysis into specific outflows and inflows of cash and allows for a bridge between the accrual and cash basis of accounting. ■

Dan Levine, MBA, CPA is a Certified Public Accountant at Tomasetti, Kulas, And Company P.C. Dan has extensive experience with tax and attestation services to condominium associations from all around Connecticut. Dan is an active participant in CAI-CT related programs and can be found presenting accounting best practices at these events throughout the year. Dan is also a member of our Legislative Advocacy and Next Generation Committees.

**WHILE OTHERS SEEK TO SELL A POLICY,
WE BELIEVE IN THE VALUE OF A RELATIONSHIP.**



REARDON AGENCY
INSURANCE



Mallory Reardon



Kevin Reardon



Susan Reardon

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Michael Feldman, Esq.

When the Insurance Company is Wrong

By Michael Feldman, Esq.

The Association gets sued. The property manager turns over suit papers to the insurance company. A few weeks later a denial letter is received from the insurance company. It is several pages long, recites numerous random sections of the policy and concludes that “the XYZ insurance company provides no coverage for the lawsuit under its policy and will not provide a defense to the lawsuit.”

An insurance company’s denial can be extremely burdensome to an association which will then have to incur significant legal costs in defending the lawsuit. But the association, as insured, is not required to accept the insurer’s denial. Careful analysis of the denial letter, policy provisions and lawsuit allegations, together with knowledge of Connecticut insurance law, may provide the association with a basis to challenge the insurer’s denial. In many cases, attorneys have been able to persuade insurers that their initial denial was wrong and they have eventually provided coverage, or at least a defense to the lawsuit.

Liability vs. Property Coverage

(1) Liability insurance – often referred to as third party insurance – provides protection of the insured/policy holder against claims of third parties (e.g. lawsuits arising from accidents or the insured’s breach of some duty). (2) Property coverage – often referred to as first party coverage – involves direct injury to the insured’s property (e.g. fire, storm, water, theft). Today’s focus is on liability coverage.¹

Benefits Provided by a Liability Policy

Liability coverage imposes two basic duties on the insurer: (1) indemnity – that is payment of a settlement or judgment against the insured; and (2) defense – retaining counsel to defend the insured. Very often the insurer’s duty to defend provides a benefit that is as significant as the duty to indemnify given the legal costs of defending a lawsuit. In addition, once the insurer acknowledges its duty to defend, even though reserving its rights to deny coverage for indemnity, it will often eventually participate in funding a settlement.

Legal Principles Governing an Insurer’s Duty to Defend

- The language of the policy controls the parties’ rights and obligations.
- A liability insurer has a duty to defend if the complaint against the insured alleges a covered occurrence – that is, a claim that comes within coverage as set forth in the policy language.
- The insurer must defend even if the claim is meritless or the allegations are false.



“...once the insurer acknowledges its duty to defend, even though reserving its rights to deny coverage for indemnity, it will often eventually participate in funding a settlement.”

- The insurer must defend even if facts revealed by its investigation (but that are not alleged in the pleadings) would defeat coverage. An insurer may not use extrinsic evidence (facts outside the complaint) to defeat its duty to defend; but such extrinsic evidence may be used to trigger the defense.
- The duty to defend is considerably broader than the duty to indemnify and is triggered if at least one allegation falls even possibly within the coverage. So if a complaint contains multiple claims or counts, the insurer is obligated to defend, even if only one count is covered.
- Where the insurer relies upon an “exclusion” it has the burden of showing that the complaint allegations come entirely within that exclusion and are not subject to any other interpretation.
- The insurer has a heavy burden in denying a defense.
- Ambiguities are resolved in favor of the insured.

Insurer’s Options

When an insurer addresses whether it has a duty to defend it has several options: (1) it may unconditionally provide a defense to its insured; (2) it may provide a defense to its insured under a reservation of rights explaining that it reserves its right to either terminate the

[Continues on page 22.]



