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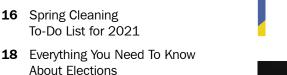
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Channels of Communication is a quarterly publication of the Channel Islands Chapter of Community Associations Institute prepared expressly for Association leaders, managers and other related community association professionals. This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It 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.

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Leah Ross - Executive Director leah@cai-channelislands.org

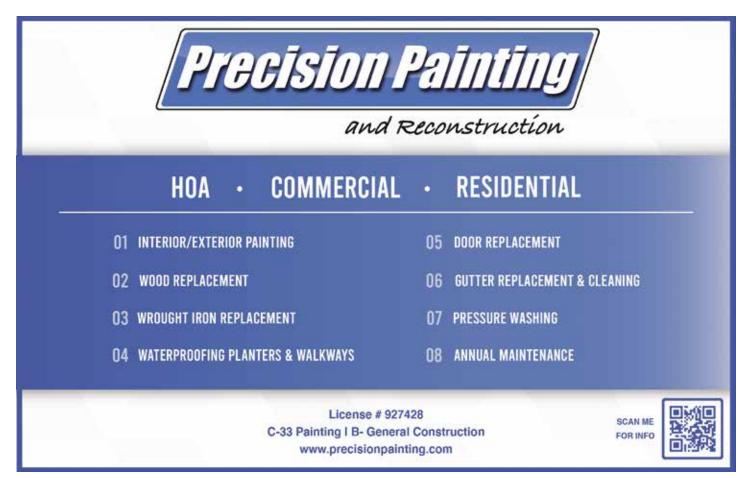
The Channel Islands Chapter of Community Associations Institute is dedicated to empowering Homeowner Association members, managers and service providers through information and educational opportunities.



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president's message

Chelsi Rueter, CCAM, CMCA, AMS, PCAM Community Property Management



Dear Members:

It is an honor to serve as Chapter President this year -2021 -our 40th anniversary! I am excited to lead as we celebrate in many ways! This issue of the chapter magazine kicks off our anniversary celebration and each chapter magazine will feature photos and articles as we look back at how this chapter has continued to succeed because of so many dedicated members! We are also planning to host a celebratory event later this year to commemorate this milestone. More details to come!

This celebratory event will also be an opportunity to recognize the many volunteers who stepped up and contributed to our chapter over the years, especially during 2020, as it was a completely unprecedented and unpredictable year. I would like to specifically thank Steve Roseman who led our chapter with confidence, patience, and professionalism in a time of increasing chaos and worry. He will certainly be a tough act to follow!

Also, thank you to the fantastic group of volunteers who served as my fellow board members. It would have been easy to forget about CAI in 2020 and focus solely on their own survival, and I appreciate that they remained dedicated to the continued success of our chapter.

Lastly, I want to thank the committee members that planned the virtual events and those who spoke at our webinars in 2020. They spent hours brainstorming how to keep the chapter moving in a totally foreign environment. The speakers and committee members educated themselves and worked to keep everyone else informed about how to navigate this pandemic, even though the platform was completely different (and often times awkward).

Our past and future success would not be possible without our committees and board who all volunteer their time to advance the chapter. We welcome and encourage involvement from all our members! Please reach out to Leah Ross at leah@cai-channelislands.org if you are interested in serving on a committee, speaking at a program, writing an article, or helping out in any other capacity. It would be our pleasure to have you!

The Board has met to brainstorm and strategize how to best navigate this year as we ease back into some sort of normalcy. We are focused on getting back to in-person events as soon as possible and elevating the quality of our programs and education. Last year definitely forced us to think outside the box and prepared us more than ever to bring you dynamic, timely education in whatever platform necessary. We always welcome your ideas and input.

Thank you, truly, for being a part of our CAI-Channel Islands family. I can't wait to see all of your smiling faces again in person soon!

Sincerely,

Melci Rueter

Chelsi Rueter, CCAM, CMCA, AMS, PCAM CAI-Channel Islands Chapter President



The Beginning

What do you get when developers, planners, public officials, attorneys and homeowners come together? Over four decades ago, you got the beginning of an organization that was needed to educate community association volunteers and professionals and to serve as a clearinghouse for ideas. You got CAI National. In 1973, condominiums were booming, accounting for nearly 50 percent of homes built—up from 11 percent just three years earlier. Conversions were occurring at a rapid pace too. That growth was creating problems. Developers came under scrutiny for owning common areas and obligating associations to long-term, high-cost "recreation leases." There also was a tremendous lack of knowledge on how to operate community associations successfully. The need was clear, and CAI filled it. "CAI was formed to become the preeminent source of information, training, guidance and research for the successful creation and operation of community associations, with a mantra of 'Sharing Success," says Lincoln Cummings, a CAI founder and past president (1975–77). (Daniel Brannigan, CAI at 40, pg. 1)

Fast forward to 1981, three Ventura County residents and colleagues, Marla Mott-Smith (Buckert), Monte Widders, and Gary Porter felt the growing need for education for the homeowners associations in Ventura County and from their partnership, Channel Islands Chapter of Community Associations Institute became an official nonprofit corporation as of February 21, 1981. Gary Porter tells the story best...

"I started working with a number of associations in 1976 and became recognized as someone knowledgeable about association taxation simply because I invested the effort to read and understand the tax law about the new Form 1120-H that IRS first issued that

CHAPTER FOUNDERS

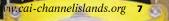


Gary Porter, Marla Mott-Smith Buckert and Monte Widders, Esq.

year. I was performing audits for a number of associations in Marla's company, Monarch Property Management Services and met Monte Widders, Esq., through that connection as he provided legal representation to most of those same associations. This was in 1979 and I had never even heard of Community Associations Institute (CAI) until Marla said she wanted to form a local chapter to provide educational services to associations in the tri-county area. Back then there was no Google or any easy way to find information unless it was something that had been published somewhere. As I recall, we were required to have a minimum of 25 members to form a local CAI chapter, so Marla had all of her associations join along with Monte's law firm and my CPA firm. That pushed us past the minimum membership requirement and by February 1981, we were an official chapter of CAI. We started reaching out to management companies, associations, and service providers and presented educational seminars. Back then the industry was still relatively young and there wasn't a lot of information available. I used to joke that at that time if you could pronounce the word condominium you were considered knowledgeable and if you could spell it you were an expert. An exaggeration, but not by much."

