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New Law Prevents Shortening Statute of Limitations on Condo Construction Defect Claims



Back Row (left to right): Nicholas D. Cowie and Delegate Marvin E. Holmes, Jr.; Front Row (left to right): Senate Deputy Majority Leader Katherine A. Klausmeyer, Governor Lawrence J. Hogan, and Speaker of the House of Delegates Michael E. Busch

A new Maryland law prevents developers from shortening the time period within which condominium associations and their unit owner members can assert claims for hidden construction defects in newly constructed condominiums. The legislation known as HB 77 and SB 258 passed both houses of the Maryland General Assembly

and was signed into law by Governor Lawrence J. Hogan on April 24, 2018 (see photo). Nicholas D. Cowie, Esq., Chapter Member is the author of the legislation, which will be codified as Section 11-134.1 of the Maryland Condominium Act, effective October 1, 2018.

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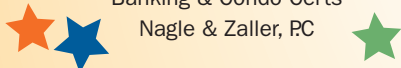
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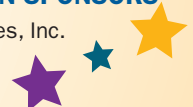


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CORRECTION

Please note: On page 23 of the Spring/Summer issue of the Beacon, there was an error in the photo captions on Solitude Lake Management's Platinum Sponsor Showcase. The corrected versions are available for download at <http://caimdches.org/pdf/18-SPRING.pdf>

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President's Message

We are now over 1000 members strong!

Growth means more challenges and our Committee Members and Board are diligently working to meet these challenges. The chapter is using all available resources including cultivating and maintaining a strong relationship with the CAI National support team. Camille and I visited the National office in February and the Board has reached out to our National Liaison through the 2018 Chapter Leadership Liaison Program.

The Board is using the CAI Policy Governance Manual as a guideline for formulating and documenting policy and procedures. An updated Budget and Finance Committee Charter has been adopted. At our June meeting the Board adopted a Chapter Mission Statement, Board Orientation Retreat Outline, Chapter Annual To Do Checklist and Board Evaluation Form. The next step is to compile all documents, policies and procedures into the Chesapeake Chapter Policy Governance Manual. Board minutes are posted on the website under "About Us".

In an effort to provide our membership with alternate educational and informational sharing techniques we are researching

the viability of webinars and podcasts. In addition, Board members are making calls to Management Company leaders to encourage involvement and solicit suggestions for enhancing our support of manager education.

The Membership Committee is making strides to contact service provider's whose areas of expertise the chapter is currently lacking. If you are aware of a service area we need to cover please contact the committee.

"The Beacon" continues to be the "Guiding Light" for timely topic coverage and chapter updates. In an effort to expand the chapter's influence and share our goals and objectives we are mailing hard copies of "The Beacon" to members of Maryland Legislature's Senate and House Real Property Committees.

The Education Committee continues to provide a variety of topics for managers and homeowners. NEW this year the chapter offered a workshop for HR managers. This workshop was a great opportunity for all businesses to enhance their knowledge and learn how to protect their business, employees and the communities they serve. The Chapter is also planning to expand

educational opportunities within our DelMarVa community.

The EXPO promises to be the best yet and is a must for all members—October 30th.

The Annual Social Committee is putting the final touches on another fun event—a chance to have fun and network. Save the date November 16th.

As always the Chapter continues to support the efforts of our award winning Legislative Action Committee.

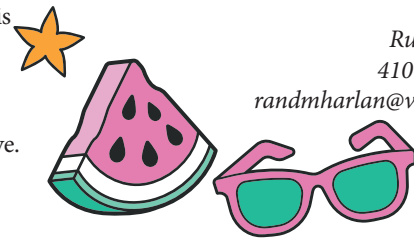
The Golf Committee has earned a well-deserved rest after another successful tournament.

Wow—and that is just the highlights. A Big THANK YOU for the innovative and dedicated Committee and Board Members—Join the club—its fun!

Regards,

Ruth Harlan
410-756-4588

randmharlan@verizon.net



Members in the News

Congratulations

to

Ashley Illi,

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from Tidewater Property
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This article provides background and discusses how this new legislation ends the practice by which some condominium developers used statute of limitations shortening provisions to prevent condominium associations and their unit owner members from asserting warranty and other legal claims for latent construction defects.

The Statute of Limitations for Construction Defects

The statute of limitations (sometimes referred to simply as “limitations”) is the time period within which a legal claim must be filed in a court of law or be forever barred. Under Maryland law, condominium associations and their unit owner members have anywhere from 2 to 4 years to assert various statutory warranty claims (warranty period plus the limitations), and 3 years to assert most other legal claims for construction defects. These statute of limitations time periods commence at different times depending on the type of legal claim and the facts and circumstances of each case. For example, in the case of statutory express and implied warranties, the statute of limitations time period usually does not commence or “begin to run” until after the expiration of the warranty period. The statute of limitations on most other construction defect legal claims (e.g., negligent construction, negligent misrepresentation, breach of contract, and violation of the Maryland Consumer Protection Act) commences when a hidden defect or evidence thereof is discovered or reasonably apparent.

Latent Construction Defects

Construction defects that occur during construction of a condominium (e.g., building code violations, deviations from plans and specifications, and other faulty workmanship and use of improper materials) are often concealed behind exterior walls or hidden from sight by subsequent layers of construction work. Any evidence of their existence may be unrecognizable to the average home purchaser. These hidden construction defects are sometimes referred to as “latent defects.” Latent defects are not apparent at the time of purchase and may go unnoticed for months or years until they begin to manifest (e.g., leaks that appear at windows, doors and roofs, stones dislodging and falling from the exterior walls, full depth cracks developing in foundation walls, etc.).

Warranty periods and statutes of limitations afford Maryland condominium associations and their members an opportunity to discover latent construction

defects so they can be

brought to the attention of the developer for correction before warranties and other legal rights expire. If the developer refuses to repair construction defects, a lawsuit can be filed, or, if applicable, stayed while the parties arbitrate or mediate. If suit is not filed within the statute of limitations, construction defect claims will be barred and the cost of repairing developer construction defects will fall upon the unit owners.

