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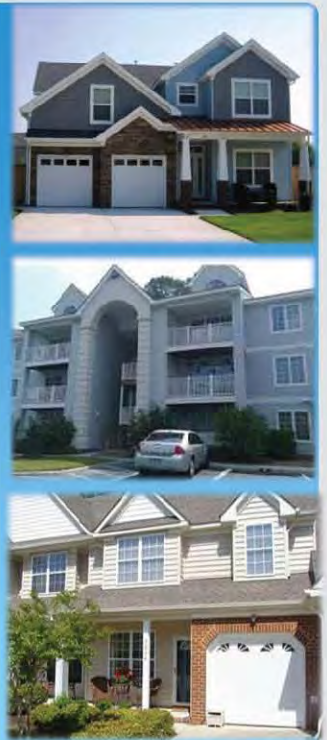
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PRESIDENT'S perspective

This is the last President's Perspective I write as the president of SEVA-CAI. Although January 2017, when I started my presidency, seems like yesterday. I am full of mixed feelings! On one hand, I am content and grateful as it has been wonderful to work together with so many friends and colleagues to enhance and financially grow the chapter. On the other hand, I realize that only a part of the aims, ideas and dreams that I had in the beginning has proceeded into something concrete.

Many presidents before me have had similar ideas and those who come after may have the same goals. It is the chain of active, dedicated individuals that matter. Also, it is never only one person that counts. We are many and only interactions and relationships change and promote development of the chapter.

Many educational and social events happened in 2017, and I have all the wonderful committee members to thank for all the time and dedication in making them successful. Three important objectives have been met during the year: the positive profitability of the chapter; the revision of our Bylaws, that will start to set the function of the chapter differently; and the implementations and the continued development of the Speakers Bureau. All which could not have happened without the support of my fellow Board Members, and Rebecca and Cariese. Thank you all!!!!

Being part of the SEVA-CAI team has taught me skills that I can use in more than just the professional area of my life. My relationships on a personal level are in a better place than they were, thanks to some of the things I've learned from many of you.

I've come to realize that being a part of a team is a lot more than just sharing credit. A team effort takes compromise. When you are on a team you have to at times lead, follow, and more often than not, meet in the middle.

“

*If your actions inspire others
to dream more, learn more,
do more and become more,
you are a leader.*

— JOHN QUINCY ADAMS

Colletta Ellsworth-Wicker



Colletta Ellsworth-Wicker, CMCA®, AMS®, PCAM®, is the Vice President with the Management Firm of *Associa® Community Group* in the Newport News Branch. Colletta has been active with SEVA-CAI since 1999, and has received many awards and accolades as a Committee Chair and a member of the Board of Directors.

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Articles, ads or other submissions must be submitted prior to the dates listed below for inclusion in the issue immediately following. All dates are firm. If submission is missed, updates will be in the following issue.

SPRING 2018
March 15th

SUMMER 2018
June 15th

FALL 2018
September 15th

WINTER 2019
January 15th

Currents encourages and welcomes articles on any topic relating to the many "Currents" of community association interest. Please include a twenty to thirty word description of the author at the end of the article. All articles are subject to editing.

Please send your submissions to:
todd@desrochescpas.com

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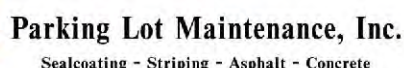
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FROM THE **executive** DIRECTOR



COMMUNITY DISASTER PREPAREDNESS & RELIEF

NEWS AND RESOURCES FOR YOUR COMMUNITY ASSOCIATION

An important part of CAI's mission is to foster a sense of community. Never is this more needed than in the wake of a natural disaster. If you or your community, management company or business is affected by a natural disaster, there are many resources available to help you recover and rebuild.

CAI is providing information on disaster preparedness, resources for disaster victims and advice for homeowners to help smooth the process of recovery. There are also resources for people who want to help our neighbors rebuild their lives and their communities.

What you do before a disaster can minimize your losses. Individuals and families can and should develop emergency plans.

CAI recognizes that a natural disaster can strike at any time and have a devastating impact on a community association and its residents. CAI's mission is to foster a sense of community, especially during such times, as neighbors come together to prepare and recover.

DISASTERS COME AT A HIGH TOLL

\$1.7 trillion in damage
2.9 billion affected
1.2 billion killed

CAI encourages all associations to arm themselves with a range of resources to help their residents survive, recover, and rebuild if a disaster occurs in their community. Below are some specific resources, particularly for the most recent events, including Hurricane Harvey and Hurricane Irma.

We encourage you to visit www.caionline.org and:

- Learn how your community can plan for potential disasters
- Learn how your community can prepare for imminent disasters
- Learn how your community can rebuild and recover from recent disasters



Rebecca Woodring
Rebecca Woodring, CAE

Chapter Executive Director
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GET BUSINESS INSURANCE

U.S. Small Business Administration Business Guide

Business insurance protects you from the unexpected costs of running a business. Accidents, natural disasters, and lawsuits could run you out of business if you're not protected with the right insurance.

PICK THE TYPE OF BUSINESS INSURANCE YOU NEED

The protections you get from choosing a business structure like an LLC or a corporation typically only protect your personal property from lawsuits, and even that protection is limited. Business insurance can fill in the gaps to make sure both your personal assets and your business assets are fully protected from unexpected catastrophes. In some instances, you might be legally required to purchase certain types of business insurance. The federal government requires every business with employees

to have workers' compensation, unemployment, and disability insurance. Some states also require additional insurance. Laws requiring insurance vary by state, so visit your state's website to find out the requirements for your business.

6 COMMON TYPES OF BUSINESS INSURANCE

After you purchase insurance that's required by law, you can find insurance to cover any other business risk. As a general rule, you should insure against things you wouldn't be able to pay for on your own.

Speak to insurance agents to find out what kinds of coverage makes sense for your business, and compare terms and prices to find the best deal for you. Here are six common kinds of business insurance to look for.