At this time, the Channel Islands Chapter covered Ventura and Santa Barbara Counties. Marla was the first chapter president, Gary served as treasurer, and Monte served as secretary. Marla recalls, *"The educational programs were held at a homeowners association clubhouse with about 30-40 people in attendance."* And added, *"It was a privilege to be a part of the beginning, where the chapter membership comprised of homeowner members and is amazed on how the chapter has expanded, maintaining the vision that our homeowner members make up the majority of the chapter's membership". Marla moved to Utah and even co-founded an additional chapter, CAI-Utah, and served as their Executive Director. She currently lives in Tucson, Arizona.*

(Continued on page 8)



Continued from page 7

Monte mentions, "What I remember the most is Marla, Gary and I sitting in Marla's conference room wondering whether we would be able to get enough members to meet National's minimum of 25 members for a new chapter. The fact that we are approaching 1,000 members is truly amazing! Congrats to the chapter leaders!" Monte currently resides in Ojai, California and is of counsel for Myers, Widders, Gibson, Jones & Feingold in Ventura. Gary Porter later became one of the CAI-National Presidents and in looking back at his many years with CAI, he mentions, "Marla and I have remained friends since 1979 and still meet frequently to chat and share a meal and consume adult beverages. I count these relationships and friendships as the greatest personal benefit to me of joining CAI."

Past Presidents of CAI-Channel Islands Chapter

Thank You to all of our past presidents for your dedication to CAI-Channel Islands Chapter.

1981	Marla Mott-Smith (Buckert)	1994	George Beers	2008	Timothy Cline, CIRMS
1982	Monte Widders, Esq.	1995	Mark Poindexter	2009	Kirk Prouse
1983	Gary Porter, CPA	1996	Robert Long, Esq.	2010	Judy Remley
1984	Skip Roberts, CMCA, PCAM	1997	Ruth Cederstrom, CCAM, PCAM	2011	Sandra L. Gottlieb, Esq., CCAL
1985	Daphne Becker	1998	Dale Sweatt	2012	Danita L. Vaughn, CMCA, AMS, PCAM
1986	William S. Dunlevy, Esq.	1999	Donna Nelson	2013	Lisa Tashjian, Esq., CCAL
1987	William S. Dunlevy, Esq.	2000	Diane Doria	2014	Teresa Agnew
1988	Jim Sweatt	2001	Diane Doria	2015	Sue Bartley
1989	Jim Lingl. Esq.	2002	Jill Van Zeebroeck, PCAM	2016	Jeffrey Beaumont, Esq., CCAL
1990	Dan McGranahan	2003	William S. Dunlevy, Esq.	2017	Gordon Miller
1990	Kelton Lee Gibson, Esq.	2004	Gordon Miller	2018	Tracy R. Neal, Esq.
1991	Kelton Lee Gibson, Esq.	2005	Bruce Kimmell	2019	Joe Smigiel, CIRMS
1992	Craig Huntington	2006	Jeffrey Beaumont, Esq., CCAL	2020	Steve Roseman, Esq.
1993	Gayle Cagianut	2007	Robert Scheaffer, CMCA, AMS, LSM, PCAM	2021	Chelsi Rueter, CCAM, CMCA, AMS, PCAM

Photograph taken at the 600 Member Celebration held in June 2016.



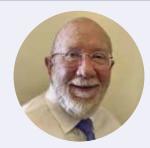
Front Row: Gary Porter, Marla Mott-Smith Bucket and Monte Widders, Esq. Middle Row: Jeffrey Beaumont, Esq., Danita L. Vaughn, Ruth Cederstrom and Judy Remley Top Row: William Dunlevy, Esq., Sandra L. Gottlieb, Esq., Kirk Prouse, Kelton "Lee" Gibson, Esq., Skip Roberts, James Lingl, Esq., Gordon Miller, Bob Scheaffer, Lisa Tashjian, Esq., Sue Bartley and Teresa Agnew

Most of the photos featured in this magazine issue were taken by Mr. William S. Dunlevy, Esq. Thank you, Bill, for serving as chapter photographer since 1984!



Through The Years... Past Presidents' Memories

William S. Dunlevy, Esq. 1986-1987, 2003



I am humbled to have served two terms as president of our Channel Islands Chapter. I have so many fond memories of the great volunteers and executive directors who have served our chapter.

The founding members of the chapter were Marla Mott-Smith (Buckert), Gary Porter, and Monte Widders. James P. Lingl introduced me to the community association field when I joined his law firm, Taylor, Churchman & Lingl, in 1980. Jim encouraged me to join the chapter. I first became active in the chapter when past president Daphne Becker asked me to become the chapter's newsletter editor. The first newsletter was published in 1984. It was a simple four-page document with no photos and barely any artwork. As the newsletter progressed, it grew from that plain beginning to a full magazine, Channels of Communication, with color photograph covers. The cover photos were all photos that I had taken, as one of my hobbies is photography. It was my great pleasure to work with the chapter members

to obtain articles from them and to showcase their expertise in *Channels* of Communication. I retired as editor of Channels after twenty-six years.

I remember that the first annual meeting and election of directors/ officers I attended was held in the side banquet room of the Peking Inn restaurant in Camarillo. We were a small chapter then but progressed steadily over the years to medium size and now very large size. I am grateful to have been a small part of that development. If you ever need a visual representation of how the chapter has grown, I suggest that you visit the Peking Inn and check out the size of their banquet room (have a meal if you are so inclined - excellent food in my opinion) and then compare that space to the space we now occupy for meetings and often fill to capacity (COVID-19 restrictions notwithstanding).

The first forty years of the chapter have been a blast. I look forward to seeing what happens in the next forty years.

Jim Lingl, Esq. 1989



I was the Board President early in the history of the Chapter and at that time the Chapter was very small. There was Monty, Marla and a few property managers. We had no home and we had meetings in the office of whoever was the chair, and tried to schedule teaching programs every couple of months. We didn't have access to computers or the internet so word got out by mouth or by handbills that we would post or pass out. Later on, I created a temporary home for us. Bill Dunlevy was with me and we had an office at the top of Carmen Drive where it intersects with Las Posas. There was a large room on the second floor that had not been built out yet. I got the office manager to give us permission to use it and we held some meetings there, we did some trainings, and managed to get 10 people (maybe) to attend in the evening each month. That was where we had the annual meeting, and had the feeling of growth. There was no executive director, no staff, nothing other than what Bill and I could create. It's amazing to see how the chapter has grown from 1985 to 2021.

(Continued on page 10)



Kelton Lee Gibson, Esq. 1990-1991



I was chapter president for both 1990 and 1991. In 1989, incoming chapter president Dan McGranahan of Green's Entomological Services asked me to come on the board in January 1990. Becoming a board member then was much more informal than the election process we currently have. I agreed, and Dan asked me to be his presidentelect.

