

# Common Terra

The publication of CAI of San Antonio - *The Source* for Responsible Communities



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Third Quarter 2021

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## How to Make Your Waterbody a Focal Point in Your Community by Greg Blackham, Aquatic Specialist

**M**any homeowners live on a lake or in a community association with several ponds and stormwater facilities. Without proper management, you may find these waterbodies covered in aquatic weeds and algae, or they could simply look like an uninspired waste of space. No matter the condition of your waterbody, one thing is for certain - it should be so much more!

Lakes and ponds provide a multitude of opportunities for recreation, sight-seeing, and overall enjoyment of nature, so it can be sad for aquatic specialists when we see this potential go untapped. Luckily, it is never too late to cultivate a stellar focal point in your community. A professional can get you on the right track with innovative modifications and informed management techniques.

### Introduce floating fountains

One of the first enhancements we recommend for both visual and functional enhancements is a floating fountain. There are two main fountain types: A decorative fountain is designed to spray water into the air in eye-catching spray patterns, though they are generally not relied on for water circulation. Many have brightly-

(Cont. on page 6)

## TCAA Legislative Recap: The Texas 87<sup>th</sup> Legislature Has Adjourned by Paul Gaines, RMWBH Law

**T**he bill that had become the focus for Property Owners Associations ("POAs") during the 87<sup>th</sup> Texas Legislative Session, Senate Bill 1588, has now passed both the House and the Senate, and has been signed by the Governor. Below is a summary of the bill highlighting the key provisions that will soon become law. Please note that different sections of this bill will become effective at different times.

### Section I - Collection of Assessments:

This provision would amend Section 202.006 of the Property Code by adding Subsection (c) stating that a POA may not collect a regular assessment (as defined by Section 209.002 of the Texas Property Code) if the dedicatory instrument authorizing the collection of the regular assessment is not filed with the real property records. (Cont. on Page 10)



## Art Downey

Editor, Common Terra

Three features make community association homes different from traditional forms of home-ownership. One is that you share the use of common land and have access to facilities such as swimming pools that often are not afforda-

ble any other way. The second is that you automatically become a member of a community association and typically must abide by covenants, conditions and restrictions (CC&Rs). The third feature is that you will pay an "assessment" (a regular fee, often monthly, that is used for upkeep of the common areas and other services and amenities). There are many advantages to living in this kind of development. The community usually features attractive combinations of well-designed homes and landscaped open spaces. The houses may even cost less than traditional housing due to more efficient use of land.

Parks, pools and other amenities, often too expensive for you to own alone, can be yours through association ownership. So, now you have a chance to use and enjoy the pool, tennis court or other recreational facilities that may have been unaffordable previously. What's more, you won't have direct responsibility for maintenance, so you won't have to clean the pool or fix the tennis nets, and you may not even have to mow your lawn. But that doesn't mean you'll never have to think about it. The community association operates and maintains these shared facilities. Of course, you'll pay your share of the expenses and, as an association member, you'll have a

voice in the association's decisions. The association may have one of a variety of names: homeowners association, property owners association, condominium association, cooperative, common interest community or council of co-owners. This issue of Common Terra will focus on the responsibilities of volunteer boards and property managers to insure these amenities are safe and well maintained; that the CC&Rs are observed; that all owners contribute their fair share by paying their assessments in a timely fashion; and that the association is managed in an open and fiscally responsible manner.



**CommonTerra** The publication of the San Antonio Chapter, CAI *the source* of responsible communities

**Mission Statement : To enhance community association living in San Antonio and South Texas by promoting leadership excellence and professionalism through education, communication, advocacy and resources**

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*“Your dedication to furthering your industry knowledge, advocating on behalf of community associations, and expanding your professional network play a significant role in creating thriving communities here at home.”*



## The President's Message —

**Hello CAI San Antonio Chapter members!**

I want to start by giving a huge thanks to those of you who have continued to engage with the chapter through emails, virtual presentations, and in-person events. Your dedication to furthering your industry knowledge, advocating on behalf of community associations, and expanding your professional network play a significant role in creating thriving communities here at home.

One of CAI San Antonio's core focuses is advocacy at the state level. By now, many of you are aware of key pieces of legislation that passed during the 87<sup>th</sup> Texas Legislative Session — some of which will have an impact on how community associations are governed and managed. In this issue of CommonTerra, you will find a thorough analysis written by Paul Gaines, Texas Community Association Advocates (TCAA) Board Member and attorney with Roberts Markel Weinberg Butler Hailey. Since our last publication, CAI persistently called on its members in Texas to write their local elected officials, visit with legislators and their staff, and do everything possible to advance the interests of our industry. While this past legislative session resulted in significant changes for everyone living and managing community association in Texas, I am encouraged by the response we received from HOA and condominium community volunteer board members, community managers, homeowners, business partners, and other stakeholders who stepped up to support our advocacy efforts.

