

Common Interest

The Official Publication of CAI-Connecticut

Vol. XVIII: Issue 4 • 2023

Inside:

**Connecticut's New Laws on
Solar Panel
Installations**

**Insurance Claim
Accounting**

**Electric Vehicle
Charging Stations
Should an Association
Just Build Them?**

**Condominium
Association Rules
Why Have them?**

**Optimizing
Reserve Fund
Assets
While Keeping
Them Safe**

...and more!


CONNECTICUT CHAPTER
community
ASSOCIATIONS INSTITUTE



THE MILFORD BANK Condo Association Loan Program



We offer interest rates that are among the lowest in the industry, with flexible terms and personal attention. Let us assist your community by financing all of your capital repair projects:

Roofing

Siding

Paving & Drainage

Painting

Windows



THE MILFORD BANK
Always There.

MEET OUR LENDERS



Paul Portnoy

Vice President
Commercial Lending
203-783-5749
PPortnoy@milfordbank.com



Mark Gruttadauria

Vice President
Business Development
203-783-5725
MGruttadauria@milfordbank.com

Call or email us today!

- Frank Pingelski, EBP *Tooher-Ferraris Insurance Group*
PRESIDENT Wilton, CT
- Chas Ryan, Esq., EBP *Pilicy Ryan & Ward, P.C.*
PRESIDENT-ELECT Watertown, CT
- Gregory McCracken, Esq., EBP..... *Jacobs, Walker, Rice & Barry, LLC*
SECRETARY Manchester, CT
- Christine Carlisle, CPA..... *Carney, Roy & Gerrol, P.C.*
TREASURER Rocky Hill, CT
- Jim Carroll *JP Carroll Construction, Inc.*
 West Hartford, CT
- Wendy Colleary, EBP *Windsor Federal Savings*
 Windsor, CT
- Lynn Jackson, CMCA, AMS, PCAM..... *Felner Corporation*
 Fairfield, CT
- Karl Kuegler, Jr., CMCA, AMS, PCAM..... *Imagineers, LLC*
 Hartford, CT
- Dan Levine, MBA, CPA *Tomasetti, Kulas & Co., P.C.*
 Hartford, CT
- Carrie Mott, EBP *Bowvier Insurance*
 West Hartford, CT
- Nally Sahin *Jefferson Woods Community, Inc.*
 Branford, CT
- Ben Whittemore, CMCA.. *Pro-Klean Cleaning & Restoration, Inc.,*
 North Haven

Committee Chairpersons

- | | | |
|--|--|--|
| CEO Managers Council
Gary Knauf, CMCA | Fall Fun
Lisa Ciotti | Marketing
Sam Tomasetti, CPA |
| Conference & Expo
Karl Kuegler, Jr., CMCA,
AMS, PCAM | Golf Tournament
Carrie Mott, EBP | Membership
Wendy Colleary, EBP |
| Education Program
Donna Rathbun, CMCA | Lawyers' Council
Ronald Barba, Esq. | Spring Fling
Carrie Mott, EBP
Jillian Judge, Esq. |
| Fairfield County Knowledge & Networking
Lynn Jackson, CMCA,
AMS, PCAM | Legal Symposium
Scott J. Sandler, Esq., CCAL | Summer Sizzler
Christ Hansen, Esq. |
| | Legislative Action
Chas Ryan, Esq., EBP | |

Staff

- | | |
|--|---|
| Kim McClain
<i>Chapter Executive Director</i>
kim@caict.org | Ellen Felix
<i>Director Program Operations</i>
ellen@caict.org |
|--|---|

Who Is CAI?

The Connecticut Chapter is one of 64 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 1,200 members including over 240 property managers, over 150 businesses, and over 800 community association volunteers representing over 80,000 homeowners.



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



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

President's Message



Frank Pingelski, EBP

“It’s a great testament to the Legislative Action Committee that we achieved the passage of CAI sponsored bill (HB 1072)...”

As the effects of multiple years of a hamstrung global economy become more and more clear, we continue to get our heads around the new normal. Unfortunately, inflation and the price of almost all goods has skyrocketed compared to what we were used to. While it will eventually settle out, there is short term pain that everyone feels.

It’s a great testament to the Legislative Action Committee that we achieved the passage of CAI sponsored bill (HB 1072) which will increase the resale package fee, mandate that identifying information be kept confidential while allowing all owners to receive and review redacted voting records, as well as clarify the voting process regarding to the whether a meeting in person or virtually is held, a unit owner can vote by ballot prior to or at the meeting or continuation thereof.

June saw some significant changes to two steadfast events, Fairfield Knowledge & Networking (formerly known as Paradise) and our annual golf tournament. With new locations for each and the critical content has been phenomenal. We are grateful to everyone involved for stepping up and sacrificing their valuable time to lend us their expertise. The annual golf tournament was a great summer day to be out with everyone!

I look forward to seeing everyone on August 3rd, at Amarante’s for our annual Summer Sizzler! ■

NOTICE TO ALL CAI-CT MEMBERS

Annual Meeting September 19, 2023

CAI-CT will hold its Annual Meeting on September 19, 2023 at 9:00 am via ZOOM. Election of officers and board members will be held at this time. If you have any questions or wish to make a nomination, please contact us at 860-633-5692 or www.caict.org.



CONTENTS

- 3 President's Message
- 3 CAI-CT Notice of Annual Meeting
- 4 CED Message
- 5 Upcoming Events
- 6 Statutory Snippet
- 6 New & Renewing Members
- 7 Legislative Update
- 8 Legally Speaking
- 10 Financially Speaking
- 14 Empowering Women Wrap-up & Photos
- 15 Electric Vehicle Charging Stations: Should an Association Just Build Them?
- 16 Manager's Column
- 18 Technical Explanations
- 18 Environmental Tip
- 20 Condominium Association Rules — Why Have Them?
- 22 Optimizing Reserve Fund Assets While Keeping Them Safe
- 24 Ask Mr. Condo
- 25 Classified Advertising
- 27 Index of Display Advertisers

Common Interest Publication Committee

Sam Tomasetti, CPA *Chair*
Tomasetti, Kulas & Co.

Adam J. Cohen, Esq.
Pullman & Comley, LLC

Jonathan Chappell, Esq.
Feldman, Perlstein & Greene, LLC

Tim Wentzell, P.E.
Connecticut Property Engineering



Common Interest is published by the Connecticut Chapter of the Community Associations Institute. All articles and paid advertising represent the opinions of authors and advertisers and not necessarily the opinion of either *Common Interest*, the official publication of CAI Connecticut or Community Associations Institute. This publication is issued with the understanding that the publisher is not engaged in rendering financial, legal, accounting or other professional services, and the information contained within should not be construed as a recommendation for any course of action regarding financial, legal, accounting or other professional service by CAI, the Connecticut Chapter, *Common Interest* or advertisers. If legal service or other expert assistance is required, the services of a competent professional should be sought. The entire contents of *Common Interest* is protected by copyright. Reproduction in whole or in part without written permission is expressly prohibited.

From the Chapter Executive Director

**“The way I see it, if you want the rainbow,
you gotta put up with the rain.”**

~ Dolly Parton

Sometimes you just get lucky and happen to be driving when a magnificent rainbow appears in the sky. Even if you are stuck in traffic, a rainbow can brighten the ride. It gives one pause to think how right Dolly Parton is – you don't get to experience a rainbow without having to deal with a storm; a great metaphor for how things can be when running a common interest community.

We all know there is plenty of turbulence in most community associations. But how effective are boards in managing the storms so that opportunities are found to create more cohesion amongst the members? If it always feels like a hurricane is brewing in your community how can projects get accomplished? How do you reach those points where you can look back and say “Wow, we finished XYZ project and it looks great!”? Ah, the rainbow.

CAI-CT is here to help you navigate those storms. As we say often, “You don't know what you don't know.” And we know there is a lot to understand if you are a condo board member or manager. For example, laws and best practices change with some frequency. (See page 7 for updates on changes to CIOA.) How do you find out about these changes? Are you expecting your association manager to keep you informed? Why? Shouldn't the board stay up-to-date as well? What if you are self-managed? Don't take chances and stay connected to CAI-CT.

Don't forget, we make education easy for you. We offer programs throughout the state on a range of topics that help to support those involved in operating common interest communities. We even have several programs available virtually. Plus, we have an amazing website chockfull of great information and resources. There is really no good excuse not to be a part of our vibrant organization.

Summer is upon us! Keep supporting the pollinators! ■



Victoria Moloman/Stock/Getty Images Plus

SAVE THE DATE!

11th Annual LEGAL SYMPOSIUM

Thursday,
OCTOBER 26TH

1:00 - 6:00 pm

ON-LINE WEBINAR



Good for
4 CEUs.

*All proceeds to benefit legislative advocacy
for Connecticut Community Associations.*

Board Members, Managers & Unit Owners:

\$55 - CAI Members*

\$80 - Non-Members

**When you sign into your profile before registering.*



Sponsorships Available. Please visit www.caict.org for more information.

To register visit www.caict.org.

