



# Community Association Management *Insider*<sup>®</sup>

Helping You Run Your Condo or Homeowners Association Legally & Efficiently

**\$99.00**

## **Building Sound Foundations: Lessons from Surfside**

An Exclusive Special Report from  
*Community Association Management Insider*

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## About Community Association Management Insider

Community Association Management Insider helps community association managers keep their co-ops, condominiums, and homeowner's associations running effectively and within budget — and all in the bounds of state, local, and federal law, as well as their governing documents.

The screenshot shows the website's header with the logo "Community Association Management Insider" and navigation links: Home, Search, Log out, and My Account. Below the header is a dark blue navigation bar with links: New Headlines, Browse by Topic, Dealing With, Departments, Model Tools, eAlerts, About, and Membership. The main content area features two article teasers. The first is titled "COVID-19 Impacts: Handling the Jump in Home-Based Businesses" dated January 15, 2021, with a "Continue reading" button. The second is titled "What Happens When an Owner Refuses To Rehome a Dog That Bites?" dated January 13, 2021. On the right side, there is a search bar, a "Welcome Back" section with links to "Renew My Membership", "Manage My Group Members", and "My Account", and a "Most Popular Articles" section listing several articles.

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# A Message from the President

The June 2021 collapse of the Champlain Towers South condominium complex in Surfside, Fla., made headlines around the world — and thrust many issues that plague condo and other community associations into the spotlight. The catastrophe, its causes, and its effects already are the subject of intense study, evaluation, and discussion.

“I think the collapse going to have an impact for a long time,” says Ken Bertolucci, president of NS Management in Skokie, Ill.

If a “bright side” can be found, it’s that many associations and boards across the country have had a wake-up call and now are more open than ever to some of the basic — but sometimes costly — practices they should have been implementing all along.

“This tragedy has now become the trigger for all the things we’ve been harping on for years but that have fallen on deaf ears,” says Paul Gruzca, director of education and client development at the Seattle-based management company CWD Group, Inc. “It took this to make associations stop, re-think, and adjust.”

In this special report, we explore five issues that your clients may have a new, or renewed, interest in and identify some of the particular areas where they may need to take immediate action to protect themselves and others. We also provide best practices to help them get on track.

Fearful boards are looking to their managers for their expertise and insights in the wake of Surfside. We hope this report helps you beat their expectations.

Best regards,



**Matt Humphrey**

President

Plain-English Media

Publisher of [\*Community Association Management Insider\*](#)

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# In This Report

A Message from the President.....	4
Maintenance Takes Center Stage.....	6
Insurance Matters.....	8
A Renewed Focus on Reserves .....	11
Filling the Financial Gap .....	14
Disaster Planning Isn't Optional .....	16
<b>Appendix</b>	
Most popular articles on <i>Community Association Management Insider</i> .....	18
Special Reports from <i>Community Association Management Insider</i> .....	20

## Maintenance Takes Center Stage

Deferred maintenance already was front-of-mind for managers after pandemic-related delays, and the horrific events in Surfside have only intensified the sense of urgency regarding pending work and fresh inspections.

Within days of the tragedy, says Sandra Gottlieb, a founding partner of California homeowner association law firm SwedelsonGottlieb, “I had three clients already letting me send out engineers for inspections.”

Not every association will be so proactive, so managers must engage in some self-reflection, too.

“The collapse got us to think about what we’re ignoring or allowing boards to ignore that could be similar,” says Evelyn Dufford, CEO of Association Services in South Puget Sound, Wash., which manages about 50 associations.

## Inspections Ramp Up

In the past, not every association has been suitably vigilant about having inspections performed on their property, beyond those required for a reserve study (if those). As the Surfside collapse sadly demonstrates, that can backfire in terrible ways.

“If an association doesn’t take the time to inspect the structural aspects of the property based on the property’s age, location, construction materials, weather conditions, and the like to determine what needs to be done,” says Paul Gruzca, director of education and client development at the Seattle-based management company CWD Group, Inc., “the issue of deferred maintenance becomes what I call the ‘silent killer’ of the business.