I arrived as a new and naive board member at the January 1990 meeting a few minutes late. It was just in time to catch Dan's resignation as president due to health issues. This made me the president, knowing little about chapter operations. Plus, we had a brand new executive director, Susie Beers. Talk about stepping into the fire. But, Susie and I were able to take the bull by the horns, and the chapter took off with substantial growth. We adopted a number of new events, including the golf tournament and annual awards banquet. To get attendance at the banquet, we had arranged for virtually everyone to receive one award or another. The rock band I was playing with at the time performed at the Tower Club for the event.

There was lots of collegiality and fun. Being president also got me to two CAI-National events in Nashville and in Las Vegas. I appreciate all the persons who stepped up and helped expand the chapter during that time. I also appreciate my mentors, Skip Roberts and Jim Sweatt, who provided great guidance.

Mark Poindexter

1995

My term as president was some time ago. I was involved in a transition of executive directors for the chapter, which is always a challenge. The chapter has been very fortunate to have Leah Ross as our executive director, as she is one of the most experienced executive directors in the nation. I remember the other board members who served with me during my tenure at president, as being very motivated and active in accomplishing our chapter goals. Some of the same board members continue to serve our chapter today, as board members and committee members, continuing to give back to the chapter, which has become another family for many of us. Ruth Cederstrom, PCAM, CCAM 1997



Fortunately the year I was president, I was required to go to CAI-National... the national meeting was held in Hawaii. That started my year off great as I had just returned from Alaska a few months earlier. The 1990's were an amazing time, just getting into e-mails and remember AOL? "You've got mail!" I remember several of us old timers, (well it was 24 years ago) were on the board. Among them, Lee Gibson and Gayle Cagianut, oh and Mark Poindexter. I am pretty sure we were still meeting at Ottavio's Dinner Theater on Mobil in Camarillo and then as we grew, moved to the Orchid Room at Camarillo Springs. Our "Leah Ross" was Diana Sellers. As Leah does for the current Presidents. Diana offered invaluable assistance to me during the year when I had a full time job owning Auburn Property Management. Thank you to Leah and all of the "Leah's" that make our jobs look easy. We owe it all to you!

Judy Remley

Kirk Prouse





Robert Long





Sue Bartley



Steve Roseman

Ruth Cederstrom

Bob Scheaffer

Donna Nelson



Jill Van Zeebroeck, PCAM 2002



It was not long after joining the Channel Islands Chapter that I understood the value of volunteering my time to help the chapter grow and be able to establish personal and professional relationships that I enjoy almost 30 years later. One of my favorite duties as president was to speak to business partners who wanted to join the chapter but did not quite know if it would provide them any benefit. I really enjoyed recruiting newcomers to our industry and ultimately seeing their business thrive and grow as a result of the synergy and good will our tiny chapter was providing. I say tiny because back in those days the chapter was less than 400 members. Looking back, I enjoyed the planning and attending of social events, facilitating the board leader training, attending the CAI-National conference representing our group, and the annual planning sessions for my incoming tenure. My presidency followed that of my dear friend Diane Doria, who was unable to complete her term of office. Following in her dynamic footsteps was my honor.

Congratulations on the tremendous growth, resilience, and stamina of the Channel Islands Chapter. I am proud and grateful to have played a small part in its success.

Gordon Miller 2004, 2017

Jeffrey Beaumont, Esq., ccal 2006, 2016



I had the honor to serve as chapter president twice, and I have fond memories of both years. In 2004, I remember working with Diane Doria. She was the person who most influenced my decision to run for president, and she was always on hand to help me with strategic decisions. I remember a couple of road trips I took with her on official CAI business related to CAI-National's agenda in 2004, which involved significant changes to the dues structure. Many members of the chapter were worried about the financial fallout and we were all paying close attention to the proposed adjustments. Obviously everything worked out. as CAI is still alive and well. I'm so glad we were able to honor Diana's contributions to our chapter through her special chapter award, "Diane Doria Volunteer of the Year".

And for my last round in 2017, it was a blast when we blew past 700 members. The chapter's growth in recent years has been exhilarating, and a testament to the efforts of so many people. One thing that stood out most for me is how the chapter matured from when I served as president in 2003. It was impressive to see how much our board, and our executive director had grown and developed. Our challenges and discussions were on a higher level and more efficient than "back in the day."





Let me start off by saying that serving as a two-time past president of the Channel Islands Chapter will always be one of the greatest highlights and privileges of my career. To have been elected in 2006 and again a decade later in 2016 was such an honor. During these different periods of time, I can recall the leaders who shaped this Chapter, from its longstanding past Executive Director Diana Sellers, to Ed Miller who the chapter continued to honor his legacy by naming its golf tournament after Mr. Miller, to the many current volunteers and leaders, and current Executive Director Leah Ross, who all continue to make this chapter so very special. In the early days, the chapter was smaller, intimate, tight-knit, and today it has grown to be this robust and very large successful chapter. However, despite its growth, the chapter still has that same small, intimate, and tightknit feeling that gives its members the special opportunity to connect, grow and better ourselves professionally. I will always look back with great memories from not only serving on the board but, serving on countless committees. I remember fondly the days of setting up events, such as the western themed Expo at the

as the western themed Expo at the fairgrounds and unloading bales of hay for the line-dancing dance floor. In 2016, I had the privilege of celebrating the chapter achievement of reaching 600-chapter members. It was quite the celebration with a beach-themed luncheon where we invited our chapter founders and thanked them for leading the way. What fun times! Thank you for the memories and I look forward to the many more we will create together.

(Continued on page 12)

Robert Scheaffer. CMCA, AMS, LSM, PCAM 2007



The year 2007 was a very challenging year for me as president of the chapter. I started a new position as general manager for an association, completed my PCAM designation in July and the chapter's executive director resigned. Our crowning achievement for the 2007-year was the hiring of Leah Ross as our executive director. We also had an extraordinary and strong board of directors to work through all of the challenges of 2007. Through their leadership, commitment, and teamwork, the chapter continued to thrive and I am grateful for their support.

Judy Remley 2010



I was first introduced to CAI-Channel Islands Chapter by Dale Sweat, who is also a past president and long time CAI member, around 2003. I joined the chapter as a Business Partner representing Robo Bank. I remained a Business Partner later representing First Bank and lastly Union Bank until retiring in 2018. I enjoyed being on various committees such as the Awards Committee. I served on the board for several years, serving as secretary and was president in 2010. CAI-Channel Islands was nearing 400 members and now has over 900! It is a great organization that I enjoyed being a part of and made many lifelong friends.