UPCOMING CAI-CT EVENTS

CEO CAM Council — Hosted on Zoom

Tuesday, July 18 • 1:00 - 2:00 pm

Qualifications to attend: you must be an individual member or the designated chief executive officer or equivalent of a management company holding a CAI membership. No more than two individuals employed by the same company may participate on the Community Association Managers Council at the same time. Pre-registration is required.

SUMMER SIZZLER — Knowledge & Networking

Thursday, August 3, 2023

Education 3:00 pm - 5:00 pm

Networking 5:00 pm - 7:00 pm

Amarante's Sea Cliff, East Haven



Educated board members & managers = more productive management. We will take you on a quick tour of our most popular program: Condo Inc. Discover what you're missing. Learn what you need to know regarding state laws, governing documents; financial statements; reserve studies & funding and insurance. Speakers: Scott J. Sandler, Esq., CCAL, *Sandler & Hansen, LLC*; Carrie Mott, *Bouvier Insurance*; Dan Levine, CPA, *Tomasetti, Kulas & Company, P.C.* and Rick Filloramo, *National Consulting Group*. Join us for a Summer Sizzler party on the deck.

Board Members & Managers:

\$30 - CAI Members (when you sign into your profile before registering)

\$55 - Non-Members

Service Providers:

\$100 - CAI Members (when you sign into your profile before registering)

\$125 - Non-Members

Sponsorships Available. Please visit www.caict.org for more information.

FALL FUN — Knowledge & Networking

Wednesday, September 27

Education 3:00 pm - 5:00 pm

Networking 5:00 pm - 7:00 pm

Hops on the Hill, South Glastonbury



Foliage, Fun and Insurance Foibles

Unlock some of the mysteries of how insurance works

The CAI-CT Annual Fall Fun event on Sept. 27 at Hops on the Hill in S. Glastonbury includes great education and lively conversation. Our team of experts will delve into how insurance claims are managed; the roles of the board, manager, adjuster & restoration company following a loss and what happens if insurance doesn't cover the entire loss. Our Expert Panel: Frank Pingelski, Tooher Ferraris Insurance Group; Licia Ciotti, United Property Restoration Services; Ben Whittemore, Pro-Klean Cleaning & Restoration Services; Nally Sahin, Jefferson Woods & Kasey Burchman, Esq., Feldman, Perlstein & Greene, LLC. The presentation will be followed by a Q&A. Then be sure to join us for our vendor fair, local beer, axe throwing, food and networking party. You don't want to miss it!

Board Members & Managers:

\$30 - CAI Members (when you sign into your profile before registering)

\$55 - Non-Members

Service Providers:

\$100 - CAI Members (when you sign into your profile before registering)

\$125 - Non-Members

Sponsorships Available. Please visit www.caict.org for more information.

Condo Inc. — (IN Person Event) — Space is limited. Register Today!

Saturday, October 7 • 8:30 am - 2:00 pm

Oronoque Village, Stratford

We have gathered together a group of industry professionals: legal, insurance, maintenance, financial and capital planning to share their expertise. In addition, this course provides the opportunity to interact with fellow board members and share your challenges and your triumphs! Speakers: Andrea Dunn, Esq., Bender, Anderson & Barba, P.C.; Carrie Mott, Bouvier Insurance; Dan Levine, CPA, Tomasetti, Kulas & Company, P.C. and Russ Fernandes, Becht Engineering, BT.

Board Members, Managers & Unit Owners

\$50 - CAI Members (when you sign into your profile before registering)

\$75 - Non-Members

Bring a friend - 25% off additional attendees when you register together.

CEO CAM Council — Hosted on Zoom

Tuesday, October 17 • 1:00 - 2:00 pm

Qualifications to attend: you must be an individual member or the designated chief executive officer or equivalent of a management company holding a CAI membership. No more than two individuals employed by the same company may participate on the Community Association Managers Council at the same time. Pre-registration is required.

11th Annual Legal Symposium

Thursday, October 26 • 1:00 - 6:00 pm

On-line Webinar



Legal experts will present on a variety of current hot topics important to Connecticut Community Associations. Topics & Speakers to be announced September 1st.

(All proceeds to benefit legislative advocacy for Connecticut Community Associations.)

Scheduling conflict? - Register anyway, and we'll email you the recordings afterward! These webinars will be available on-demand following the live broadcast to those who register prior to October 26th!

Board Members, Managers & Unit Owners:

\$55 - CAI Members (when you sign into your profile before registering)

\$80 - Non-Members

Sponsorships Available. Please visit www.caict.org for more information.

26th Annual Conference & Expo

Saturday, March 16th



Reserve Your Booth & Sponsorships Today

Visit www.caict.org for more information.

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



Statutory Snippet...

What do I do if the condo association board never meets? Or what if they meet in secret?

“Never” and “in secret” are not allowed under Connecticut law. The condo association board must meet at least once per year. Under amendments to COIA adopted in 2009, board members may never meet in secret, and social gatherings at which board members are present do not count as board meetings. Even if board members wish to meet by phone, which they may, access to the call must be made available to all unit owners. In fact, board members must provide instructions as to how to participate in the meeting if it is by phone.

Source: CT Department of Consumer Protection. <https://portal.ct.gov/DCP/Consumer/Condominium-FAQs>

THANK YOU NEW & RENEWING MEMBERS

Welcome New Members

Associations

Carriage Park Association, Inc.
Cold Spring Village
The Fairways at Torrington Association Inc.
Four Beaches Condominium Association
Franklin Square Condominium Association
Loveland Farms Condominium Association, Inc.
The Renaissance of Danbury Condominium Assn.
Riverview Commons Association

Individual Managers

Taylor Cocchia
Mary C Nasi, CMCA
Nicole Selmanie, CMCA
Jasmine Spencer, CMCA

Thank You Renewing Members

Associations

Ballymeade Association, Inc.
Brookwoods II
Carriage Crossing Association, Inc.
Cedar Hollow Association, Inc.
Chapel Hill Condominium Association
Chateau Wood Condominium Association
Chippenwood Estates Condominium Association
Countryside Manor Condominium Assn., Inc.
The Crossings Homeowners Association
Deep Brook Harbor Homeowners' Association
Edgewater Association, Inc.
Essex Village Condominium Association
Fox Meadows Condominium Association
The Gardens at Summerfield Condominium Assn.
Governor's Bridge Homeowners Association
Kendall Green Condominium Association
Kensington Acres North Owners Association
Lake Place Condominium Association, Inc.
Long Hill Condominium Association
Mountain View Condominium Association of Meriden, Inc.
Oldefield Farms Homeowners Association, Inc.

Palmer Landing Community Association
Parkview South Condominium Association
Prosperity Park Condo Association
Regency Towers
The Renaissance of Danbury Condominium Assn.
Ridgewood @ Middlebury
Riversedge Association, Inc.
Sea Scape
South Village
Spinnaker Association, Inc.
Steeplechase Condominium Association
Strawberry Fields Condominium Association, Inc.
Westwood Condominium Association, Inc.
Westwood Village Condominium Association, Inc.
Windermere East Owners Association
The Windingbrook Townhouse Association
Wolfpit 27 Condominium Association

Individual Managers

Linda Magee Arvers, CMCA
Deana Barber, CMCA, AMS
Megan Beal, CMCA
Joseph W. Brennan, CMCA
Hakki Cinel, CMCA, AMS, PCAM
Alex Danis
Douglas Dillon, CMCA
Jean Dobbin
Michael Donadeo
Regina A. Hamel
Corey Kosienki, CMCA
Michael Gerald Milazzo, Jr., CMCA
Jackie A. Moccia, CMCA, AMS
Sandra A. Pimentel, CMCA
Andrew Price, CMCA
Gregory Wayne Roberts, CMCA
Rachael E Rosario, CMCA, AMS
Paul Peter Scalzo, Jr., CMCA
Jared Schulman, CMCA, AMS
Ellen B. Sias, CMCA
James William Spada, CMCA

Richard Robert Stoeppel, CMCA
Hilary Stoudt, CMCA
George Theodoridis, CMCA
Jeffrey Joseph Ulrich, CMCA
Janet Van Tassell, CMCA, AMS
John A. Walker, CMCA

Management Companies

County Management Services, LLC
Empire Property Management Corporation
Felner Corporation
Palmer Property Management
Plaza Realty & Management Corporation
Premier Property Management
Sentry Management, Inc.
SOMAK Property Management
Sound Real Estate Services, LLC
White & Katzman Management, Inc.

Business Partners

Adam Quenneville Roofing, Siding & Windows
American Pool
American Safe Wash
Assured Partners
BELFOR Property Restoration
Bouvier Insurance
CINC Systems
Fairfield County Bank Insurance Services, Inc.
GAF Roofing Material Manufacturer
Greater New York Insurance
Pacific Western Bank
Pilicy Ryan & Ward, P.C.
Pro-Klean Cleaning & Restoration Services
Pullman & Comley, LLC
Residential Home Improvement
SavaTree
Servpro
SOLitude Lake Management
The Reardon Agency, Inc.
V. Nanfito Roofing & Siding, Inc.

Legislative Update

The 2023 Legislative Session has adjourned. Three cheers for our Legislative Advocacy Team – we got our bill – HB 1072 passed. It was signed by the Governor on June 7, 2023.