“It’s a weight around the neck of the board because it typically translates to big dollars. It’s work that should have been done systematically over time but isn’t addressed until it becomes a raging forest fire and sometimes there’s little they can do.”

Gruzca notes that phenomenon isn’t limited to certain areas or types of communities: “It’s not just happening in Florida; it’s happening across the country.”

An obvious reason is that inspections are one of many issues on which a board can experience owner pushback due to the expense.

“Some governing documents require the association to perform an annual inspection of the major common elements,” says Kevin Hirzel, managing member of Hirzel Law, PLC, a Michigan-based firm that works with community associations.

“While hiring professionals to perform inspections costs money, amending your bylaws to require mandatory inspections may not be a bad idea.”

In particular, managers should encourage inspections of those areas that tend to get short shrift, including garages and roofs. Pools also warrant close scrutiny.

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**Paul Gruzca**, director of education and client development, CWD Group, Inc.

“Pool areas require more extensive investigation because of the moisture that affects walls and electrical,” Gruzca says. “Associations fail to do enough inspection to ensure solidity of the floors, walls, and the pool itself. As long as it looks clean and pretty, they’re happy, and they don’t want to know about anything else.”

Regardless of whether they uncover any issues, inspections likely won’t be cheap for the near future. “One of the engineers I’m sending out,” Gottlieb says, “his rate went from \$290 an hour to \$460 in a matter of days after Surfside.”

Not everything requires a professional inspection, of course. “A manager can assist in performing visual inspections and requesting bids for repairs,” Hirzel says. “Given that many volunteer board members have full-time jobs, managers play a critical role in ensuring that a community is being appropriately maintained and that repairs are completed.

## From Inspection to Action

If an inspection, professional or otherwise, does reveal pressing issues, the next challenge can be getting the board to actually take action.

“Serving on a board is not a popularity contest,” Hirzel says. “Sometimes difficult choices need to be made, and, when the board becomes aware that repairs need to be made, it should develop a plan to make repairs.”

That’s not always how it goes, though. “There are many cases where boards hire an engineering firm to do a study, the firm comes back with recommendations, and the boards don’t want to spend the money so they either don’t or wait,” says Ken Bertolucci, president of NS Management in Skokie, Ill.

Gruzca predicts that associations that historically have taken this approach are in for a painful reckoning: “It’s going to be a big reckoning. Everything they’ve put off five, 10, 15 years is going to come home to roost.”

Firms that generally are vigilant about maintenance are vulnerable to the problems that arise when repairs aren’t done on a timely basis, too, thanks to the ongoing COVID-19 pandemic.

“Everything got pushed in 2020,” Dufford says, “The big thing for us has been the skilled pieces. Our vendors are now going to be later, and it’s going to be expensive.” And that’s just for the maintenance needs that usually are performed according to a regular schedule.

Brad van Rooyen, president of HomeRiver Group-Florida, the management company for about 160 associations in the state, shares that sentiment. “We’re seeing higher costs for capital projects — roofing, painting, asphalt — than some boards are prepared for.

“We’re also hearing from vendors in landscaping and janitorial that their costs are rising, and they’re going to start pushing those costs onto clients.”

Boards will need to factor these higher costs into their budgets. Gruzca also is advising his managers that budgets should account for more inspection activity. “We’ve told them to increase the consultation line item, so there’s a pot of cash.”

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***“Serving on a board is not a popularity contest. Sometimes difficult choices need to be made.”***

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**Kevin Hirzel**, managing member, Hirzel Law, PLC

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***“Most associations get coverage only up to the statutory or governing document minimums. They don’t think beyond that, so they’re barely insured.”***

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**Paul Gruzca**, director of education and client development CWD Group, Inc.

## Insurance Matters

The Surfside disaster has led many association boards to think about the adequacy of their insurance coverage in ways they perhaps haven’t previously.