Statute of Limitation Shortening Provisions

In an effort to prevent condominium associations and unit owners from making timely claims for latent construction defects, some condominium developers use provisions in

their contracts of sale that impose a shortened statute of limitations of 1 year or less from the date of settlement on a unit. In more extreme examples, these shortening provisions result in the statute of limitations expiring before a unit owner even gets to settlement. These provisions contain complex legal terminology that is incomprehensible to unit owner purchasers, leaving them unaware that their legal rights terminate in such a short time frame.

The effect of these statute of limitations shortening provisions is to bar all legal claims that a unit owner may have, known or unknown, unless they file a lawsuit against the developer within the shortened limitations time period. As a consequence, a unit owner’s structural warranty rights may become time-barred before the two-year structural statutory warranty period provided by Maryland law even expires, and other legal claims for latent construction defects may become time-barred years before they normally would be under applicable Maryland law.

Condominium communities are especially vulnerable to these statute of limitation shortening provisions because they are initially under developer control for the first few years such that there is no opportunity for unit owner members to conduct independent assessments of building construction (e.g., roof, exterior walls, etc.) until the developer turns over control of the association to the unit owners. By the time control of the condominium association is turned over to the unit owners, the shortened statute of limitations has often long expired, thereby barring the unit owners’ legal claims for construction defects discovered in their condominium.

The New Legislation

HB 77 and SB 258 render statute of limitations shortening provisions unenforceable as a legal defense to a claim by a condominium association or unit owner for any construction defect resulting from a failure to comply with: (1) applicable building codes; (2) county-approved plans and specifications; (3) manufacturer’s installation instructions; or (4) implied statutory warranties created by Maryland law, which, among other things, require that construction be free from defective materials, performed in a workmanlike manner and in accordance with applicable industry standards (a “covered construction defect”). The legislation applies to statute of limitations shortening provisions contained in developer contracts for the initial sale of a new residential condominium unit or contained in “any other instrument made by a developer or vendor” in accordance with the Maryland Condominium Act, including a condominium declaration and by-laws.

continued on next page

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The legislation also renders unenforceable other similar provisions used in condominium declarations, bylaws, and contracts of sale to shorten the normal time period for bringing a construction defect claim. These consist of the following, which are unenforceable under the new law in connection with any covered construction defect claim:

- 1 **Advancing the Limitations Commencement Date:** Provisions that advance the normal statute of limitations commencement date in order to make the statute of limitations expire sooner than it normally would under applicable law.
- 2 **Shortening the Time Allowed to Seek Arbitration:** Provisions that require a condominium association or unit owner to submit claims to arbitration within a time period that is shorter than the statute of limitations applicable to the claim. This prevents developers from imposing arbitration and then requiring condominium associations and their unit owners to waive their claims if they don't bring an arbitration proceeding within a time period that is shorter than the normal statute of limitations applicable to the claim.
- 3 **Procedural Roadblocks Designed to Prevent Timely Claims from Being Made:** Provisions that operate to prevent a condominium association or unit owner or from timely filing a lawsuit, initiating arbitration, or otherwise asserting a claim within the applicable statute of limitations time period. This prevents developers from imposing unreasonable procedural roadblocks in condominium documents that must be overcome before an association or unit owner can pursue a legal claim, if

those roadblocks would operate to prevent timely pursuit of legal claims for covered construction defects.

The legislation does not apply to the settlement of disputed claims between developers, condominium associations, and unit owners. This allows associations, unit owners, and developers to freely enter into settlement agreements to resolve construction defect claims.

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Note about Statute of Limitations and Condominium Construction Defect Claims

The application of the statute limitations to a condominium construction defect claim is a highly complex area of law requiring sophisticated analysis of multiple claims and the particular facts and circumstances of each case. Condominium associations and unit owners experiencing construction defects should consult with an attorney experienced in handling construction defect cases as soon as possible in order to plan a course of action to protect their rights, including entering into tolling agreements that can stop the statute of limitations from running on claims while parties attempt to negotiate repairs.



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TIME MANAGEMENT

Time: we all search for it, we all need more of it, and we never have enough of it. As Community Managers, and even as professionals, having time is one of the most important aspects of our job. So what are some of the ways we can improve ourselves to gain more time in our day? Organization is probably one of the most important aspects and, if done well, can certainly make a difference and not only improve our effectiveness, but also our mental stability throughout the day.

These days, there are all sorts of technology available that can help with organization. We have come a long way from notepads and sticky notes, although some still seem to find comfort in the paper and post-its across their desk. Most of our offices now have technology that automates our processes, sends reminders when tasks are due, saves templates for easier access and sending of routine notifications, and much more. Using that technology to our benefit can make a world of difference and take some of the worry off of our shoulders, as well as remove some of the clutter on our desks. Here are a few tips on how you can best utilize technology to help with time management:

- Use your email calendar (which typically syncs to your smart phone) to its full potential. Set yourself reminders for meetings, maintenance items, vendor follow-ups, inspections, due dates for internal and external paperwork, and even for contract renewals.
- Use the electronic “sticky notes” to make yourself notes instead of relying on pen and paper, which can get lost and/or cause unnecessary clutter on your desk and work space. (These notes are typically shown right on your computer desktop which are constant reminders of the tasks you need to do and/or their deadline.)
- Be as paperless as possible. I have seen many people stress over the amounts and stacks of paper on their desk, which then adds to their frustration and anxiety over the work that has to be done. If an item can be scanned onto your computer or server, or saved in the company’s software for easier access—do it! Almost every system is backed up, possibly even numerous times, which really limits the ability for that item to get lost. If you have the only copy on your desk and

it gets lost—that’s usually the end of it, and not only causes delays in response to that item, but could also affect your Association, your company and/or your position.

- Automate your processes as much as possible. Save template email responses, memos, notices, etc. that can be easily accessed and reused. Doing a simple copy and paste is much easier than trying to recreate the wheel from scratch every time.
- Organize your email inbox. Filing away emails that have been responded to and/or that the follow-ups have been done, into a folder immensely helps with your stress level. Have a separate folder for each client, company, topic, or vendor so that way the emails can not only be filed away, but also easily found should you need to refer to them later.
- Assign each email to a category in your email inbox. This helps to group “conversations” together and allows for easier reading and response.

Finally, the highest priority when discussing time management—take time for yourself.