INSURANCE TYPE	WHO IT'S FOR	WHAT IT DOES
General liability insurance	Any business.	This coverage protects against financial loss as the result of bodily injury, property damage, medical expenses, libel, slander, defending lawsuits, and settlement bonds or judgments.
Product liability insurance	Businesses that manufacture, wholesale, distribute, and retail a product.	This coverage protects against financial loss as a result of a defective product that causes injury or bodily harm.
Professional liability insurance	Businesses that provide services to customers.	This coverage protects against financial loss as a result of malpractice, errors, and negligence.
Commercial property insurance	Businesses with a significant amount of property and physical assets.	This coverage protects your business against loss and damage of company property due to a wide variety of events such as fire, smoke, wind and hail storms, civil disobedience and vandalism.
Home-based business insurance	Businesses that are run out of the owner's personal home.	Coverage that's added to homeowner's insurance as a rider can offer protection for a small amount of business equipment and liability coverage for third-party injuries.
Business owner's policy	Most small business owners, but especially home-based business owners.	A business owner's policy is an insurance package that combines all of the typical coverage options into one bundle. They simplify the insurance buying process and can save you money.

4 STEPS TO BUYING BUSINESS INSURANCE

1. ASSESS YOUR RISKS.

Think about what kind of accidents, natural disasters, or lawsuits could damage your business. If you need help, the National Federation of Independent Businesses (NFIB) provides information for choosing insurance to help you assess your risks and to make sure you've insured every aspect of your business.

2. FIND A REPUTABLE LICENSED AGENT.

Commercial insurance agents can help you find policies that match your business needs. They receive commissions from insurance companies when they sell policies, so it's important to find a licensed agent that's interested in your needs as much as his/her own.

3. SHOP AROUND.

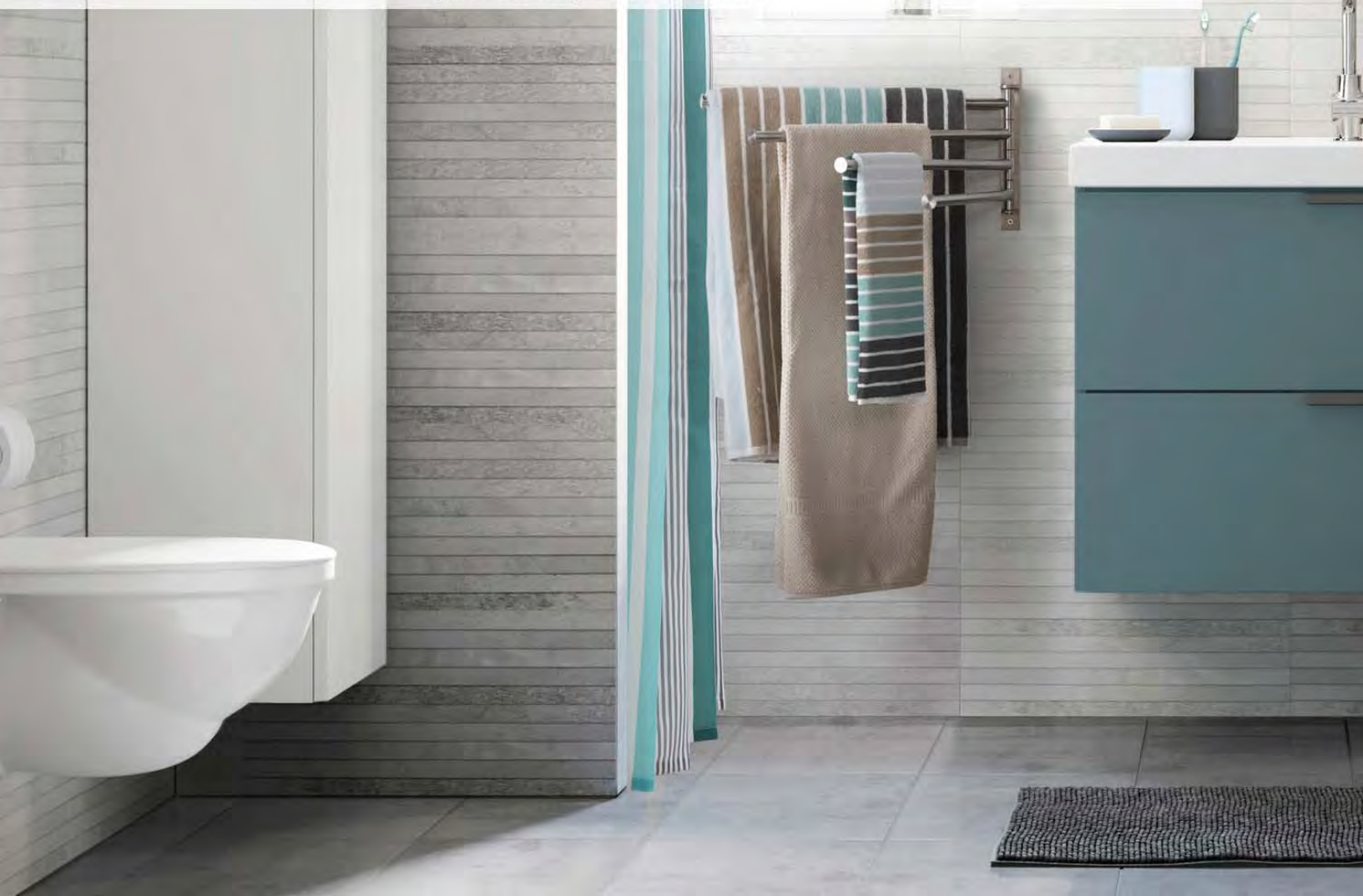
Prices and benefits can vary significantly. You should compare rates, terms, and benefits for insurance offers from several different agents.

4. RE-ASSESS EVERY YEAR.

As your business grows, so do your liabilities. If you have purchased or replaced equipment or expanded operations, you should contact your insurance agent to discuss changes in your business and how they affect your coverage.

ELEMENTS OF AN ADA AGING-IN-PLACE BATHROOM

By **Ron Hatchett**, *Hatchett Contractors*



It's an increasing ideal: staying in a single home for a number of decades. Things change in that amount of time, and as much as we might care to deny it, one of those things will be you and the people you care about. A home can only grow with you so much before you have simply outgrown certain aspects of it. That's why the idea of an aging-in-place home has become more and more common lately.

Basic Design Concerns in an ADA Bathroom

When it comes to ADA bathroom remodeling, there are some general things that need to be considered right off the bat. There are certain constraints that can make it difficult to plan out how to give an aging-in-place bathroom certain features like handicap bathroom access for wheelchairs and other types of mobility assistance like walkers and canes.