“Most associations get coverage only up to the statutory or governing document minimums,” says Paul Gruzca, director of education and client development at the Seattle-based management company CWD Group, Inc. “They don’t think beyond that, so they’re barely insured.” That’s going to be a problem in the event of catastrophic failure.

### The Current Insurance Landscape for Associations

The Champlain Towers South collapse captured a lot of headlines, but other associations have faced similar insurance gaps after tragedy.

Gruzca cites the example of an HOA in Nevada that was sued by the parents of child who suffered severe brain injuries from a swing set on the association’s playground. According to media reports, the association opted out of a \$150 monthly maintenance fee on the equipment.

“The association failed to maintain the equipment and became liable in court for \$20 million,” Gruzca says. “It had a \$2 million liability policy that it maxed out, and then the members had to pony up to cover the difference.”

He expects a similar — but dramatically larger — shortfall to hit the Champlain Towers South association, with more far-reaching consequences possible. “Dealing with those claims is going to go on for years and years and will lead to higher insurance premiums. I wouldn’t be surprised if insurers start to demand forensic analysis of the integrity of the property they’re insuring.”

Gruzca worries, too, about the potential effect on coverage of deferred maintenance (see the section “Maintenance Takes Center Stage” for more information on this topic). “The abject ignoring of work that needs to be done could have implications on an association’s policies and coverage if something occurs.

“If the board knew something was deteriorating and didn’t do anything, that, to me, is a breach of the policy terms.” It also could constitute a breach of a board’s fiduciary duties.

Your board members may have responded to the Florida incident with increasing alarm, especially as questions arose about the role and responsibility of the Champlain Towers board members.

“We’re going to be seeing a lot about fiduciary duties and whether the board members there were fulfilling those in regard to maintenance,” says Sandra Gottlieb, a founding partner of California homeowner association law firm SwedelsonGottlieb.

Ken Bertolucci, president of NS Management in Skokie, Ill., began fielding inquiries about insurance coverage shortly after the collapse. “They want to make sure the board is properly covered,” he says.



At many associations, board recruitment already was a challenge. Now, it's likely that prospective and existing board members are going to insist on the protection of generous directors and officers (D&O) insurance.

The conundrum on both the liability and the D&O side, of course, is how much coverage is enough. "You never know how much you need until there's a claim," Gruzca says.

On top of that reality, finding affordable but comprehensive coverage can be a tall order for a group of volunteers. Board members usually aren't particularly fluent in the language of insurance.

A board may not know, for example, to inquire about whether a deductible is overall or per building. It probably won't learn this until too late — when it's making a claim and shocked to learn that the association is woefully underinsured.

You can help your clients make more educated guesses, though, and the first step is to consult the professionals to determine the coverage an association currently maintains.

"Insurance brokers are always willing to answer questions, but associations never ask," Gottlieb says. Brokers also can provide guidance on proper coverage limits based on their experience with other associations. Association attorneys can provide useful input, as well.

Attorneys also may advise your clients to think about revising their governing documents to require better coverage. "Amending documents to impose minimum insurance coverage amounts is worth considering," says Kevin Hirzel, managing member of Hirzel Law, PLC, a Michigan-based firm that works with community associations.

## Claims Handling Traps

When it's time to make a claim, you want to make sure your clients get the coverage they've paid for over the years and that the claim is properly handled.

Claims handling is an area riddled with landmines. One significant mistake can come before disaster strikes — failing to properly document the condition of the property.

"Associations need to photograph all parts of the property for 'before' and 'after' comparisons," says Ellen Hirsch de Haan, a partner in the Tampa, Fla., law firm Wetherington Hamilton. Make sure the board has date-stamped photos or video of the roof, pool, stucco, and other areas.

Without that evidence, the insurance company can cite either lack of maintenance or prior damage as a reason to deny coverage.

Another common error occurs when boards dawdle about getting repairs done. Say an association is struck by a small wind storm but dilly dallies on the covered repairs. If it withstands another, larger storm with a significant claim, it

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***One significant mistake can come before disaster strikes — failing to properly document the condition of the property.***

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may have jeopardized the bigger claim because the insurer will contend part or all of the damage was existing.