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INSURANCE COMPANY WRONG...from page 20.

defense or refuse to pay a resulting settlement or judgment. In connection with reserving its rights, it may also pursue a declaratory judgment requesting a court's determination of coverage and permission to terminate the defense; (3) it can deny coverage outright and refuse to provide a defense. By doing this, the insurer risks significant liability exposure if it turns out that its initial denial was improper.

Insured's Options

The insured has the following options to respond to the insurer's denial of a defense: (1) it can request reconsideration, explaining why the denial of coverage is legally wrong. We have found this approach to be effective where the letter provides a thoughtful analysis of the claims, supporting case law and policy provisions. In contrast, a bombastic accusatory letter without such an analysis is often ineffective; (2) it can file a complaint with the insurance commissioner – an approach that we have found to be consistently unhelpful; (3) it can immediately bring suit against the insurer seeking a declaratory judgment to compel the insurer to provide coverage; or (4) it could defend the lawsuit and reserve its rights to pursue the insurer for damages resulting from the cost of defending the case, as well as the cost of any settlement or judgment.

Issues that Frequently Arise

These are some of the common issues that may lead to a coverage denial:

- Intentional versus negligent conduct.
- Mold.

- Does the complaint allege property damage, bodily injury, or an occurrence?
- Is the claim within the policy period?
- Does the claim involve pollution?
- Failure to provide timely notice of the claim.
- Failure to cooperate with the insurer.
- Do the claims involve contractual liability?
- Are the defendants covered under the policy as named or additional insureds?

Conclusion

Don't assume that the insurer's denial is legally correct – a denial has profound and expensive consequences to the association. The association faced with a denial can consider whether the denial can be challenged. The cost to the association to defend the case – even though the case is defensible – can be a significant burden to the association. Challenging an insurer's questionable denial of a liability claim can result in the insurer reversing its position, providing defense counsel to the association and saving the association from incurring significant costs. ■

END NOTE:

1. Many of the principles discussed here apply to both general liability and director's and officer's liability insurance. But there are significant differences in these policies which may call for a separate analysis.

Michael Feldman is the managing partner the law firm of Feldman, Perlstein & Greene, LLC. Attorney Feldman practices in the area of civil litigation and frequently represents communities both prosecuting and defending association claims in a wide variety of complex matters, including construction, commercial, insurance and personal injury.



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Manager's Column...



Reggie Babcock



Rich Wechter, CMCA

Being Practical, Part LIII

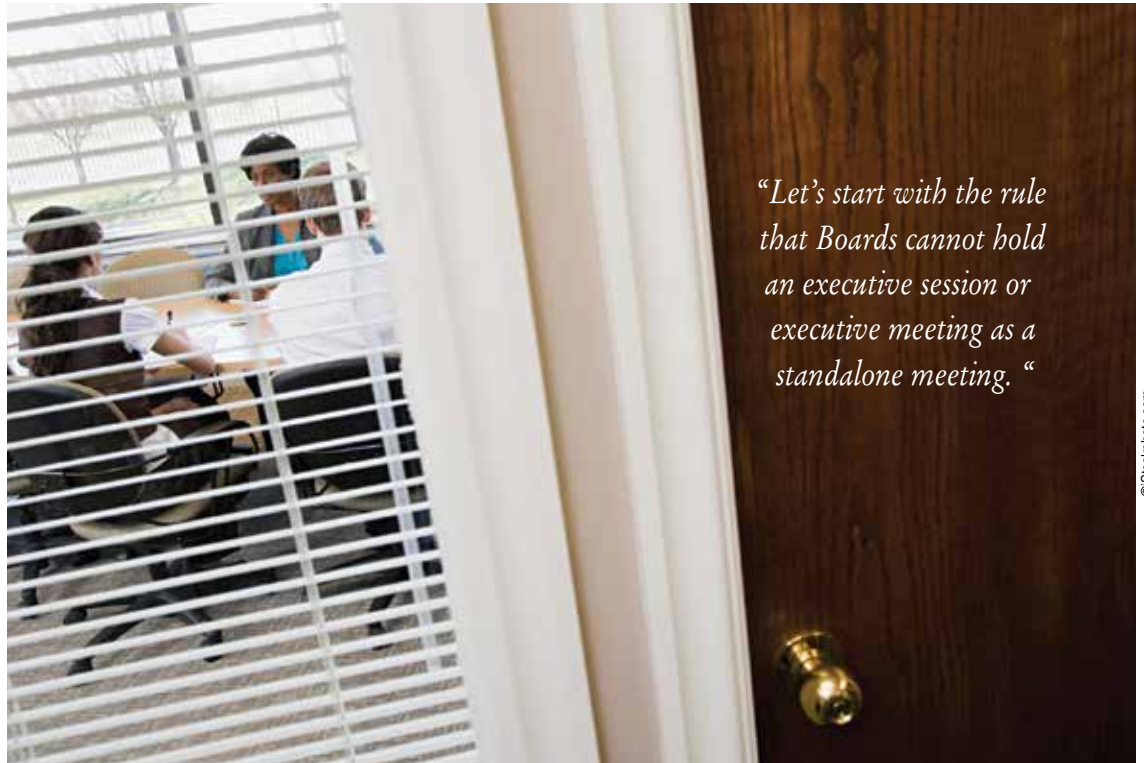
The Art and Science of Executive Sessions