Don’t wait to use that vacation time, don’t check your emails when you first wake up, or over the weekend (at least as much as possible), and enjoy the time with your friends and family. Everybody needs time for themselves to “reset” and clear your mind, and having that time to decompress helps to ensure you can return to your office with clear thoughts, a positive attitude and the momentum you need to get yourself organized and work finished. It’s easy to get caught up in the day-to-day of life, and we are all guilty of it at some point. It’s hard to avoid, but easy to fix.

“Enjoy life while you can. It can be taken in a heartbeat.”—*Jasmin Morin*

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Prolong Dredging and Save Your Community Money

Even with proactive management, all stormwater ponds will eventually become impaired due to accumulated sediment from excessive nutrients and runoff. Dredging is an option, but is often the largest single expenditure a community will face. So, when the time does come to remove sediment from your lake or pond, consider hydro-raking as an effective, environmentally-friendly and economical alternative.

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PAVEMENT 101: COMPACTION

There are many factors that should be considered and followed when placing new hot-mix-asphalt (HMA) whether in new or rehabilitation applications. One of these factors is **COMPACTION** of the new asphalt. Compaction is the process of reducing the volume of material by compression. In asphalt paving, this is achieved by the types of rollers, number of rollers, the rolling patterns, and the material placement temperatures.

Properly compacting hot-mix asphalt will result in approximately 25% (1/4-inch per 1-inch) reduction in the material thickness. It is recommended that pavement thicknesses be specifically stated in finish compacted thickness and not “install X-number of inches of asphalt”.

Advantages of properly compacted hot-mix asphalt result in the following.

- Locking the asphalt particles together to reduce air voids, known as consolidation, in order to reduce permeability
- Increased durability
- Material longevity
- Creating a smooth and uniform surface

Pavement compaction is achieved by the use of mechanical, vibratory rollers. The rollers are driven across the pavement while at the highest temperature, typically between 240° F to 290°F, in order to compact or consolidate the pavement. By keeping the pavement rollers in the proper rolling pattern, or zone, target compaction density requirements can be achieved. Often times, different size rollers are needed depending upon pavement thickness to obtain desired compaction levels. It is also important to cross roll when placing asphalt to help maintain uniform surfaces, particularly when

paving parking lots and drive lanes. The ideal compaction range is typically between 92%–98% of the theoretical density.

As the pavement is being placed, there are several methods of testing asphalt pavement for compaction. The most

common method is a Nuclear Density Gauge. The gauge measures compaction as the pavement is placed. Therefore, a technician can tell the roller operator if additional compaction is needed. Once the pavement is placed, core samples with laboratory analysis can also be performed to confirm the compaction levels. Testing of the finished pavement is recommended to insure materials were placed in accordance with specifications and industry standards.

There are a number of problems that can occur when proper compaction is not achieved.

- Over-compacting can cause the pavement to segregate and become brittle. This can lead to premature cracks and failure.
- Insufficient compaction can result in raveling of the pavement. This is when the asphalt mix begins to separate, and the aggregate components detach from the mix. This can result in a weakened pavement, which leads to premature distress of the pavement and overall reduced life expectancy.

Once the pavement is placed, correction of improper compaction is very complicated and costly. In most instances, the pavement would need to be removed and replaced.

The goal in compacting hot-mix asphalt is to provide a smooth, structurally sound, durable and long-lasting asphalt pavement. If questions remain, please contact a professional pavement consultant.

*Written by: Ron Brookman
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rbrookman@etc-web.com*



Nuclear Density Gauge to test the finished pavement to ensure proper compaction.



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2018 Educational BREAKFAST SEMINARS



The Chesapeake Region Chapter of Community Associations Institute announces its breakfast seminar schedule for 2018. Homeowners, Board Members, Managers, Management Companies and Service Providers are invited to attend these seminars, which are designed to help you effectively manage and work with a community association and its service providers. Cost includes the seminar and a full breakfast.

Mark your calendar now! These programs are an excellent educational venue, as well as a terrific place to network with colleagues and prospective clients.

All seminars are at Michael's Eighth Avenue in Glen Burnie, MD. To download the Breakfast Seminar Brochure, visit www.caimdches.org

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Ignorance is not Bliss

Read the Governing Documents and Understand Your Obligations

Volunteer Board Members are often baffled and incredulous when someone challenges or complains about a decision they have made, a rule they have changed, or a special assessment they have issued. I have touched in one way or another between five and six thousand claims and/or lawsuits against Community Associations and their Volunteer Board Members. As I travel around the country, people ask me what I have been able to distill from all these claims. Without skipping a beat, I respond by telling them that “*ignorance is not bliss*”!

The “ignorance” I refer to is twofold. Not only are owners guilty of not reading their documents, but sometimes Board Members and even Community Managers are guilty of this. Here are a few pointers for everyone:

Owners who purchase and own or live within an Association

Unit owners do not always read the governing documents they have agreed to comply with prior to purchasing their home in a common interest association. In most cases, these unit owners probably do not read the governing documents until they have an issue with the Board, the association or their neighbors. It’s so important for owners to read the documents, understand them and become familiar with what they are obligated to by being a member of that particular Association. Ignorance of the governing documents is not a defense and an association member is presumed to have read the documents he or she has agreed to when they purchased their unit.

Board Members

The volunteer Board Members can sometimes turn their volunteer Board position into something beyond its purpose and authority. This is further exacerbated by the fact that these volunteer Board Members are often the same unit owners that have not read the governing documents. Each association member who wants to join the Board should be required to confirm that he or she has read the governing documents before agreeing to become a Board member. If you haven’t already, there is no time like the present. And, after reading them, if you still don’t fully understand them, hire an attorney (preferably one affiliated with CAI) and have them provide insight.

What comes to mind each time this twofold dilemma comes up is a pearl of wisdom my father used to share with me. He would say “why do people never have time to do things right in the first place, but always have time to fix them”? So, how can Association Board of Directors fix it now?

Training: Each Board should have an annual Board training, even those who have been on the Board for multiple terms. The value of annual training far outweighs the cost, if any, as well as the effort. Both items will lead to monetary and time savings when the Board knows how to operate effectively. CAI has great resources as well as on demand video courses on training. There is no excuse for not taking the time to prepare for a Board position.