In terms of a handicap remodeling especially, it is important to get a grasp of what is already in place and reusable in an existing bathroom.

This is where aging-in-place bathroom remodelers can come in handy. Maximizing the use of the available square footage and maintaining any fixtures like water lines and piping are their specialty.

When going through a remodel, simple aspects can be overlooked that contractors can help you address right away. This includes ensuring that door widths are appropriate in order to accommodate wheelchairs, or to even ensure that smooth but traction-providing flooring is used throughout the bathroom as well.

But some might not want to deal with aging-in-place bathroom remodelers or are simply designing a bathroom from scratch, so let's discuss some important elements of this process to help you create a space that can suit your needs well into the future.

Ensuring Wash Spaces are Accessible

There are a few main elements that need to be present in an aging-in-place bathroom, and one of those is an accessible wash area. This can include a bathtub or a shower, but the key is that it's easy for the user to get in and out safely.

One very common option is a barrier-free shower. This type of shower has a floor that is flush with the rest of the bathroom, meaning there is no curb or step that you need to take when entering. They are often spacious enough that you can bring a walker or wheelchair inside with you if the need should arise. A barrier-free shower also often features a shower seat that you can transfer to so you don't need to stand throughout the entire shower, which can sometimes be lengthy.

Another option includes walk-in bathtubs. These often feature a door that opens and then closes again, creating a seal that still allows the tub to fill with water without flooding the rest of the bathroom. The issue some might have with these, though, is that there will still be a small step you will need to take to get inside. It's not nearly as great as the step of a traditional bathtub, though, so can still be beneficial for many people.

Both walk-in bathtubs and shower options still often require some form of grab bars to ensure true handicap bathroom access.

Toilets and Sinks Within Reach

It probably goes without saying that toilets and sinks are the other essential findings in a bathroom, and it also shouldn't be much of a surprise that these too will require some altering for aging-in-place bathrooms.

When it comes to the toilet, the most important things are going to be the height and location within the bathroom itself. There needs to be enough space allotted around the toilet in order for it to be easily maneuverable and accessible. Part of this is going to come in the form of having grab bars here in addition to in the shower/bathtub. This will help decrease the likelihood of falls or injuries. A simple thing that many forget is also the location of the toilet paper roll. If it's too far out of reach, there's the risk that you or your loved one could fall or strain themselves while reaching out for it, so make sure that's accessible too.





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Elements of an ADA Aging-In-Place Bathroom, Continued...



Once finished with the toilet, the next natural step is to visit the sink or the vanity area, so of course that must be accessible too. Most often ADA bathroom vanity access is granted by having a pedestal type sink setup or a counter that allows a wheelchair or walker to be rolled right underneath the sink. While using the sink, the counter or the sink itself can be used as support if a walker is being used normally, and then the walker can be wheeled right out immediately afterwards.

An alternative to the pedestal type of design is to simply wall-mount everything: the sink, the mirror, the towel rack or hook. By doing this, there isn't anything that could obstruct the user's path of movement across the floor anyway—it's a more simplified option for ADA bathroom vanity access.

The Future of your Bathroom

While aging-in-place bathrooms might be a relatively recent concept, ADA bathroom remodeling in general is not. There are plenty of resources out there and plenty of people who have gone through this process before. Even contacting a specialty remodeler can be a good idea because it gives you the opportunity to see sample bathrooms and how they are typically laid out. It can show you the various options so that you can make the right choice for your bathroom or the bathroom of your loved ones.

Of course, simply seeking these examples does not by any means imply that you have to have the remodeler complete the job itself; you can still just as easily make a DIY project out of your handicap remodeling, but it is important that you get as much information as you possibly can during your planning stages. That goes for any DIY project, but especially this one if you're planning a bathroom intended to last you for as long as aging-in-place bathrooms typically are. (Hint: It's a while.)



Ron Hatchett studied Business Management at Old Dominion University and Architectural Design at Thomas Nelson Community College. He holds a building technical license and is RBC and CBC certified. He was a past participant and winner in the annual showcase, Parade of Homes. Mr. Hatchett is member of the National Association of Home Builders, Peninsula Housing and Builders Association, Community Associations Institute and Better Business Bureau. His motivation for starting *Hatchett Contractors, Inc.* was his family and his skills in the building and remodeling industry.

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preparing your pool & patio furniture for a storm



At least you are home when you get the warning that a serious storm is headed your way. Near hurricane force winds, rain, hail, the works.

How are you going to protect your pool and patio furniture? Take the advice of our friends at poolcenter.com:

do not empty your pool

People may ask, "Won't the pool overflow if we don't, at least, lower the water?" Yes it may, but no more so than if a patio or a plot of grass were there instead. Adequate drainage has most always been provided for in the design of the pool.

Keeping the water in the pool provides the important weight to hold the pool in the ground. An empty pool is subject to "floating" or "popping" out of the ground due to "lift" pressure from excessive ground water caused by the heavy rains that may accompany the storm.

turn off electric power to swimming pool equipment

Circuit breakers at the main electrical panel should be turned off to prevent pump motors, lighting, chlorinators, and heaters from operating.

protect the electric pool equipment

Wrap the pump motor, time clock, light transformers and electric heaters with a waterproof plastic membrane and tie it securely in place to prevent sand and driving water from entering. If flooding is expected, it may be best to disconnect these devices and store them in a dry place.

remove all loose items from the pool area

Loose objects such as chairs, tables, toys and pool tools which can become dangerous projectiles in high winds should be stored inside of buildings. It's not advisable to throw patio furniture into the pool unless it is a last resort. If it is necessary to do so, gently place these items into the pool to prevent possible damage to the interior finish and remove as soon as possible to avoid staining.

protect the screen enclosure

Some damage to the frame of the screen structure may be prevented if you provide a "vent" for wind to flow through. Consider removing screen panels on opposite sides of the enclosure by pulling out the vinyl spine that retain the panels.

add extra chlorine to the pool

To prevent contamination from the anticipated debris and excessive storm water, add a "shock" dose of liquid or granular chlorine.

do not cover the pool

It would be instinct to run out and close or put on the swimming pool cover when a storm is coming. DO NOT DO IT! Storms bring wind, and wind can cause falling branches and other flying debris that can damage pool covers. It's much easier to remove debris from the pool after the storm, than it would be to replace an expensive cover."