By Reg Babcock and Rich Wechter, CMCA

In this column we tackle various topics of interest to association Boards of Directors with the intent of imparting practical advice. Our thrust always has been to encourage improvement in the Boards' discharge of their responsibilities and oversight of their communities from all perspectives. In this issue we address many of the relevant factors that bear on the conduct of executive sessions of the Board.

The Common Interest Ownership Act (CIOA) imposes some fairly strict limitations and requirements on Boards as it pertains to executive sessions. But to be upfront about this topic, we would be hard-pressed to identify any Board that complies perfectly at all times with every facet of the law and the industry's best practices. The real life needs of governing a community often lead to noncompliance with the law. Such missteps can be minor or major. We are not going to spell out the legal requirements here; that information is readily available from association counsel and through CAI's educational programs. Instead, we want to identify a few of the traps, some of the workarounds and some of the consequences of the missteps.

Let's start with the rule that Boards cannot hold an executive session or executive meeting as a standalone meeting. Any executive meeting must be conducted in conjunction with a regular meeting following the required notice to owners. Probably too often we learn of Boards that gather for a discussion, formally or informally, but no regular meeting is noticed or conducted. Even if the Board has no topic to address in a regular meeting, there must be notice of the meeting and most importantly, owners must be afforded the opportunity to comment on matters of interest – not necessar-



"Let's start with the rule that Boards cannot hold an executive session or executive meeting as a standalone meeting."

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ily on topics identified in an agenda. Good practice dictates that the "public comment" section of the agenda be strictly limited in duration, and if necessary each speaker be allotted a specific length of time in which to speak, but this topic is an entire subject of its own. Here we simply want to make the point that there should be no standalone executive meetings.

In many ways, the law seems harsh in this regard. Boards will argue that they need a private setting in which to fully and frankly air their views. Some Boards will try to avert a breach in the law by "not making any decisions" in the course of their meeting. These protestations are understandable. CIOA's requirements are unworkable at times. But that fact does not obviate the breach. There are, however, several strategies we can suggest. The board should call a meeting with timely notice but make clear that there is no business to be addressed in the public session after accommodating any owners who wish to speak. The president can make clear that the balance of the meeting will be devoted to a discussion of executive session topics, and that no vote

will be taken. An approach such as this one sets everyone's expectations, and most importantly affords the Board the time and the privacy it needs.