Meeting Efficiency: I tell Boards and managers that in the normal course, a Board meeting should not take more than an hour. Yes, certain issues create exceptions, but that should in fact be an “exception.” In response, I often hear “yah, right.” The key is for Board Members to understand their obligation, responsibility and treat the management of the association as the business it is. The following are additional practice pointers that will help simplify and shorten a Board Meeting and mitigate claims.

- The Board Members must open, read and prepare questions, if any, on the issues to be addressed on the agenda. The biggest waste of time in Board meetings are Board Members who come unprepared and spend time getting up to speed during the meeting.
- Adopt Roberts Rules of Order and stick to them, even if the Board Members are close friends and the use of rules seems awkward. The day a rogue unit owner or someone not playing with a full deck shows up, having rules in place will be worth its weight in gold. These rules should include a limited time for speaking by unit owners at a Board meeting.
- Have a prepared agenda and stick to it. Items not on the agenda should be tabled for another meeting.
- Do not tolerate a lack of civility or an individual who insists on disrupting a meeting. Adjourn the meeting to discuss further action with counsel. Just because someone asks a question does not mean an answer must be given. There may be questions out of order or otherwise inappropriate. This is why an established set of rules are warranted.
- Whenever possible, even if an open meeting is not required by the governing documents or statute, have an open meeting to avoid any appearance of secrecy or conspiracy.
- Prepare a short video regarding “life in our community.” This can identify the governing documents, identify how the association is managed and who is eligible for the Board and rules that may be unique to this association or to life in a common interest development.

continued on next page



Board Conduct: The Board is comprised of individuals charged with managing the association pursuant to the by-laws and relevant statutes. The Board makes decisions, creates policies and delegates responsibilities. When a Board member exits the Board meeting, they have NO authority to act in their capacity as a Board member except pursuant to the delegated authority expressly given them by the Board during a properly noticed Board meeting, or proper consent to act without a meeting. Remember, each Board member has “one” vote whether he or she is also an officer of the association such as the president, Vice President or other.

Most delegated tasks by the Board are given to the Community Association Manager or perhaps onsite staff/employees. Sometimes, there is no CAM or employee, and the action is delegated to a volunteer Board Member, Committee Member or other association member volunteer. In that case, the Board member is carrying out the delegated action as a “volunteer” and not in his or her capacity as a Board Member.

Remember, a Board Member is not an employee, and apathy is not a defense. A Board member should not say “I have to do it because no one else will.” If no one else will, there may be a deeper issue that must be addressed by the acting Board and/or community members. It may be helpful for the Board to hire a management company or an employee to assist with the daily operations of the community. It may help to ease some of the fears and frustrations of the Board and encourage new members to step up and have an active role. (CAI has a list of management companies who can be contacted for bids and/or information on services.) If all else fails, then a receivership may be necessary and should be sought with the Court and/or Association’s attorney. That should definitely be a last resort as it can be a very costly process which could end up costing the Board and the Association the money they did not otherwise want to spend. At the end of the day, the Board is charged with protecting the Association’s assets and must take the steps to do so.

Understanding the Board’s duties and obligations and making sure unit owners receive, read and ask questions about governing documents is the best risk management tool the association can use.

*Written by: By Joel W. Meskin, Esq., CIRMS, CCAL Fellow, MLIS
McGowan Program Administrators
440.333.6300 x2240
Jmeskin@mcgowanins.com*

ATTENTION HOMEOWNERS!

2018 HOMEOWNER SEMINARS SCHEDULED

COST: Only \$20.00 per registrant!

Saturday, October 13, 2018

**Board Governance Issues:
Best Practices/Common Pitfalls**

Location: Wilde Lake Interfaith Center, Columbia, MD

Registration: 9:00–9:30 am

Seminar: 9:30–11:30 am

Instructors: Cynthia Hitt Kent, Attorney,
Law Office of Cynthia Hitt Kent

Trent Harrison, Manager,
FirstService Residential

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Saturday, November 10, 2018

**Navigating Covenant & Rules Enforcement
in 2018: Including HUD and FHA
Regulations and Suspension of Privileges**

Location: Wilde Lake Interfaith Center, Columbia, MD

Registration: 9:00–9:30 am

Seminar: 9:30–11:30 am

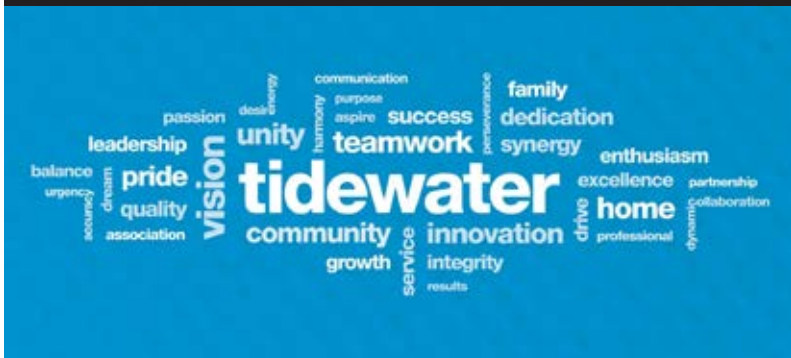
Instructor: Craig Zaller, Attorney, Nagle & Zaller, P.C.

For more information about each seminar,
visit www.caimdches.org and click on the “Education” tab.
Contact the Chapter Office for questions:
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Noni Roan, Vice President-Regional Account Executive, is responsible for business development of Association Banking products and services in VA, MD and DC. Prior to joining The Community Association Banking Division of Mutual of Omaha Bank, Ms. Roan worked as a business manager and portfolio manager for 12 years for a management company in Maryland. She is a member of the Education Committee for both the Chesapeake and Washington, DC chapters of CAI, and the co-chair of the Membership Committee for CAI Washington DC. Ms. Roan has her CMCA certification.



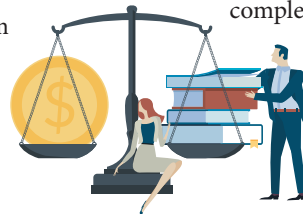
understanding of the project, we will find you the financing that is appropriate through our dedicated community association and HOA product line.

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Kara Permisohn, Co-Chair, Minkoff Company, Inc.

Dave Caplan, Community Association Management

Maura Hancock, Condominium Venture, Inc.

