

Serving Condominiums, Cooperatives and Homeowner Associations

# community

## LIVING

Spring 2017

### In this issue:

- Association Loans
- Community Associations and Drones
- Capital Projects and Energy Providers
- Protecting Seniors From Online Scams
- How To Get The Vote
- Finding Roof Leaks
- Water Damage in a Condo

  
**2017 Chapter CAM Scholarship Application**  
**now at [CAI-SEFL.ORG](http://CAI-SEFL.ORG) - See Page 20**

  
**Best Roofing presents the 2017**  
**CAI-SEFL Golf Tournament & Awards Dinner**  
**Page 17**



The Official Publication of the Community Associations Institute - Southeast Florida Chapter

CONDO  
ASSOCIATION  
POLICIES

HIGH-VALUE  
HOME AND AUTO

# SCARR

## INSURANCE GROUP

SCARR INSURANCE GROUP  
401 East Las Olas Blvd., Suite 1400  
Fort Lauderdale, FL 33301  
954.337.1555  
Toll Free 800.299.5055 (USA & Canada)  
[www.scarrinsurance.com](http://www.scarrinsurance.com)  
[Info@scarrinsurance.com](mailto:Info@scarrinsurance.com)

*EXPERIENCE THE DIFFERENCE*

SERVING COMMUNITY ASSOCIATIONS SINCE 1984



**South Florida: (954) 452-5155**  
8181 W. Broward Blvd., Ste. 255  
Plantation, FL 33324

**Hillsborough: (813) 961-3220**  
4809 Ehrlich Rd., Ste. 203  
Tampa, FL 33624

**Pinellas: (727) 793-4108**  
11350 66<sup>th</sup> Street N., Ste. 122  
Largo, FL 33773

**ESTABLISHED 1985**

**Patti L. McFarland**  
(954) 865-7482

**Practicing in the areas of:**

Accounting for Homeowner & Condominium Associations,  
Cooperatives, Time Shares and Community Development Districts  
Audits • Reviews  
Compilations  
Tax Returns  
Budgeting and Reserve Consulting Services

We are pleased to assist you with any personal, business  
or tax accounting needs. Visit our website

**[www.blcpas.com](http://www.blcpas.com)**

for useful tax, business and financial  
information.

[pmcfarland@blcpas.com](mailto:pmcfarland@blcpas.com)





# community LIVING

Spring 2017

Volume I, Issue 22

## CHAPTER EXECUTIVE DIRECTOR

Jill Proietti

## CAI SOUTHEAST FLORIDA BOARD OF DIRECTORS

Eddy Pereira, Jr., M.A., PCAM (President)  
Sally Mevers, CPI (Vice-President)  
Vishnu Sharma, CPA (President-Elect)  
Steve G. Mason, PCAM (Treasurer)  
Jeff Ulm, PCAM (Secretary)  
Michael Bender, Esq.  
Lisa Elkan, Banking  
Katia Ettus, PCAM  
Marcie Gershoni, Cable & Broadband  
James Gonzalez, LCAM, Collections  
Mary Macfie, Homeowner  
Kathy Naughton, CMCA, AMS  
Russell M. Robbins, Esq. (Immediate Past President)

## COMMITTEE CHAIRS

### Events/Education Committee

Eddy Pereira, Jr., M.A., PCAM; Marcie Gershoni

### Election Committee

Russell M. Robbins, Esq.

### Florida Legislative Alliance (F.L.A.)

Michael Bender, Esq.; Mary Macfie; Lisa Magill, Esq.

### Golf Committee

Steve Mason, PCAM

### Magazine Committee

Lisa Magill, Esq.; Vishnu Sharma, CPA

### Membership Committee

Mary Macfie; Russell M. Robbins, Esq.

### Miami-Dade Committee

Katia Ettus, PCAM; Jeff Ulm, PCAM

### Broward Committee

Lisa Elkan, Banking; Geph Scarr, CPIA

### Scholarship Committee

Sally Mevers, CPI; Michael Bender, Esq.; Vishnu Sharma, CPA

### Trade Show Committee

Howard J. Perl, Esq.

## CORRESPONDENCE (CHAPTER & MAGAZINE)

[Sales, Marketing, Advertising, Creative, Subscriptions]

JILL PROIETTI

CAI SE FLORIDA CHAPTER

304 Indian Trace

Suite 538

Weston, Florida, 33326

954-816-0661

Email: ced@cai-seflorida.org

Web: cai-seflorida.org

'Community Living' is published quarterly by the Southeast Florida Chapter of the Community Associations Institute, 304 Indian Trace, Ste. 538, Weston, FL. 33326

POSTMASTER: Please send address changes to 'Community Living' c/o CAI-SEFL,

304 Indian Trace, Ste. 538, Weston, FL. 33326

This publication attempts to provide CAI's membership with information on community association issues. Authors are responsible for developing the logic of their expressed opinions and for the authenticity of all presented facts in articles. CAI does not endorse or approve statements of fact or opinion made in these pages and assumes no responsibility for those statements. This publication is issued with the understanding that the publisher is not engaged in rendering legal, accounting or other professional services. If legal advice or other expert assistance is required, the services of a competent professional should be sought.

Design by Jeff Solomon, jeffrey-solomon.com, 516.900.7447



## WHAT IS CAI? Over 34,000 Members and Growing!

Community Associations Institute (CAI) is a national organization dedicated to fostering vibrant, competent, harmonious community associations. For more than 40 years, CAI has been the leader in providing education and resources to the volunteer homeowners who govern community associations and the professionals who support them. Our members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to associations. Our local chapter serves over 400 members with annual events including Trade Show & Expo, Golf Tournament, CAM & Board Member Education events and so much more.

## READER COMMENTS & ARTICLES ARE WELCOME

Columns and ideas from all our members are always welcome. Send submissions in Microsoft Word format to: ced@cai-seflorida.org

Articles appearing in *Community Living* reflect the author's opinion and not necessarily that of CAI. Acceptance of advertising does not constitute an endorsement of the product or service.

National on the web: [www.caionline.org](http://www.caionline.org)

SE FL Chapter on the web: [www.cai-seflorida.org](http://www.cai-seflorida.org)



Follow us on social media!

Find us as: Community Associations Institute - Southeast Florida Chapter

## UPCOMING EVENTS 2017 (subject to change)

Mar. 28: **HOT TOPIC-HOT BREAKFAST** \*- Monthly Broward Breakfast Meeting  
1-hour CE credit after breakfast. CAI CAM Members eat FREE!



Apr. 7: **GOLF TOURNAMENT and AWARDS DINNER**- at Jacaranda Country Club. Visit [cai-seflorida.org](http://cai-seflorida.org) for all details!

Apr. 19: **MIAMI-DADE NETWORKER**- At FADO Irish Pub in Brickell, Miami. One-hour CEU followed by Networker Mixer! Course from 5pm-6pm. Networker from 6pm-8pm.

Apr. 25: **HOT TOPIC-HOT BREAKFAST** \*- Monthly Broward Breakfast Meeting  
1-hour CE credit after breakfast. CAI CAM Members eat FREE!

May 3-6: **2017 ANNUAL CONFERENCE & EXPO in LAS VEGAS, NV**- visit [caionline.org](http://caionline.org) for details!

May 17: **ANNUAL SPONSOR APPRECIATION DINNER & SCHOLARSHIP AWARDS**- Pier 66, Ft. Lauderdale, 6pm to 10pm

May 30: **HOT TOPIC-HOT BREAKFAST** \*- Monthly Broward Breakfast Meeting  
1-hour CE credit after breakfast. CAI CAM Members eat FREE!

June 21: **MIAMI-DADE NETWORKER**- Time and location to be announced.

June 27: **HOT TOPIC-HOT BREAKFAST** \*- Monthly Broward Breakfast Meeting  
1-hour CE credit after breakfast. CAI CAM Members eat FREE!

**Save the Date - OCTOBER 5, 2017**  
**Annual Day of Education and Trade Show (aka CAI-SEFL EXPO)**

\*Check [cai-seflorida.org](http://cai-seflorida.org) for specifics of each "HOT TOPIC-HOT BREAKFAST." Registration and payment links also provided online!

## From the Desk of the Executive Director

Jill Proietti, CED, [ced@cai-seflorida.org](mailto:ced@cai-seflorida.org)



### Greetings!

The SE Florida Chapter is off to a great start for 2017! We held our Hot Topic! Hot Breakfast! Events, and one Networker each in Broward Miami-Dade counties, during the first 60 days of the year. We had attendance of 75-plus at Sea Watch in Fort Lauderdale and 102 at Ball & Chain on March 1<sup>st</sup>, the highest attendance for a Networker ever! Our next one for Miami-Dade will be April 19<sup>th</sup> at Fado, the first Networker event to incorporate Education. We will hold a class right before the networking event, so mark your calendars and, 'Wine While You Learn'!