Sandra L. Gottlieb, Esq., CCAL 2011



It was an honor and privilege to serve as chapter president in 2011 as it was exciting to see all the membership growth and volunteer participation that occurred that year. When all was said and done the chapter experienced a 22% growth in membership and a 23% increase in event attendance from the prior year including a sold-out December Luncheon program, the annual legislative update, with over 220 attendees, a chapter first. We worked hard, and were successful, in encouraging community managers to bring their association board members to our chapter events enforcing suitcasing rules against any attendees that marketed (unless a sponsor), during the event. The attendance at our Community Faire (expo) events grew by a staggering 87% that year as we moved from one expo to TWO mini-expos resulting in our chapter's national recognition, by CAI-National, as the recipient for their Member Services Award for this event. Our chapter magazine was introduced in full color and our chapter website and membership directory were both redesigned to make these resources more user friendly and efficient for the members. And these are just a few of the successes!

I am appreciative of all of the board members, committee members and the executive director, that supported this charge in 2011. It is really the combined effort of everyone that accomplished these great things.

Danita L. Vaughn, CMCA, AMS, PCAM 2012



As a member of the Channel Islands Chapter of CAI I had served on several committees and as the CLAC committee chair before joining the Board of Directors in 2009. As Board President in 2012, the Chapter's goal was to retain and grow our membership. Part of this goal was to spread the word to non-members by word of mouth and additional advertising outside the chapter communications.

We encouraged shared information and education between our community mangers, business partners, board members and homeowner members. The continuing education of our members was and contiues to be important to us. We encouraged as many members as possible to be involved in the monthly luncheons especially the end of the year legal update. The better educated our members are, the better association managers, board members and homeowners we have in our communities.

Chelsi Rueter

Danita Vaughn



Gordon Miller

George Beers



Lisa Tashjian 2013

Teresa Agnew 2014



The year 2013 was such a fun year for me to lead the chapter as its president along with my fellow board members and volunteer committee members. CAI has been such a big part of not only my legal practice but also my life. This organization allows relationships to build into long-time friendships, many that I cherish. In 2013, the board initiated goals to increase awareness of the education, resources, and networking opportunities available to its members, all of which the chapter continues to focus on today. The Community Faire events (expos) and luncheon programs hit record attendance, covering timely topics including the Davis-Stirling rewrite. We had a sold-out golf tournament and hosted a festive Holiday Happy Hour to name a few of the events that brought us together to enjoy each other's company. That same year, the board approved a budget item that would offer an opportunity to enhance member benefits by providing manager credential rebates, complimentary event registrations for managers' programs and homeowner dinner programs, and a new website launch was in the works, providing additional resources to our members. So many great memories and I can't wait to celebrate our 40th anniversary and see each other in person!

Mark Poindexter

Craig Huntington Jeff Beaumont



Islands Chapter on celebrating its 40th anniversary. It is an honor to be among many of the leaders of our chapter who have contributed to its success over the past 40 years. Serving as the Chapter President for 2014 was an honor and privilege. I would like to reflect on a few of the personal highlights and acknowledge leaders and volunteers who gave many hours and contributed to our many successes in 2014. As I began planning with our executive director and executive team for our annual strategic planning, I learned first-hand the level of talent, dedication and expertise among our leaders. Our chapter's board of directors were CEO's, senior managers, executives, business owners and committed chapter members. It was a positive and motivating session and was inspiring to work with such a dynamic team. A common theme resonated throughout our session, "Leading through Professionalism." The board of directors concluded the vision for the year would be to focus on reviewing the chapter as a whole, and to have goals that elevated the chapter in several areas. We looked at education, types of programming, speakers, regional programming, the AV system, venues, and committees; all to ensure the chapter was providing and exceeding the value it brought to its members through social media, the chapters website, social events, educational programs and volunteer opportunities. Through these initiatives, a succession plan was implemented and the board focused on these goals each month. The result was the chapter was awarded the following (5) five awards from CAI-National that year.

Congratulations to CAI-Channels



- Recognized by CAI-National for achieving large chapter status for having more than 500 members.
- Leadership Award for the Chapter's Effective Leadership Initiative
- Membership Award for the Chapter's "500 Members and Counting" Campaign
- Best Net Membership Growth (13%) for a medium chapter
- Best Net Membership Retention (98%) for a medium chapter

One of my favorite moments was standing at the podium getting ready to announce our program at our December luncheon overlooking the room packed with smiles, friends, and colleagues networking and socializing! The event was sold out, 200+ attendees, the largest that year, balloons were flying, music was playing, each member received a thank you gift, and our chapter celebrated a milestone of reaching membership of over 500 qualifying us as a large chapter with CAI-National. It was truly a celebration of the entire membership honoring the hard work throughout the year.

The chapter has continued to build on this foundation of high standards and professionalism. One of my favorite quotes is "No man will make a great leader who wants to do it all himself, or to get all the credit for doing it" —Andrew Carnegie. I truly believe that it is not one person, but a team that achieves success and greatness. I would like to close in wishing the chapter continued success, growth, leadership and innovation within the industry. Cheers to 40!

(Continued on page 14)

Sue Bartley 2015



If I had to say anything about my time as chapter president, I would say it was truly memorable and I challenged everyone to follow our theme of "A year of gratitude". That was most important to me during my time, to focus on that sentiment. I recall our November Luncheon where we did a food collection for FoodShare of Ventura County and the chapter's dedicated members donated 340 lbs of non-perishable food items. For each item collected, generous members donated a \$1 per food item to our CA Legislative Action Committee (CLAC). This equated to a \$3,000 contribution to CLAC. Wow! I am very grateful for the wonderful members that are part of this outstanding chapter.





Tracy Neal, Esq.

2018

I enjoyed every moment serving as the Chapter's 2018 President and I cannot say enough about the board and committee members that I had the opportunity to serve with and that worked so hard along side me for our members. It was an amazing experience and has given me many fond memories.

One that stands out for me is the pride I have in the Chapter's commitment to education and the national recognition the Chapter received for outstanding educational programs. Another is the expansion of the Chapter's educational programs in Pismo Beach and Santa Barbara and the Chapter's growth spurt, 800 chapter members, which necessitated expanding the educational programs. I very much enjoyed speaking at the Pismo Beach and Santa Barbara luncheons and dinner programs. I would encourage every member to attend one if you have not done so. The programs are held in more intimate settings than the usual luncheon venues that foster robust discussions and Q&A sessions.



Joe Smigiel, CIRMS

2019

It was an honor and privilege to serve as Chapter President in 2019. With the help of our board of directors and volunteers, the chapter reached 900-chapter members and received the Best Net Membership Retention Award (95%) for a very large chapter from CAI-National. We had many sold out events that year which brought the board to the conclusion that we need to find a new venue to host our growing events! I had the opportunity to work with many great individuals who I consider close friends and thank the chapter for the opportunity to serve.