Ruth Harlan, Carroll Vista Condominium

Chase Hudson, Sahouri Insurance

Ellen Promisloff, SI Restoration

Kelly Rae, Lasting Impressions

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Grace Schneider, T&D Duct Cleaning

Keith Stains, Property Management People

Stephani Witles, Atlantic Maintenance Group





2018 GOLF OUTING SPONSORS for making the tournament a huge success!



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This year's 50/50 proceeds (\$1,035) were donated to the FISHER HOUSE at Walter Reed Medical Center. Providing a "Home Away From Home", Support and Assistance to American Military Families in their time of need. A huge thank you to our 50/50 winner Chapter President, Ruth Harlan for donating all of her winnings back to the Fisher House!



Congratulations to our 2018 Golf Winners!

First Flight

First Place: Billy Jackson, Brad Hauck, Mike Grimm, Eddie Hise
 Second Place: Marc Greenberg, Ben Levy, Todd Kahn, Jason Priddy

Second Flight

First Place: Butch Glasgow, David Woodyard, Jim Dailey, Mike Maloney
 Second Place: Chris Cross, Todd El-Taher, Allen Hudson, Chase Hudson

Third Flight

First Place: Tom Durrer, Scott Chayette, Tony Zapata, Glenn Loveland
 Second Place: Luis Arroyl, Steve Wolf, Scott Colville, Patricia Lall

Longest Drive Women: Sonya Campbell

Longest Drive Men: Terry Hann

Closest to the Pin Women: Rebecca Wilmoth

Closest to the Pin Men: Gene Stevens

Straightest Drive Women: Kate Cornell

Straightest Drive Men: Chris Petrik

Putt-a-palooza: Rebecca Wilmoth



The logo for CAU (Community Association Underwriters) features the letters 'CAU' in a large, white, sans-serif font. The 'C' and 'A' are connected, and the 'U' is slightly separated. The letters are set against a dark teal background that has a speech bubble-like shape on the left side.

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GET TO KNOW CAU

Community Association Underwriters of America (CAU) is a managing general agency and national leader in community association insurance and risk management. Founded in 1989, CAU services community associations, residential and office condominiums, cooperative apartments, and homeowners associations. CAU is based in Newtown, PA and offers property, casualty, fidelity, D&O, general liability, and ancillary products to a nationwide client base.

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Michael Romano, CIRMS, CPIA
Marketing Specialist

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MRomano@cauinsure.com



PLATINUM SPONSOR SHOWCASE

SOUTH RIVER RESTORATION

Tenant Preparedness: Saving Lives through Community Education

Knowledge is power, especially when it comes to emergency preparedness. With National Emergency Preparedness Month and the most active time in hurricane season approaching, it's more important than ever to ensure your tenants are ready for potential natural disasters.

The cities of the Chesapeake Bay region are no strangers to the impact of natural disasters. South River Restoration has been serving the victims of those disasters since 1998, so we know a thing or two about the importance of preparation, which is especially important for communities.

The before, during, and after of a natural disaster is already stressful. Add in a large number of people in a concentrated area, you could end up with total chaos. Educating homeowners and tenants on emergency preparedness is the easiest way to make sure your property functions as a cohesive unit during a disaster.

Educating a large population of tenants or homeowners may seem like a daunting task, but there are some simple and fun ways to get information out there and make it stick.

1 Provide free resources.

People love having resources at their disposal that make their lives simple and easy. Take the time to create emergency preparedness handouts so homeowners and tenants alike can create a plan specific to their home and family (or just ask us at South River Restoration to help you create something specific to your needs). You can include things like handouts, maps, and information for local shelters, law enforcement, and government organizations that may help during a disaster. Fill



in any pertinent information tenants should know about your building and community plan.

2 Practice makes perfect.

Emergency plans are even more useful when you actually practice them. But how do you get your residents to do it? Plan a community event to make practicing things like evacuations more fun. Simple things like making a game out of being prepared, or throwing in a little food, always gets people motivated! Who can make it to the designated community meeting place fastest during an evacuation? Once you're done racing, fuel up at a fun community BBQ.

3 Get hands-on.

Though making things fun often motivates people, it's important to recognize the seriousness of emergency and disaster preparedness. One aspect of which is being prepared to save lives. Give community members a chance to learn, hands on, how they can save a life. Offering opportunities to get CPR or first aid certified or hosting meetings on emergency protocols with local law enforcement will allow residents to take the reins on their own emergency education.

When disaster does strike, South River Restoration will always be available to help. As a specialized, single-source solution for property loss, we know the ins and outs of giving back what disaster took. Whether it's a flood, hurricane, fire, or any other kind of disaster, our team will guide you and your residents through the restoration process from start to finish. Not to mention, we're closer than ever; look out for our Baltimore office opening in early September!

*Written by: Michelle Collett
mcollett@srccr.com
South River Restoration
southriverrestoration.com*

Have you heard
the news? Our
new BALTIMORE
office will be
opening in early
September!



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Fall Preparation Tips

Fall is not just a time for pumpkins and turkeys; it is a great time of year to plan and prepare. It is a bridge between the busy seasons of summer and winter. With pool season coming to a close and most of the outdoor contract work coming to an end, budget season now begins! Here are a few important things to remember when working on those annual budgets:

- ✓ Take the time to discuss with staff members what they need or want to complete in the coming year, which will help run your association as efficiently as possible.
- ✓ Check if it's time to replace dehumidifiers, shop vacs, plumbing snakes, etc. Is it time for tires or major tune ups to the association truck?
- ✓ Review procedures for attacking heavy rains, flooding, high winds and snow clearing services.
- ✓ Obtain your bids for next year's services (i.e. landscaping, snow removal, elevators, etc.) to ensure that the budget numbers are still accurate and in line with current costs.

Additionally, it's equally important to start planning for colder weather.

- ✓ Check inventories—what supplies are needed to get you through the winter? Get them ordered and have them on hand.
- ✓ The staff is your first line of defense on tackling snow. Do they have shovels, scrapers, sand, ice melt & proper winter gear?
- ✓ Staff always appreciate the small things like feet and hand warmers which will help get them through shoveling duties on wintry days and nights.
- ✓ Are vacant units, storage closets, common areas, etc. properly winterized and ready for those sub-zero temperatures?