We will be organizing other events in Broward County, so be on the lookout! We always send out notices, but it never hurts to check us out regularly on our website – [cai-seflorida.org](http://cai-seflorida.org).

Our Annual Golf Tournament will take place on Friday, April 7, 2017, at Jacaranda Country Club. Each year the tournament gets bigger and better and we anticipate this year will be no exception. We had a total of 124 golfers last year, so if you never golfed with us, you should join in on the fun! There are games, raffles, drinks and, oh yeah, golfing!! The awards dinner after golf is always delicious! Please visit [cai-seflorida.org](http://cai-seflorida.org) to meet the sponsors already on board! And, if you are interested in sponsoring or golfing, please give me a call. Registration and Sponsorship forms are online as well.

Our Annual Sponsor Appreciation Dinner will be Wednesday, May 17<sup>th</sup>, returning to the beautiful Pier 66 Pier Top Restaurant. If you are interested in attending, you better act quickly, as these tickets sell out almost every year. A big **Thank You** to our Chapter Sponsors; you are the reason our chapter is thriving, growing by leaps and bounds and is the success that it is!

Our 2017 Annual Expo is scheduled for October 5, 2017. Stay tuned for further details and mark your calendars!

Please check our website regularly for all of our upcoming events and happenings; you wouldn't want to miss anything! Our chapter is continually evolving and welcomes your ideas and participation on our committees. Fresh ideas are always the best!

We always encourage suggestions so that we may bring you all the programs you, as members, are interested in. Please feel free to email me at [ced@cai-seflorida.org](mailto:ced@cai-seflorida.org) or call 954-816-0661.

I look forward to seeing you at our next event!



### LET OUR TEAM WORK FOR YOU

*Our integrated approach and full service staff of bookkeepers and accountants help you manage and achieve your accounting goals*

**SHARMA & ASSOCIATES DOES IT ALL!**

Condominium and Homeowner Accounting & Bookkeeping Services, Payroll Services, Integrated with all major Association Banking Partners, Tax Preparation both Business and Personal



**Sharma & Associates, Inc.**

Vishnu Sharma,  
Certified Public Accountant [CPA]  
Certified Fraud Examiner [CFE]

4901 NW 17th Way, Ft. Lauderdale, FL 33309



(954)284-3080 or visit [sharmaassociates.net](http://sharmaassociates.net)

WHY SHOULD YOUR ASSOCIATION CHOOSE

**Vesta?**



Our Community Management team has been responsible for some of Florida's most prestigious communities. More than two decades later, we are still managing the property of our first client.



Contact us today!

[www.VestaPropertyServices.com/Southeast](http://www.VestaPropertyServices.com/Southeast)



## Sponsors Appreciation and Scholarship Awards

May 17<sup>th</sup>, 2017 6pm-10pm  
Pier 66 Pier Top Restaurant  
Details: [cai-seflorida.org](http://cai-seflorida.org)



# ALL COUNTY

PAVEMENT MANAGEMENT SOLUTIONS

CONNECT WITH US:    

**LOCATIONS:** **National Corporate Office:**  
1180 SW 10<sup>th</sup> Street  
Delray Beach, FL 33444

**Central Florida:**  
4800 Patch Road  
Orlando, FL 32822

**(855) 499-PAVE**

Asphalt Paving  
Milling  
Sealcoating  
Concrete  
Site Work  
Emergency Repairs  
Parking Lot Striping  
Project Management



**www.allcountypaving.com**

## Our dedicated experts understand the needs of community associations.



Popular Association Banking serves the community association industry exclusively. We offer:

- Financing for building repairs & capital improvements
- Competitive fixed rates with terms up to 15 years
- Your deposits are eligible for multi-million dollar FDIC insurance with ICS® and CDARS®<sup>1</sup>

We are committed to delivering superior customer service for your association, offering all financing, lockbox, cash management, and other depository services.



**Contact our South Florida Relationship Manager:**  
**Rebecca R. Prieto, V.P.**

Office: 786-953-1221

Cell: 305-206-0170

RPrieto@popular.com

www.associationbankers.com



**POPULAR**  
ASSOCIATION BANKING.

NATIONAL CORPORATE  
MEMBER OF  
**community**  
ASSOCIATIONS INSTITUTE



Subject to credit approval. 1. ICS® and CDARS® are registered service marks of Promontory Interfinancial Network, LLC.  
©2017 Banco Popular North America. Member FDIC.



# BECKER & POLIAKOFF

Legal and Business Strategists

*Yes, you can have it all...*



Howard Perl

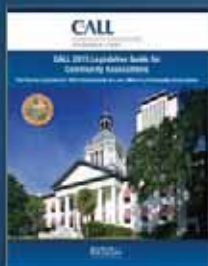
Rosa de la Camara

Ken Director

Donna DiMaggio Berger

## Large firm resources with a boutique firm's touch

- ✓ Credibility and Qualifications
- ✓ Credentialed Legal Professionals
- ✓ Real Value for Your Money
- ✓ Resources to Serve Your Community



*Request Our CALL  
2015 Legislative Guide for  
Community Associations*



**Donna D. Berger**  
dberger@bplegal.com  
954.364.6031

**Howard Perl**  
hperl@bplegal.com  
954.364.6054

1 East Broward Blvd., Suite 1800, Ft. Lauderdale, FL 33301  
www.bplegal.com • 954.965.5050

### Florida Offices

Ft. Lauderdale • Ft. Myers • Ft. Walton Beach • Miami • Miramar  
Naples • Orlando • Sarasota • St. Augustine • Stuart  
Tampa Bay • Tallahassee • West Palm Beach



**STROEMER  
& COMPANY, LLC®**

CERTIFIED PUBLIC ACCOUNTANTS / CONSULTANTS

## ACCOUNTING FOR HOMEOWNER & CONDOMINIUM ASSOCIATIONS, COOPERATIVES, AND TIME SHARES



**AUDIT**



**BOOKKEEPING**



**TAX**

*Extensive Industry Experience,  
With a Personal Touch*

**954-203-1285**

**www.stroemercpa.com**



*We welcome our new (and renewed/re-joined) Chapter Members! In this issue we cover September 18, 2016 to February 25, 2017. New members highlighted in bold. See you at our next event!*

### **Business Partners**

**Advanced Cable Communications**  
Advanced Fire and Security  
**Allstate Resource Management, Inc.**  
America Service Industries  
Association Reserves - Florida, LLC  
Bakalar & Associates, P.A.  
**Coconut Grove Bank**  
Coconut Grove Bank  
**Comcast**  
D & B Tile Distributors  
**First Green Bank**  
**FOB Software, LLC**  
**G. Batista & Associates**  
Guy Strum, P.A.  
**Hollywood Restoration, Inc.**

**IBERIABANK**  
**Integrated Security Systems**  
John Paul Arcia, PA  
Kaye Bender Rembaum, PL  
**Kelley & Grant P.A.**  
Nordis Direct  
**Park One of Florida, LLC**  
**Restore Dry, LLC**  
**Straley & Otto, P.A.**  
Stroemer & Company, LLC  
Super Restoration Service Co.  
The Sherwin-Williams Company  
The Water Restoration Group  
**U.S. Century Bank**

### **Multi-Chapter Business Partners**

American Leak Detection  
Angius & Terry, LLP  
Asphalt Restoration Technolog  
Bashor & Legendre, CPA's  
**BEHR & KILZ Paints & Primer**  
Biller Reinhart Engineering Group, Inc.  
BuildingLink.com  
Florida Community Bank  
**G4S Secure Solutions USA**  
**J.R. Frazer Inc.**  
Kane Condominium and Association  
Services, A Division of MBAF, Certi-  
fied Public Accountants & Advisors  
**Karins Engineering Group, Inc.**

Kings III Emergency Communications  
Lake & Wetland Management, Inc.  
Latite Roofing and Sheetmetal, LLC  
**Mario's Painting of S. Florida, Inc.**  
Peabody Properties, Inc.  
Revo Payments  
Scarr Insurance Group  
SouthData, Inc.  
Specialized Plumbing Technologies  
Symbiont Service Corporation  
United Fire Protection, Inc.  
Waterfront Services, Inc.

### **National Business Partners**

Alliance Association Bank  
Allied Universal  
Mutual of Omaha Bank  
**Owens Corning**

Popular Association Banking  
PPG Paints  
**Reserve Advisors, Inc.**  
**Sperlonga Data & Analytics**

### **Community Management Companies**

Affinity Management Services  
America's Community Management, LLC  
Command Management, LLC  
J & M Condo Management & Maintenance, Inc.  
KW Property Management and Consulting  
Renovations Property Management  
**Trident Real Estate Inc.**  
United Community Management Corporation  
Vesta Property Services, Inc.