Our successes at the Capitol are due in large part to our strong team of lobbyists. This is a KEY reason for being a member of CAI-CT! Our lobbyists are on top of our issues and bills constantly. Their vigilance helps us to get meetings with legislators and to be in the Legislative Office Building to help us educate our elected officials about our industry and the impact various pieces of legislation will have on all of us. Your membership support helps to keep our presence at the Capitol going strong.

As mentioned, **HB 1072** is officially signed into law. **Public Act 23-18 – AN ACT CONCERNING REVISIONS TO THE COMMON INTEREST OWNERSHIP ACT** – This new law increases the resale package fee to \$185 and will adjust to the Consumer Price Index moving forward; mandates that identifying information be kept confidential but it will allow all owners to receive and review redacted voting records; clarifies the voting process regarding whether a meeting in person or virtually is held, a unit owner can vote by ballot prior to or at the meeting or continuation thereof; and allow for flexibility for insurance for mixed use condo structures. *Please note: This law goes into effect on October 1, 2023.*

HB – 6631 AN ACT CONCERNING THE COMMON INTEREST OWNERSHIP ACT. (Now Public Act 23-119) The intent of this Act is to specify that the provision of a notice required under the Common Interest Ownership Act shall not be deemed to constitute a violation of, or give rise to liability under, certain debt collection statutes. *Please note: This law goes into effect on October 1, 2023.*

HB6805 – AN ACT CONCERNING SOLAR INSTALLATIONS IN CONDOMINIUMS AND COOPERATIVES. The original intent of this bill was to prohibit condominiums or cooperatives from restricting the installation of certain solar power generating systems. While it looked like this bill was set to pass, the clock ran out on the last day of the session, and it did not get voted on by the Senate. Our team spent many hours negotiating with the lead sponsor for this bill. We believed that we had worked out language that would have made the requirements of this bill manageable for most associations. We expect that another version of this bill will return in 2024. *Stay tuned.*

RB 1013 – AN ACT CONCERNING COMMON INTEREST OWNERSHIP COMMUNITIES – The original bill called for the Commissioner of Housing to submit a report about the assessment of reserves in common interest communities. *This bill also failed.*

KNOWLEDGE & NETWORKING



Foliage, Fun and Insurance Foibles —
Unlock some of the mysteries of how insurance works

The CAI-CT Annual Fall Fun event on Sept. 27 at Hops on the Hill in S. Glastonbury includes great education and lively conversation. Our team of experts will delve into how insurance claims are managed; the roles of the board, manager, adjuster & restoration company following a loss and what happens if insurance doesn't cover the entire loss. Our Expert Legal & Insurance Panel: Frank Pingelski; Licia Ciotti; Ben Whittemore; Nally Sahin & Kasey Burchman, Esq. The presentation will be followed by a Q&A. Then be sure to join us for our vendor fair, local beer, axe throwing, food and networking party. You don't want to miss it!

Good for 2 CEUs.

Fall Fun

Wed., September 27, 2023

EDUCATION

3:00 pm - 5:00 pm

NETWORKING

5:00 pm - 7:00 pm

at Hops on the Hill, South Glastonbury

<p style="font-weight: bold; font-size: 0.8em; color: #0070c0;">Board Members & Managers:</p> <p style="font-size: 0.8em;">\$30 - CAI Members*</p> <p style="font-size: 0.8em;">\$55 - Non-Members</p>	<p style="font-weight: bold; font-size: 0.8em; color: #0070c0;">Service Providers:</p> <p style="font-size: 0.8em;">\$100 - CAI Members*</p> <p style="font-size: 0.8em;">\$125 - Non-Members</p>
--	---

*When you sign into your profile before registering.

To register visit www.caict.org.

Legally Speaking...



Adam Cohen, Esq.

Connecticut's New Laws on Solar Panel Installations

By Adam J. Cohen, Esq.

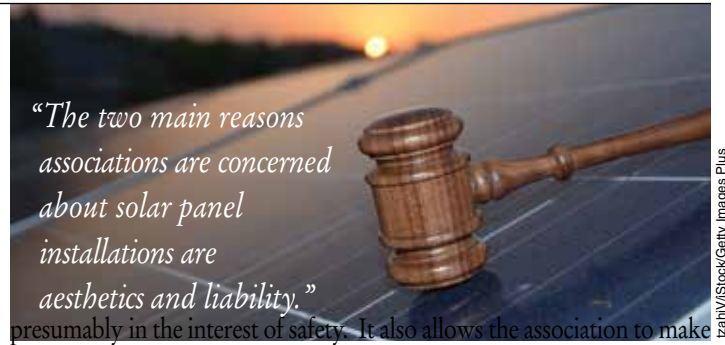
Connecticut's Clean Air Act, which became effective on October 1, 2022, adds two new sentences to the Common Interest Ownership Act's section about community association rules in order to restrict how they regulate solar panel installations.

The first of the two sentences says: "In the case of a common interest community that is not a condominium or a cooperative, an association may not adopt or enforce any rules that would have the effect of prohibiting any unit owner from installing a solar power generating system on the roof of such owner's unit, provided such roof is not shared with any other unit owner." Basically, this means that certain units will have the right to install solar panels on their roofs at the owner's expense, even if their associations' rules relating to alterations, construction, or aesthetics purport to ban them.

The first clause in the statute's first sentence means that it only applies to "planned communities," which are generally those in which the common areas are owned directly by the association's corporate organization rather than the owners jointly (as in a condominium) and the owners own their units directly rather than leasing them from that corporation (as in a cooperative). In other words, condominiums and cooperatives are not bound by this law – at least for the moment. As of this writing, House Bill 6805 would delete this clause, and it is making its way through the state legislature. If passed, this bill would expand the law's reach to all three types of communities. Only a tiny category of associations (essentially those created before 1984 that are either nonresidential or having fewer than thirteen units) would remain exempt.

This first sentence goes on to exclude any particular unit in a planned community if its roof is shared with another unit. Although most planned communities are designed as stand-alone single-family homes, many are not. This law would not guarantee a right to install solar panels on a shared roof, apparently even if all of the owners of the units sharing it wanted them. If House Bill 6805 passes, this exception would remain in place, meaning that units in condominiums and cooperatives would have the right to install solar panels only if they are stand-alone units which don't share their roofs with another unit.

The second of the two sentences in this section of the Act says: "An association may adopt rules governing (1) the size and manner of affixing, installing or removing a solar panel generating system; (2) the unit owner's responsibilities for periodic upkeep and maintenance of such solar power generating system; and (3) a prohibition on any unit owner installing a solar panel generating system upon any common elements of the association." This gives the association some leeway to control the installation,



"The two main reasons associations are concerned about solar panel installations are aesthetics and liability."

presumably in the interest of safety. It also allows the association to make the owner liable for any repairs the panels may need, damage they may cause, and temporary removal if necessary for other work such as roof replacement. This sentence also makes clear that the association remains authorized to prevent any component of the system from altering a common element – which might be defined in the declaration as including certain portions of the building's exteriors, the lawn, or the home's underground electrical cables.

The legislation does not define "solar power generating system," but it presumably includes not only the solar panels and their supporting hardware and wiring, but also the inverter, electrical panel, and meter required for it to operate. Of course, these components would not all be located "on the roof" as the literal wording states. Nevertheless, it implicitly prohibits an association from enforcing a rule against installing this related equipment inside the unit, at least in the absence of a safety issue or impacted common element.

The two main reasons associations are concerned about solar panel installations are aesthetics and liability. Both are addressed in this legislation, but they require boards to be proactive. Most communities already have generally-applicable rules requiring board approval for modifications to building exteriors. Boards must carefully consider those approvals when they are requested to promote the efficiency of the systems being installed while ensuring that their size and placement are properly suited to the roof, that nearby trees won't block the sunlight reaching them, and that the owners and their successors will retain sole responsibility for their upkeep and removal as well as any problems caused by them or the contractor. Panels typically require very little maintenance, but the association shouldn't be expected to foot the bill if they eventually need repairs or would interfere with common elements. Boards should consider adopting rules specifically for solar panel systems which conform to the new legislation. ■

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 internal and commercial disputes.

Meet Your Team

Insurance and Financial Service Experts

Dedicated to providing exceptional service and customized insurance and banking solutions.






Jean Craemer | Employee Since 2007

Practice Leader, Insurance Services
O: 203.894.3118
Jean.Craemer@FCBIns.com



James Whetzel | Employee Since 2017

V.P., Commercial Portfolio Lender
O: 203.431.7457
James.Whetzel@FairfieldCountyBank.com

-  Protect You and Your Association
-  Manage Your Association's Finances
-  Fund Your Association's Projects



Learn more about our tailored solutions and get to know the rest of our experts.



Fairfield County Bank®
Member FDIC

Fairfield County Bank Insurance Services®

FairfieldCountyBank.com | FCBIns.com



V.NANFITO
ROOFING & SIDING, INC.

Condo specialist since 1965



VNanfito.com

- .Windows
- .Repairs
- .Gutters
- .Decks
- .Doors
- .Painting
- .Maintenance
- .24/7 Emergency Services

1-800-916-6107

CAI-CT Member
License #570192



Financially Speaking...