- ✓ You should also take this “slower time” of the year, once your contracts are in place, to speak with your contractors about upcoming services for next year. Or, use this time to discuss the details of the snow season with your snow removal companies. For example, do you have space on your property to allow the company to temporarily store their equipment and supplies in the event of a large storm? If you do, that is a great way to be sure your property is handled first. If not, how will it be handled and be sure that everyone is on the same page.

Hopefully, with some planning, when Mother Nature throws us an unexpected curve ball, everyone knows their role and can jump into handling the problem at hand without delay. Teamwork with the Board, contractors and management are key to ensuring the best success in every season and every project!

*Written by: Julie Cummings, Community Manager
Condominium Venture, Inc.
301-441-1096
jcummings@cviinc.com*



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Welcome New Members!

New Chapter Members: April–June, 2018

Mr. Constantin Anagnostopoulos
SIGMA Real Estate Services

Mr. Ethan Robert Anna.
CMCA, AMS
Property Management People, Inc.

Mr. Michael Arida
Silo Point Condominium

Mr. John L. Badman, Jr.
Mann Properties, Inc.

Mr. Jeff Bafaflio
Forest Landing Community
Association, Inc.

Mr. Adam Baker
Whiteford, Taylor & Preston, LLP
Columbia, MD

Mr. Doug Barton
Forest Landing Community
Association, Inc.

Mrs. Jessica Bonsall
Tidewater Property Management

Ms. Taylor Brown
Tidewater Property Management

Mr. Robert Browser
Pearman's Overlook

Mr. Tavarious Butts
BB&T Association Services

Mr. Michealangelo Cao
Townhomes At The Pointe
Community Association, Inc.

Ms. Kimberly Chambers
Legum & Norman-Ocean City

Mrs. Lisa Condo
Forest Landing Community
Association, Inc.

Ms. Jean Connolly
Pearman's Overlook

Mr. Mike Cramer
Three Rivers Builders LLC

Ms. Michelle Daniels
Townhomes At The Pointe
Community Association, Inc.

Ms. Erinn DesMukes
Professional Community
Management

Ms. Jennifer Dieste
Forest Landing Community
Association, Inc.

Ms. Debbie Dillion
Pearman's Overlook

Ms. Carolee Doneski
Pearman's Overlook

Mr. Bruce Eanet
Forest Landing Community
Association, Inc.

Ms. Johanna Eisenberger

Mr. Jon Evans
Sentry Management

Ms. Tira Sundra Floyd
Potomac Valley Management
Company, LLC

Mrs. Carla Gibbons
Professional Community
Management

Mr. Austin Gibson
TOPS Software, LLC

Mr. Robert Gisriel
Harbor Way East Condominium

Mr. Harry W. Hanson
Chester River Landing Council of
Unit Owners

Mr. Paul Heckles
Chester River Landing Council of
Unit Owners

Mr. Jeffrey Herschman
Silo Point Condominium

Ms. Samantha Lee Hirons
The Ritz-Carlton Residences

Mr. Anil Issac
Townhomes At The Pointe
Community Association, Inc.

Ms. Lynn Kahlenberg
Tidewater Property Management

Mr. Brad Kappel
Annapolis Painting Services

Ms. Judith Knight
Harbor Way East Condominium

Mr. Jerome LeBlond
Harbor Way East Condominium

Mr. Gary Mann
Forest Landing Community
Association, Inc.

Mr. Tom Mathis
Harbor Way East Condominium

Mr. Kirby McCleary, PE
Walker Consultants

Ms. Nichol Danielle Means
Community Association
Services, Inc.

Ms. Kathy Mitchell
Townhomes At The Pointe
Community Association, Inc.

Ms. Vera Moukam
Townhomes At The Pointe
Community Association, Inc.

Mr. Carl Muckenheim
Silo Point Condominium

Mr. Thomas Olson
Resort Quest Property Management

Miss Tajuana Nicole Paige
Townhomes At The Pointe
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Mr. Don Pettit
Silo Point Condominium

Ms. Kelly Quinn
Quinn Consulting

Mr. Jerry Rosolie
Forest Landing Community
Association, Inc.

Ms. Jacalyn Rudolph
Pearman's Overlook

Mrs. Stacey Schaffer
Tidewater Property Management

Mr. Colby Schlekeway

Ms. Catherine Schneider
Forest Landing Community
Association, Inc.

Mr. Andy Scott
Chester River Landing Council of
Unit Owners

Mr. John Seidel
Chester River Landing Council of
Unit Owners

Mrs. Maryann Shanesy
Community Management
Corporation

Mr. Terry Dean Simonette
Silo Point Condominium

Mr. Eric Smith
Mr. Clean Power Washing LLC

Mr. Mckeldin Donnell Smith,
CMCA
Property Management Incorporated

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Mrs. Amber Spedden
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Mrs. Phyllis Strader
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Community Association, Inc.

Ms. Yasmin Thomas
Townhomes At The Pointe
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Ms. Ann Tidball
Harbor Way East Condominium

Ms. Stephanie Tschohl
Guest Services, Inc.

Ms. Donna Turing
Villa Toscana Condominium
Association, Inc.

Mr. Steve Tuttle
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Ms. Crystal Wall
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Kirk McEwen
from 98 Rock!!

ANNUAL SYMPOSIUM & EXPO

Date: Tuesday, October 30, 2018

Time: 8:00 am–4:00 pm

Where: Martin's West in Baltimore, MD

Schedule of Activities for the Day Tuesday, October 30, 2018

8:00 am–9:15 am

Continental Breakfast and Early Bird Preview

9:15 am–11:00 am

Keynote Presentation—"Are You Smarter Than...
Are You Up For The Challenge?"

11:00 am–11:15 am

Legislative Update

11:15 am–1:00 pm

Expo and Lunch in the Exhibit Area.

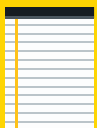
1:15 pm–2:15 pm

Afternoon Concurrent Sessions

1. "How to Prepare, React & Respond to an Active Shooter Situation"
2. Master The Three Ring Circus!

2:30 pm–4:00 pm

"Fall Festival Wrap Party"—Happy Hour Reception including Complimentary beer, wine, music, games, mini sliders, corn on the cob, fried chicken, waffle fries, corn dogs, cobbler & more!