It's also vital that associations provide timely notice of an insured event to their insurers and fully cooperate in the resulting investigation.

### **A Caveat about Coverage**

Managers should take care that their clients don't get a false sense of security from their insurance coverage.

Large capital projects obviously don't fall within insurance coverage, and, even where insurance should apply (for example, projects to repair damage from a natural disaster), the association must dig in its own pockets to cover deductibles. That's one of the many reasons well-funded reserve funds are so essential (see the section "A Renewed Focus on Reserves" for more information on this topic).

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## A Renewed Focus on Reserves

According to [CNN](#), a 2020 reserve study found that the Champlain Towers South condo association had only 6.9 percent of the recommended level of reserves to complete repair and replacement projects — and remain financially secure.

Unfortunately, insufficient reserves are all too common. Indeed, the president of the firm that performed the Champlain Towers South study told CNN that about three out of 10 condo associations nationwide that his company reviews are at high risk, with less than 30 percent of the recommended reserves.

Brad van Rooyen, president of HomeRiver Group-Florida, the management company for about 160 associations in the state, says managers should be frank with their boards when it comes to reserves: “We’re doing our clients a disservice by not encouraging them to prepare.”

### Reserve Studies to the Rescue

Often, the inadequacy or nonexistence of reserve funds is rooted in resistance and fear. Owners may resent paying assessments every month that they don’t see reflected in services that affect their daily lives; they can see accumulated funds as wasted funds.

“Boards tend to be afraid to save because they’re afraid of members coming to meetings and saying, ‘What are you doing with the money we’re paying you?’” says Dan Artaev, managing partner with Artaev at Law PLLC.

Such hesitance can come back to bite the association, and not only when major capital projects are necessary. In a recession, for example, cash flow likely will slow down but the association will continue to incur expenses for maintenance, tree removal, landscaping, and the like that can’t be skipped.

“Money isn’t coming in, and you want to reach into the reserve, and there’s nothing there,” Artaev says.

Securing regular reserves studies can provide boards with the ammo they need to deflect owner resistance. After all, they’re obligated to protect the community’s interest beyond just the short term.

“Long-range planning is the key to any successfully run association,” says Kevin Hirzel, managing member of Hirzel Law, PLC, a Michigan-based firm that works with community associations. “A well-run association will have regular reserve studies conducted to examine the useful life of the various common elements.”

The March 2020 study of Champlain Towers South found that some structural components had zero years of “remaining useful life.”

Typically, such studies analyze all of a community’s major capital assets to determine when they will require replacement and the cost to replace them. From there, the association can calculate the amount of money it must set aside each year so it has the funds on hand when replacement becomes necessary.

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***“Long-range planning is the key to any successfully run association.”***

**Kevin Hirzel**, managing member, Hirzel Law, PLC

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***“A reserve study is an excellent tool to create a baseline for future needs.”***

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**Paul Grucza**, director of education and client development, CWD Group, Inc.

“A reserve study is an excellent tool to create a baseline for future needs,” says Paul Grucza, director of education and client development at the Seattle-based management company CWD Group, Inc.

But Hirzel warns managers and boards that they need to get the full picture.

“Not all reserve studies will include an inspection of the structural components of the building,” he says. “If a reserve study doesn’t include a structural inspection of the building, a separate engineering firm should be hired to prepare a report. Based on engineering reports and reserve studies, the board should then project when repairs will need to occur and budget for these repairs over time.”

One positive development out of the Surfside tragedy is that boards and associations that have been reluctant to lay out the money on reserve studies in the past may now see the wisdom in the expenditure.

Within a week of the collapse, Ken Bertolucci, president of NS Management in Skokie, Ill., had already received unprompted calls from several board presidents asking about reserve studies. “It’s usually a challenge to get boards to spend money on that,” he says, “but I think that’s going to change.”

## **Finding the Sweet Spot**

So how much money should an association have in its reserve fund? For some communities, state law imposes a requirement, but your boards must understand that such a figure is merely a minimum threshold. “In most cases, reserve funds should be in excess of the statutory minimums,” Hirzel says.