### **Community Association Volunteers**

Cesar Delanoval  
Daniel N. Jacobson  
**George Michael Ploude**  
Jeff Howard Hoppenfeld  
John Nolan, II  
Larry Garvey

Laura Heinrich  
Mary Macfie  
Melvin Niser  
**Thomas Shaffer**  
Warren Alan Raymond

### **Community Association Managers**

**Alexandra S. Mendoza**  
**Ana M. Shapiro**  
Andrew Drewitt  
**Andrew Meyrowitz**  
Annabel Gonzalez  
Arlene M Walker  
Betty Jordan  
Brenda Harper  
Bruce Masia  
**Cameron Berry**  
Carlos A. Aguilar  
**Charisse Patricia Williams**  
Charles Joseph Coote  
Christopher B. Everhart  
**Clinton Carey**  
**Colleen Harding**  
Curtis Shamis  
Damaris Cabrera  
Daniel Tiernan  
David C. Ritz  
David Diestel  
**David Dohmen**  
Denis Rudnev  
**Dian Pearson**  
**Diana Zayas-Bazan**  
**Doris Lynn Morales**  
Eduardo Pereira, Jr.  
Edwin Lugo  
**Elizabeth Fox**  
Elizabeth Sierra  
Elliot David Heit  
Emilia Velez  
Erik Levin  
Everett Lamont Mitchell  
Gary Fiegler  
George Grant Hall  
**Gina Lynn Slatcoff-Chevannes**  
Gustavo A. Mendoza  
H Lee Huffstetler  
Jane Brock  
Jay Abbazia  
Jeffrey A. Ulm  
Jeffrey Alan Lang  
Jessica Conover  
John Depasquale  
Jose Celso Barbosa  
Jose E Guzman  
Jose E. Humaran  
Jose Vilarello  
Joseph Allen Snell  
**Karina Dominguez**  
Katharine Efron  
Kathleen A. Naughton  
Katia Ettus  
Lisbeth Bustin

Lucretia Fasciano  
Lynn Coulter  
Marc Rodriguez  
Maria A Rentas  
Mark Diaz  
Mary Cerciello  
Mary Tania Medina  
Maureen Reyes  
**May M. Rodriguez**  
Megan Dolente  
Melissa R. Garvey  
Merrill Spivak  
Michael Bowering  
**Michael Francis Limperis**  
Mike Pintado  
Minda Stratton  
Nadene Arnault  
Natalie Anne Cedeno  
Nestor J Hermida  
Nidia O'Neil  
**Orlando Velazquez**  
Patricia Rogers  
Paul Ohannessian  
Pauline J Johnson-Clarke  
Pedro M. Garcia  
Rafael P. Aquino  
**Ramon Clemente**  
Richard Ciarso  
Rishi R. Idrani  
Robert P. Johnson, Jr.  
**Rolando Cooper**  
Ruth Bettini  
Sandra A. Kellam  
Sandy Goldstein  
Saul Rabia  
Shannon Loizzo  
Stacy Vezos  
Stevan Mark Zaiman  
Steve G. Mason  
Steven J. Weil  
**Steven Levin**  
Tammy C. Tomlinson  
Thalita Arias  
Tracy R. Guzman  
Veronica Vargas  
**Victor Burnett**  
**Vilma M Migenis**  
**Walter Marvin Chapman**  
**Wayne Gudger**  
Wilhelmine Carby  
William A. Plaza  
Yaidyt Hernandez  
**Yana B Perez**  
Zsolt Kovacs

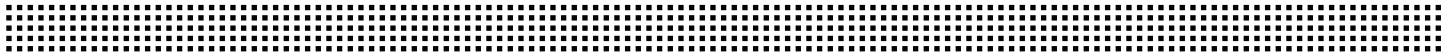
If you are not receiving CAI emails and news, please log in to your National and Chapter accounts to confirm all of your contact information.

Note: existing companies and organizations may appear in bold (as new) if they added new individual members through the company, as Business Partner Members. In addition, existing individual members may appear as 'new' if he/she rejoined while changing membership type.



# To Spring or not to Spring into an Association Loan?

By Lisa Elkan, VP of Alliance Association Bank, a division of Western Alliance Bank and Josh Ormiston, VP of Association Lending, Western Alliance Bank



If an association is contemplating a capital improvement project, they may be considering taking out a loan. If this is the case, there are some key factors to consider before getting too far into the lending process. The first step will be to determine if an association is allowed to borrow and what actions need to take place in order to be able to legally proceed with a loan agreement.

This is the stage where an association will want to involve their legal counsel who will be familiar with the association's governing documents, as well as the state laws regarding associations. In order to close a loan, their association attorney will be asked to provide an opinion letter certifying the validity of the transaction, so an association should be aware of the following:

1. Allowance to enter into a loan agreement.
2. Allowance to pledge assessment income as security for the loan.
3. Knowledge of what approvals need to take place in order to execute such a transaction.

Once that has been determined that they have the ability to enter into a loan agreement, they will need to determine what means will be used to repay the loan. For smaller loans, an increase to regular monthly assessments may be a feasible way to make loan payments. Another option could be to implement a special assessment wherein each unit owner would pay up front or participate in the loan.

In either of these cases, board or homeowner approval(s) necessary to implement the desired repayment structure must be considered. It is not necessary to have the repayment structure implemented prior to applying for the loan, but in most cases the repayment structure will have to be approved before closing the loan. That being said, implementing an increased regular assessment or a special assessment, prior to obtaining a loan, may be a good way to demonstrate to a bank that an association has both community support and the ability to repay the loan.

At this point, an association is probably ready to engage a bank. It is advisable to utilize a bank that specializes or has significant experience with association lending. When applying for a loan the bank will want to know the type of loan and term being sought. For large lengthy projects, there will most likely be the option of entering into a non-revolving line of credit for the construction period. These lines are typically six to twenty-four months, and give an association the option for interest only payments during the construction period. Upon expiration or at the end of construction, the line will be converted to a fully amortizing term loan. A typical term loan will be from three to fifteen years in length. It is important that the loan length not exceed the useful life of the improvements being financed. Alternatively, if the project is short-term or small in size, it may make sense to forego the non-revolving line of credit and enter into a term loan immediately.

Continued on page 29



# Innovative Financial Solutions for the Community Management Industry



## Alliance Association Bank

A division of Western Alliance Bank. Member FDIC.

- No Fee Lockbox
- Full Banking Services
- Online Banking
- E-Deposit
- Dedicated Customer Service
- Lending Services<sup>1</sup>



### Craig Huntington

President

888.734.4567

Chuntington@  
AllianceAssociationBank.com

### CONTACT:

### Lisa Elkan

Vice President, Association Financial Partner

561.212.2091

Lelkan@  
AllianceAssociationBank.com



888.734.4567 | [www.allianceassociationbank.com](http://www.allianceassociationbank.com)

7/14 1. Subject to credit approval.

 Equal Housing Lender

Siegfried • Rivera • Hyman • Lerner  
De La Torre • Mars • Sobel

S R H L - L A W . C O M

# SRHL

## Community Association Law

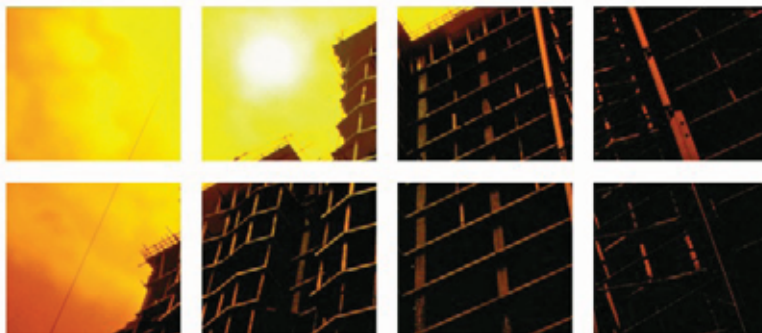
- Interpretation, Preparation, and Enforcement of Governing Documents
- Legal Counsel on all Day-to-Day Operations
- Collections, Liens and Foreclosures, with 24-hour Account Access

## Condominium Warranty Litigation

- Legal Counsel on all Aspects of Condominium Turnover
- Chapter 558 Inspections and Procedures
- State and Federal Litigation for Construction Warranty Claims, from Settlement Negotiations through Trial, including Arbitrations and Mediations

### Offices in Miami-Dade, Broward and Palm Beach

Main Office: Suntrust Plaza, 201 Alhambra Circle, 11th Floor,  
Coral Gables, FL 33134 | 800-737-1390 | [www.srhl-law.com](http://www.srhl-law.com)



# Florida Community Associations Responding to Soaring Popularity of Drones

By Roberto c. Blanch, Siegfried-Rivera-Hyman-Lerner-De La Torre-Mars-Sobel, Attorneys at Law



The growing use of drones by consumers across the U.S. is leading to the adoption of new rules and restrictions by the federal government, state governments and community associations. Questions regarding safety, property damage and privacy abound with drones, and associations are responding by establishing clear parameters for their use by unit owners.