There also is a helpful statutory provision that explicitly allows boards to act outside of a meeting by two-thirds consent. The procedure can be invoked after an executive session has been held and views among board members are conveyed. But resorting to this process too often flies in the face of the General Assembly's likely intention. We presume the legislature intended that the consent provision would be used infrequently, when circumstances simply don't allow the time necessary to call a meeting and go through traditional decision-making process. Maybe more compelling is the community's interest in having its affairs conducted transparently. If decision-making by consent becomes the norm, owners understandably will become disenchanted with the individuals they have elected to the Board. With that caveat, having a board act by consent to, in effect, ratify the action it otherwise would have taken in the executive session, keeps the Board on track.

Quick reminder: any action taken by consent outside of a meeting should be reflected in the minutes of the Board's next meeting. Boards also should heed the requirements that notice of action taken by consent be given to owners on a timely basis.

We also want to remind readers as to the topics which the statute allows Boards to discuss in executive session. And again a reminder:

[Continues on page 26.]

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EXECUTIVE SESSIONS...from page 25.

decisions cannot be made, nor votes taken in executive session. Here are the specific topics that boards may — but need not — take up in executive session.

- Legal matters in consultation with association counsel;
- Litigation;
- Labor or personnel matters;
- Contracts, leases or other commercial transactions if premature general knowledge would be disadvantage; and
- Matters that otherwise would violate a person's privacy.

Boards routinely will use an executive session to prepare and review a proposed budget, presumably on the theory that such discussion can implicate contracts and personnel matters that will arise in the course of the new budget year, and therefore be eligible for discussion in executive session. We offer no opinion on this approach but suggest that the community's respect for and concurrence in the outcome of the budget will depend to a great extent on the sense owners have of the openness of the approach the Board has taken. At the very least, the budget warrants a thorough, respectful and open presentation to owners.

Boards take varying approaches as to whether hearings for violations or fines can or should be conducted in executive session. The

best approach we have heard affords the affected owner the choice as to whether his or her hearing is to be public. There certainly is justification by virtue of the last category of topics that ensures privacy of matters where appropriate.

Boards often complicate their responsibilities by the manner in which they draft minutes relating to an executive session. It is not only sufficient but is strongly recommended that the minutes of every regular and special meeting reflect the fact that an executive session occurred. In other words, there ought not be separate minutes of the executive session. Ideally, the minutes of the meeting will state merely that at a specific hour, the Board entered executive session to address (the topic to be stated in general terms such as "to consider a proposed contract," or "to conduct a hearing," or "to discuss a legal matter"). There need not be, should not be, any mention of the transpirings that occurred in executive session. The minutes next should simply state that at the specified time, the Board concluded its executive session and either reconvened its public session or adjourned the meeting.

There is much more to discuss concerning executive sessions that we can address here, and some readers may disagree or have other views. We certainly welcome your thoughts and input. ■

The authors work for Westford Real Estate Management, LLC. Reg Babcock is Chief Operating Officer & General Counsel and Rich Wechter, CMCA is Senior Vice President.

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Risk Management For Common Interest Communities

“An ounce of prevention is worth a pound of cure”

By Frank Pingelski, EBP

One of the most common questions asked of any insurance agent is “how can I save money on my insurance?” Generally, when the question is asked the response my client or prospective client is looking for is a list of credits that can be applied to the pricing, coverage that can be removed to decrease the pricing, or another carrier willing to offer the same thing at a lower price. It is the mindset that all the direct advertising from large national carriers has created. Slogans like “Name your own price” and “15 minutes can save 15% or more.” The answer, however, is not often the one everyone expects to hear, but it is the answer they need to hear: Risk Management!

Risk management, at its most basic level, is the practice of preventing claims and minimizing the severity. Accidents will happen. There will be claims from catastrophic weather, accidental fires, pipe breaks and slip & falls. Insurance carriers expect to pay these. What they don’t like to see are repeated claims from preventable occurrences like old hot water heaters, cheap washing machine hoses, failure to clean dryers and chimneys and damage done by uninsured contractors.

An association’s premium is calculated based on several factors, some of which the board of directors can control and some which they cannot. Distance to the coast, age, building size and construction type, fire department capabilities are all factors that are beyond the board’s influence. However, one of the single biggest factors in determining if an insurance carrier will offer a proposal and at what price is the claim history.