Daniel Levine, CPA

Insurance Claim Accounting

By Daniel Levine, MBA, CPA

With common interest communities getting older, larger weather events becoming more frequent, and maintenance budgets increasingly being kept to a minimum, the odds for an insurance claim are growing every year. When claims do occur they are often beyond the deductible and trigger additional accounting work to track the claim that's filed. This article will focus on best practices to ensure that both the association's accounting team as well as the board can manage the claim from a financial statement perspective.

Chart of Accounts

The first step to adequately tracking claims is to make sure that the association has the ability to account for a claim. This starts with the chart of accounts. The association should review its chart of accounts that make up its ledger and confirm that account numbers are present to record the main activity for any claim. These would be accounts for insurance claim expenses and claim income on the income statement and that claim receivables and deferred claim proceed accounts are on the balance sheet.

Having the claim present on the face of the statements will allow a board to quickly verify the status of the claim or if more investigation is required. Issues such as: more income than expenses? Were there any bills that still need to be paid or were some expenses incorrectly classified which need to be changed to prevent distorting those budget lines? More expenses than income? Is this due to the deductible or were portions of the income deferred and should be recognized?

As it overall relates to these claims, the association can make as many or as few accounts relating to the claims as they feel are necessary. I've seen larger association make an expense for each claim that occurs while some will post multiple claims into a single account. Regardless the fundamentals for each claim will follow the general rules discussed here.

From the Budget Perspective

The next preliminary step an association should consider is to budget for potential claims. By budgeting for claim expense in the income statement, the association will be preparing over time for when a claim (or claims) occur and will ensure enough liquidity to absorb potential deductibles or pay for repairs while insurance proceeds are pending.

Claims are bound to happen, building up a reserve over time to deal with deductibles via the budget can be a powerful tool. Budgeting for a single deductible, or multiple depending on the size of the community, each year allows for the association to gradually build a reserve to cover deductibles for when they do occur without the need for an assessment or be absorbed by day to day cashflow.



“Most times when a claim occurs an association will first need to pay some type of expenses for immediate mitigation...”

Accounting for the Claim

Once the budget and necessary accounts are in place, when a claim does occur the board should be aware of how the accounting for the claim will be reflected. This is from the perspective of an association whose accounting method is the accrual basis. As a reminder, under the accrual basis, the association will be reflecting the claim expenses when incurred and reflect the income when earned. Earning the income in this case should be a matter only if the repair work has been done.

What does this mean in practice? It typically means that income is adjusted to match against expenses and not simply reflected as income when it is deposited. This sounds simple but is often more complicated with how the claims process unfolds.

Most times when a claim occurs an association will first need to pay some type of expenses for immediate mitigation prior to formal remediation work being done. Then the association will file its claim which can result in more income being received than has been paid out yet in repairs. These timing differences in expenses as compared to income should be accounted for with the balance sheet accounts that were mentioned earlier.

When claim repair expenses are incurred and paid out, if the association has formally filed a claim with the carrier, the association should begin to accrue a receivable to reflect that income will be coming from the carrier for the claim. This accrual prevents the income statement from being distorted by the higher expenses paid out so far in repairs. This receivable will be an asset on the association's books. If the funds are never collected the receivable will remain which allows the board to quickly see if there are any follow up actions required to ensure the funds are received.

On the other side of the coin, when the reimbursement from the carrier comes in and is for more than repair work paid out to date, the association should defer this income and not show this income until

[Continues on page 12.]



ATTORNEYS AND COUNSELORS AT LAW
98 Washington Street, Third Floor
Middletown, CT 06457
Phone: (860) 398-9090 Facsimile (860) 316-2993
www.sandlercondolaw.com

Providing High Quality Legal Services to Connecticut Condominium & Homeowner Associations

- Collecting common charges and foreclosing association liens
- Interpreting, amending and updating documents
- Document and rule enforcement
- Transition from declarant control
- Negotiating with declarants
- Reviewing and negotiating contracts
- Representing associations borrowing from banks
- Maintaining and updating corporate records and filings

SCOTT J. SANDLER
FELLOW, COLLEGE OF COMMUNITY ASSOCIATION LAWYERS
CHRISTOPHER E. HANSEN
REBECCA SANDLER

Connecticut's Condominium Roofing Expert



*35 years of experience with
condominium roofing needs*

- 24/7 Leak Response Repair Department.
- Free Roof Inspections.
- Experts in All Types of Roofing.

**JP CARROLL
CONSTRUCTION**

Phone: 860-586-8857
Email: Office@JPcarrollroofing.com
www.jpcarrollroofing.com



FINANCIALLY SPEAKING...from page 10.

the repair work is done. This deferral will be reflected as a liability on the balance sheet. If the board has an outstanding deferral on the books but all claim repairs are complete, then the association should look to recognize this income so that once again the income and expense statement is not distorted.

Miscellaneous Considerations

With the planning and execution issue discussed, the association does have some other miscellaneous options to consider when it comes to insurance claims.

The first option being whether to open a separate bank account for a claim. Some associations do this, while others may simply create an entry to allocate the main checking account between what is for day-to-day bills and what is for claim repairs. Either option is feasible, but the advantage that an association has with creating a separate account is that the activity is reconciled each month and separate checks are used for payments. The downside to this is the administrative burden this will put on the accounting process to create the account, have new checks, close the account when complete, etc. It really comes down to the scale of a claim when considering either option.

Another miscellaneous item to consider for the association is whether to track claims via their own fund within the association. For larger claims or associations with multiple claims this may make sense. By having the internal reporting for claims be its own separate fund,

the combined presentation with the operating fund no longer occurs and the risk of co-mingling or mis-posting activity becomes reduced. Having a specific financial statement for claims can also help with oversight of any claim. Again the downside here is potential additional work in creating, reconciling, and reviewing an additional fund.

Lastly to cover taxation for the claim. Under the code insurance claims typically fall under what is known as an agency relationship for tax purposes. The funds are classified like this because the association is acting as an agent for its members that suffered the loss. The association will only have ministerial duties of the funds. Meaning it only works to collect, disburse, and keep record of the funds. The association cannot use the funds for its own purposes. This classification will help to avoid taxation for these funds for the association.

Conclusion

Claims are unfortunately an eventual occurrence for any association to deal with. While it can be a difficult shock for the community, with the proper controls and planning in place it doesn't have to be a shock to the accounting process. With the time investment in managing the repairs having a strong understanding and system in place for the accounting of claims can help minimize another aspect of the process. ■

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 At Large Legislative Advocacy Committee and serves on the CAI-CT Board of Directors.

**T H E
FALCON
G R O U P**

*Architectural Services
Building Envelope
Capital Reserve Studies
Civil Engineering
Concrete Restoration
Expert Witness
Façade Inspections
Forensics, Litigation & Insurance Claims
MEP & Energy Services
Structural Engineering
Transition Engineering Studies*

**1266 E. MAIN STREET
SUITE 700R
STAMFORD, CT 06902**

(800) 839-7740
www.thefalcongroun.us
info@thefalcongroun.us

ESTABLISHED
1997

Innovating community association banking solutions is our business, so you can focus on growing yours.



WAL One of Forbes' "America's Best Banks" Year After Year

Specializing in:

- No-Fee Lockbox Services¹
- ConnectLive™ Software Integration
- Full Online Banking Services²
- Online Homeowner Payment Portal
- Lending Solutions³
- Extensive Deposit Solutions⁴

Meet Your Community Association Banking Experts:



Jamie Kay Redden, CMCA, AMS, EBP
Vice President
(724) 910-6304
jredden@allianceassociationbank.com



Stacy Dyer, CMCA, AMS
Senior Managing Director, East Region
(843) 637-7181
sdyer@allianceassociationbank.com

Bank on Accountability® | allianceassociationbank.com

¹Funds deposited through the Lockbox will follow Western Alliance Bank's funds availability policy as outlined in the Deposit Account Agreement Disclosure. ²Fees may be imposed for additional services related to online banking. Refer to Business Online Banking Setup and Authorization for more information. ³All offers of credit are subject to credit approval, satisfactory legal documentation and regulatory compliance. ⁴Refer to the disclosures provided at account opening and the Schedule of Fees and Charges for additional information. Alliance Association Bank, a division of Western Alliance Bank, Member FDIC. Western Alliance Bank ranks high on Forbes' "America's Best Banks" list year after year.



- Painting
- Roofs
- Siding
- Decks
- Windows



SERVICING CONDOMINIUM AND HOMEOWNER ASSOCIATIONS SINCE 1978

www.nlpcinc.com

CAI-CT MEMBER



Main Office 860.633.1319 | Shoreline Office 203.974.9852

Empowering Women – 2023

This year's Empowering Women program was a self-defense session on May 10th at Hawk Ridge Winery in Watertown. It was a blast! The afternoon started with a bit of wine tasting under the tent overlooking the beautiful hills of Watertown. Tracy Gonzolas and Steve Lespier, from the Cheshire Police Department shared a variety of simple steps anyone can use to help decrease risk of attack. The hands-on self-defense tactics was a HIT! Refreshments and more wine rounded out the evening's event. This terrific program would not have been possible without our generous sponsors.

Thank you for your support!