If there is any way to secure your outdoor furniture without putting it into your pool please do so. The chlorine and chemicals are too harsh for delicate vinyl and fabric slings. Make sure your umbrella is completely in the closed down position and tied securely.

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Ask

Connie & Homer



HAVE A QUESTION?

We Can Help!

Connie & Homer are standing by to answer all your community association questions.

For all your Condominium Association questions, contact:



connie@sevacai.org

For all your Homeowner Association questions, contact:



homer@sevacai.org

Due to the volume of questions we receive, we regret that we may not be able to reply to each question in the next issue. Keep checking back to see your question answered!

Q:

I have water damage in my home but I can't figure out what's causing it. Besides my pipes leaking, what else could be the cause?
Please help!

A:

Water damage can be caused by a toilet clogging or overflowing, general plumbing problems, a leaking roof or old pipes. Assess the issue by tracking down any pockets of excess moisture and remove them accordingly. The high-tech equipment used to locate these pockets include moisture meters and Thermal imaging permits the ability to measure the moisture in hidden pockets and behind tile and other materials that may not feel wet on the outside. Your emergency repair service provider should find these moisture pockets and professionally dry the equipment and area to ensure proper recovery and remove any moisture from drywall or other materials. Drying should be sped up to prevent the growth of any mold or other harmful bacteria by building drying chambers.

Is it essential that water damage restoration is given proper attention in a timely matter. If left unrepaired, it will worsen which will lead to more and more problems.

6 Facts About Water Damage

When it comes to water damage to a residential or commercial property, there is more than meets the eye. Here are some water facts and figures as they pertain to the restoration industry:



[ONE] Water is capable of dissolving a variety of different substances. In fact, water is known as the "universal solvent" because it dissolves more substances than any other liquid.

[TWO] A sheet of drywall standing upright with its edge sitting in a ½" of water can wick water up to 6 inches in less than three hours.

[THREE] Mold typically begins to grow in 24 to 48 hours in an untreated moist environment.

[FOUR] A good indication of a failing hot water heater is a puddle of water underneath it, indicating a slow leak, or rusted or corroded fittings on the top of the heater. If you don't investigate the leak ASAP, you may quickly flood your home because water heaters are under a great deal of water pressure.

[FIVE] There are three categories of water contamination defined in the restoration industry:

Category One – Water from a clean water source with no substantial risk of causing sickness or discomfort. Examples include water from a broken water supply pipe or an overflowing bath tub.

Category Two – Water that has a significant degree of chemical, biological, and/or physical contamination. Examples include water from aquariums, dishwasher or clothes washer leaks, and water entering the structure from below grade. Discharged Category One water that sits untreated more for more than 24 hours becomes Category Two.

Category Three – Water emanating from a grossly unsanitary source or carrying disease causing agents. Examples include discharges from sewer or septic systems/pipes and flood waters. Discharged Category One water that sits more for more than 48 hours becomes Category Three. Discharged Category Two water that sits more for more than 24 hours becomes Category Three.

[SIX] Controlling pathogenic microorganisms during a restoration project may require the use of chemical agents that act as biocides. The United States Environmental Protection Agency (EPA) has defined three levels of biocidal activity:

Sanitizers – Designed to reduce the number of microorganisms.

Disinfectants – Designed to destroy or inhibit the growth of microorganisms but not necessarily their spores.

Sterilizer – Designed to destroy all microorganisms (fungi/molds, bacteria, viruses, etc.) and their spores.

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Annual Fuel Utilization Efficiency (AFUE)

This is a measure of a gas furnace's efficiency in converting fuel to energy, by projecting the average thermal efficiency for a complete heating system. A higher AFUE rating means greater energy efficiency.

British Thermal Unit (BTU) and BTU/hour (BTU/h)

This represents the amount of heat required to raise or lower the temperature of one pound of water one degree Fahrenheit. The heat extracted from your home by an air conditioner is measured in BTUs, while cooling and heating capacities are referred to in BTU/h. For reference, 12,000 BTU/h equals one ton of cooling.



Energy Efficiency Ratio (EER)

This is a cooling unit determined by the output cooling divided by the electrical power input. The EER is typically determined by a set outside temperature, a set inside air temperature, and a 50% humidity. For a comparison point, 11 EER is roughly equivalent to 13 SEER (which is no longer available). In contrast, SEER is calculated over a range of outside temperatures.



ENERGY STAR

This is a government-backed program helping homeowners reduce energy costs and protect the environment through superior energy efficiency. Trane has partnered with the EPA to label their high efficiency products with the Energy Star label so homeowners can easily identify those higher efficiency products that can help reduce greenhouse gas emissions and save energy.

The minimum efficiency required by the EPA for ENERGY STAR recognition includes air conditioner and heat pumps with a SEER of 14.5 or above, 12 EER, or HSPF of 8.2 or above and all TRANE gas furnaces with an AFUE of 90% or above. Remember, that the higher the efficiency rating, the greater the fuel savings.

Heating Seasonal Performance Factor (HSPF)

This is used to measure the efficiency of a heat pump. The HSPF is a ratio of the heat output to electricity use over an average heating season, and the higher the HSPF the greater the energy efficiency.

Seasonal Energy Efficiency Ratio (SEER)

This measures air conditioning and heat pump cooling efficiency, which is calculated by the cooling output for a typical cooling season divided by the total electric energy input during the same time frame. A higher SEER rating means greater energy efficiency.

For answers to more specific question about your individual situation, American Mechanical Virginia Beach heating and cooling experts are available 24/7 and anxiously await your call to (757) 347-8549!

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aspirational communities

According to author Brent Herrington, community associations, and the people who lead them, can be categorized as either administrative or aspirational.

Administrative associations operate under the premise that a community association is a neighborhood housekeeping organization whose sole purpose is to maintain common elements and enforce rules. The board and the manager running an administrative association tend to regard a high level of resident apathy as a compliment. They believe the more invisible and unnoticed the association becomes, the happier its members are presumed to be. Issues of conflict are resolved in a dispassionate, process-oriented manner.