A Tale of Two Communities:

Consider the following scenario: Two neighboring communities each having 4 buildings identical to the other association, built in 1998 by the same developer.

Association A

Policy Year	No. of Claims	Claim Total
2017-18	2	\$35,000
2016-17	0	\$0
2015-16	1	\$20,000
2014-15	4	\$75,000
2013-14	0	\$0

Association B

Policy Year	No. of Claims	Claim Total
2017-18	0	\$0
2016-17	1	\$0
2015-16	1	\$20,000
2014-15	0	\$0
2013-14	0	\$0

Association A believes that it just has worse luck than Association B. The claim in 2015-16 was storm related and the others were an assortment of unrelated occurrences. 2 hot water heaters, 1 dryer fire,



“It is not free and it certainly comes with extra effort, but associations that implement a comprehensive risk management program and achieve compliance will reap the benefits.”

1 washing machine hose burst, a slip & fall and an uninsured contractor performing work for a unit owner.

Association B also suffered storm damage in the 2015-16 year. It also suffered damage from a contractor working in a unit during the 2016-17 year but was able to pass the cost back to the contractor’s insurance policy. Association B was able to minimize the damage the contractor caused and has avoided the other claims Association A suffered by eliminating the exposures *before* they caused damage!

The reality is Association A has left their claims history to luck while Association B has implemented solid risk management practices and has spent time educating unit owners on compliance. The majority of unit owners in Association B follow the maintenance standards and remove “luck” from the equation. To the greatest extent possible they have taken control of their destiny rather than being a victim to it.

Compared to Association A, the unit owners in Association B on average spend an extra \$500 per year to have their dryer vents cleaned annually, replace hot water heaters timely, and hire insured contractors. Unit Owners in Association A spend an extra \$1,200 per year to cover master policy deductibles and insurance policy premiums while being displaced from their unit while claims are remediated.

The End Result

So, how do you save money on your insurance program? Risk Management!

It is not free and it certainly comes with extra effort, but associations that implement a comprehensive risk management program and achieve compliance will reap the benefits. Associations must focus on putting their money into maintaining the buildings and infrastructure otherwise you can easily find yourself paying 3 times the cost for an insurance policy. Regardless of how much or little you pay for your insurance program, the cost to fund your reserve study does not decrease and does not go away.

Talk with your association manager, insurance agent and attorney about different strategies and specific measures. There is no one size fits all approach! ■

Frank Pingelski is Vice President of Community Associations at Toober-Ferraris Insurance Group. Frank is currently the Secretary of the CAI-CT Board of Directors and serves on our Conference Committee. He is also a frequent speaker at CAI-CT education programs.

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ENVIRONMENTAL TIP

Activities in the kitchen can go green too. Saving energy while cooking can actually save time and make your life easier. For example:

Use the Correct Sized Pots & Pans

When you're using your stove to cook, be sure that you are using the right size pots and pans. It might seem logical that if you're preparing a smaller meal, then you should use a smaller pan. However, it is estimated that a 6-inch pan on an 8-inch burner typically wastes approximately 40 percent of the heat produced by the burner on electric cooktops. So using an 8 inch pan would be a better choice. Additionally, keeping a lid on your pots and pans helps keep the heat in, thereby using less energy to cook your meal. While these choices may seem small, they can actually make a pretty big difference in the in energy savings over time.



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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.

WILL THE ICE DAMS RETURN? *But Our New Roof Is Not Ready*

By Timothy Wentzell, P.E.

A problem that one has writing an article like this on a regular basis is, today while I sit at my desk writing this article between phone calls from clients concerned about potential ice dams on their roofs and the associated leaking, the readers of this article may be waiting for the snow to melt. However, one should not forget about the damage that winter's heavy snow and ideal weather conditions for the creation of ice dams and their associated havoc may have created.