CAI/CRC ANNUAL SOCIAL EXTRAVAGANZA

Friday, November 16, 2018

THE WESTIN BWI BALLROOM

6:00 - 8:30 PM

Annual Chapter Meeting
5:30 PM to 6:00 PM

SAVE THE DATE

**Carnival Games! • Photo Booth! • Prizes!
Cotton Candy! • Caricature Artists!**





PLATINUM SPONSOR SHOWCASE

SENTRY MANAGEMENT

Sentry Management is a full-service community management company, helping create outstanding communities for homeowners since 1975. Sentry exclusively focuses on the day-to-day management of communities, homeowner associations, and condominiums. Sentry offers a full range of service levels from basic accounting, to specialized assistance, to full-time management. In addition to employing and training highly qualified, experienced individuals, we emphasize the importance of customer service to ensure our staff provides courteous and prompt assistance to every member of your community.

Three aspects of our service set us apart:

1 Timely, Friendly Communications

Your community manager responds quickly and accurately to association and homeowner queries. Prompt, courteous interaction is a top priority, whether communications are in person, on the phone, or via email or text. We understand that you need an acknowledgment that we heard you and that a solution is in progress.

- Trained Manager has 24/7 online access to association's records
- Homeowner payment and billing call-in number

2 Effective and Transparent Handling of the Association's Money

Sentry skillfully handles all money matters for the Board, from annual assessment billing and collection, penalties and liens and any other source of revenue. The support team maintains meticulous financial records and provides standard financial reports in real time—available anytime online to Board members.

- Only use independent, qualified contractors—never financially affiliated with us
- Effective strategies to reduce delinquent accounts

3 Superior Customer Service and Local Support

The community manager is the frontline when it comes to customer satisfaction. To further support the manager and

association—staff is always close by to help provide solutions. Everything the Board needs to interface is provided locally.

- Service enhanced by electronic financial reports, mailings, and banking
- Advanced digital support from homeowner payments to administering violations

Sentry is an Accredited Management Organization (AMO®). There are only 540 firms in the United States and Canada that currently have this designation and only a handful of community management firms. AMO® status causes our internal processes to be innovative, accounting systems to be unusually rigorous and financial disclosure to be world-class. Also, Sentry has no owned or affiliated service companies, which means we always negotiate the best prices for your community and the savings come back in the form of lower operating costs to residents.



Visit Sentry's Maryland offices at:

sentrymgt.com/offices/maryland

2200 Defense Highway Suite 405, Crofton, MD 21114

Ph: 410-721-7171 OR

sentrymgt.com/offices/cambridge,

601 Locust Street, Suite 302, Cambridge, MD 21613

Ph: 410-221-0398.



TIPS FOR BOARD MEMBERS



Various Ways Committees Help Boards

Boards who utilize working committees can not only help to prepare the Board to make an informed decision, but is an excellent way to get the research and preparation work accomplished. Hopefully, the volunteer committee members will have a positive experience and can become informed residents who help enhance the Board's image within the community. Often, decisions are made solely by the President. Other times, a Board makes decisions without the benefit of all of the facts and information necessary, resulting in cost overruns or an unsatisfactory result.

Functioning committees are essential to successful operations of an association. However, for them to succeed, they need guidance. Committee Members need a full understanding of their roles and duties which should be outlined by the Board via a Committee Charter. Charters should contain specific information which includes the Committee's purpose, expectations and deadlines for completing their work. Committees must understand that their major responsibility is to provide in depth research, planning, and recommendations to the Board. They may also need to develop the scope of work based on the Board's objectives and desired results. Once a committee has looked at all of the possible ways to accomplish this, compared the information from bidders, completed a cost analysis, and agreed upon their recommendation, they will need to present their findings to the Board.

A professional Board will ensure that the committee has been given all of the necessary input regarding cost ranges, desired outcomes and time frames. Given these parameters, the committee can present their findings to the Board, answer the questions of the various Board or perhaps Community members and make a recommendation. The Committee's role is to provide that in depth information to the Board so that the Board can make sound, well informed decisions during an open meeting. Remember, Committees recommend, Boards decide.

Committee participation by owners who are not members of the Board, gets these volunteers involved in the operations of the Association, help develop a sense of community and prepare these

volunteer residents/owners for future participation as potential Board Members.

Let committees help your board make better decisions. Give them the support and encouragement to succeed and they will.

*Written by: Roderick G. Clark, III, The Towers Condominium
Chesapeake Chapter Board Member
towers_president@yahoo.com*

Pet Waste Piling Up? *We Can Help!*

Our Services:

- We develop highly successful pet waste management plans.
- We install, service and maintain any type of pet waste station.
- We remove pet waste and small trash from community common areas.
- We clean goose waste from common areas, paths and around ponds.

Our Products:

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Weaver Bros. agents combine an in-depth knowledge of insurance products with custom made insurance programs depending on the type of business. We take time to learn about each client's specific needs to accurately determine the best insurance program for them. The result is reliable service and convenient resources



with more than 50 years of combined claims experience adjusting insurance claims.