Last year, the Federal Aviation Administration enacted new regulations for the use of unmanned aircraft systems, which are more commonly referred to as drones. For recreational users, the FAA now requires that drones must be properly registered and labeled with the registration number. They must only be flown below 400 feet and always within sight of the operator, and they are banned from use near other aircraft and airports as well as over groups of people, stadiums, sporting events, or emergency response efforts.

Privacy concerns over the use of drones with cameras were addressed by a new Florida law that was enacted last year. The law stipulates that drones with cameras may not be used to record images of privately owned properties or of the owners, tenants or occupants of properties in violation of their reasonable expectations of privacy without their written consent. Reasonable expectations of privacy are presumed if individuals are not observable by others located at ground level in a place where they have a legal right to be, regardless of whether they are observable from the air with the use of a drone.

For associations, the implementation of new rules and restrictions concerning drones should begin with a discussion that is open to all of the unit owners at a board meeting. This enables all of the members of an association to share their thoughts and concerns,

which are then taken into account by the board in the development of new rules.



If an association concludes that it wishes to permit the operation of drones in the community, it should consider the adoption of rules and restrictions to help ensure safety. These include the establishment of designated take-off/landing sites, restricting their use to daylight hours, developing penalties for violations, and clarifying that the association is not liable for any property damage caused by these aircraft. Additionally, the association board or management should consult with its insurance agent or consultant to confirm that it is adequately insured with regard to the risks that may be presented as a result of the use of drones at the property governed by the association.

Once the rules are established and enacted, associations should communicate them to the membership via email, mail, posted notices, newsletters, and any other means that they typically use.

Sales of drones to consumers in the U.S. are expected to grow from 2.5 million drones in 2016 to 7 million in 2020, according to a report from the FAA. With the continued growth in their popularity and usage, now is the time for associations to work together with their members in order to develop and implement the rules and restrictions that make the most sense for their specific community.





*Unparalleled Property Services*

If your association isn't receiving  
*Royal Service*™, it's time to call.



800-337-5850 | [info@castlegroup.com](mailto:info@castlegroup.com)

12270 SW 3<sup>rd</sup> Street, Suite 200

Plantation, Florida 33325

[www.castlegroup.com](http://www.castlegroup.com)

## We've Got You Covered For Your Condo Association Needs

Lock Box Services/Payment Processing • Financing Available  
CITATION™ i-View • ACH • Online Banking • Association Specialists

**Contact David today!**

**David C. Farrar**

Vice President, Association Banking Manager

**1.844.755.0488 or 813.898.1994**

**[my100bank.com/associations](http://my100bank.com/associations)**

Some restrictions may apply to products and services listed above. See bank for details.

**MY100BANK.COM** | A Home BancShares Company (Nasdaq: HOMB)



**Member  
FDIC**



## Cracked Pipes?

#1 Pipe Diagnostic & Repair Specialists  
Since 1984



[www.sptplumbing.com](http://www.sptplumbing.com) • 954-792-2828 • Toll Free: 800-849-4810

## missing something?

Ensure you are getting all your  
valuable CAI member benefits.  
Update your email address today  
at [addresschanges@caionline.org](mailto:addresschanges@caionline.org)  
or call (888) 224-4321.

**SEE WHAT YOU'RE MISSING**

VISIT [WWW.CAIONLINE.ORG/BENEFITS](http://WWW.CAIONLINE.ORG/BENEFITS)



# 2017 Networkers







# BRA

**BASULTO ROBBINS & ASSOCIATES, LLP**  
*Community Association Lawyers*



**Bringing Clarity, Understanding and Advocacy to Community Associations in South Florida**

- **FREE** Continuing Education Courses for LCAMs at Your Location
- **FREE** Access to Legal Forms for Meetings, Annual Elections, Collections, and Competitive Bidding (at [BRLawyers.com](http://BRLawyers.com). Choose "Resources")
- **FREE** In-person, E-mail and/or Telephone Consults for Property Managers

[www.BRLawyers.com](http://www.BRLawyers.com)

**CALL TODAY** for a **FREE** Confidential Assessment,

Russell M. Robbins, Esq., \*Board Certified Real Estate Attorney

Conveniently Located in Dade (305)722-8900 and Broward (954)641-9600



## EXPERT COATINGS SOLUTIONS

FOR CONDOS AND HOAs

### QUALITY & SERVICE YOU CAN COUNT ON

Condo associations and HOA property maintenance require specific coatings expertise, and the PPG PAINTS™ team has the know-how to help streamline the process for you. From an extensive line of products to jobsite support, a dedicated team helps simplify any project with these services that help drive out costs and protect property assets.

### THE POWER OF COLOR

PPG is a global coatings and color leader who **understands the power of color**. Color and design play a critical role in Condo Associations and HOA property maintenance so we're here to help!

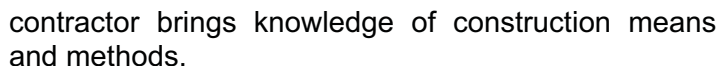
- Color accuracy, standardization and consistency
- Industry-leading color trend and design research, regional reports and customer-centric presentations
- **FREE** professional color rendering services and assistance
- National sales and color support team ready to help



The PPG Paints brand is available at more than 2,400 company-owned stores and independent dealers nationwide. **VISIT [PPGPAINTS.COM](http://PPGPAINTS.COM)**

*Edward H. Brzezowski, P.E., LEED AP - Vice President of Energy Services The Falcon Group, Engineering, Architecture and Energy Consultants*

## Architecture and Energy Consultants



Electrical Contractors install, maintain and service electrical and lighting equipment for residential, commercial, institutional and industrial properties.

Energy Service Companies (ESCO) typically provide many services, including energy audits, equipment maintenance, project financing, and performance guarantees.

Contractors typically send out a salesman that may not fully understand the problem but may try to apply their products to your property. Contractors are installers, not designers or engineers. Any contractor that suggests that an engineer is not necessary is only trying to protect his bid and does not have your best interest in mind.

If a Professional Engineer issues an opinion, the contractor is not legally allowed to override the Engineer's opinion, only another Professional Engineer can disagree with their opinion.

Remember: vendors representing manufacturers may be limited in their product offering and you need to be sure to you are getting the best products and services.

Your first call should be to a professional engineer, because:

We level the playing field by providing a scope of work and bid documents.

We provide periodic observations of progress and quality of the contractor's work.

We provide engineering certification that is required in many projects and programs.

We assist in the selection of contractors, since not all contractors have equal knowledge or experience.

We guide clients through a complicated business. The building energy and technology revolution is fast and complicated. It's a lot for anyone to grasp, much less keep up with.

During these activities, contractors and vendors are routinely contacted to provide proposals for equipment repairs or replacement on a one-for-one basis. Unsolicited and solicited proposals for HVAC, domestic hot water, lighting and solar projects are often received from utility companies, energy service companies, energy consultants, contractors, vendors and manufacturer's representatives.

Each of these proposals in one way or another will have an impact on the building's performance and operating costs. Often the savings estimates for all of these proposals may total more than the energy use for the entire building. This is one of the first reasons to hire a professional engineer as your trusted advisor.

Engineers provide technical analysis, engineering design, and construction management services. An engineer is someone who works out the design and construction of a building, but also takes into consideration the strengths and weaknesses of the materials and equipment. Engineers also evaluate and recommend projects to improve energy efficiency and are familiar with a wide range of incentive and finance programs. Engineers bring science, theory and practice to a project and their involvement can result in significant savings.

A contractor is usually the company that takes the requirements and design set forth by the engineer and creates the end result. Contractors supply material and labor at a specified price for construction work. A





## Your Property Management & Association Specialist

[www.centerstatebank.com](http://www.centerstatebank.com)

**Myrna Meza** 954.708.5405

**Terri Russo** 954.633.1666

**Accelerate your receivables processing** with our secure Internet-Based Lockbox Service. Receive detailed association reports and A/R posting files, automate recurring homeowner payments and more.

**Experience flexibility and convenience** with secure Online Real-Time Balance Reporting, Bill Payment and e-Statements.

**Obtain financing** for Insurance Premiums, Capital Improvement and Renovation Loans tailored specifically to associations and condominiums.



## RAISING THE BAR



Paul P. Terry, Jr.\*



Scott M. Gross\*



\*\*Recoveries vary by case. Past recoveries are not necessarily an indication of what you may recover.