While I have written before of how it seems to be that ice dams reoccur in approximately a three-year cycle, albeit certainly this is not a scientific fact, my experience from being in this business for many years seems to indicate that. The question always arises; why does this year seem so much worse than most? As I write this article in December, the snow buildup has not started, however, that in and of itself is really not the true cause of an ice dam. For an ice dam to be created, more than anything else ideal temperatures are needed. (Albeit a small amount of snow is needed.) Ice dams are generally not created (except for in the most unusual situations) when temperatures are in the low twenties or below, as quite simply the snow doesn't melt on the roofs. They are also not created when the temperature is above freezing, as in that case the water from the melting snow would simply run off the roof. Ice dams are created when snow melts prematurely during these ideal temperature conditions.

This then begs the question of what really can be done about ice dams and why in heavy snow conditions are they often much worse. They are often worse because there is quite bluntly more snow to melt and there is more water to refreeze on the roofing system. However, there is a second interesting part of this phenomenon and that is snow in and of itself is also an insulator. So, when a heavy layer of snow sits on a typical residential roof, it creates a second insulation layer. The primary insulation layer that may be either on the floor of an attic or the undersides of the rafters in a cathedral ceiling type building is then repeated by the snow on top of the roof. This can create warmer above roof temperatures than would be normally expected because of this secondary insulation layer. This second insulation layer then magnifies any problems in the underlying building insulation and the ventilation, which is intended to work in concert in keeping the roof cooled. This is why when the roof is covered with a heavy layer of



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"...what should a building owner do to try to minimize these problems from occurring..."

snow (insulation), melting is even more likely to occur as when the snow creates a secondary insulation layer, that further traps heat in the buildings and more specifically the underlying roof.

I have for years advised clients that if a building is designed and constructed in accordance with the current building codes, they shouldn't have problems. However, in the presence of heavy snow I have come to realize that perhaps that guidance was not always well-founded. Certainly, when a roofing system is designed to these criteria, ice dam creation will be minimized. But, when the cold weather prevails, in particular in the range mentioned previously, for longer and longer periods of time the ice damming conditions can become so ideal that greater measures may be needed. This is a little bit of a broad-brush statement and certainly further explanation may be warranted. As discussed previously the code does address what could be considered ideal construction measures, however, so many buildings either through the design process or construction have many inherent features which could make obtaining these results close to impossible. An architectural feature as simple as a dormer can prevent these ideal conditions. The building codes even have provisions that are in con-

flict with regard to ice damming prevention such as the fire separation opening distances for ridge and soffit venting. Additional heat sources in attics such as air conditioning or heating ducts, heating systems, and bathroom and kitchen vents add to the heat load further making the minimal requirements problematic.

With all of these problems in place the question then remains; what should a building owner do to try to minimize these problems from occurring as it applies in particular to a reroofing or repair scenario? I believe the most pertinent answer to this question is that the designer of the roofing system should try to correct as many and ideally all, of the ventilation conditions if possible. Review and supplement insulation in a likewise manner and then in the construction of the roofing system, especially when the first two issues may still be somewhat problematic, go over and above the typical requirements for a roofing system. These may include features such as integral fascia to roof flashings which are not normally included in a roofing program, lowering and changing sizes of gutters, supplemental flashing on intersecting walls, greater than minimal amounts of underlying roofing membranes, and other numerous features which can create in concert with the ventilation and insulation issues mentioned previously, a roofing system far more likely to provide excellent service in these unusual weather conditions.

So, as you're reading this and waiting for spring weather, don't forget winter will come again. ■

Please address any questions or areas of interest that you would like answered in future columns to Timothy Wentzell, P.E., (860-289-8121) (e-mail: CommPropEng@cox.net).



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FIRST CONNECTIONS

Finding the most effective channel to communicate with your homeowners, especially as millennials join the ranks, takes a bit of research and experimentation.