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CLAC corner



By James Perero, Esq. Myers, Widders, Gibson, Jones & Feingold, LLP

t is back to business for Sacramento in 2021. 2,369 bills have been introduced. For better or worse, this promises to be an interesting year. CAI-CLAC is hard at work advancing the best interests of community associations statewide, and is paying particular attention to the following bills.

AB 502 (Davies [R], Dist. 73 [S. Orange County]). Acclamation: could this be the year? This bill would authorize an association to seat directors by acclamation (that is, without a secret ballot election) when the number of candidates equals the number of open board seats. CAI-CLAC supports this legislation.

AB 919 (Grayson [D], AD 14 [Vallejo/Concord]). This bill would reduce from 10 to 5 years the statute of limitations on construction defect claims if the underlying project used a "skilled and trained workforce." Latent defects often take longer than 5 years to manifest. CAI-CLAC opposes this legislation.

AB 1101 (Irwin [D], AD 37 [E. Ventura County]). This is a CAI-CLAC sponsored bill which improves on financial security legislation Assemblymember Irwin authored in 2018 (AB 2912). CAI-CLAC supports this legislation.

AB 1410 (Rodriguez [D], AD 52 [Pomona/Ontario]). This bill includes a far-ranging list of items limiting boards of directors' ability to effectively govern their communities and imposing unnecessary obligations, such as prohibiting rental restrictions, authorizing personal agriculture anywhere on the separate interest, and



mandating board training. CAI-CLAC opposes this legislation.

SB 9 (Atkins [D], SD 39 [San Diego/Solana Beach]). This bill would allow for lot-splits in any single family residential community in the state. CAI-CLAC will oppose this legislation unless it is amended.

SB 391 (Min) [D], SD 37 [Irvine/ Costa Mesa]). This bill would allow community associations, during a state of emergency (such as a pandemic), to conduct business via video teleconference—without requiring a physical meeting location. CAI-CLAC supports this legislation.

Stay tuned for calls to action. CAI-CLAC will provide talking points and information on how to participate in our advocacy efforts. Your voice matters!

CAI-California Legislative Action Committee Together, We Have A Voice!

Our mission is to safeguard and improve the community association lifestyle and your property values. The legislation we monitor, support, or oppose has a direct impact on the communities you live in, work with, or manage. Partner with CAI-CLAC and support our efforts so we can represent your community's voice at the capitol!

Here's how you can help:

- Sign up to receive CLAC's Call For Action emails and stay up-to-date on bills affecting our industry.
- Support CLAC through a financial contribution through the "Buck-A-Door or More" Campaign.
- Participate on the Chapter's Legislative Support Committee.

For more information, email cai@cai-channelislands.org or visit: www.caiclac.com www.cai-channelislands.org

Spring Cleaning To-Do List for 2021

By Sean D. Allen, Esq. Roseman Law, APC

t is 2021 and after the year we all just went through things are finally starting to feel a bit more like normal again. However, that does not mean that it is time to put our obligations on autopilot. The weather is getting warm, people are allowed to leave their homes again, and it is now time to do some spring cleaning. Here are a few important things to be sure you do not overlook on your to-do list for the year.

SB323 Election Rules

SB323 became effective on January 1, 2020 and enacted a series of reforms to the laws governing association

elections. In short, SB323 changed the timeline for association elections fairly drastically, requiring associations to comply with new notice procedures and deadlines for nominating candidates for elections. It also now requires that a copy of the election rules be delivered to every member at least 30 days before an election. Delivery of the election rules may be accomplished by either enclosing the election

rules with the ballot distributed to the members, or by posting the election rules to an internet website and printing the corresponding internet website address on the ballot together with the phrase, in at least 12-point font: "The rules governing this election may be found here:"

This, of course, requires that all associations maintain a set of election rules. If your association does not have a current set of election rules then that is something which should be remedied right away. Even if your association does have a set of election rules already, those should be reviewed to ensure that they do not conflict with the law or the association's governing documents. Remember that election rules cannot be amended within 90 days from the election, so don't delay.

AB3182 Rental Restrictions

AB3182 added an entirely new section to the Davis-Stirling Act, as Civil Code § 4741. Per § 4741 a condominium or stock cooperative association may not unreasonably restrict the rental or leasing of the owner's unit. Similarly, a planned development association may not unreasonably restrict the rental or leasing of any of the owner's individual lot, including the residence, Accessory Dwelling Unit, or Junior Accessory Dwelling Unit.

As of January 1, 2021, all associations are required to fully comply with AB3182, and to add further burden,



any associations with conflicting provisions in their governing documents are required to amend those documents by no later than December 31, 2021 (although this deadline might be extended). There are civil penalties for noncompliance built into the statute, and actual damages are available to offended parties. Generally speaking, an association now may not restrict rentals to less than twenty-five percent of the

total units, although a higher percentage is allowed. Also, an association now may only limit rental durations by imposing a minimum lease term of 30 days or less. As mentioned above, all associations are required to comply with these changes by January 1, 2021 regardless of what the governing documents say. To the extent an association's documents contain restrictions which conflict with these provisions, the association must amend those governing documents to be in compliance. We recommend having your governing documents reviewed by legal counsel to determine if they are AB3182 compliant, and if not, then to guide the association on how to remedy the situation.

SB326 Balcony Inspections

On August 30, 2019, Governor Newsom signed SB326 into law. The Bill added new Civil Code §§ 5551 and 5986 to the Davis-Stirling Act and became effective on January 1, 2020.

In short, new Civil Code § 5551 applies to condominium buildings containing three or more units and requires associations in applicable condominium projects to perform a periodic inspection of condo balconies and other load bearing elements that extend beyond the exterior walls of the building—such as decks, stairways, walkways, and their railings—which are supported primarily by wood or woodbased products and elevated more than six-feet above the ground.

The first inspection required by SB326 must be performed by no later than January 1, 2025, therefore associations should prepare now by creating a line item in their budget to afford the upcoming expense of the inspection. If possible, associations conduct the inspection well in advance of the January 1, 2025 deadline, as licensed architects and structural engineers will be less available as the deadline approaches. For newer construction condominium buildings, conduct the inspection as soon as possible in order to reveal any potential construction defects before the expiration of the construction defect statute of limitations of ten (10) years.

Boards should also consider enacting reasonable rules to regulate the placement of potted plants, artificial turf, and other objects or materials that trap moisture on balconies and other exterior elevated surfaces, in order protect these components from unnecessary wear.