The board's goal in administrative associations is to treat every person and issue in a uniform fashion. Interactions tend to feel businesslike.

In aspirational communities, the roles of the board and manager are as much about building the well-being of the community as they are about maintaining the physical plant or enforcing the rules.

Aspirational communities tend to be managed by people who express a sense of passion and idealism about their community. These types of managers and board members believe their roles are to provide leadership and inspiration, not merely administration. Apathy is viewed as negative, and community meetings tend to draw high levels of attendance and participation.

These managers often identify themselves as community managers rather than association managers. Not surprisingly, they have learned that their efforts to build a sense of community tend to greatly reduce the number of administrative problems such as rule violations and delinquent assessments. The goal is to transform housing units into vibrant neighborhoods and communities.

The difference between these two types of associations has little to do with the association's governing documents and everything to do with the values and priorities of the people who lead them. Those who are willing to place a strong emphasis on community seem to transcend the legalistic nature of their governing documents.

For more information on this topic, see *Building Community: Proven Strategies for Turning Homeowners into Neighbors* at www.caionline.org/shop

As a community builder, you'll need perseverance and determination. Not every new program will be successful. Most start slowly and gradually gain momentum. However, there are initiatives you can take to help get the ball rolling:

- **Set a tone** that is light-hearted and fun. It should be a joy to be active in the community. Remember to celebrate small victories - recognition is like rocket fuel for volunteer based activities.

- **Don't make the community an island.** Connect and collaborate with the larger community. Your community can have mutually beneficial relationships with area schools, businesses, clubs, city government, social service agencies, worship groups, activity groups and others.

- A major part of your volunteer activity should be based on **helping others.** Community based philanthropy or social service projects embody the highest ideals of community.

- **Build community traditions.** In the greatest communities, residents look forward every year to major seasonal events and community celebrations. These recurring events can help create countless memories and become deeply ingrained in the pattern of life in the community.



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Betty White recently turned 96. When I think of Betty White, I can't help but think of the Golden Girls - Sing it Loud, Sing it Proud - "Thank you for being a friend!" So as we close out 2017 and boldly move into 2018, here are a few things I'm Thankful for!

SEVA-CAI has been and continues to be one of our greatest "friends". When Relay was a new vendor with CAI, we didn't know the importance of "The Documents" and how they are the Holy Grail of Community Association Living. Now, 10+ years later, instead of blindly running into the night to fix whatever is broken, we step back and ask the manager, "what do your Documents say?" Because of the guidance we have received from CAI, we are thankful for now being able to serve as a voice of reason and clarity, not unlike Dorothy (Bea Arthur).

As someone from small town America, Wakefield is probably a lot like St. Olaf. I've always loved the community I grew up in, but CAI has given all of us at Relay the opportunity to support - and love - so many different communities. We have been blessed to be part of the festivals and events that make each of these communities who they are: National Night Out, Holiday Lighting events, and so much more. We are thankful to be included and love finding joy and beauty in the communities we serve. It brings out our inner "Rose" (Betty White).

Though Blanche (Rue McClanahan) tried, she didn't always succeed in taking the high road - doing what is right even when it's not easy or popular. This is something I fully believe in and try to live in every aspect of my life. Often the high road requires input and wisdom from others. I am thankful for the friends from CAI who have been that resource with knowledge, insight and understanding to help Carey and I with decisions that follow the high road, even when it's painful or unpopular.

And I am forever thankful for the opportunities CAI gave us to help those who struggle to help themselves. I have come to love the people at ForkKids and without CAI, we would never have known them. We have taken folks in when they get down on their luck, like Sophia. We cherish those that need our help and are honored to support them. Maybe a property is financial strapped and needs upgrades we can provide or supporting a golf tournament helps to raise money to get kids off the street. It all matters. "When you know better you do better." Because of CAI, we know better and we will continue to do better.

So, thank you - in all your ways - for being a friend!



Shannon Lee is president of Relay Electric, LLC, a full service professional lighting and electrical maintenance and design firm based in Suffolk, VA. Shannon breathes practical, real world wisdom and inspiration - laced with humor - into her interactions with the human race. She's a sought-after speaker and trainer who has received rave reviews for her fresh and easy to implement solutions to some of the challenges faced by businesses today.



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Legal Disclaimer: Community associations are governed by state law which can vary widely from state-to-state. Please note that the content contained in this document is intended to be used for general educational and informational purposes only. Although we try to keep the information contained in these documents up-to-date, it may not reflect the most recent developments and it may contain errors or omissions. CAI has not compared or reviewed this document relative to the law in any state and does not warrant or guarantee that the contents of this document comply with the applicable law of your state. The contents of this document are not intended to be a substitute for obtaining advice from a lawyer, community manager, accountant, insurance agent, reserve professional, lender or any other professional.

www.caionline.org Below is a sample from the website

Sample Policy Resolution #2

Clarification of the Governing Documents

Situation:

The documents of Blowing in the Breeze Homeowners Association could be interpreted two ways regarding clotheslines. And clotheslines were extremely controversial for some of the residents. 30% of the residents were energy-conscious individuals who felt it was environmentally correct and natural to see clothes flapping in the breeze. About 20% of the residents demanded that clotheslines be removed, because they equated clotheslines with low-income housing. The remaining 50% of the residents didn't care one way or the other.

Solution:

The board of directors passed a policy resolution clarifying the intent of the documents and establishing guidelines.

Attachment:

See the excerpt from the governing documents that relates to the following policy resolution.

Blowing in the Breeze Homeowners Association
Policy Resolution 17: Policy Resolution Regarding
Clotheslines
Enacted: November 12, 2000

Effective: November 13, 2000

WHEREAS, the Board of Directors of Blowing in the Breeze Homeowners Association, Inc. is empowered to govern the affairs of the association, including the interpretation and enforcement of the governing documents and the development and approval of rules...

AND, WHEREAS, there is a need to clarify Article IV, Section 2, paragraph L, Clothes Drying Facilities, of the Declaration of Covenants, Conditions, and Restrictions, which is subject to different interpretations...

AND, WHEREAS, it is the intent that this interpretation of Article IV, Section 2, Paragraph L of the Declaration of Covenants, Conditions, and Restrictions and the development of specific rules regarding this document provision remain in effect until otherwise rescinded, modified, or amended by a majority of the Board of Directors...