## Angius & Terry LLP Construction Defect Attorneys

- Over 30 Years Experience
- Over \$400 Million Recovered\*\*
- We Advance ALL Fees and Costs
- Free Initial Consultation
- Free Continuing Education Courses for Managers and Board Members

Tampa Area Office  
2708 Alternate 19 North, Suite 700  
Palm Harbor, FL 34683  
(727) 474-0200

By Appointment:  
Ft. Myers (239) 800-9500 | Jacksonville (904) 479-9400  
Miami (305) 239-8877 | Orlando (407) 624-3070  
Sarasota (941) 257-0900  
[www.angius-terry.com](http://www.angius-terry.com)

## DIAMOND



## DIAMOND

## PLATINUM



## PLATINUM

## GOLD



## MGMT. COMPANY

**All County Paving Management Solutions**  
Jen Klevenow  
Phone: 561-588-0949  
Email: marketing@allcountypaving.com

**Bashor & Legendre, LLP**  
Patti McFarland  
Phone: 954-865-7482  
Email: pmcfarland@blcpas.com

**Best Roofing**  
Melissa DaSilva  
Email: mdasilva@bestroofing.net

**Scarr Insurance Group**  
Phone: 954-337-1555  
Geph Scarr: gscarr@scarrinsurance.com  
or  
Sally Mevers: smevers@scarrinsurance.com

**Water Restoration Group**  
Jessica Raffo  
Phone: 305-661-2505  
Email: jraffo@wrgfla.com

**Alliance Association Bank**  
Lisa Elkan, VP  
Phone: 561-212-2091  
Email: lelkan@allianceassociationbank.com

**Angius & Terry, LLP**  
Laurie Shrader  
Phone: 305-239-8877  
Email: lshrader@angius-terry.com

**Aquatic Systems**  
Wendi Nance  
Phone: 1-800-432-4302  
Email: Wendi.Nance@aquaticsystems.com

**Association Reserves, FL, LLC**  
Will Simons, RS  
Phone: 800-403-9011  
Email: wsimons@reservestudy.com

**BB&T Association Services**  
Henry Campos: 786-514-3030  
Email: Hcampos@BbandT.com

**Basulto Robbins & Associates, LLP**  
Russell M. Robbins, Esq.  
Phone: 305-722-8900  
Email: rrobbins@brolawyers.com

**Becker and Poliakoff**  
Howard Perl, Esq.  
Phone: 954-364-6054  
Email: HPerl@becker-poliakoff.com

**BuildingLink.com**  
Richard Worth  
Phone: 212-501-7117, ext. 535  
Email: Richard@BuildingLink.com

**Castle Management**  
Jordan Goldman  
Direct: 954-660-1866  
Email: jgoldman@castlegroup.com

**Center State Bank**  
Phone: 954-708-5405  
Myrna Meza: mmeza@centerstatebank.com or  
Terri Russo: trusso@centerstatebank.com

**Community Cable Consultants**  
Marcie Gershoni  
Phone: 954-275-7605  
Email: Mg@CommunityCableConsultants.com

**The Falcon Group**  
Stefanie Pritchett  
Phone: 484-373-4999  
Email: Spritchett@falconengineering.com

**KW Property Management & Consulting**  
Sandy Bennett  
Phone: 305-476-9188  
Email: sbennett@kwpmc.com

**Kaye, Bender, Rembaum Attorneys at Law**  
Michael Bender, Esq.  
Phone: 954-928-0680  
Email: mbender@KBRlegal.com

**LM Funding**  
James Gonzalez.  
Phone: 813-222-8996, ext. 663  
Email: info@lmfunding.com

**Mutual of Omaha Association Banking**  
Mark Evans  
Phone: 321-745-8444  
Email: Mark.Evans@mutualofomahabank.com

**Popular Association Banking**  
Rebecca Prieto 305-206-0170  
Phone: 786-953-1221  
Email: rprieto@bpop.com

**PPG Paints**  
Shane McBee  
Phone: 305-594-1155  
Email: mcbee@ppg.com

**Siegfried, Rivera, Hyman, Lerner, De La Torre, Mars & Sobel, P.A.**  
Stephanie Bonilla  
Phone: 305-442-3334, ext. 324

**Stonegate Bank**  
Janet Romano, SVP Assoc. Services  
Phone: 941-237-2050 or 941-313-0931

**Union Bank HOA Services / SmartStreet**  
Tracy Stephens  
Phone: 678-405-1759  
Email: Tracy.Stephens@unionbank.com

**U.S. Century Bank**  
Rick Alfonso  
Phone: 305-715-5181  
Email: Rick.Alfonso@uscentury.com

**Centennial Bank**  
David Farrar  
Phone: 813-898-1994  
Email: Dfarrar@my100bank.com

**Sharma & Associates**  
Vishnu Sharma  
Phone: 954-284-3080  
Email: vsharma@sharmaassociates.net

**Specialized Plumbing Technologies**  
Ronald D. Giles  
Phone: 561-602-8660  
Email: ronaldg@sptplumbing.com

**Stroemer & Company, P.A.**  
Kathy Naughton, CMCA, AMS  
Phone: 954-203-1285  
Email: kathyn@stroemercpa.com

**Vesta Property Services**  
Barbara Sanbria  
Phone: 305-552-7855  
Email: bsanbria@vestapropertyservices.com



# BEST ROOFING PRESENTS THE 2017 CAI-SEFL GOLF TOURNAMENT

**April 7, 2017 12 Noon**  
**JACARANDA COUNTRY CLUB**

Support your Chapter and join your friends and colleagues on Friday, April 7<sup>th</sup> to enjoy a day of fun on the fairways. Following the tournament is an awesome dinner and awards ceremony, along with all of the raffle drawings. A portion of the proceeds will be donated to "A Safe Haven For Newborns."

All the details, including Sponsorship and Player Registration Forms, can be found at:

**CAI-SEFLORIDA.ORG**



## Look Before You Leak!

### Best Roofing's Roof Maintenance Program

- ✓ Our FREE Roofing Analysis is conducted by a trained and certified forensic roofing specialist who will survey your roof's condition.
- ✓ Your roof's structural and weather resistance condition will be evaluated in detail.
- ✓ You will receive a detailed, customized report on the current condition of your roof and expected durability.



CCC1329779



**(888) 723-BEST**

1600 NE 12th Terrace, Fort Lauderdale, FL 33305

# Protecting Seniors Online from Scams, Hacks and Tax Fraud

-NewsUSA



**T**he vast majority of seniors today are using the Internet at least once a week to check email, pay bills online and keep in touch via social media. But all that time online puts them at risk for scams and hacks, such as tax fraud.

In fact, a new survey by Home Instead, Inc., franchiser of the Home Instead Senior Care network, found that 67 percent of surveyed older adults have been the victim of an online scam or hack.

Encouraging seniors to practice cyber security can go a long way toward protecting their identity and sensitive financial information. Home Instead collaborated with the National Cyber Security Alliance to create Protect Seniors Online, available at [www.ProtectSeniorsOnline.com](http://www.ProtectSeniorsOnline.com), a free resource that educates older adults about cyber-security. Here, seniors can test their cyber-security skills with the “Can You Spot an Online Scam?” Quiz.

Older adults can take the following steps now to protect themselves online:

**\*Password protect and secure devices, accounts.** Lock all devices (including computers, tablets and smart phones) with secure passwords in case devices are lost or stolen.

**\*Think before clicking.** When faced with an urgent request — like emails asking for money — think

before clicking or get a second opinion. Clicking on links is often how scammers get personal information. When in doubt, trash an unusual message.

**\*Share with care.** More than half (51 percent) of seniors surveyed by Home Instead use social media to stay connected. Use care when sharing personal information, adjust privacy settings to limit who can see your information, and turn off location sharing.

**\*Use security software.** Install anti-virus and anti-spyware software and program it to run regularly. And be wary of pop-up ads or emails, many of which contain malware that can infect computers.

**\*Log out.** Log out of apps and websites when you are finished. Leaving apps and websites open on computer screens could make you vulnerable to security and privacy risks.

**\*Recommend support.** Older adults who live alone may need help from a trusted source — such as a family member, tech-savvy friend or professional caregiver — to serve as a second set of eyes.

To explore additional Protect Seniors Online resources, including the interactive quiz, visit [www.ProtectSeniorsOnline.com](http://www.ProtectSeniorsOnline.com)

A Home Instead office near you can be found by visiting [www.homeinstead.com/state](http://www.homeinstead.com/state).



# NEGOTIATING CABLE, INTERNET & ROOF RIGHTS MAXIMIZING ASSOCIATION'S REVENUE OPPORTUNITIES

Don't wait for renewal time to upgrade your cable equipment and services.  
Newer technology may be available now at NO ADDITIONAL COST!

In today's competitive marketplace, providers are searching for ways to enhance your Association's cable experience and increase customer loyalty.

SEE HOW THIS MAY WORK TO YOUR ADVANTAGE.

**NO BULK? NO PROBLEM!** Profit and revenue sharing programs available for Free Choice Communities.

Ask how we can maximize REVENUES for your existing roof-top CELL TOWERS.

**NO UP-FRONT COST OR OBLIGATION!**

Call us for details and a FREE EVALUATION.