Bouvier Insurance
Imagineers, LLC



(right) Carrie Mott —
Bouvier Insurance &
Donna Rathbun —
Imagineers, LLC



(above) Tracy Gonzolas & Steve Lespier
— Cheshire Police Department



(above) Lynn Jackson, CMCA, AMS, PCAM & Timothy O'Neil —
Felner Corporation and Ellen Munroe — Connecticut Condo
Connection



(left) Carolyn Raming —
Imagineers, LLC &
Tracy Gonzolas



Jonathan Chappell, Esq.

Electric Vehicle Charging Stations: *Should an Association Just Build Them?*

By Jonathan Chappell, Esq.

Maybe. There is an *opportunity* for your community to “opt out” of the 2022 legislation by building electric vehicle charging stations within the general common elements, instead of being required to approve multiple unit owners to create them at various locations.

There are certainly many questions to be answered before doing this. It is imperative that an association discuss the community’s needs, potential costs, and other impacts. It can then determine how to proceed, including what community approval is needed.

This article is only meant to raise some preliminary issues, certainly not an exhaustive list and it cannot conclude what your community may or must do. If your *community* wants to proceed, there must be much more detailed discussion with including, but certainly not limited to the association’s lawyer.

Review of Public Act 22-25

Sections 2 and 3 of Public Act 22-25,¹ “An Act Concerning the Connecticut Clean Air Act” makes a document provision that prohibits or unreasonably restricts the installation or use of electric vehicle charging stations within a “unit parking space” (a garage) or “limited common element parking space” void and unenforceable.

Subsection (h) provides a way for an association to make the requirements of the Act not apply. A community may opt out. Most relevant in this article, if an association “has electric vehicle charging stations at a ratio that is equal to or greater than fifteen per cent of the number of units.”

Subsection (f) also states an association “may” “(1) install an electric vehicle charging station in the common elements for the use of all unit owners and develop appropriate rules for such use, and “(2) create a new parking space where one did not previously exist to facilitate the installation of an electric vehicle charging station.” An association can build new parking spaces with charging stations within the common elements and, if the number of charging stations is at least 15% of the total number of units the association would then not otherwise be subject to the Act. If an association builds enough charging stations, an owner will then *not* have the right to an approval to build another one where she would like it.

Does your Community Want this?

Certainly not legal analysis. Step one should be a determination if there is actual interest. The association might use a survey and/or meeting to gather comments by owners. A board might consider that building stations in a certain location(s) may promote uniformity rather than a piecemeal approach of individual owners establishing charg-

“Step one should be a determination if there is actual interest.”



ing stations in different locations throughout the community. Of course, another consideration, consistent with The

Connecticut Clean Air Act, is the environment; there can be no doubt this legislation was intended to promote the use of electric vehicles.

A board should also collect information including whether there is sufficient space for the number of charging stations, the construction costs, recurring maintenance costs, available incentives, grants, etc.

Are there any Viable Development Rights?

If your community does have viable development rights, the process would be easier. However, the declarant generally holds these, not an association.

Check your Documents.

Good news. Your community, whether created before, on, or after January 1, 1984, likely has the *statutory* power to change an existing general common element to a parking space for a charging station.

The Unit Ownership Act of 1976, § 47-80a(a)(2) gives an association of unit owners the power to “make or cause to be made *additional improvements* on and as a part of the common elements.” Similarly, CIOA § 47-244(a)(6) gives an association the power to “regulate the use, maintenance, repair, replacement and *modification* of common elements.”

Additionally, Subsection (f)(2) of The Connecticut Clean Air Act now more specifically states that an “association of unit owners” (Section 2) or “association” (Section 3) can “create a new parking space where one did not previously exist to facilitate the installation of an electric vehicle charging station.”

You must still review your documents. Your documents may contain additional procedures or requirements for certain expenditures or to approve alterations of common elements, etc. which may require additional votes and/or voting thresholds to proceed. Some documents have more protection of certain common elements (e.g. pool, gazebo).³

[Continues on page 27.]

Manager's Column...



Rich Wechter, CMCA

Being Practical, Part LXXXVI It's Not Always Just About You

By Rich Wechter, CMCA

In this column, I tackle various topics of interest with the intent of imparting practical advice. In this issue's column, I address an increasing occurrence of various players in the world of community associations seeking special treatment in what I would respectfully submit is the antithesis of the longstanding doctrine of "It's Not Always Just About You" that guides us both in our little corner of the universe, and in the universe in general. The "Me Generation" has, in the opinion of this author, blown up on steroids to such a degree that community association managers spend way too much time responding to such requests.

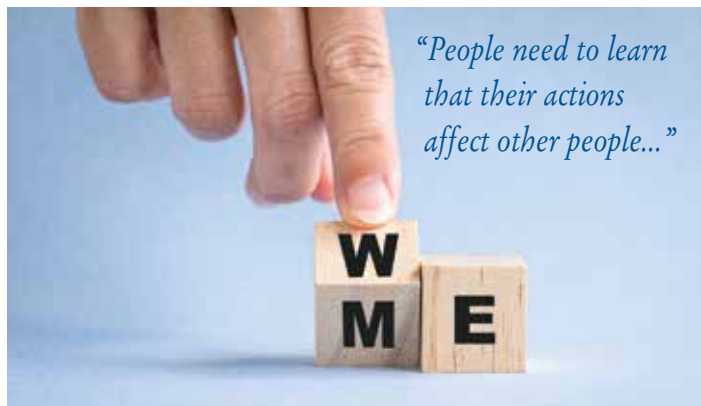
A. Setting the Table on this Topic

In an unattributed quote, it was noted that "People need to learn that their actions affect other people. So be careful what you say and do, it's not always just about you." Every time that a unit owner, board member, vendor, consultant or fellow community association manager seeks something from another person, there is a possibility that the request, or in some cases, a demand, crosses the line between acceptable behavior and selfish conduct. Understanding where that line is and making every effort to not cross it is the struggle that we all face each and every day. I now note a few examples of when that line is crossed and what to do in response to that crossing.

B. When the Line Between Reasonable and Unreasonable Request is Crossed

I offer a few examples of when the line is crossed between reasonable and unreasonable requests such that the request becomes a classic example of "It's Not Always Just About You":

1. Unit owners submitting less than is required for Board approval on a modification request. A prime example of this request is seen when a structural concern is raised that would require the submission of plans and specifications from a licensed professional engineer and the review of same by an independent consultant retained by the association at the expense of the requesting unit owner.
2. Board members seeking an accommodation or exception that would not be provided to anyone else.
3. Vendors seeking way too high a deposit for a job that no other vendor would receive.
4. Resident requests to use an amenity that is not ready for safe use (the pool that has not been declared ready for use comes to mind).
5. Residents making unreasonable demands of the association.



sinseehor/Stock/Getty Images Plus

Examples of this, which could fill dozens of columns, include banning blowers to collect leaves and remove them from the property; eliminating shoveling and plowing overnight which is needed to make the property safe (my personal favorite); allowing their dogs to roam the property off leash and to take care of business anywhere on the property they want to; storing vehicles on property that are not registered and in some cases, not operable; cutting/pruning a tree or shrub or not doing same for the personal desires of one or a number of residents even though the action or inaction is harmful to that tree/shrub; and placing personal property items such as grills, bicycles, sporting equipment, and toys on the common elements.

6. Asking a resident to refrain from doing something at the behest of another resident or board member that would not be asked of anyone else. This is evidenced by selective enforcement of rules or the attempt to regulate that which is not a violation of the association rules.

C. What to Do When the Line Between Reasonable and Unreasonable Requests is Crossed

I offer a few suggestions on what to do when the line between reasonable and unreasonable requests is crossed and the request is clearly all about one person:

1. Say No. This may seem overly simplistic but is the most effective and direct response that you can possibly give.
2. If that does not work, offer a full explanation on why No is the only response possible.
3. Secure another voice to say No. For managers, that would mean the Board. For the Board, that would generally mean association counsel or an association consultant.

4. Say No again. Sometimes, it takes more than one No to get the point across.
5. Finally, if you are dealing with a toxic person, sometimes the only way to win with a toxic person is not to play. Once you have said No twice, you have said it all.

D. Conclusion

I would be incredibly naïve to think that this article will eliminate or even reduce the “All About Me” syndrome. It is most likely that such persons will not be reading this article or this magazine. However, it is important that the theme of this article get out there in our world of community associations so that all of us can realize that we are not alone in dealing with this matter and that there are ways to handle this. I hope that this article has been helpful in this regard. ■

Rich Wechter, CMCA is Senior Vice President at Westford Real Estate Management, LLC. Rich is a member of the Legislative Action Committee and Golf Committee and is also a member of the Legal Symposium Task Force.

Plan ahead.

Include CAI annual membership dues in your budget planning and ensure your board is connected to the best resources to make informed decisions.

Learn more at www.caionline.org/JoinNow

community ASSOCIATIONS INSTITUTE
www.caionline.org #WeAreCAI

COHEN and WOLF PC.
ATTORNEYS AT LAW

Your business. We take it personally.