NOW, THEREFORE, BE IT RESOLVED THAT the following be the guidelines regarding clothes drying facilities:

Residents with privacy fences must put their clotheslines inside the fence

Residents without privacy fences must install their clotheslines so they are visible only from the rear yard.

Clotheslines shall be of the reel type or removable when not in use.

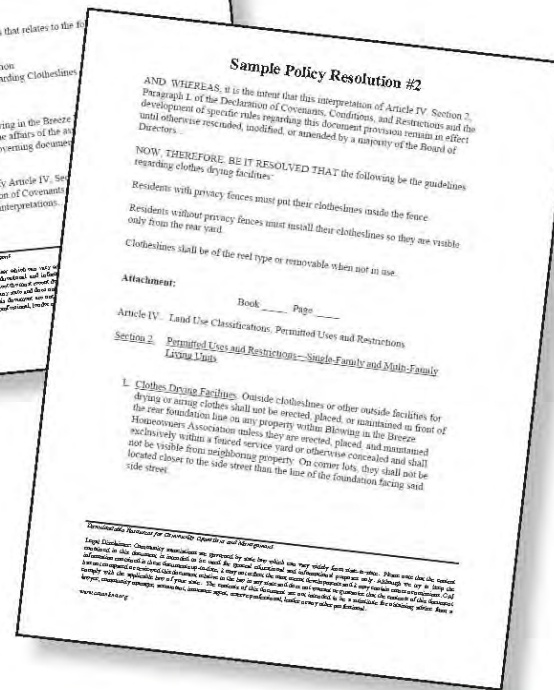
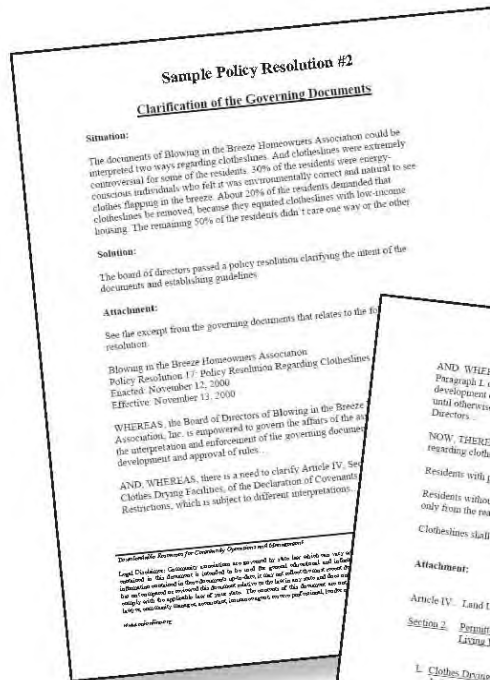
Attachment:

Book ____ Page ____

Article IV. Land Use Classifications,
Permitted Uses and Restrictions

Section 2. Permitted Uses and Restrictions-
Single Family and Multi-Family
Living Units

L. Clothes Drying Facilities. Outside clotheslines or other outside facilities for drying or airing clothes shall not be erected, placed, or maintained in front of the rear foundation line on any property within Blowing in the Breeze Homeowners Association unless they are erected, placed, and maintained exclusively within a fenced service yard or otherwise concealed and shall not be visible from neighboring property. On corner lots, they shall not be located closer to the side street than the line of the foundation facing said side street.



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avoid an insurance freeze

Consumer considerations for the upcoming months

Submitted by The National Association of Insurance Commissioners (NAIC)

Seeing someone slipping on ice might be humorous in movies and viral videos, but personal injury and automobile accidents during colder weather are no laughing matter. The National Association of Insurance Commissioners (NAIC) reminds you to review your insurance policies and to consider these tips.

Auto

Colder weather can be a challenge for all drivers. Before you go driving, check your auto policy to confirm it's appropriate for your needs. A new luxury vehicle will require a different level of coverage than an older car. You should also check your liability limits to make sure you have adequate protection against injury or damage if you or one of your drivers causes an accident, whether it's a minor fender bender or a multi-car incident. To protect yourself, you should consider having the appropriate level of collision coverage and comprehensive (to protect you from damaging road hazards such as chunks of ice).

Additionally, make sure you know what to do if you or your teenage driver gets in a wreck. Always keep a copy of your insurance card and your insurance provider's contact information in the car. To take the stress out of filing a claim after an accident, the NAIC created WRECKCHECK, a free smartphone app that walks you through the process of gathering information following an accident. You can then email the report directly to your insurance agent. WRECKCHECK is available for Apple and Android devices as well as in PDF form.



cont. on next page...

Home

Your homeowners or renter's policy can protect you against common winter debacles, so check your policy before a storm. If someone slips on ice on your property and is injured, your homeowners policy will pay for some medical expenses, but ask your insurance provider if you have adequate liability limits. If you rent, your landlord may be responsible for keeping ice from the sidewalks, but check your lease carefully as the landlord may have transferred that responsibility to you.

A standard homeowners policy will also provide coverage, subject to your deductible, if your home suffers damage during a storm or a house fire. Some policies offer additional living expenses if you are unable to live in your home during repairs. Check with your insurance provider to determine what your policy covers.

Health

It's important to do an insurance check-up on your current health plan – especially if you are considering new options, such as updated plans offered by your employer or your state marketplace. Make sure to check provider lists and take note of your co-pays and deductibles for in- and out-of-network providers. Once you have decided on a plan, read through your policy and keep your insurance card handy in the event of illnesses – like norovirus or the flu – or accidents. Your health insurance may offer a variety of alternatives to waiting at the doctor's office or a trip to the emergency room. Ask your insurance provider if they have a nurse help hotline that can answer questions about your symptoms or if your pharmacy has an urgent care center that will accept your insurance.

If you are traveling, review your policy and make a list of pharmacies, urgent care centers and hospitals that accept your insurance in your destination city. Prior to leaving town, it is also a good idea to check with your insurance company about your destination's in-network healthcare. If you receive care from an out-of-network provider, you could pay more for treatment. Bring this information and health insurance cards for all family members with you when you travel.