“For example, while Michigan law requires a condominium association to maintain a minimum reserve fund equal to 10 percent of the association’s current annual budget on a noncumulative basis, there’s no reason that a condominium association couldn’t require a higher percentage be retained in the reserve fund or require funding above the 10 percent minimum be tied to a reserve study.”

With the major projects some associations are facing in the near future — whether because of COVID delays or concerns about suffering consequences similar to Surfside — reserves may need some replenishment.

“We have pushed really hard for our communities to get reserve studies done, so I think our communities are in better shape,” says Evelyn Dufford, CEO of Association Services in South Puget Sound, Wash., which manages about 50 associations. “But I expect the percentage funding to just dive because of the large expenses.”

At the very least, fee increases could be advisable to cover the rising operational costs slamming associations due to pandemic and other expenses. They also may be required for long-planned capital projects. Existing reserve studies couldn’t have anticipated a global pandemic and its cascading effects, from supply chain issues to labor shortages. A reserve study’s assumptions regarding incoming assessments also could be off due to the economic impact of the pandemic.

## Reserve Fund Best Practices

Many states require regular reserve studies, and they also might be required by an association's governing documents. "Where reserve studies are only a best practice in Michigan," Hirzel says, "there's nothing preventing an association from amending their bylaws to require that reserve studies or structural engineering inspections be performed on a regular basis."

Associations also should to segregate their reserve funds from operating funds (again, this might be required by state law).

Paul Grucza, director of education and client development at the Seattle-based management company CWD Group, Inc., says it's a mistake not to do so on a month-by-month basis. "Sometimes a board will want to just continue to cover their operations," he says. So they keep reserve cash as a cushion for operations, rather than depositing it in a separate account.

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***"Boards shouldn't use reserve funds for the expense overages they're experiencing right now."***

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**Paul Grucza**, director of education and client development, CWD Group, Inc.

"What boards will do is look at the pot of money and take money out to cover extra costs, but then they won't have what they need later," Grucza says. "Boards shouldn't use reserve funds for the expense overages they're experiencing right now."

Note, too, that assessment delinquencies aren't a good reason to simply skip that monthly deposit to the reserve fund account.

"To continue to fund, even if it's only at 50 percent of what it should be, is better than not funding at all," Grucza says. "Those associations that say 'we can't do this' are truly setting themselves up for catastrophe later on. At some point, they're going to need that money."

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## Filling the Financial Gap

As explained in the section “Insurance Matters,” insurance policies don’t provide blanket assurance that associations won’t have to dip into their own coffers in the wake of a catastrophic event. And, of course, major capital projects not resulting from an insured occurrence aren’t covered. So what’s an association that has run through its reserves to do?

### The Loan Option

When an association’s reserves fall short before a project is complete, or obviously won’t cover the cost from the get-go, it might consider pursuing financing.

“If an association doesn’t have a large reserve fund in place, it should explore a community association loan,” says Kevin Hirzel, managing member of Hirzel Law, PLC, a Michigan-based firm that works with community associations. “Community association loans are a good option for associations that haven’t yet developed a long-range plan.”

Like many managers, though, Paul Gruzca, director of education and client development at the Seattle-based management company CWD Group, Inc., advises against loans unless absolutely necessary. “Loans do have their place, but, to me, they should be a last resort,” he says.

“There are certain circumstances, if all other options have been exhausted, where you might get a loan to finish a project or cover the unexpected costs — but with the caveat that the owners need to be educated that it has to be repaid. The association will have to budget for monthly payments for sometimes 20 years, so every member will feel that.”

### The Special Assessment Route

The other, usually dreaded, alternative to loans is to impose special assessments. It goes without saying that owners often balk at such extra payments. The way boards and managers handle the process will go a long way toward determining how owners respond to impending and future special assessments.