- General Association Representation
- Litigation & Arbitration
- Common Charge and Fine Collection
- Draft/Amend Association Documents
- Negotiation & Closing of Association Loans
- Contract Review

Mark A. Kirsch • Ari J. Hoffman • David M. Morosan
David E. Dobin • Michael S. Rosten • Joshua Pedreira

Bridgeport 203.368.0211 **Danbury** 203.792.2771 **Westport** 203.222.1034

www.cohenandwolf.com

CIT A Division of First Citizens Bank

Expertise. Focus. Solutions.

Put the leading bank for community association management companies to work for you with individualized service, award-winning technology and smart financial solutions.

cit.com/cab

Let's get started.
Erin Kremser, VP, Regional Account Executive
860.459.4713 | Erin.Kremser@cit.com

Member FDIC

© 2022 First-Citizens Bank & Trust Company. All rights reserved. CIT and the CIT logo are registered trademarks of First-Citizens Bank & Trust Company. MM#11612



Melissa Yocum

TECHNICAL EXPLANATIONS:

Expert Collaboration for the Betterment of Your Community

By Melissa Yocum

When you commission a reserve study, you're commissioning an overall health check of your community, much like an annual physical exam with your primary care provider. However, when there is an issue with a specific organ or body part, a specialist in that particular area will join your list of physicians to uncover the root of the issue and formulate a remedy.

Your community is complex and it is imperative to have a comprehensive understanding of your entire community both physically and financially, which a reserve study provides. *“...it's also important to bring in component-specific consultants when need be.”* For example, if you have a significant number of roof leaks that are challenging to fix, you would bring in a roofing expert to conduct both visual and potentially invasive examinations to determine how severe the issue is and what will need to be done to remediate the issue (ie to determine a best course of action for the repair or replacement of the roofing system).

But much like primary care providers and area-specific physicians working together as a team, reserve study specialists can take into consideration any information gleaned from the roofing consultant's findings into the reserve study's recommendations. On the flip side, if a reserve study specialist uncovers component-specific issues during their non-invasive inspection, they will inform you of the type of consultant that will need to be brought in to do further, and at times invasive, testing if and when it is warranted.

A dynamic duo when paired, the findings of specific component experts and reserve study professionals provide a combination of expertise from a network of professionals whose sole mission is the physical and financial betterment of your community.



AnnaKhetseamtip/Stock/Getty Images Plus

Teamwork between reserve study specialists and specific component consultants can be incredibly beneficial to associations with particular infrastructure issues, but if we do not believe their recommendations to be in the best interest of the community, we will communicate this to the board.

In essence, the consideration and inclusion of a component-specific contractor's findings into a reserve study report's recommendations can prove exceptionally valuable to many community associations. When applicable, this combination of expertise can help associations achieve a higher level of preparedness for capital projects. Because the primary purpose of a reserve study is capital planning, specifically reserve fund savings and expenditure schedules, the inclusion of other experts' applicable findings can help formulate the most accurate and comprehensive capital planning recommendations for your community.

Melissa Yocum is a Senior Account Manager with Reserve Advisors.

ENVIRONMENTAL TIP

Did you know... **Shredded Paper**

Shredded paper is not accepted in household/municipal recycling programs. Shredded paper thrown into regular paper recycling receptacles will contaminate and/or jam up the processing equipment. It is best to bring confidential documents to local free shredding events or to area businesses that offer shredding services. The material that is shredded from these programs is delivered to local paper mills. If you shred your own documents, dispose of the shredded paper as trash.



Trigga/Stock/Getty Images Plus



BUILDING RENEWAL, LLC

We measure • Fabricate • Install • Never a middleman

Chimney cap replacement | Decks | Exterior repairs



45R Ozick Drive - Suite 19 - Durham, CT 06422

860-372-4554 | www.buildingrenewal.net



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



REARDON AGENCY INSURANCE





Kevin Reardon Mallory Reardon Jessica Rand

We specialize in providing master policies to condominium and homeowners' associations.

- Multiple companies to choose from for best pricing
- Coverage advice to best protect your property and liability
- Personal inspections of all properties

We look forward to assisting you.

**26 CLARK LANE
WATERFORD, CT 06385
860.442.1396
REARDONAGENCY.COM**



Condominium Association Rules — *Why Have Them?*

By Doug Newman, CMCA

Doug Newman, CMCA

Condominium Association Board of Directors, and Community Association Management Companies, do not want to be known as the “Condo Cops”. However, the association adopts rules and all unit owners, residents and guests of all units are expected to adhere to all of the rules.

You might think one small item is not a big deal but it is important to consider and ask yourself what if all units did “X”, would that be a problem for the community? Here is one example. If all units had wind chimes, would that be a problem? If the answer is yes, as it would be with the wind chimes, then you will know why that particular rule exists.

In short, the purpose for association rules and regulations are to:

- Protect the association’s assets (common and limited common elements).
- Limit liability exposure and reduce risk.
- Provide for a neat and clean appearance (improve market values).
Allow for quiet enjoyment.



AndreyPopov/Stock/Getty Images Plus

When owners purchase a condominium unit, they are “buying into the association” and that includes the association’s rules and regulations as well as the other governing documents too. The rules, by law, are to be reasonable.

All unit owners and residents are expected to be intimately familiar with all of the association’s rules, regulations and policies and to adhere to them. Doing so will eliminate the “Condo Cops” and will assist the association and community to be as successful as they possibly can. ■

Doug Newman is President CPE Property Management Solutions. He is a member of the CAI-CT Manager CEO Council.

We guarantee we will deliver results which exceed your expectations

ADAM QUENNEVILLE
ROOFING ▾ SIDING ▾ WINDOWS

Celebrating 25 Years

MEMBER OF **community ASSOCIATIONS INSTITUTE**

100 Trade Center, G-700 • Woburn, MA 01801 | 160 Old Lyman Rd • South Hadley, MA 01075 | 728 Barnum Ave • Stratford, CT 06614

WWW.1800NEWROOF.NET • 855.552.6273

CT HIC # 575920 • MA HIC # 191093 • MA CSL # 070626 • RI Reg. # 36301 • ME CHARTER # 20110918F

Your Association. Our Financing Solutions.



Dime Bank is highly skilled at creating customized solutions to meet the needs of your Association. We lend nationally to all Associations, planned developments and residential cooperatives.

- Loans up to \$5 million
- No loan origination fees
- Competitive interest rates
- Long-term fixed rates
- Up to 100% of project financing
- Up to 20-year amortization
- Up to 24-month construction draw



Cindy Palmer
AVP/Commercial Lender
P: 860.859.4378
E: cpalmer@dime-bank.com
CAI Educated Business Partner

*To learn more, give Commercial Lender Cindy Palmer a call at 860.859.4378
or email cpalmer@dime-bank.com*

Dime Bank
EST. 1869 | MEMBER FDIC
Community Banking Lives Here™



NMLS# 493990



860.859.4300
dime-bank.com



Eric Judge

Optimizing Reserve Fund Assets While Keeping Them Safe

By Eric Judge

Condo Associations need a safe place for their reserve funds. The recent bank rescues by the US Federal Reserve, Treasury Department and Federal Deposit Insurance Corporation (“FDIC”) are a less than subtle reminder that condo association boards have a fiduciary responsibility to keep the condo association assets safe by understanding the advantages and disadvantages of various savings and investment options.

The recent bank rescues are also a reminder that bank deposits are only insured up to \$250,000 per individual or entity. The government’s recent actions should not be viewed as a permanent change in the FDIC guidelines or to the U.S. government’s policy on how they will handle future insufficient bank depositor crisis. Notwithstanding their responsibility to carefully consider safe investments, the condo association board must also counterbalance safety with the need for liquidity or easy access to funds and to earn a competitive interest rate.

Many associations use bank savings and certificates of deposits (“CDs”). In the current interest rate environment, many banks are offering CDs in excess of 4%. While this level of interest is appealing it needs to be weighed against having access to the reserve funds when an emergency expense arises as CDs are intended to return the original deposit at its maturity date. Requesting those funds sooner will result in actually earning a lower interest rate than desired.

As such, it is important for condo association board members and their treasurers to review, understand and match their options to their need for earning interest on their assets while keeping those assets as safe as possible and to have access to them when needed. What follows is a primer on what options are available and their pros and cons.

Checking Accounts - An account opened at a bank. It allows for liquidity. Some banks pay interest on larger deposit. Yet the rate of interest earned will usually be less than other options. You can write a check or use a debit card to make withdrawals. Assets deposited into a checking account is insured by FDIC up to \$250,000 per individual or entity.

Savings Accounts - An account opened at a bank. It earns interest, is liquid and may have a limited number of withdrawals per month. In addition, it can be linked to a checking account for overdraft protection. Assets deposited into a savings account is insured by FDIC up to \$250,000 per individual or entity.

CDs - You can access CDs at local banks or brokerage firms. Local banks only offer their own CDs while brokerage firms offer CDs with a multitude of banks who enter into agreements with them to sell them. Bank CDs may allow access before the maturity date with the penalty being forgoing some interest. Brokerage firms on the other



hand, would sell them in the market and the owner would receive more or less than the original principal. The interest rate is fixed for the duration or until the maturity date. Both financial institutions’ CDs are insured by FDIC up to \$250,000 per individual or entity.