Coverages Every Condominium or HOA Community Should Consider Essential

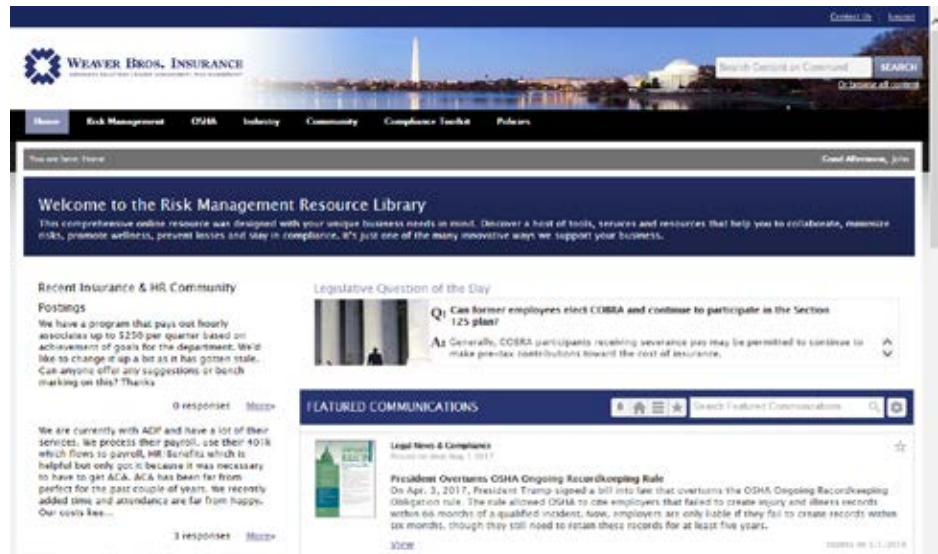
- Property Coverage
 - Replacement Cost, Replacement Cost Plus, or Guaranteed Replacement Cost— All 3 are available
 - Back Up Sewer Drain
 - Ordinance or Law
 - Wind Driven Rain
- General Liability Insurance
- Comprehensive Equipment Boiler and Machinery Coverage
- Fidelity/Crime Coverage (Best if purchased as a standalone policy)
 - Employee Dishonesty/Theft- High Limits Available
 - Forgery or Alteration
 - Computer Fraud—Wire Transfer
 - Inside/Outside Robbery or Safe Burglary
 - Cyber/Social Media Deception Coverage
- Director's and Officer's Liability Insurance—D&O (D&O within package policies are very limited in coverage)
 - Monetary & Non-Monetary Claims
 - Discrimination Coverage
- Workers Compensation Insurance
 - WC "if any" policy is needed even if the association has no employees.
- Umbrella Liability Insurance
 - High Limits Available
- Underground Storage Tank Pollution Liability Coverage / Environmental Legal Liability Coverage
- Flood
- Earthquake
- Mold Coverage & Environmental Losses

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Ad reservations are taken on a first-come, first-served basis

Ad Size	Member Price (per issue)	Non-Member Price (per issue)
Full Page: 8" x 10" Black & White	\$500	\$600
Half Page: Horizontal 8" x 5" Black & White	\$350	\$450
Half Page: Vertical 4" x 10" Black & White	\$350	\$450
Quarter Page: 3.5" x 4.5" Black & White	\$275	\$375
Business Card: 3.5" x 2" Black & White	\$200	\$300
Add Color (per ad)	\$200 addl.	\$300 addl.

Advertising Deadline Fall/Winter issue: September 14, 2018

The size and rate information applies to camera-ready ads. These charges do not include artwork preparation that may be necessary to place ads. Signed contracts must accompany payment. The application form is located on the Chapter website: www.caimdches.org.

Attention Managers!

2018 PMDP COURSE SCHEDULE

Chesapeake Region Chapter		
Sept. 27-28	M-204	Community Governance <i>Pikesville, MD</i>
Washington Metro Chapter		
Sept. 27-28	M-205	Risk Management <i>Falls Church, VA</i>
Oct. 17-19	M-100	The Essentials of Community Association Management <i>Falls Church, VA</i>
Nov. 15-16	M-204	Community Governance <i>Falls Church, VA</i>
Dec. 6-7	M-206	Financial Management <i>Falls Church, VA</i>

Questions?
Call CAI Direct at (888) 224-4231
(M-F, 9:00 AM-6:30 PM EST)
www.caionline.org/LearningCenter/Pages/default.aspx

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Board Leadership Development Workshop

LEARN HOW TO BE AN EVEN MORE EFFECTIVE BOARD OF DIRECTORS.

Education for homeowner leaders just got better.

The new CAI Board Leadership Development Workshop teaches you how to communicate with association residents, hire qualified managers and service providers, develop enforceable rules, interpret governing documents and more. It provides a comprehensive look at the roles and responsibilities of community association leaders and conveys information to help create and maintain the kind of community people want to call home.

In addition to a toolbox of support materials, each student receives a certificate of completion and recognition on the CAI website.

Register at www.caimdches.org/education.aspx

Saturday,
September 8,
2018

Hilton Garden Inn
Columbia, MD

Friday,
November 2,
2018

Fenwick Inn
Ocean City, MD

**NEW! 2
EASTERN
SHORE
LOCATIONS!**

**DELAWARE
LAW**

Saturday,
November 3,
2018

Hampton Inn
By Hilton
Rehoboth Beach, DE

CHESAPEAKE
REGION CHAPTER
community
ASSOCIATIONS INSTITUTE

CAMICB
Community Association Managers
International Certification Board

FOUNDATION FOR
COMMUNITY ASSOCIATION
research



Calendar of Events (as of 7-17-18)

- September**
- 8 SAT Board Leadership Development Workshop
Hilton Garden Inn, Linthicum, MD
 - 12 WED Planning Retreat—Sheraton Columbia
Town Center
 - 18 TUE GBBR Resale Disclosure Seminar
 - 26 WED Board of Directors Meeting
Michael's Eighth Avenue, Glen Burnie, MD
 - 26 WED Breakfast Seminar—"A Professional Buffet:
Free Food For Thought—Michael's Eighth
Avenue, Glen Burnie, MD
 - 27-28 M204—Community Governance—
Baltimore, MD
- October**
- 13 SAT Homeowner Seminar—"Board Governance
Issues: Best Practices/Common Pitfalls" Wilde
Lake Interfaith Center, Columbia, MD
 - 17 WED Board of Directors Meeting, Hanover, MD
 - 30 TUE EXPO & Business Provider Showcase—
Martin's West, Baltimore, MD

- November**
- 2 FRI Board Leadership Development Workshop—
Fenwick Inn, Ocean City, MD
 - 3 WED Board Leadership Development Workshop—
Hampton Inn by Hilton, Rehoboth Beach, DE
 - 10 SAT Homeowner Seminar—"Navigating Covenant
& Rules Enforcement in 2018: Including
HUD and FHA Regulations and Suspension
of Privileges" Wilde Lake Interfaith Center,
Columbia, MD
 - 3 TUE GBBR Resale Disclosure Seminar
 - 14 WED Board of Directors Meeting, Hanover, MD
 - 16 FRI Annual Social Extravaganza/Annual Meeting,
Westin BWI, Linthicum, MD

December No Board Meeting Scheduled

VISIT OUR WEBSITE WWW.CAIMDCHES.ORG

Please note: Schedule is subject to change