Winter Fun

It's not too late to enjoy a winter wonderland at many ski resorts in the country. But before you hit the slopes or take out the snowmobile, check your homeowners or renter's policy. Generally, ski equipment you own will be covered by your homeowners or renter's policy if it's lost or stolen. On the other hand, snowmobiles are not covered by homeowners, renter's or auto policies. Ask your insurance agent if you need more coverage on your sporting equipment or need to purchase a separate snowmobile policy.

Some of us survive the chilly weather with a warm weather escape. Regardless of where you're going, travel can be uncertain. Delays or cancellations are inevitable. You may want to consider travel insurance, which can cover everything from lost luggage to delays and cancellations.

More Information

For questions about your insurance options or insurance coverage, contact your state insurance department.

About the NAIC

The National Association of Insurance Commissioners (NAIC) is the U.S. standard-setting and regulatory support organization created and governed by the chief insurance regulators from the 50 states, the District of Columbia and five U.S. territories. Through the NAIC, state insurance regulators establish standards and best practices, conduct peer review, and coordinate their regulatory oversight. NAIC staff supports these efforts and represents the collective views of state regulators domestically and internationally. NAIC members, together with the central resources of the NAIC, form the national system of state-based insurance regulation in the U.S. For more information, visit www.naic.org.



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who is the client?

By **Sara J. Ross, Esq.**, *Chadwick, Washington, Moriarty, Elmore & Bunn, P.C.*

As an attorney representing community associations, it is not uncommon to have a homeowner or group of homeowners, ask me who I represent. Do I represent the Board of Directors or management, or do I represent the homeowners? This is often coupled with a variation of the following paraphrased statement: "My assessments pay your fees, so you work for me." My answer is, "my client is the Association, as a whole." But what does that mean, and why should we care?

Whether it is an incorporated homeowners association or an unincorporated condominium unit owners association, it is the entity that is the client. This is not only true for legal counsel, but for other professional service vendors, such as accountants and managing agents. An association's attorney may consult with and/or take direction from the board of directors, or may interact with the manager, and such services may be to the benefit of the individual members; however, they are not the client, and cannot presume that the association's attorney is protecting and/or representing their individual interests. The attorney is protecting and representing the interests of the entity/association.

What are the interests of a community association? Generally, they are to provide services and amenities to the members, preserve property values, and maintain and protect the assets of the association. However, there are times when these interests may be in conflict with those of the board of directors or the individual members. Accordingly, it is essential that everyone understands who the client is when it comes to the association's legal counsel because that determines who holds the attorney-client privilege.

The attorney-client privilege is a creature of statutes and judicial decisions, and protects certain communications between an attorney and the client from disclosure to or discovery by outside third parties. Its purpose is to encourage full disclosure and open communication between the client and the attorney, so that the attorney has the information necessary to appropriately counsel the client.

So we understand that the client is the association entity. The attorney is not advising the nebulous association entity; the attorney is advising the board of directors and/ or management who have been elected and hired to manage the affairs of the association. So how does that work with regards to the attorney-client privilege if they, as individuals, are not the client? What communications are protected?

Generally, the attorney-client privilege extends to an association's board members, officers and/ or agents as the association's designated representatives. However, not all representatives may be covered under the privilege.

Generally, the representatives must be authorized to obtain the legal services and/or act on the legal advice, on behalf of the association, in order to be covered under the privilege. And not all communications with legal counsel are necessarily privileged.

cont. on next page...

The attorney is protecting and representing the interests of the entity/association.

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Begun in 1985 as R.J. Moore & Associates, the present firm was established in October 2002 when principals Peter B. Miller and James W. Dodson, Jr., acquired the assets of the Reserve Study Division of its predecessor company. This important transition allowed the firm to focus its efforts on the Reserve Study field and to provide more effective, responsive services to its clients. Miller+Dodson Associates currently performs between 350 and 400 Reserve Studies annually.

Miller+Dodson's experience spans a wide and diverse clientele, from small condominium and home owner associations to high-rise condominiums and large-scale communities, such as the Reston Association in Northern Virginia, Ford's Colony, and South Riding Proprietary.

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Privileged communications must be part of the request for legal advice or part of the legal advice, itself, and intended to be kept confidential. Inclusion of an attorney in an email thread, or forwarding documents to an attorney, does not render these communications automatically privileged. In order for the communications to be privileged, they must be related to legal services rendered by the attorney.

For example, an attorney attending a board of directors meeting does not render the minutes for the entire meeting privileged due to the attorney's mere presence at such meeting. However, if the attorney advised the client on legal issues during an executive session of the board of directors, in which only the board and the attorney was present, that portion would be privileged. What if the manager was present? That can be a little trickier. However, if the manager is in attendance as an agent of the association, and will likely be acting on behalf of the association in carrying out the legal advice, then the manager's presence should not mar the privilege.

So where do the individual members fit in? After all, they are indirectly paying for these legal services and ostensibly benefitting from them, as well. The attorney-client privilege does not extend to association members in their individual capacity. This goes for board members, too. Accordingly, members generally cannot demand access to privileged communications, including legal opinions, legal bills, or other attorney work product, without the board's (not the attorney's) consent.

There are occasions when a board of directors may decide to release information to the members that may include otherwise privileged legal opinions. By releasing that information to the membership, the board is waiving the privilege and those communications may be required to be disclosed in litigation. While it is important for a board to remember this when deciding what information to disclose to the membership, not all disclosures outside the board and/or management waive the attorney-client privilege. It depends on the circumstances, whether the communication was intentionally or unintentionally disclosed, and how it was disclosed.

In short, it is the association that is the client, and we should care because it can mean the difference between a privileged communication and a discoverable document.



Sara J. Ross, Esq. Sara is a principal/attorney with the firm of *Chadwick, Washington, Moriarty, Elmore & Bunn, P.C.* and practices in the firm's Fairfax, Virginia office. Her practice is devoted to community association law in Virginia. She is an active member of WMCCAI and has been published in several national publications.

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getting around

By Dan Hobby, CEO of Acelution, Inc.

How important would you consider using the restroom? This might be something we all take for granted until we're stuck at the bridge tunnel in the morning after a half pot of coffee. As you mutter to the person who forgot what the orange light means, you think to yourself "there has to be an easier way". In the same context, what if there was a short set of stairs you couldn't climb even though the restroom was at arm's length?