By Katie Anderson, CMCA, AMS, PCAM

The article below is reprinted with permission from the September/October 2018 issue of Common Ground™ magazine, the flagship publication of Community Associations Institute (CAI). www.caionline.org

“I KNOW THAT you believe you understand what you think I said, but I’m not sure you realize that what you heard is not what I meant.”

That’s what famed American writer Robert McCloskey once said. It’s a pretty common sentiment in common-interest communities too. How many times do board members and community managers receive an email or phone call that was rooted in misunderstandings?

Very often, those misunderstandings start at, well, the start. New homeowners frequently don’t realize the expectations and requirements of community association living or were never shared the community’s documents before they purchased. When the association sends a letter to a new homeowner asking him or her to put away a trashcan, for example, the owner gets upset because he or she didn’t know there were rules on trashcans. Now, expectations are out of alignment on both sides of the conversation, and the association-homeowner relationship isn’t off to the best start.

Getting a community’s documents in potential homebuyers’ hands before they purchase and following up with welcome packets when they do buy are important first steps to communicating expectations. But the job doesn’t end there.

Successful association leadership and effective community management is rooted in communication, but homeowners have different preferences for how they’d like to be reached. Who sets the standards for communication? And how can you be sure your communications are effective?

These are important questions all board members and managers should be asking, especially as the generational makeup of community associations begins to shift. Within the next five years, the industry will employ and service five generations. Each of these generations has distinct and specific needs. You should understand the demographics of your current homeowners and those who are looking to buy in your community before determining how to connect with them.

“Successful association leadership and effective community management is rooted in communication...”



TRENDS AND STYLES

According to a 2017 National Association of Realtors report on generational trends, first-time buyers made up 35 percent of home sales in 2017, and 66 percent of the first-time homebuyers were millennials — born between 1981 and 1996. Generation X buyers, born between 1965 and 1980, represent 26 percent of the first-time homebuying market.

Generational trends are beginning to impact the homebuying process. While real estate agents are still an important part of the practice, websites like Zillow, Trulia, Realtor.com, and Redfin are dominating the consumers’ connection to real estate.

These sites are doing even more than allowing potential purchasers to browse. Zillow is beginning to leverage its audience and turn them into buyers. In April, the company announced a pilot program called Instant Offers, offering sellers a matchmaking service with cash investors. This service, as well as sites like Opendoor, is giving future generations the opportunity to have an online buying option.

According to PitchBook, venture capital investors also are betting on millennials and Gen Xers turning to online buying for what will possibly be the largest investment of their lifetime. Investors poured \$1.2 billion in 2017 in real estate technology companies, up from just \$31 million in 2012. Couple these investments with the announcement that startups will start buying homes and flipping them online,

[Continues on page 34.]

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it appears that buyers will be able to do more than just window shop sooner rather than later.

Association leaders would be naive to believe that the way we do business in communities will not be disrupted too. With communities already home to Gen Xers, baby boomers, and the silent generation, how can board members and managers communicate across five generations, solve the disconnect with homebuyers, and enhance our communities? We need to innovate and connect with our new homeowners in unique ways.

As we work to do that, the conversations about generations should be more about their strengths than differences, says Jason Dorsey, president of the Center for Generational Kinetics. “Rather than cover stereotypes that help to further separate generations, it would be better to approach communication as an opportunity to be innovative and lead into the future of this industry,” shares Dorsey, during his TED Talk “What do we know about the generation after millennials?”

COMBINING APPROACHES

Though each generation has preferred communication styles, there may be opportunities to pair generational resources to help solve problems.

Millennials, for example, typically don't initiate in face-to-face communication, but there might be an opportunity within communi-

ties for baby boomers to invite younger owners to meet and start a conversation. In-person communication tends to be effective across all generations but also can be time-consuming and inefficient.

But associations shouldn't discount the impact of face-to-face meetings. It's important to get to know homeowners and engage them in social interactions — think happy hours and conversations over coffee — before you lay out what can seem like a daunting task of how to live in a community association.