**954-275-7605**

[mg@communitycableconsultants.com](mailto:mg@communitycableconsultants.com)  
[www.communitycableconsultants.com](http://www.communitycableconsultants.com)

IF YOUR NEIGHBORS AREN'T PAYING  
CONDO FEES, THEN YOU'RE PAYING THEM...  
**AND THAT'S A PROBLEM**

WE STARTED WITH A SIMPLE IDEA:  
**OTHER PEOPLE'S PROBLEMS SHOULDN'T BE YOURS.**

- ◆ Collect Delinquent Maintenance Fees
- ◆ Eliminate Big Attorney Fees
- ◆ Avoid Costly Special Assessments

Call today to get back your money 866-235-5001  
or email us at [info@lmfunding.com](mailto:info@lmfunding.com)

[www.LMFunding.com](http://www.LMFunding.com)



**LMFUNDING**

We Buy Problems



SOUTHEAST FLORIDA CHAPTER

**community**  
ASSOCIATIONS INSTITUTE

# Community Association Managers Scholarship

## DREAMS DO COME TRUE!

The Southeast Florida Chapter  
wants to give back to our  
members.

All CAI Members who are  
licensed CAMs may apply!

The following scholarship  
awards are available, up to:

\$500 - CMCA Designation  
\$750 - AMS Designation  
\$2,500 - PCAM Designation

Winners to be announced  
May 17, 2017 at the Sponsor  
Appreciation Dinner.

## RULES/ELIGIBILITY

1. CAI Manager Member
2. Licensed CAM
3. Attended at least four CAI-SEFL events during previous 12 months
4. Application (online)
5. Essay (online)

## APPLICATION PROCESS

1. Complete the online application
2. Provide the course work or license you plan to complete with this scholarship

## ESSAY

Essay topic should be tied to your Community Association experiences and demonstrate how you utilized your education and abilities to assist a Community and/or Board with a problem.

Within the essay, be sure to include specifics as to your aims and objectives as well as the methods or methodologies you used to assist with solving the problem, and how your education allowed you to successfully assist the Community.

If you are awarded a scholarship in 2017, your designation must be achieved by the respective deadlines to the right in order to qualify to receive the award. Otherwise, your award will be forfeited.

◆ **PCAM: MAY 31, 2020**  
◆ **AMS: MAY 31, 2019**  
◆ **CMCA: MAY 31, 2018**

**SUBMISSION DEADLINE APRIL 30, 2017 VIA CAI-SEFLORIDA.ORG\***

\*submission process must be completed in one session (no online saving)





## Gain an HOA banking team that's been around the block

With over 25 years of experience in the community association industry, our team delivers the solutions and the support to meet your unique needs. From accelerated payment processing to the latest in fraud protection, we help simplify the overall management of your associations' banking on our easy-to-use 24/7 online platform.

Learn how we can help streamline your financial operations at [HOAbankservices.com](http://HOAbankservices.com).   

Financing subject to credit and collateral approval. Other restrictions may apply. Terms and conditions subject to change.



©2016 MUFG Union Bank, N.A. All rights reserved. Member FDIC.  
Union Bank is a registered trademark and brand name of MUFG Union Bank, N.A.

**Amanda Orlando, CMCA®**

Regional Account Executive

386-424-0830

[amanda.orlando@unionbank.com](mailto:amanda.orlando@unionbank.com)



A member of MUFG, a global financial group

### ARCHITECTURAL CONSULTING SERVICES

- Architecture
- Internal Space / Lobby Planning / Elevator Fit-out & Design
- Recreation Facilities Design

### CAPITAL RESERVE FUNDING

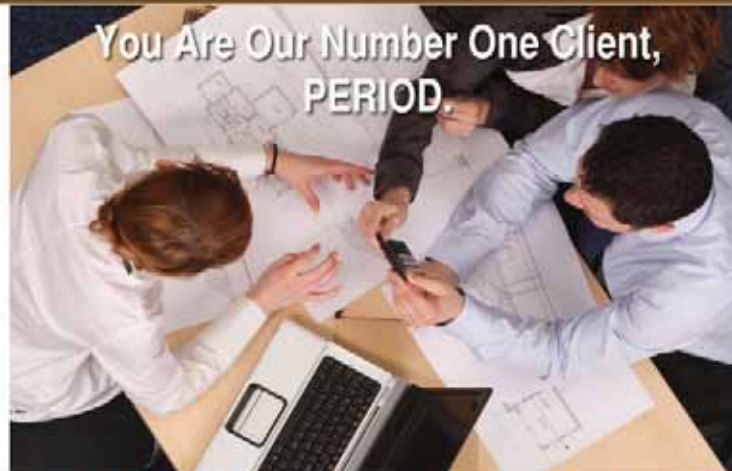
- Capital Reserve Analysis

### CIVIL ENGINEERING SERVICES

- Basement Water Investigations
- Foundation Waterproofing Design
- Retaining Wall Design
- Site Drainage Analysis / Design
- Soils Investigation
- Storm Damage Assessment
- Surveying
- Pavement Coring & Design

### FACADE AND BUILDING ENVELOPE CONSULTING

- Balcony Restoration / Design / Specifications
- Building Envelope Consulting
- Building Façade Inspections / Specifications
- Building Leak Detection
- EIFS / Stucco Investigations & Certified Inspectors
- Façade / Basement / Vault Replacement Specifications / Inspections
- Moisture Investigations / Mold Testing
- Roof Replacement Specifications / Inspections
- Siding Replacement Specifications / Inspections
- Window Replacement Specifications



## THE FALCON GROUP

Falcon Engineering, Falcon Architecture, Falcon Energy Consultants  
Professional Engineers, Licensed Architects, Inspectors and Reserve Specialists



### LITIGATION / EXPERT SERVICES

- Expert Reports / Testimony
- Chapter 558 / Transition Due Diligence Evaluations

### MEP / ENERGY CONSULTING SERVICES

- 40/50 Year Recertification
- Boiler Conversions
- Commissioning / Retrocommissioning
- Energy Audits / Modeling / Metering
- Energy Benchmarking
- Energy Consulting
- Energy Reduction Plans
- HVAC Controls
- MEP Engineering / Design
- Solar Energy Design
- Testing, Adjusting and Balancing
- Energy Rebates and Financing

### STRUCTURAL ENGINEERING SERVICES

- 40/50 Year Recertification
- Parking Garage Investigation / Restoration / Design
- Emergency Inspections



[www.falconengineering.com](http://www.falconengineering.com) • [info@falconengineering.com](mailto:info@falconengineering.com)

7416 SW 48th Street, Suite B

Miami, FL 33155

(305) 663 - 1970

Florida Board of Architecture COA #AA26002901

Florida Board of Professional Engineers COA #30510

# How To Get The Vote

Rembaum's Association Roundup; KBRLegal.com



Your association's board has worked for six months to amend and restate the association's governing documents, including the declaration, articles of incorporation, bylaws, and even the rules and regulations. The board has met with the association's lawyer on several occasions, reviewed and provided comments on multiple drafts, and even arranged for multiple meetings with the membership to solicit comments and generate enthusiasm. There are two methods of obtaining the votes. The first is to notice a meeting of the members and use proxies for those who cannot attend. The other is to use, the often neglected, but still effective, written consent in lieu of a meeting process.

The time is finally come – the notice package to be sent to the members is in the mail. A week goes by, and very few proxies are returned. Worse still, on the night of the membership meeting, where it is hoped that the amended and restated governing documents will be approved, only several owners personally attend. Needless to say, not only are there an insufficient number of votes, but there isn't even a quorum. What is the board to do?

All is not lost, and there is still plenty of time to solicit the necessary member votes so long as the meeting for which the proxies were intended is not concluded. Once the membership meeting is concluded, any and all proxies die an immediate death! But, if the membership meeting is continued to a "time, date, and place certain" then, all of the proxies continue to live for 90 days from the date of the meeting for which they were initially intended.

If a quorum is attained, but not the number of necessary votes, then, any member in attendance can make a motion to suspend the meeting to a time, date,

and place certain, so long as the meeting is resumed within 90 days of the date of the initial meeting. Then, the motion should be seconded. A vote of those in attendance, in person or by proxy, should follow such that the majority cast their vote in favor of the continuance. If neither a quorum is attained, nor the number of necessary votes, then the one item of business that can occur, even without a quorum, is a motion to continue the meeting to a "time, date, and place certain." Again, the motion should be seconded and a vote of those in attendance, in person or by proxy, obtained.

This "continuance" process can be used as many times as necessary, so long as 90 days from the date of the initial meeting have not expired. Once the 91st day is reached, then all of the proxies are as good as dead. Because the meeting is continued, there is no need to re-notice the meeting each time it is reconvened. However, minutes should be taken so that there is an accurate record.