Transparency is crucial. Boards and managers should inform all owners of problems as soon as they know of them and provide updated estimates of costs and possible special assessments. You can achieve greater buy-in if you ask owners for their assistance and try make them part of the solution, rather than treating them solely as a checkbook.

“The lack of communication to members contributes to the angst that comes when a board has to talk about special assessments,” Gruzca says. “By that point, they probably needed the money two, three, four years ago.”

He says such hurdles could be avoided if boards were proactive about talking to the owners about the true conditions of the property and putting in place a savings program.

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***“Community association loans are a good option for associations that haven’t yet developed a long-range plan.”***

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**Kevin Hirzel**, managing member, Hirzel Law, PLC

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***Clear communication is one part of the equation. Equally important is the execution.***

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“I know of only one association in Seattle that did that,” he says. “It’s been around 27 years, they’ve never had to do a special assessment, and their building is in tip-top shape.”

Clear communication is one part of the equation. Equally important is the execution. For example, the association’s attorney should review the declaration and bylaws to determine whether the cost relates to common areas, and if so, how assessments should be allocated among units.

The attorney also should review the notice of assessment before it goes out. Generally, it should include a due date for payment and a warning about the potential for liens and foreclosure in the event of nonpayment.

Proper maintenance of the funds is important, too. The association should deposit payments in a separate account that will be used only to pay for the designated work.

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## Disaster Planning Isn't Optional

If the Champlain Towers South collapse and the subsequent evacuations of similar buildings found to have potential structural issues don't strike a chord with your clients, hopefully they're at least taking note of the marked increase in natural disasters.

In 2021 alone, owners across the nation suffered everything from hurricanes, tornadoes and other severe storms to the now annual wildfires raging in the West. And experts believe these numbers will only get worse.

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***Disaster preparation is vital to minimize the injury to both person and property.***

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Whether it's a natural disaster, a structural failure, or something else, disaster preparation is vital to minimize the injury to both person and property. Boards, however, can find the process intimidating and easy to put off.

"I'd venture that less than 50 percent of associations have a disaster plan," says Paul Grucza, director of education and client development at the Seattle-based management company CWD Group, Inc.

It's up to association managers to provide guidance and help them avoid missteps.

### Preparing for Disasters

Every association should, at the very least, adopt an official disaster preparation and recovery plan, says Ellen Hirsch de Haan, a partner in the Tampa, Fla., law firm Wetherington Hamilton.

"That includes policies for securing the common areas/elements, ensuring the safety of staff and management, and locking elevators on the top floor," says de Haan, who specializes in community association law.

Grucza identifies one step that associations often skip — the risk assessment necessary to ensure that every type of potential disaster is accounted for in the plan. In the Pacific Northwest, he says, they go beyond strong storms to also prepare for earthquakes and the collapse of a property.

In areas particularly prone to a certain type of disaster (for example, hurricanes in Florida), the plan also should include county or city instructions for preparation and information about evacuation zones and the locations of shelters. Once assembled, the board should get the relevant information to all owners and residents.

"Encourage residents to make a plan about where they will go if there is an evacuation order and to let the association know where they will go," de Haan says.

The FEMA website has extensive information on how to develop preparedness plans for homes, businesses, playing fields, and a variety of other locations (including a [Business Emergency Preparedness Social Media Toolkit](#) that managers can use to share safety and preparedness messages). Among other things, it advises planners to consider:

- How to get local alert or warnings
- Alarm or alert systems in the association



- Evacuation plans, including alternate exits
- Shelter-in-place plans
- Supplies needed for temporary sheltering

Remember that the type of building and the surrounding environment can affect these issues. For example:

- Single story and multi-story/high-rise buildings have different types of alarm systems, shelter, and evacuation considerations.
- Urban and rural locations may have different local resources available and plans for evacuation if large areas are affected.
- Outdoor locations such as golf courses need specific plans for rapid short-term shelter (for example, for thunderstorms and lightning or tornadoes).
- Geography may be critical for some hazards (for example, if the area is low and vulnerable to flash flooding).
- Mobile homes, modular structures, and other buildings not attached to permanent foundations require planning for evacuation and alternate shelter locations.