Educate New Board Members

Serving on the Board of Directors for a homeowners association presents itself with certain challenges. These challenges can be compounded greatly simply because there is no user-guide or manual available to answer some of the





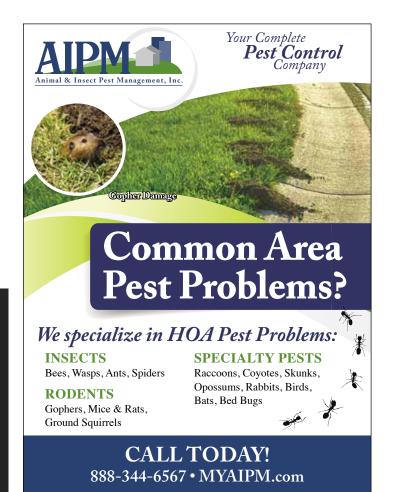
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2064 Eastman Ave., Suite 107 Ventura, CA 93003-7787 805.984.0355 x4 805.984.5342 Fax calapont@aamsinc.net www.aams-inc.net fundamental questions one might have. If your community has new board members serving, then now is a good time to provide them with resources to educate them on how to properly fulfill their duties. Consider attending CAI's Board Leadership Development webinar series, attend the monthly programs put on by CAI, and consider reaching out to your management company or legal counsel to inquire about inhouse training opportunities.

Sean D. Allen, Esq., is a partner with the law firm of Roseman Law, APC, and is the head of the firm's HOA department for Ventura County and Channel Islands. Having exclusively represented common interest developments for several years, he has broad experience with issues and disputes that impact community



associations. Sean has served on the California Legislative Action Committee (CLAC) for our chapter since 2011 and is a current co-chair of the chapter's Programs Committee.



Everything You Need To Know About Elections

By Sandra L. Gottlieb, Esq., CCAL, SwedelsonGottlieb Janet L.S. Powers, Esq., CCAL, Fiore, Racobs & Powers, APLC

e recently participated on a CAI-Channel Islands Chapter webinar on one of our favorite topics: Elections. We wanted to share the most important take-a-ways from the presentation.

SB 323

- Requirement that an "association shall disqualify a person from nomination as a candidate for not being a member of the association at the time of the nomination."
- If provided in the Bylaws or Election Rules, candidates may be disqualified for:
 - Being delinquent in the payment of a regular or special assessment.
 - Joint owner is already serving on the board or is a candidate for election to the board.
 - Being a member of the association for less than one year. - If the nominee discloses or the association becomes aware of past criminal conviction that would prevent the association from purchasing or would result in termination of the association's fidelity bond coverage.
- Association shall permit members to verify the accuracy of information on a voter list and candidate registration list at least thirty days before the distribution of the ballots. Association or member shall report errors to either list to the Inspector who shall make corrections within two business days of receipt.
- Election Rules must require retention of association election materials including a candidate registration list, voter list, signed voter envelopes, secret ballots, proxies, tally and tabulation results. The association shall offer for inspection, upon demand, all of the above. However, an owner is not entitled to a copy of the signed voter envelopes. Key take away: no cell phones should be allowed in the room where the inspection is to take place so that the envelopes with owner signatures are not photographed.

• Inspector of Elections can no longer be an individual or business employed by or under contract with the association, except to be an Inspector of Elections.

channel Islands Chapter

Annual Meetings & Election Rules

- Operating Rules should be sent out for the 28-day comment period by general delivery. Elections/votes may not be scheduled within 90 days of approving new Election Rules.
- Election Rules must include qualifications for candidates, nomination procedures, voting power of each membership, authenticity and effect of proxies, and voting period for election.
- A copy of the Election Rules must be delivered either with the secret ballots or posted on an internet website identified in the notice provided to the owners with the secret ballots.
- Election Rules shall do the following:
 - Prohibit the denial of a secret ballot to a member for any reason other than not being a member;
 - Prohibit the denial of a ballot to a person with a general power of attorney for a member.

Opening, Counting, and Tabulating during the Covid-19 Global Pandemic

- The Inspector must keep custody of the documents referenced above.
- The Inspector must count in front of the members at duly noticed board or membership meeting. This can include counting and tabulating on Zoom or other video or cloud based service remotely.
- The Inspector should complete a report of the Inspector which certifies the results of the vote/election after completing the count and tabulation.
- The Inspector shall promptly report the results of the election to the board.

Hot "Election Buster" Items

- Association shall hold an election for the board at least once every four years.
- Association cannot disqualify someone from nomination for the failure to pay fines.
- Association cannot disqualify someone for being on a payment plan or disputing the debt owed to the association.
- Association shall provide at least thirty days general notice of the procedure and deadline for submitting a nomination.
- Association must provide opportunity for IDR before a member is disqualified to run for the board.
- Association shall provide at least thirty days before the secret ballots are distributed general notice of all of the following:

- Date, time, and physical address where secret ballots are to be returned

- Date, time and location of the meeting at which the secret ballots will be counted

- List of candidates names that will appear on the secret ballot

- The one-year statute to contest the election commences on the date the Inspector advises the board of the election results or the member's cause of action accrues, whichever is later.
- If a member establishes, by a preponderance of the evidence, that the procedures of Davis-Stirling and Election Rules were not followed, a court shall void any results of the election unless the association establishes by a preponderance of the evidence that the association's non-compliance with Davis-Stirling or the Election Rules did not affect the results of the election.

To view a recording of the webinar presentation, please contact Leah Ross, Chapter Executive Director at leah@cai-channelislands.org.

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Sandra L. Gottlieb is one of California's leading community association attorneys. She is a founding partner of the law firm of SwedelsonGottlieb, which was formed in 1987. Sandra is an active member of CAI and CACM. She has served as President of the board of directors of three CAI Chapters. On a national level, she has



represented the firm on the CAI National Faculty, the CAI National Attorneys Committee, and is a member of the CAI College of Community Association Lawyers (CCAL).

Janet L.S. Powers, Esq. has been a member of the California State Bar since 1985. She is a senior supervising attorney in the Fiore Racobs & Powers Irvine office. Ms. Powers is a member of the Orange County Bar Association and CAI. She is a member of the prestigious College of Community Association Lawyers (CCAL)



of CAI and has served on the Editorial Board of the CCAL Journal of Community Association Law. She was the President of the Board of Directors of the Orange County Regional Chapter of CAI.