When describing the continued meeting in the minutes, the word "adjourned" could be interpreted to mean that the initial meeting concluded or it could be interpreted to mean that the meeting was continued, therefore it is advisable to not use the word "adjourned" in the minutes to reflect that the meeting was continued. If the meeting is continued, then use the word "continued." This will avoid any confusion whatsoever. For example, the minutes might include, "Upon motion and second, a majority the members in attendance, in person and by proxy, votes to continue this membership meeting on February 28th, 7:00 P.M. in the community clubhouse."

continued on page 24





## Complete Lockbox Association Services System (CLASS)

### Association Loans:

- No Personal Guarantees
- No Liens Placed on Units
- Low Closing Costs
- Competitive Rates
- Lines of Credit to Fund Wind Storm Deductibles
- Loans for Repairs and Improvements
- Insurance Premium Financing

### Lockbox Services:

- Payments Stopped
- Automatic Exception Processing
- Interest on All Association Accounts
- CDARS FDIC Insured Deposits to \$50 million
- Complete Online Interface
- Online Payments Accepted



### FIVE STAR BAUER RATING

Boca Raton • Coral Gables • Coral Springs • Doral • Englewood • Fort Lauderdale  
Fort Myers • Jupiter • Naples • Pine Island • Pompano Beach • Sarasota • Tampa • Venice

Contact: Jennifer Olson or Janet Romano • 866-227-0441

[www.stonegatebank.com](http://www.stonegatebank.com)



KW PROPERTY MANAGEMENT & CONSULTING

*"A professional and independent  
approach to management"*

Our goal is to provide the highest quality property management services including exceptional accounting, knowledge-based maintenance and dedication to superior customer service and hospitality.

### CORPORATE HEADQUARTERS

8200 NW 33rd Street, Suite 300, Miami, FL 33122  
Office 305.476.9188 • Toll Free: 1.800.514.5770

For more information or advice, please contact  
Executive Director Regan Marock, CAM



Oceana Key Biscayne, Florida



## Dedicated to the representation of community associations

The attorneys at Kaye Bender Rembaum have over 100 years of combined legal experience, and currently represent more than 800 community associations throughout Florida.

**The firm provides clients personalized service with attorneys and staff who remain accessible and responsive.**

### Services include:

- Assessment collections
- Contract negotiation
- Document review & covenant amendments
- Covenant enforcement
- Construction defect claims
- Cooperatives & mobile home parks
- General litigation
- And more



Robert Kaye



Michael Bender



Jeffrey Rembaum

**Broward Office:**  
1200 Park Central Boulevard South  
Pompano Beach, FL 33064 | 954.928.0680

**Palm Beach Office:**  
9121 North Military Trail, Suite 200  
Palm Beach Gardens, FL 33410 | 561.241.4462

**Info@KBRLegal.com KBRLegal.com**

The hiring of a lawyer is an important decision that should not be based solely upon advertisements. Before you decide, ask us to send you free written information about our qualifications and experience.

## How To Get The Vote

-continued from page 22



Remember, too, that a "general proxy" allows the proxy holder to vote as they so choose, while a "limited proxy" directs the proxy holder to vote as the giver of the proxy instructs.

Utilization of the written consent in lieu of a meeting process will fully avoid the need to have the membership meeting but will still require that the necessary votes are obtained within 90 days. The written consent in lieu of a meeting process is described in Chapter 617 of the Florida Statutes, more commonly known as the "Florida Not For Profit Corporation Act," and not Chapter 720, Florida Statutes, more commonly known as the "Homeowners' Association Act."

Unless otherwise provided in the articles of incorporation, an action required or permitted by the Florida Not For Profit Corporation Act to be taken at a meeting of members may be taken without a meeting, without prior notice, and without a vote if the action is taken by the members having at least the minimum number of votes necessary to authorize the action.

To be effective, the action must be evidenced by one or more written consents describing the action taken, dated, and signed by approving members having the requisite number of votes and entitled to vote on such action, and delivered to the association.

Written consent to take the action referred to in the consent is not effective unless the consent is signed by members having the requisite number of votes necessary to authorize the action within 90 days after the date of the earliest dated consent. Importantly, within 30 days after obtaining authorization by written consent, notice must be given to those members who are entitled to vote on the action but who have not consented in writing. The notice must fairly summarize the material features of the authorized action. Remember, too, that once the necessary written consents are obtained, there should be official recognition of such approval by the board.

Both the proxies and written consents constitute official records of the association and therefore should be stored with the official records of the association.



# Science Based Waterway Management

Your waterway is unique. Our degreed, experienced lake professionals ensure you get a maintenance plan tailored to your lake's particular needs.

## Identify Needs

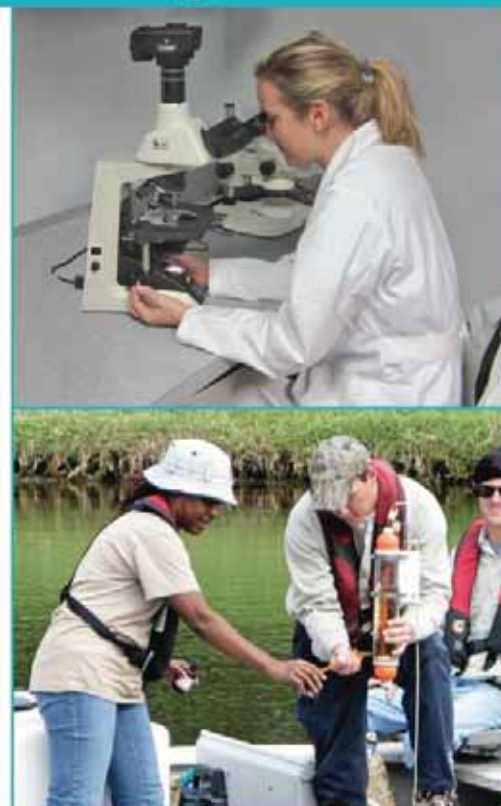
- Free on-site consultation
- Detailed on-site examination
- Field water quality tests
- Water chemistry tests
- Lake depth mapping
- Lake vegetation mapping

## Restore & Maintain

- Algae and aquatic weed control
- Wetlands and uplands
- Fish stocking programs
- Midge fly control
- Lake aeration systems
- Custom fountains



1-800-432-4302 • [www.aquaticsystems.com](http://www.aquaticsystems.com)



## PICK THE RIGHT TOOLS FOR YOUR NEXT PROJECT.

With community association lending expertise like ours, you'll get the job done right.

TAKE THAT TO **THE BANK.**



### Mark Evans

Regional Account Executive

321-745-8444

Toll Free 866-800-4656, ext. 7488

[mark.evans@mutualofomahabank.com](mailto:mark.evans@mutualofomahabank.com)

**Mutual of Omaha Bank** 

[mutualofomahabank.com](http://mutualofomahabank.com)

APN45863\_0813

Member FDIC

Equal Housing Lender 

# Finding Roof Leaks: Three Places to Check

FacilitiesNet.com



**R**oof leaks are a major headache to fix. The good news is that some leaks are predictable - especially as the roof ages. By identifying areas that are prone to developing problems, steps can be taken that will prevent roof problems cost effectively.

## Look For Roof Leaks Near Penetrations

Flashings and sealants at penetrations through the roof membrane are common trouble spots. Typically in single-ply roofing systems, penetration flashings are the same material as the roof membrane and are bonded to the field membrane. Inspect the laps, seams and sealants at these locations regularly.

Factory-assembled boots can address field installation issues at penetrations. It is important that technicians properly seal the boot to the field membrane, where problems typically occur.

Roof drains that penetrate a roof membrane can be especially troublesome because rain that falls onto the roof eventually flows over the drain's seal. Drains should be large enough to handle heavy rainfalls, and they should have a screen that stops debris from flowing down the pipe.

Workers should clean the drain regularly to prevent blockage of the screen and install recessed drain sumps. A positive slope in the roof also can prevent ponding around drains.

The best way to avoid leaks at roof penetrations is to avoid penetrations altogether. For instance, ducts, conduits and other piping that runs horizontally across the roof often are placed on solid supports that are anchored to and penetrate the roof membrane at regular intervals. To avoid these penetrations, managers can specify products with adjustable heights and soft feet that rest on the membrane. If a horizontal element must be anchored to the roof, build a curb and secure the element supports to the curb.

## Roof Leaks On The Perimeter

Leaks occur near roof edges because of the transition from flexible membrane flashings to inflexible sheet-metal flashings. Technicians should ensure that sheet-metal laps shed water, and they should inspect the sealants at these locations regularly.

Pre-manufactured sheet-metal roof accessories can solve many roof-perimeter problems. Managers can specify custom-made accessories for copings at parapet walls and reglets at masonry or interior rising walls. These components typically snap together, and technicians can dismantle and re-install them during roof-membrane replacements.