More universally, Kevin Hirzel, managing member of Hirzel Law, PLC, a Michigan-based firm that works with community associations, says boards and managers in every association should take certain steps. “That includes compiling the residents’ contact information, testing safety equipment, and providing owner contact information to first responders.”

Some boards, go farther. For example, an association might form its own community emergency response team (CERT).

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***“A disaster plan is only as good as the people who are going to implement it when the time comes.”***

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**Paul Gruzca**, director of education and client development, CWD Group, Inc.

The boards in these associations must consider issues like who to enlist for a CERT. “A disaster plan is only as good as the people who are going to implement it when the time comes,” Gruzca says. Recruitment may be easier if you let owners know that they generally have protection from liability from Good Samaritan laws, the business judgment rule, and the like.

## Responding to the Aftermath

The damage done by a disaster can seem overwhelming, and boards often respond by rushing to sign huge repair contracts. Prompt action can provide some emotional relief, but the board still has due diligence responsibilities.

De Haan advises boards not to wait until post-disaster or to try to go it alone: “Contract in advance with trusted service providers to respond for downed trees, broken windows, roof damage. And get help from the association attorney when looking at contracts for recovery work.”

Boards should avoid being “pennywise and pound foolish” when it comes to disaster preparation. Almost without fail, the communities that fare best and recover most quickly are those with financial resources available — in other words, those that historically have conducted regular reserve studies, raised dues as necessary, and discouraged owners from waiving reserves where state law allows waiver.

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## Most popular articles on *Community Association Management Insider*

### **Someone is Sick: Now What?**

The calls related to the coronavirus started coming earlier and earlier, says Sandra Gottlieb, a founding partner of California homeowner association law firm SwedelsonGottlieb. “As the death counts climbed in the United States, people were panicking. It was ratcheting up every single day, and I heard the terror.” In the midst of a public health...

### **Avoiding HOA Rule Selective Enforcement Claims**

Q: Do the courts hold an association responsible for enforcing every community rule? A: How strictly HOA rules are enforced varies from community to community. Some rules and regulations are necessary for a board to enforce, especially when a member creates a problem that could affect the health and safety of other members. In such...

### **Up in Smoke: Association Management Issues in the Age of Marijuana Legalization Protecting Common Areas from Contagion**

This Special Report takes an in-depth look at some of the most pressing marijuana-related issues for community association managers and their clients and provides expert guidance on how to mitigate the associated risks.

### **Bickering and Brawls: How to Deal with Rising Tempers and Incivility**

From profane name-calling to fistfights, we’re hearing from experts that the behavior at community association meetings has been on the decline. Owners’ anger and anxiety are spilling over, and they’re directing their vitriol at board members, fellow owners, and managers. “The ability to contain oneself and act appropriately in a public forum seems to be...

### **Coronavirus Creates Meeting Mayhem**

Community associations of all kinds, regardless where they’re located, are subject to stringent requirements regarding board of directors and annual membership meetings. Strict compliance can pose a challenge for some associations in the best of times, let alone during a public health emergency. Social distancing protocols and prohibitions against gatherings make traditional meetings nearly impossible...

### **Know When to Hold ’Em: Document Retention for Community Associations and Their Managers**

From governing documents and vendor contracts to communications with owners, community association boards of directors may feel like the constant deluge of paperwork is drowning them. “This can become a problem because community associations are required to keep a great deal more documents than any individual director is accustomed to in their personal lives,” says...

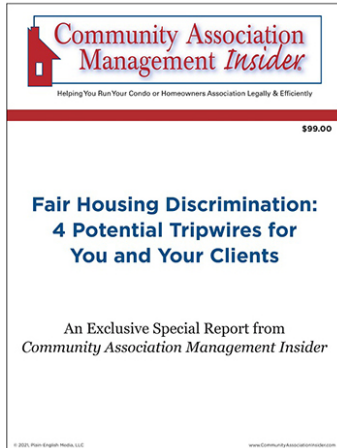
### **Delinquent Assessment “Acceleration” Policy Pays Off**

If the community you manage is considering setting an “acceleration” policy to cut down on the number of delinquent monthly assessments, make sure you know how it works.