Money Market Funds - is an account offered by an investment company. It invests in short-term investment securities which allow access to your money. The investment manager manages the investments so that the risk to your principle is low. However, they are not guaranteed or insured by the FDIC. They typically offer interest rates competitive with CDs.

Money Market Accounts - are accounts offered by banks. They typically pay a higher interest rate than savings accounts. However, they typically require a higher minimum deposit, and they often include restrictions like a limited number of transactions during some period of time. They may also impose fees for not maintaining a minimum balance in the account. They are FDIC insured up to \$250,000 per individual or entity. They may allow for check writing or debit card withdrawals.

Brokerage Cash Interest Accounts - are accounts at brokerage firms which allow for cash deposits. They may or may not be deposited into various bank accounts to earn interest. If they are deposited into a FDIC insured bank account, then the FDIC insurance is applicable. When it is not deposited into an insured bank, the cash is insured by the Securities Investor Protection Corporation (“SIPC”). SIPC will cover up to \$250,000 in cash per customer in the event of a brokerage firm bankruptcy. They allow full access and may allow checking writing and debit card withdrawals. ■

Eric R. Judge is a Certified Financial Planner and financial advisor located in Glastonbury, CT.

Community Association Lending

- Serving all of New England
- Fully amortized loans 20 plus years and long term fixed rates
- 100% project financing
- Pioneer in long-term financing
- Association lending combined experience over 25 years
- Helping transform associations



Contact Us!

Howard Himmel, SVP
 Community Association Lending
 978-567-3630
 h.himmel@avidiabank.com

Lisa Allegro, VP
 Community Association Lending
 774-760-1228
 l.allegro@avidiabank.com

Honest to goodness™  **Avidia Bank**

Member FDIC |  Member DIF | NMLS# 422902 | avidiabank.com



YOUR CONDOMINIUM REMODELING SPECIALISTS

CALL FOR YOUR FREE QUOTE
860.632.0050



HIC# 0641570

ROOFING & SIDING
 GUTTERS | WINDOWS | DOORS | DECKS
LEADINGEDGEEXTERIORSLLC.COM





Ask Mister Condo!

You have questions! Mister Condo has answers! Every issue of *Common Interest* features an “Ask Mister Condo” Question submitted by a reader of the Ask Mister Condo website at <https://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 and Mister Condo’s answer below. Do you have anything else you’d like to add to this question or answer? Comment online at <https://askmistercondo.com>.

Correcting Condo Owner Behavior with Fines

A.P. from Fairfield County, Connecticut writes:

Dear Mister Condo,
I live in a medium size, self-managed condominium association. The Board has sent several notices to the Unit Owners regarding the trash and recycling. We have 2 enclosed areas that are designated. Some Unit owners still seem to be having a problem understanding and they have also been blocking and using the turnaround (as needed for the waste management company) to

complete their task. Is there any type of fines/action the Board can take to break the bad habits?

Mister Condo replies:

A.P., I am sorry that your residents and unit owners are finding it difficult to follow the rules of the community. As long as there are actual rules and regulations about these matters, adding fines to the violations is a fairly straightforward process. The Board needs to adopt a reasonable fine schedule for rules violations. They can be as simple as a set fee per violation (\$10, \$25 or so) or they can escalate (\$10 for the first offense, \$25 for the second, etc.). However, there is also a process for levying fines that includes an opportunity for unit owners to meet with the Board and contest the fine. Once the Board has offered to hear their case, it can rule on whether or not to invoke the fine. For instance, Unit Owner A blocks access to the dumpster and is cited and fine \$25 for the offense. At the time the warning letter is issued, the unit owner is invited to contest the fine by appearing before the Board at the Board’s next meeting. If Unit Owner A shows and states a case why he/she should not be fined, the Board may waive

[Continues on page 27.]



CAI-CT’s Recommended Course for All Connecticut Community Associations



Especially for Board Members

CONDO, INC. The Business of Running Your Community

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!

Topics include:

- **LEGAL:** CIOA, Documents, Rules Enforcement, Meetings, Contracts
- **FINANCIALS:** Budgets & Reserves
- **CONTEMPORARY ISSUES:** Reserve Analysis, Long-Term Planning
- **INSURANCE:** CIOA, Risk Management, HO6 Policies, D&O Insurance

**BONUS
SPECIAL
PRICING**

Bring a friend – 25% off additional attendees when you register together.

IN-PERSON

**Saturday, October 7, 2023
Strafford, CT • 8:30am-2:30pm**

Light breakfast and lunch
Members \$50, Non members \$75

Visit www.caict.org to register.



CLASSIFIED Services

ACCOUNTING

Carney, Roy and Gerrol, P.C.
35 Cold Spring Road, Suite 111
Rocky Hill, CT 06067-3164
860-721-5786 • 800-215-5945
Contact: Joseph T. Rodgers, CPA
E-Mail: joe@crandg.com
CAI-CT MEMBER

Mark D. Alliod & Associates, P.C.
Certified Public Accountants
348 Hartford Turnpike, Suite 201
Vernon, CT 06066
860-648-9503 • Fax 860-648-0575
Contact: Mark D. Alliod, CPA
E-mail: mark@markalliodcpa.com
CAI-CT MEMBER

Tomasetti, Kulas & Company, P.C.
631 Farmington Avenue
Hartford, CT 06105
860-231-9088 • Fax 860-231-9410
Contact: Dan Levine, CPA
E-mail: DLevine@TomKulCo.com
CAI-CT MEMBER

ATTORNEYS

Cohen and Wolf, P.C.
1115 Broad Street
Bridgeport, CT 06604
203-368-0211
www.cohenandwolf.com
CAI-CT MEMBER

Pilicy Ryan & Ward, P.C.
Stamford, CT
Watertown, CT
203-975-1151 (Stamford Office)
860-274-0018 (Watertown Office)
www.ctcondolawyers.com
William W. Ward, Esq. CCAL
BillWard@prwpc.com
Charles A. Ryan, Esq., EBP
CRyan@prwpc.com
CAI-CT MEMBER

Sandler & Hansen, LLC
Contacts: Scott J. Sandler, Esq., CCAL
Christopher E. Hansen, Esq.
Rebecca Sandler, Esq.

98 Washington Street, Third Floor
Middletown, CT 06457
860-398-9090 • Fax: 860-316-2993
www.sandlercondolaw.com
CAI-CT MEMBER

CARPENTRY

Building Renewal, LLC
Greg Zajac
45R Ozick Drive, Suite 19
Durham, CT 06422
860-372-4554
Email: gzajac@buildingrenewal.net
buildingrenewal.net
CAI-CT MEMBER



• Painting • Siding • Decks
• Roofs • Windows

SERVICING CONDOMINIUM AND
HOMEOWNER ASSOCIATIONS SINCE 1978

www.nlpcinc.com CAI-CT MEMBER

MAIN OFFICE 860.633.1319 | SHORELINE OFFICE 203.974.9852

CAI-CT MEMBER

Let Our Experience Work for You!

PRIMETOUCH
SERVICES

carpentry • siding • painting

800.767.8910
www.primetouch.net

COMMUNICATION • RESPONSIVENESS • SERVICE

CAI-CT MEMBER

V. Nanfito Roofing & Siding Inc.
Contact: Vincent Nanfito, President
558 Hanover Street, Meriden, CT 06451
1-800-916-6107
vnanfito11@aol.com
Vnanfito.com
CAI-CT MEMBER

**ENGINEERING /
RESERVE STUDIES**

The Falcon Group
1266 E. Main Street, Suite 700R
Stamford, CT 06902
Phone: 203-672-5952
www.falconengineering.com
CAI-CT MEMBER

FINANCIAL SERVICES

Alliance Association Bank
Jamie Kay Redden, CMCA, AMS, EBP
D (724) 910-6304 • Toll-Free (888) 734-4567
717 Market Street, Suite 29
Lemoyne, PA 17043
JRedden@AllianceAssociationBank.com
allianceassociationbank.com
CAI-CT MEMBER

**Avidia Bank, Community Association
Lending**
Howard Himmel, SVP
978-567-3630 • h.himmel@avidiabank.com
Lisa Allegro, VP
774-760-1228 • l.allegro@avidiabank.com
CAI-CT MEMBER

**CIT - Community Association Banking
Division**
Contact: Erin Kremser
VP / Regional Account Executive
P.O. Box 105, West Chatham MA 02669
860-459-4713
Erin.kremser@cit.com
www.cit.com/CAB
CAI-CT MEMBER

Dime Bank
Cindy Palmer, AVP/Commercial Lender
290 Salem Turnpike
Norwich, CT 06360
(860) 859-4378
Cpalmer@dime-bank.com
www.dime-bank.com
CAI-CT MEMBER

Fairfield County Bank
James Whetzel
150 Danbury Road
Ridgefield, CT 06877
203-431-7457
James.Whetzel@FairfieldCountyBank.com
www.FairfieldCountyBank.com
CAI-CT MEMBER

The Milford Bank
Contact: Paul Portnoy, Vice President
Vice President
203-783-5700 • 800 340-4862
www.milfordbank.com
CAI-CT MEMBER

[Continues on page 26.]

CLASSIFIED SERVICES...from page 25.