Water problems also occur near expansion joints at roof perimeters. To address areas where building expansions and contractions are likely to occur, managers might want to consider specifying pre-manufactured roof accessories. But managers need to make sure accessories they specify are compatible with the roof membrane.

## Condensation And Roof Leaks

Sometimes, a roof might appear to leak in January when the temperature dips below freezing, but the roof might not be leaking. What happens is condensation is created when the warm, moist interior air inside the building contacts cold surfaces or when cold air leaks through the building's exterior skin.

This problem might result from a missing or inadequate air barrier or vapor retarder on ceilings or walls, or from inadequate insulation or ventilation. Cold areas above the insulation in joist cavities or attic spaces must be vented. If natural ventilation is difficult or too expensive, technicians can install a fan that moves moist air out of the cold space.



**3,237 buildings**  
**58,010 managers**  
**1,225,834 residents**

**And counting**



**Ask us for a demo and see why.**

**Richard@buildinglink.com • 877-501-7117**

## **U.S. Century Bank Homeowner Association Experts**

**Choose U.S. Century Bank to serve YOUR Homeowner Association**

- **White Glove Treatment** - Expertly Tailored Services
- **Hometown Bank** - We understand the Market and your needs because we live here, too!
- **Full Suite of Services** - Lockbox to Loans
- **Great Money Market Rate** - Earn more on your deposits

**Make U.S. Century Bank Your Homeowner Association's New Home**

**Get started today**

- Contact the Homeowner Association Expert:  
Rick Alfonso at 305.715.5181 or email Rick.Alfonso@uscentury.com
- Visit any U.S. Century Bank Banking Center -  
13 throughout South Florida



**U.S. CENTURY BANK**

**YOUR CENTURY • YOUR BANK**

**www.uscentury.com**  
305-715-5200

**Headquarters & Main Banking Center**  
2301 NW 87th Avenue • Doral, FL 33172



# Water Damage in a Condo: Who Is Responsible?

-The Water Restoration Group, Online Blog, [thewaterrestorationgroup.com](http://thewaterrestorationgroup.com)



In Florida, water damage in a condo has and probably always will be a common issue. With the annual hurricane season and the year-round tropical climate that brings frequent showers, there is always a good chance that there might be some water damage somewhere in or on a residential property such as an apartment building, single family home or condo. A building with a community association must have a property insurance policy that covers any damages to common areas like lobbies, parking garages, parking lots, building exteriors, elevators and other shared spaces. This means any water damage that occurs to those areas should be covered by the insurance (Unless it was caused by storm surge, in which case it would be left up to hurricane and/or flood insurance, in most cases).

When it comes to water damage in a condo, however, it begins to become more complicated. Identifying who is truly responsible for the water damage inside of a condo can be, sometimes, like a game of ping pong between homeowner's/community associations, individual condo owners or homeowners and their insurance companies.

## Subrogating the Claim

Although it is a common issue facing community associations across Florida, even association lawyers get confused with this sometimes. There are laws and amendments made all the time that continually change certain rules, shifting the responsibility, depending on where the damage really originated. The bottom line is this: it depends on the cause of the damage. Whether your association's property insurance is notified of the water damage first or whether the condo owner's or tenant's insurance is notified first, the insurance company will proceed to subrogate the claim against all other policies in play. Water damage in a condo involves weighing the different policies against each other to see which party is responsible for paying for the damage, depending on how the damage occurred.

## Rule of Thumb

As per Florida Statute 718.111(11)(f) the association is responsible for everything except the following, which is the unit owner's responsibility: All personal property within the unit or limited common elements; water heaters and filters, electrical fixtures, built-in cabinets, appliances,

floors, walls, ceiling coverings, hardware, blinds, drapes, counter tops, and window treatments.

**Drywall:** This specific item can be tricky, but here is the clarification. Drywall out is the association's responsibility and drywall finish such as textures or paint is the responsibility of the unit owner. Bare floor up is the owner's responsibility as well.

## Unit to Unit

If, for example, there is a unit above another and the top unit's toilet leaks through to the ceiling of the unit underneath it, there would be three insurances involved here. The unit owner who's toilet is leaking would be responsible for the getting the toilet repaired. The unit owner underneath would be responsible for his or her personal property and even the drywall finishes, as stated above. The association in this case would be responsible for any damage to the drywall and the electrical wiring within walls and/or insulation.

## Property Dry Outs after Water Damage to a Condo

The Florida statute doesn't offer much clarity when it comes to water damage in a condo, specifically when it has leftover standing water. It is, however, in a community association's interest to have this taken care of as soon as possible so that more damage isn't inflicted on the property that can then affect another unit owner's property and eventually, require the association to get involved anyway. Standing water also threatens the certain structural parts of the building with mold development and even deterioration. In some cases, it might make sense for the unit owner and the association to split the cost of a thorough, professional water dry out; in other cases, it might make more sense for the community association to take on the cost.

## Negligence

Lastly, negligence on a unit owner's part absolves the association of any responsibility and requires the unit owner to handle costs of repairs. It's important to clearly define negligence in any documents, bylaws, or rules and regulations given unit owners from the start, to avoid taking on unjustified costs or avoiding escalation into unnecessary legal battles.



When a bank evaluates a loan request, there are some financial performance metrics that may be used to gauge the credit risk of an association. The following are some of these metrics that a bank may consider during the underwriting process. It may be possible for an association to improve in some of these areas prior to applying for a loan.

1. **Delinquency** - Number of accounts and total amount of delinquencies. Many banks have a maximum rate of 10% for number of units aged 60+ days.
2. **Liquidity** – Amount of cash as a percentage of annual assessments and annual debt service. Many banks have a minimum liquidity requirement of the association's annual assessments.
3. **Size** – More homes provide a diversified cash flow stream.
4. **Assessment Increase** – Large increases may cause delinquencies to rise.
5. **Annual Assessments/Market Value** – Annual assessments should not be greater than 10% of the unit value.

6. **Owner Occupancy and Concentration** – A high percentage of investors not living in their respective units poses more risk.
7. **Management and Capital Planning** – Strong external professional management company with experience in managing similar projects is desirable. Also, a professional reserve study that is at least partially funded indicates prudent financial planning.

Ratings of fair to strong in most of the factors above can greatly improve an association's chances of being approved for a loan. Overall, a loan may be a fantastic way for an association to finance a large capital improvement project. It allows an association to spread the cost out over a longer period of time which not only decreases the immediate impact to residents, but also allows for the costs to be allocated to future residents. These future residents will most likely be gaining benefit from the improvements.

Considering the key factors and financial performance metrics, an association is now able to better determine whether to spring forward with a loan.

**1-844-DRY-WATER**

WATER | FIRE | MOLD | ASBESTOS | CONSTRUCTION

OUR PEOPLE  
MAKE ALL THE  
DIFFERENCE.

**WRG** The Water  
Restoration Group

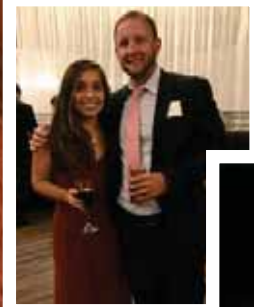
Property Damage Restoration... *Redefined.*

Dade Broward Palm Beach



# Casino Night & Holiday Gala

December 16, 2016  
Gulfstream Park






## Committed to our communities

For 30 years, we have provided products and services specifically designed to meet the needs of property management companies and community associations. You can count on us to be your trusted partner. [BBT.com/AssociationServices](http://BBT.com/AssociationServices)



## Association Services

Henry Campos  
VP, Relationship Manager  
786-514-3030  
[HCampos@BBandT.com](mailto:HCampos@BBandT.com)

Branch Banking and Trust Company is a Member FDIC and an Equal Housing Lender.   
Loans are subject to credit approval. Only deposit products are FDIC insured.  
© 2016, Branch Banking and Trust Company. All rights reserved.



If this is how your association is budgeting for major projects, it's time for a professional Reserve Study.

# ASSOCIATION RESERVES

Est. 1986

*Over 25,000 Reserve Studies nationwide*

- ♦ All studies prepared by CAI-credentialed Reserve Specialists
- ♦ Multiple levels of service and turnaround options to suit your needs
- ♦ Free software and video presentation of results

Miami Office: (800) 403-9011

[www.ReserveStudy.com](http://www.ReserveStudy.com)



304 Indian Trace  
Suite 538  
Weston, FL. 33326

PRSRT STD  
US POSTAGE PAID  
FT. LAUDERDALE, FL.  
PERMIT NO 1856

It's a sure bet! Cash in on new ideas, play to win by networking with the best of the best and raise the stakes on your career at the CAI Annual Conference and Exposition.

# ALL IN TO WIN

CAI Annual Conference & Exposition

May 3–6, 2017  
Caesars Palace Las Vegas

Register now at [www.caionline.org/events](http://www.caionline.org/events).