After a contentious legislative session, I cannot think of a more appropriate adage than “there is light at the end of the tunnel” — it is in fact, summer! I know that I share a common joy and excitement with all of you as we look forward to spending time with friends and loved

ones in the coming months. Perhaps what excites me most this summer is the upcoming CA Day, scheduled for August 27, 2021, at the Norris Conference Centers. In what is sure to be our biggest and most widely attended event of the year, the CA Day Committee is working behind the scenes to create an event that is sure to be an experience worth remembering. Please join me in thanking Lucy Filipowicz, Cavalry Construction, Co. and Roxanne Jones, Urban Dirt Landscaping, who serve as co-chairs of the CA Day Committee and have volunteered countless hours to ensure a successful event.

I would also like to take the opportunity to welcome our newest Sponsorship Committee Chair, Suzanne Hubbard, McKenzie Rhody LLP! Suzanne will serve as the chapter's fundraising point person, and we are delighted to have her in this role. You can expect to see a revamped approach to the annual sponsorship opportunities later this year, one that provides enhanced benefits and creates additional exposure.

As always, our mission is to inspire professionalism, effective leadership, and responsible citizenship — if you believe there is an opportunity or service that we can provide to help our members stay true to our mission, please let us know.

Enjoy the rest of your summer!

**Leah K. Burton**  
**lburton@RMWBH.com**





# UPCOMING CHAPTER EVENTS



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## How to Make Your Waterbody a Focal Point.....

(Cont. from page 1)

colored (and customizable) lights that draw attention to the waterbody at night. An aerating fountain, on the other hand, is one that is designed primarily for functional purposes, but that doesn't mean these devices aren't aesthetically pleasing too. Some of the best-looking aerating fountains combine decorative vertical spray with lower tiers that provide horizontal spray dispersion to effectively circulate the water column below.



Aeration can have many compound benefits when fountain systems are professionally sized and spaced in the waterbody, and they are often paired with submersed aeration and oxygen saturation technologies. Water movement helps increase dissolved oxygen levels, which in turn helps stabilize pH and inhibits the nutrient pollution that contributes to aquatic weed, nuisance algae, and toxic cyanobacteria growth. Well-circulated and oxygenated water also helps prevent mosquito reproduction while supporting healthy zooplankton - small aquatic animals that feed on algae and serve as food for fish and all types of wildlife.

### Plant beneficial vegetation

Planting beneficial vegetation is a second improvement that should be considered. But before planting anything in or around the water it's necessary to remove all the noxious and invasive vegetation first, such as cattails, *Phragmites* (common reed), and purple loosestrife. This helps reduce the risk of collateral damage to newly planted vegetation. It's best to work with a professional to identify nui-

sance species and design a removal program, which can vary widely from species to species and might include hand-pulling, burning, or even herbicide applications by drone!

Decorative plants can be used in so many ways to enhance your waterbody. A well-vegetated buffer zone should include a variety of native wildflowers, grasses, and even shrubs that provide a beautiful frame or border around the water. Sometimes, just the contrast alone can make all the difference. There are many other creative ways to plant for color and vibrancy, and a professional lake manager can help assist in the strategic design. In addition to creating a beautiful backdrop, deep-rooted, flowering species can help filter trash and pollutants, protect the shoreline from erosion, and create sanctuary for wildlife.

Beneficial aquatic plants should also be installed along the shallow areas of the waterbody for added benefits like serving as a source of oxygen, balancing predator-prey relationships, and filtering nutrients from the water column so they cannot fuel undesirable weeds and algae. One creative installation method could be a floating island of plants and flowers. Floating islands are designed to add color on top and create beneficial bacterial colonies on the underside of the island, thus improving water quality and muck digestion.

### Restore depth and volume

Another great solution for almost immediate improvement of a lake or pond is the mechanical removal of polluted sediment, muck, and organic matter from the water. This may be accomplished by a full-on dredging project or through spot treatments via hydro-rake, which is essentially a floating barge equipped with a backhoe that scoops sediment onto the shoreline for disposal.

Shortly after the disturbance has settled there is a significant improvement to water clarity and reduction in bad odors that may exist. More importantly, storage capacity increases. This is crucial for a well-

(Cont. on page 7)

## ....a Focal Point....

(Cont. from page 6)

functioning stormwater system that does not flood.

### Final touches and consistent maintenance

There are many other improvements that can enhance the beauty of a waterbody without sacrificing functionality. Environmentally-friendly blue and black dyes can change the color to a more desirable look, while also reducing available light for weeds and algae. Strategic bird houses placed around a pond can help reduce midge and mosquito populations in the area while also adding a colorful dynamic to the ecosystem. Even installing a gazebo, a dock, or a small beach area can help break up the landscape and provide more ways for people to engage and interact with their amenity through fishing, kayaking, and birdwatching. Oftentimes, this extra community engagement can spark even larger momentum for creating a truly beautiful and immersive focal point, cherished by everyone that lives there!