INSURANCE

Bouvier Insurance

860-232-4491
Contact: Richard Bouvier, CIC
www.Binsurance.com
CAI-CT MEMBER

C.V. Mason & Company Insurance

Contact: Bud O'Neil
860-583-4127 • Fax 860-314-2720
boneil@cvmco.com

Fairfield County Bank Insurance Services

Contact: Jean Craemer
401 Main Street
Ridgefield, CT 06877
203-894-3118
Jean.Craemer@FCBIns.com
www.FCBIns.com
CAI-CT MEMBER

The Reardon Agency, Inc.

Mallory Reardon Porter
26 Clark Lane
Waterford, CT 06385
(860) 442-1396 • Fax: (860) 444-2822
mreardon@reardonagency.com
www.reardonagency.com
CAI-CT MEMBER

Toofer Ferraris Insurance Group

Contact: Peter P. Ferraris, Jr., President
43 Danbury Rd., Wilton, CT 06897
Tel: 203-834-5900 or 800-899-0093
Fax: 203-834-5910
E-Mail: pferraris@toofer.com
CAI-CT MEMBER

MANAGEMENT COMPANIES

County Management Services, LLC

6527 Main Street
Trumbull, CT 06611
203-261-0334 • Fax: 203-261-0220
Contact: Gary M. Knauf
garyknauf@gmail.com
www.countymgmt.com
Licensed: CT Registration #
CAM.0000692
CAI-CT MEMBER

IMAGINEERS, LLC

635 Farmington Avenue
Hartford, CT 06105
Phone 860-768-3330 • Fax 860-236-3951

249 West Street
Seymour, CT 06483
Phone 203-463-3219 • Fax 203-463-3299

Contact: Karl Kuegler
E-mail: kkuegler@imagineersllc.com

Licensed: CT Registration # CAM.0001
www.imagineersllc.com

CAI-CT MEMBER

Magee Property Management

7 Cody Street
West Hartford, CT 06110
860-953-2200 • Fax 860-953-2203
Contact: Amber Chamberland
Email: manager@mageecompanies.com
www.MageeCompanies.com
Licensed: CT Registration # CAM.0000680
CAI-CT MEMBER

SOMAK Property Management

413 East Street, Suite 2
Plainville, CT 06062
860-259-1046
info@somakmanagement.com
www.somakmanagement.com
Licensed: CT Registration # CAM.0000679
CAI-CT MEMBER

PAINTING

CertaPro Painters

Contact: David Messier
112 Stockhouse, Rd.
PO Box 300, Bozrah, CT 06334
860-886-2903 • Fax 860-886-5900
CAI-CT MEMBER



• Painting • Siding • Decks
• Roofs • Windows

SERVICING CONDOMINIUM AND
HOMEOWNER ASSOCIATIONS SINCE 1978

www.nlpcinc.com CAI-CT MEMBER

MAIN OFFICE 860.633.1319 | SHORELINE OFFICE 203.974.9852

CAI-CT MEMBER

Let Our Experience Work for You!

PRIMEtouch
SERVICES

carpentry • siding • painting

800.767.8910

www.primetouch.net

COMMUNICATION • RESPONSIVENESS • SERVICE

CAI-CT MEMBER

**ROOFING/SIDING/
GUTTERS/WINDOWS**

Adam Quenneville Roofing & Siding

Adam Quenneville
160 Old Lyman Road
South Hadley, MA 01075
855-552-6273
production.aqrs@gmail.com
www.1800newroof.net
CAI-CT MEMBER

JP Carroll Construction Inc.

Contact: Jim Carroll
135 W. Dudley Town Rd.
Bloomfield, CT 06002
860-586-8857
office@jpcarrollroofing.com
www.jpcarrollroofing.com
CAI-CT MEMBER

Leading Edge Exteriors, LLC

Contact: Michael Muraca
730 East Street, Middletown, CT 06457
860-632-0050 • Fax 860-632-7762
Michael@leadingedgeexteriorsllc.com
www.leadingedgeexteriorsllc.com
CAI-CT MEMBER

Magee Roofing, Windows, Gutters & Siding

7 Cody Street
West Hartford, CT 06110
860-953-2200 • Fax 860-953-2203
www.MageeCompanies.com
Licensed: CT Registration # CAM.0000680
CAI-CT MEMBER

Reficio Company, LLC

Contact: Alex Gritzuk
70 Industrial Park Access Road
Middlefield, CT 06455
(860) 961-6562
www.reficiocompany.com
CAI-CT MEMBER

**V NANFITO
ROOFING & SIDING**

- Leaks
- Windows
- Decks
- Gutters
- Repairs
- Doors
- Painting
- Maintenance
- Insurance Claims

1-800-916-6107
Vnanfito.com

CAI - CT Member License# 570192

SNOW PLOWING

**Magee Properties & Facilities
Maintenance**
7 Cody Street
West Hartford, CT 06110
860-953-2200 • Fax 860-953-2203
www.MageeCompanies.com
Licensed: CT Registration # CAM.0000680
CAI-CT MEMBER

WATER / FIRE DAMAGE

BELFOR-CT
30 N. Plains Industrial Road
Wallingford CT 06492
800-952-0556
www.belfor.com
CAI-CT MEMBER

**Crystal Restoration Services of
Connecticut, Inc.**
Contact: Jean Walker
3 Duke Place, South Norwalk, CT 06854
203-853-4179 • 203-853-6524 Fax
E-mail: jwalker@crystal1.com
www.crystalrestorationservices.com
CAI-CT MEMBER

**Crystal Restoration Services of New
England, Inc.**
Contact: Nick Martino, President
303 Captain Lewis Drive,
Southington, CT 06489
860-628-5558 * 860-378-0205 Fax
Email: Office@CrystalRestorationNE.com
www.CrystalRestorationNE.com
CAI-CT MEMBER

United Property Restoration Services
Licia Ciotti
800-835-0740 Phone
203-464-4171 Cell
860-349-2580 Fax
www.unitedprs.com
lciotti@unitedprs.com
CAI-CT MEMBER

EV CHARGING...from page 15.

One example. Questions arise somewhat frequently about changing a dilapidated tennis court into a more usable (pickleball) or less costly (a grassy area) common element. Building charging stations may be more accepted than spending common expenses to replace or maintain a tennis court “that nobody uses.” However, another example of changing a pool into a common element space for charging stations, may not achieve that level of support.

If your community has interest in just building electric vehicle charging stations in sufficient number to opt out of the Act, it should create a community-wide conversation about the wants of the owners, pros and cons for the association completing the project, and the approval procedure required.

This article is only meant to raise some preliminary issues, certainly not an exhaustive list and it cannot conclude what your *community* may or must do. If your community wants to proceed, there must be a more detailed discussion with including, but certainly not limited to the association’s lawyer. ■

END NOTES:

- 1 Unless specified, this article will reference to Sections 2 and 3 of the Act interchangeably.
- 2 CIOA § 47-202(16) defines “development rights.”
- 3 You must also consider whether the project involves a transaction may trigger other requirements . See, CIOA § 47-254 (applicable to a conveyance or security interest of common elements).

Jonathan Chappell, Esq. is an attorney in the law firm of Feldman, Perlstein & Greene, P.C. based in Farmington, CT. Jonathan serves on our At Large Legislative Advocacy Committee and is a member of our Publications Committee.

ASK MR. CONDO...from page 24.

the fine. If Unit Owner A doesn’t show or the Board doesn’t agree that the fine should be waived, the fine is issued and is valid. This is an onerous process for both the Board and the owners but it is what it takes to correct bad behavior on the part of the unit owners. Put the system in place and watch compliance increase. All the best!

Did you know that you can subscribe to the weekly Ask Mister Condo newsletter? Go to <https://askmistercondo.com/subscribe/> and you’ll get Mister Condo’s best advice delivered to your Inbox every Monday! Follow Mister Condo on Facebook or Twitter and get daily updates on current questions delivered right to your phone, desktop, or tablet. 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 at the website or on Twitter, Facebook, and LinkedIn. Visit us at <https://askmistercondo.com>. There’s plenty to talk about! ■

DISPLAY ADVERTISER DIRECTORY

Adam Quenneville Roofing & Siding.....	20	The Falcon Group.....	12
Alliance Bank.....	13	JP Carroll Construction.....	11
Avidia Bank.....	23	Leading Edge Exteriors, LLC	23
Bouvier Insurance	Back Cover	The Milford Bank	2
Building Renewal, LLC	19	New Look Painting & Construction.....	13
CIT.....	17	Reardon Agency	19
Cohen & Wolf	17	Sandler & Hansen, LLC.....	11
Dime Bank.....	21	V. Nanfito Roofing & Siding.....	9
Fairfield County Bank and Fairfield County Bank Insurance Services	9		



Connecticut's Condo Insurance Specialists



Rich Bouvier,
CIC, CIRMS



Carrie Mott,
AGSR, CPIW



Dave Pilon,
CIRMS



Kim
Kurdziel



Brian Kelly,
CIC

Bouvier is the largest insurer of Condominium Associations in Connecticut, it's our specialty! We are here to help you make sense of your coverage options and answer any questions you may have. Call us to arrange a review of your association's program to get the coverage you need.



Call 800-357-2000
or visit binsurance.com
Insure like family