Recently, the complexities that people with limited mobility encounter on a daily basis have become more evident. A majority of the marketplace tries to accommodate as best as possible until it is too inconvenient or costly. At that point, we should take a minute and think to ourselves "what if that door handle was just out of reach?" Who would we turn to in hopes of a resolution? Would anyone care or just walk up the stairs past us?

cont. on next page...



All the things in life we either rely on or enjoy taking part in are starting to take the shape of inclusivity. Who would have imagined a typical wheel chair could be used to play in the sand without the help of the Incredible Hulk? When was it thought possible for persons with disabilities to run marathons, ride the slides at a water park or even go skiing? Today it is possible thanks to innovative people creating extraordinary means for our fellow neighbors.

Our society has been evolving exponentially and the awareness for access to all has come to the forefront in planning for the future. Even so, our existing facilities have not kept up with the fast pace of life. Standards are being set to assist in mitigating different circumstances but one cannot just eliminate a load bearing wall in order to make a 60" turning space. How do we go about reconfiguring a building while trying to keep up with the light bill?

Many would be surprised how easily an unrestricted environment could be arranged without calling in an engineer. Commonplace situations that most people glide by like a newspaper rack in a vestibule or a divot in the walking path can create a difficult situation for others. A few tips on "Accessible Design" can make a world of difference to the next person in line. Something as simple as a lower countertop to write a check for their astronomical condo dues would make somebody's day a little better (ok, maybe I'm reaching).

Searching through the ADA (Americans with Disabilities Act) for compliance can be overwhelming to say the least but there are a multitude of programs and professionals to assist on every level. What extent would you go to for a loved one with limited mobility if they want to go to the pool but a ladder is the only way in? How do we make sure a parent with MS gets into the stands to watch their kid take the plate? What might be another day in the park for someone can present a major challenge for others but we can all work together on a solution.



Capt. Dan Hobby is the CEO of *Acelution, Inc.*, a Class A General Contracting Firm and Marine Facility Contractor. Serving large scale communities, municipalities and the military, Dan Hobby and his Staff at Acelution, Inc. have developed a reputation for resolving some of the most difficult situations their clients encounter. Dan can be reached at Dan@needAce.com.

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COMMUNITY ASSOCIATION KEY DEFINITIONS

CERTIFICATE OF INSURANCE

A document issued by an insurance company/broker that is used to verify the existence of insurance coverage under specific conditions granted to listed individuals. More specifically, the document lists the effective date of the policy, the type of insurance coverage purchased, and the types and dollar amount of applicable liability.

GOVERNING DOCUMENTS The purpose of a community association's governing documents is to provide for the legal structure and operation of the community. The documents:

- Define the rights and obligations of both the community association and its owners.
- Create a binding relationship between each owner and the community association.
- Establish the mechanisms for governing and funding the community association's operations, including the establishment of the automatic lien.
- Set forth rules and restrictions for the:
 - Protection of both owners and the community
 - Enhancement of property values
 - Promotion of harmonious living

The general hierarchy of authority among governing documents consists of:

- Recorded map, plat, or plan (to show the precise location of units, lots, and/or common area)
- Declaration, CC&Rs, master deed
- Proprietary lease or occupancy agreement
- Articles of Incorporation (if incorporated)
- Bylaws
- Board resolutions

OPERATING EXPENSES Budget items that occur on a regular basis for the normal and usual services and repairs for the association. For example:

- Swimming pool management
- Professional and administrative services (management, legal, accounting, insurance)
- Utilities (electric, gas, water, oil)
- Contract services (lawn maintenance, elevator, trash removal, janitorial services, painting)
- Repairs (plumbing and pipe, electrical, door and lock)
- Personnel costs (compensation and benefits for community employees)
- Educational costs for employees, board members and volunteers (membership, courses and publications from Community Associations Institute)

RULE Also called a regulation or resolution, is a specific statement of required behavior or action, a violation of which carries a penalty (sometimes called a sanction). In a community association, rules outline expected behavior, identify limitations, and govern the community in the use of common property; the use of individual lots or units; changes in the architecture, the construction, or the appearance of lots or units; and the behavior of residents, guests, and other visitors. Community associations frequently develop rules that address pets, parking, noise, garbage, solicitation, etc.

VOLUNTEER OR SELF-MANAGEMENT The community association is managed by volunteer members of the board itself or by committees under the direction of the board. While there are no out-of-pocket management fees, continuity can be difficult because of volunteer turnover and inconsistent service. Professionalism depends on the skills and experience of those who volunteer. Other management options include hiring an association-employed manager or management company.

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BLAST OFF TO SUCCESS: LEADERS HELPING LEADERS

Network, share ideas and ask questions in the facilitated roundtable discussions where leaders are helping leaders build better communities. Join one of the group discussions on a variety of topics.

ORBIT 2 | 11:15 AM - 12:30 PM

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FACING ARMAGEDDON

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CALLING CAPTAIN KIRK

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ALIENS ON EARTH

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ORBIT 3 | 2:15 PM - 3:30 PM

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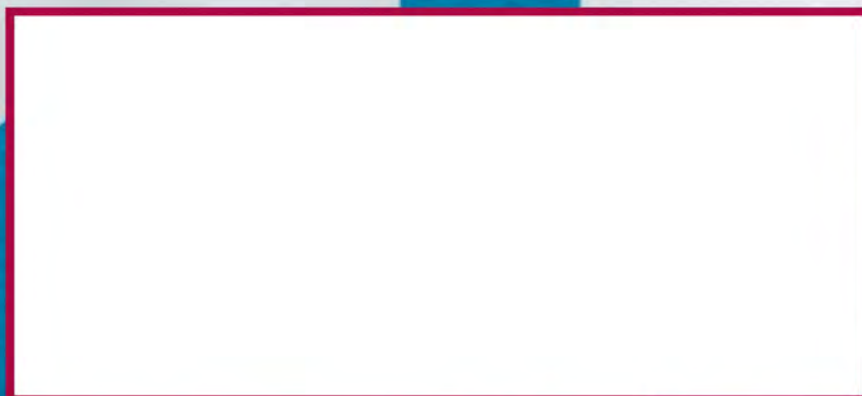


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