While electronic communication is fast and cheap, many baby boomers and millennials have a love-hate relationship with email. If you're trying to engage on a personal level, your email might get lost amid the high volume of emails they receive at work. If you're trying to use email to engage new homeowners, you might see a low return rate.

If you're not already sending texts, it may be time to give it a try. Multiple generations cite that they now spend more time texting on their phones than talking on their phones. Some platforms can help associations consolidate messages and expand resources. Telegram and WhatsApp, for example, have business features that can be implemented with owners.

Websites, social media, and video also are channels associations could use to connect with new homeowners. Sharing videos can be

“While electronic communication is fast and cheap, many baby boomers and millennials have a love-hate relationship with email.”

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LEGALLY SPEAKING...from page 11.

statutory interpretation. The question was whether a condominium's foreclosure policy is a "rule," which CIOA says must be adopted after the unit owners have an opportunity to comment on it, or was instead an "internal operating procedure," which CIOA says need not be. CIOA defined a "rule" as one that "governs the conduct of persons" but did not define "internal operating procedure." The Court said that a policy which governed how and when the association's attorney could foreclose a unit for unpaid common charges must be a "rule" because the attorney is a "person." The Court acknowledged that everything an association does is accomplished through a person, but reasoned that the same legislation which added this language adopted the rule-making procedures themselves, expanded all of these definitions, and increased the participation rights of unit owners. It also pointed out the commentary of legislators showing concern about foreclosures and held that requiring owner input for a rule on the location of bird-feeders while not requiring it for a foreclosure policy would be an absurd result.

Statutes not only convey legal commands, but are themselves governed by legal principles which instruct people how to interpret them. The language can be complex and the stakes can be very high, so understanding and adhering to those principles is critical to respecting the legislators' will and conducting the association's affairs properly in accordance with the law. ■

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.

End Notes:

1. Conn.Gen.Stat. § 1-2z.
2. *S. End Plaza Ass'n, Inc. v. Johnson*, 62 Conn.App. 462 (2001).
3. *Brown v. Quinipiac Vill. Condo. Ass'n, Inc.*, Superior Court, No. CV084034290S, 2011 WL 1565884 (Mar. 29, 2011).
4. *Fruin v. Colonnade One at Old Greenwich Ltd. P'ship*, 237 Conn. 123, 134, 676 A.2d 369 (1996).
5. *Cedarwood Hill Estate Condo. Ass'n v. Danise*, Superior Court, No. CV136018246S, 2013 WL 6334920 (Nov. 8, 2013).
6. *Neighborhood Ass'n, Inc. v. Limberger*, 321 Conn. 29 (2016).

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helpful for those who prefer electronic communication but don't love email. Having trouble with lawn maintenance in a particular community? Create a short video explaining the expectation and post it to the community's website or share it on Facebook.

Meanwhile, hard mailings can be helpful to communicate important and more formal communication, but that can be costly.

A single approach might not reach your end goal. Sometimes, a combination of all of the above gets the job done.

With multiple channels, your messages should support each other. Use links in email, text messaging, and social media to send homeowners to your website. While every homeowner should get the entire rule book before or when they move in, you don't need to send it every time you communicate. Share timely reminders when you know certain issues seem to pop up. Tease specific sections when appropriate. For example, when the holidays come around, maybe you can find some fun facts about lights and decorations, then share the community's rules.

Don't be afraid to be creative and experiment with communication. Be willing to innovate and keep looking for new ways to shore up your communication tools and engage homeowners, especially if millennials and Gen Xers are moving in.

These new homeowners are critical to the culture of a community and getting them involved early is important. You also should remember that any of your homeowners could become board members. If you get off on the wrong foot with new homeowners, you might find it hard to recover.

Every community is different, and the communication channels you choose to connect with new homeowners should be tailored to that community's specific wants and needs.

Remember this piece of wisdom from Nat Turner: "Good communication is the bridge between confusion and clarity." ■

Katie Anderson, CMCA, AMS, PCAM, is CEO and founder of Aperion Management Group, AAMC, in central Oregon. info@aperionmgmt.com

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