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California's New Election Law: Presents Insurance Coverage Challenges for HOAs

By Ryan Gesell, CIRMS, CMCA and Timothy Cline, CIRMS Cline Agency Insurance Brokers, Inc.

alifornia's Senate Bill 323 may have begun as a well-intentioned piece of legislation designed to provide uniformity, oversight, and transparency to the Association's election process. Unfortunately, compliance with the new requirements may prove cumbersome for many associations, and the liability exposure that it creates needs to be at the forefront of every board's mind as they work to adopt procedures to comply.



Compliance will be quite a hassle from a procedural standpoint, but even more concerning are the claims that will inevitably erupt (including claims for non-compliance) presenting huge challenges for D&O policyholders and their insurance carriers that issue the coverage.

The Past

Prior to the passage of SB323, whether or not the Association and community manager were provided protection by the Association's D&O policy for electionrelated challenges was largely reduced to two simple issues:

• Had the definition of "insured" on the D&O policy been broadened to include not only the board, but volunteers (assisting with the election) and the community manager? Surprisingly, very well-known carriers with a large presence in the HOA community still fail to extend coverage to the community manager on their D&O form, and

• Did the policy form include coverage for "non-monetary" claims? Most challenges to elections are launched by plaintiffs who are not seeking a financial reward. They're simply seeking to "right a wrong." And yet defending an Association from such a challenge can be expensive. Again, not all policies include this coverage.

The broader D&O policies in the industry included both of these coverages and a board that had one of these policies could reasonably expect that there would have been coverage for any resulting claim. That's no longer the case.

Going Forward

Effective January 1, 2020, there is a comprehensive list of individuals who the Board of Directors, at their discretion, may appoint to act as the "Inspector of Elections." The California legislation's list attempts to make the selection process simply routine, but obtaining assurance that the D&O carrier will provide coverage for these "Inspectors" is not. The list of acceptable inspectors includes:

- A volunteer poll worker with the county registrar of voters
- A licensee of the California Board of Accountancy
- A notary public
- A volunteer member of the Association (with no connection at all to the board)
- Professional Inspectors of Elections
- CPA firm not under contract with the Association.
- Management company not under contract with the Association

Volunteers

Of the list of acceptable options, only one of these could potentially be covered by the Association's D&O policy; the Volunteers. Some carriers have indicated that they would provide coverage for members of the Association that are serving as Inspectors of Elections, provided that these individuals are specifically identified in the minutes as "volunteers" and provided that the policy includes coverage for Non-Monetary Claims.

But as we start to see claims for these volunteers, we may begin to see exclusions arise in the coming years, specific to Inspectors of Election. Most immediately concerning however, is that there would clearly be NO coverage on the Association's D&O policy for any of the other acceptable inspectors.

And given the extensive list of duties that the Civil Code now requires these inspectors to perform, is it reasonable to expect an unpaid "volunteer" member of the Association to complete them with efficiency and accuracy, within the required time limits, without any formal training?

As insurance professionals, we recommend that our clients hire professional vendors to shift liability away from the Association and onto the experts that are trained to perform the work needed. Thus, our first inclination would be to recommend hiring a Professional Inspector of Election company to handle the process.

However, many such companies have language in their contracts that requires the Association to indemnify them from potential liability. And since the D&O policy wouldn't extend coverage to these Inspectors, the board could find themselves paying for the legal defense of these experts should a claim arise.

That said, there are insurance policies available for Professional Inspectors of Election companies. And some policies offer the option of adding the Associations they service as Additionally Insured.

Of concern to some communities, might be the cost associated with hiring such a vendor, as well as concerns with reaching quorum at the board meeting that the inspectors attend.

Summary

From a Best Practices standpoint, we'd highly recommend using a professional inspector of election company, provided that they a) don't have any indemnification clause in their contract, and b) have their own insurance in place.

If that's not an option, then check with your agent/broker to see if your D&O policy a) covers Non-Monetary Claims, and b) includes "volunteers" in the definition of who is an insured. And remember to make sure that you specifically name the Inspector of Elections as a "volunteer" in your board meeting minutes. **Ryan Gesell** is the Vice President for The Cline Agency. He's been an active member of CAI-Channel Islands Chapter for the past 18 years serving on and chairing a multitude of committees during that time. He currently serves on the Chapter's Board of Directors and co-chairs the Programs Committee. Ryan lives in



Ventura County with his wife and two daughters who all think that insurance is boring and too complicated.

Timothy Cline, CIRMS, is one of the United States' foremost authorities on insurance for common interest developments and is President of Cline Agency Insurance Brokers, which specializes exclusively in coverage for condominium associations, homeowners associations, planned developments and



cooperatives throughout California, Oregon, Washington, and Arizona. Tim is a regularly featured speaker at educational seminars and programs throughout California and the U.S., including numerous programs sponsored by Community Association Institute (CAI). His involvement and expertise have made him the recipient of more than a dozen awards from CAI.



Let It Go!

By Julie Adamen, Adamen Inc.

"Some people believe holding on and hanging in there are signs of great strength. However, there are times when it takes much more strength to know when to let go and then do it." —Ann Landers

ver the past 18 months or so, I've had a spate of friends, both personal and professional, go through very rough patches in their lives. Divorce, separation, down turns in business... you name it. When I am asked, I try to give each of them thoughtful feedback and advice. In each case, the advice boiled down to two words: Let go. Let go of that failed relationship, your hurt, your resentment, the past missteps, how others let you down, how you let yourself down and your general disappointment. And stop replaying those negative events over and over in your mind; if you don't, you'll never be happy or able to move forward.

Of course, without much of a leap, this brought me to our industry and the difference between those who are in it for the long haul, are successful and generally happy and satisfied and those who flame out quickly, or, stay in but are miserable and bitter. The difference is having and using that ability to let go, because **in community management**, there is a lot to let go of.

We deal with people's living arrangements and that makes everything very personal to them. Personal = Emotional. Mix equal parts instant communication platforms and a general lack of courtesy, and this witches brew turns in to what feels like – and often is - a continuously hostile environment. The never-ending parade of loud and unpleasant complaints; the bad meeting(s); the board member actively trying to undermine you; the mistake you made (but couldn't foresee); being publicly called out at the Annual Meeting for something over which you had no control... In short, everything that makes community management and your job difficult, stressful and toxic to your well-being. To you, managers, **I say: Let. It. Go.**

Learning to Let Go

Typically, when one of those very unpleasant events takes place you are so caught off guard, so blown away, so incredulous that someone would even think to say something so hurtful, or make such an outlandish and unfounded statement, or betray your trust that you just can't believe it. That "disbelief" is what keeps the video clip playing in your head. Soooo... The first step in learning to let it go is to accept that it happened. Believe it, own it, and say yes, it happened. It sucked, but it did happen. Then: Stop reliving it. Whatever happened that has made you crazy, it's natural to want to go back and relive (relish?) every detail and what you coulda-woulda-shoulda said or done. When this occurs you absolutely must get it out of your head. Talk it out once, or twice (and that's all, no serial venting!) with a trusted colleague, friend or partner. Or, write it down and file it. If that doesn't work, literally move yourself physically away from where you are and do something else; go for a walk, head to the gym, or start on a project that requires your full attention (I usually head to the kitchen for a therapeutic round of binge cooking).