### **Preserve Common Areas from Wheelchair Damage**

Q: Several community members, and, occasionally some guests, use wheelchairs. Because of the size and design of some of the common areas, the walls have been dented, paint has been scratched on the walls and doors, and corners and doorways have been nicked. There has also been damage to carpets and wood floors from wheelchairs. It has been expensive to repair wall and floor damage caused by those wheelchairs to the common areas. What can I do to prevent this damage?

## Special Reports from *Community Association Management Insider*



### **Fair Housing Discrimination: 4 Potential Tripwires for You and Your Clients**

In this Special Report, we explore the latest developments in this and three other particularly high-risk areas. In addition to liability for neighbor-to-neighbor harassment, we dig into liability issues that can arise related to the handling of requests for reasonable accommodations, familial discrimination, and the lack of sensitivity to shifting norms. And we provide fresh advice for heading off liability in a time when discrimination of all kinds is at the forefront of discussion. [Download now »](#)



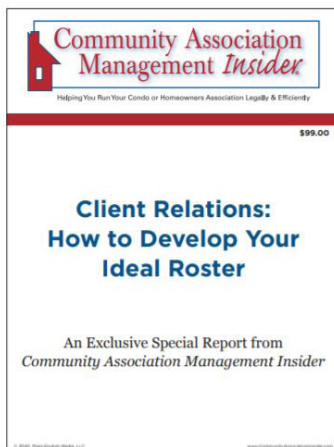
### **Navigating the Delicate World of Debt Collection: How To Collect What You're Owed, Even During Difficult Times**

This Special Report provides expert advice on how you can increase the odds of collecting from every kind of debtor you and our clients may encounter. It includes insights on how to improve collections during both regular times and those periods when developments such as COVID-19 threaten the finances of wide swaths of owners. [Download now »](#)



### **Managing Smoking, Pets, and Other Nuisances**

Regardless of where you're located, or how long you've been in the business, the same types of problems tend to crop up over and over, don't they? It's not the big emergencies that make you pull your hair out, but the everyday hassles that start to grate when you get lots of people living together in the same community. Things like pet issues. And smoking. And the other chronic niggling nuisances that, over time, become a real pain in the neck. Which is why we've pulled together this Special Report specifically about managing these sorts of challenges. [Download now »](#)



## **Client Relations: How to Develop Your Ideal Roster**

Strong relationships with your community association clients are always important — but not always easy — to maintain. As a manager, you don't have to settle for rocky treatment from clients that are overly demanding, unappreciative, or even abusive. Concessions can be made for exceptionally trying times, of course, but wouldn't you rather develop solid, productive, and mutually satisfying relationships with your clients? This exclusive Special Report aims to help you do just that. It provides valuable guidance on how to identify and land the right clients, establish and enforce boundaries, manage poor conduct, and leverage happy clients. [Download now »](#)



## **Up in Smoke: Association Management Issues in the Age of Marijuana Legalization**

Those states with legal marijuana have seen it rapidly commoditized, with new businesses such as delivery services cropping up and becoming a part of homeowners' daily lives. Not surprisingly, the proliferation of pot has begun to have repercussions for community association managers, both as property managers and employers. Whether you live in a state where marijuana is fully legal, partially legal, or on the cusp of some degree of legalization, you need to know what that means on the ground.

This Special Report takes an in-depth look at some of the most pressing marijuana-related issues for community association managers and their clients and provides expert guidance on how to mitigate the associated risks. [Download now »](#)

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January 15, 2021

The many domino effects of the COVID-19 pandemic and the ensuing recession include not only an increase in the number of people performing their current jobs from home, rather than at an office or other workplace, but also a surge in the number of home-based businesses. With so many people looking to replace lost income,...

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**What Happens When an Owner Refuses To Rehome a Dog That Bites?**  
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