It's in the past. Allowing Mr. Smith's rant from the last Thursday's meeting to take up headspace keeps you from focusing on what's happening today, and it crushes your morale and productivity. Realize and **own that it's over**, **gone**, **finito**, and unless you have a TARDIS, there is nothing you can do to change it. The past is past. Learn from it and let it be. By giving hours, days, weeks or months to simmering resentment or hurt, you are preventing yourself from moving on to new things. Not letting go keeps you stuck in that past by keeping it alive in your present. "But I don't want to let it go!"

Many of us just don't want to let go because "I am right! And when I am right I am right and they are wrong and I know what I am doing and they don't!" Meh. I get it. Being a martyr can be very satisfying, making everyone see just how much you are suffering under the heavy burden of the stupidity of others... blah blah blah. If you can't let go because you want to show off your suffering, well, have at it and find some like-minded martyrs with which to share (I'm sure there's at least 1 or 2 in your office... Call Uber and head to a bar). Just know this: Being Little Mary Martyr may feel good in the short-term, but it's not a productive or healthy way to handle your profession. And it makes you annoying.

"When one door closes, another opens; but we often look so long and so regretfully upon the closed door that we do not see the one which has opened for us."

-Alexander Graham Bell

The Benefits of Letting Go

Letting go of the past has a lot of benefits, namely better mental health. Your mental health. It also promotes job satisfaction in that you will be better able to see the positive effect you have on your clients (whether they know it or not). Letting go frees up space in your head, allowing you to take on new or pressing projects and tasks with focus and clarity. Lastly, you won't end up a bitter and depressed community manager, ironically mimicking the very people who cause the events that need to be let go.

Letting go is not giving up!

If you feel that letting go of some past event is just giving up on it, well, that would be true if you failed to learn something from it. For each negative event, slight, relationship or whatever you let go of, there is something to be learned about other people and especially about yourself. Did you handle it well? What would you do differently? What perspective did you gain? Giving up means you learned nothing. Letting go means you have let go of emotion and moved on to the meaning of, and the learning derived from, the event.

The Wrap

Letting go is a vital part of your professional and personal armor, as the inability to do so can lead to loss of friends, divorce, illness, depression and alcohol and drug abuse among other unpleasant things. As a community manager, not being able to let go of all those little battles will keep you from being not only your best professional self, but, your best personal self.



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Can you do it? Yes, you can. I did, and became a better manager, businessperson, mentor, partner and friend. If I can do it, you can too - and you will live in the now, not the past. Let. It. Go.

"Do not remember the former things, nor consider the things of old. I will do a new thing, now it shall spring forth; shall you not know it?"

-Isaiah 43:18-19 NKJ

Julie Adamen is the principal of Adamen Inc., a national consulting and employment firm specializing in the community management industry formed in 1997. She is a recognized expert in community management, management compensation and association / management company operations. She is a prolific author,



educator, motivational speaker and trainer for community managers and boards of directors. She has been primary writer and publisher of The HOA Manager NewsLine, an industry e-newsletter and offers online classes for new community managers and board members.



2021 Upcoming Events

APRIL 16 CMCA Review Session 8:30am - 12:30pm

APRIL 22, 29 & MAY 6 Board Leadership Webinar Series 10am - Noon

APRIL 27 Chapter Webinar "Trees, Views, ADUs & Architectural Reviews" 11 am - 12:15 pm

> MAY 13 Managers' Webinar 11am - 12:15pm

MAY 25 Chapter Hybrid Program (Luncheon & Virtual Program) 11am - 1pm

Beaumont Tashjian Proudly Announces its Newest Firm Partner

Beaumont Tashjian (BT) is excited to announce that Tara Radley, Esq. has elevated to a firm partner as of January 1, 2021. Tara has been an attorney at BT for nearly a decade. Since joining BT, Tara has devoted her time to the firm's litigation



department as well as providing general counsel services to the firm's clients. Tara is active in speaking on community association topics for various chapters

of Community Associations Institute including Channel Islands Chapter. Join us in congratulating Tara on this major career accomplishment!

Congratulations to the following Community Managers for earning industry credentials:

Casey Guenther of MAC Management in Templeton, CA, earning the Association Management Specialist (AMS) credential.

Joseph Ferguson, Ferguson Realty in Santa Barbara, CA, earning the Professional Community Association Manager (PCAM) credential.

Sue Bartley Account Executive Home Owners Associations The Sherwin Williams Company susan.j.bartley@sherwin.com 805-910-0032



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chapter announcements

Thank you

to the following members for renewing your membership with CAI!

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Community Association Homeowner Leader

Adrienne Schuele

Community Managers

Carolyn Abul-Haj, EKAM, Inc. • Shauna Gatlin, CMCA, FirstService Residential Carol Henderson, Leisure Village Association Jeff Lucero, Premier HOA Management, Inc. • Karen Posada, KLP Management Gayle Pinero, Community Property Management Kenneth Roberts, CMCA, PCAM Paul Saccoccio, CMCA, AMS, Community Property Management Wesley Shryock, CMCA • Tim Taylor, Anacapa View Beach Homes David Yamashiro, Community Property Management

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Telcome

to our new members!

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> Community Association Homeowner Leaders Scott Novins Jane Shults

Community Managers

Bryan Chan, Neighborhood Community Management Roberta Fey, Farrell Smyth, Inc. Tiffany Lesperance, PMP Management Tina Platt, CMCA, Heritage Ranch Owners Association

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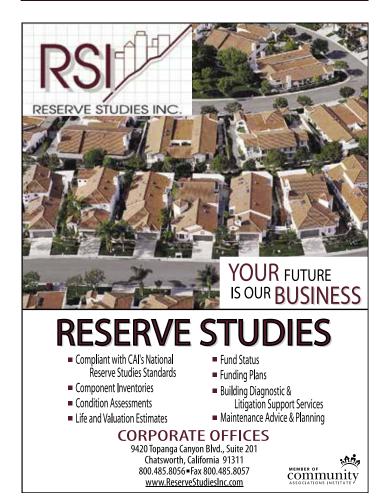
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