Once these efforts have been implemented, they are best maintained through an annual management program, which prioritizes the three central pillars of health, beauty, and functionality. Long term programs ensure a professional can keep an eye on the multitude of factors that support the ecological balance of the ecosystem, as well as the aesthetic components. Your local aquatic professional can help you design a plan that's customized to your unique waterbody.

### About the Author



*Greg Blackham is an Aquatic Specialist and Project Manager at SOLitude Lake Management, the nation's largest environmental firm specializing in sustainable lake, stormwater pond, wetland, and fisheries management programs.*

## Summertime Energy Conservation Tips

Summer can quickly become an expensive season, but being mindful of energy conservation can help reduce your electricity bills—and your carbon footprint. Take a look at the following suggestions to increase your energy conservation efforts and beat the heat without breaking the bank.

**Cook dinner outside.** Save electricity by using a charcoal or gas grill to cook your favorite summertime meals.

**Open the windows.** Instead of cranking the air conditioning on summer evenings, opt for fresh air instead. Invest in an inexpensive electric fan to circulate the air.

**Light candles.** Since longer summer days afford more daylight, reconsider turning on the lights and use candles instead or as a supplement. Be sure not to leave burning candles unattended, especially around pets and children.

**Modify the AC when you're not home.** Adjusting the thermostat—even by a few degrees—when you're not home can conserve a significant amount of electricity.

**Turn off the electronics.** Power down the television and computer to spend time with friends and family outdoors. Splash around in your community pool or have a potluck barbeque in your backyard.

**Take a walk.** If possible, choose to walk to nearby stores and restaurants instead of driving. Early mornings and evenings are prime times for a stroll, especially in areas with hot climates.

**Take a cool shower or bath.** For a refreshing alternative to a hot shower, reduce your hot water heater usage by bathing in cooler water a few times a week.

**Limit water consumption.** Water the lawn every other day at off-peak times, use environmentally-friendly, disposable plate ware and utensils instead of running the dishwasher and spend a little less time in the shower.

CAI of San Antonio



# Recruit and Retain: 6 ways to create long-term volunteer partnerships

by Daniel Brannigan

Community associations simply can't function without volunteers. Board members and committee members play a critical role in making community associations vibrant and attractive places to live. Finding, motivating, directing, and creating long-term volunteer partnerships, however, can be challenging.

Yolanda M. Wilson, manager of neighborhood vitality in the City of Mesquite, Texas, creates engagement opportunities and drives participation to improve the city's neighborhoods. Wilson frequently considers ways to recruit and retain great volunteers in Mesquite and believes some of the same answers and solutions apply to community associations.

"There is never a more important time than now to be clear on how and why you need volunteers," says Wilson. "There are thousands of choices, and the need for volunteers is great during the pandemic."

Wilson suggests following the steps below to create long-term volunteer partnerships:

**Start small with your requests for volunteers.** You don't want to overwhelm those who may be raising their hand for the first time.

**Offer a road map or orientation as to what to expect.** Facilitate a discussion where potential volunteers can ask questions and feel confident enough to serve. You can do so by providing testimonials of previous recipients, pictures, and project examples.

**Match skills with assignments.** For example, if you wish to recruit volunteers to complete an exterior home repair, you wouldn't ask those who have never painted a house before.

**Offer a platform for volunteers to share their stories.** Let them show how they have met their goals for their organization or how their involvement has changed them as a person.

**Don't forget to express appreciation.** This is an area where a lot of nonprofits lose their

volunteers. Say "thank you" with an email, a card, or an event. It doesn't have to be anything elaborate.

**Communicate any feedback you receive about the volunteer or their work.** Whether good or bad, it is a lesson. Be gentle communicating if something went wrong. Keep in mind: Most volunteers want to make a positive difference.

Finding and retaining great volunteers can be a challenge, but we should have fun with it, says Wilson. "There are so many people who wish to volunteer—whether they're in between jobs, retired, working, or interested in gaining or sustaining a skill or a hobby," she says. "Volunteers are beneficial to us all as a society and remind us that there are people who genuinely care."

## About the Author



Daniel Brannigan is CAI's Director of Publishing and Managing Editor of *Common Ground*™ magazine. He has been editor of CAI's flagship publication since 2010 and previously edited CAI's newsletters *Community Manager*, *Minutes*, and *Law Reporter*.

## TO DO LIST

1.

Welcome New Volunteers!

# Rights and Responsibilities for Better Communities

## *Principles for Board Members*

*An association's board of directors also exercises certain rights and responsibilities.*

### **Board members have the right to:**

1. Expect owners and non-owner residents to meet their financial obligations to the community.
2. Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading materials provided by the association.
3. Respectful and honest treatment from residents.
4. Conduct meetings in a positive and constructive atmosphere.
5. Receive support and constructive input from owners and non-owner residents.
6. Personal privacy at home and during leisure time in the community.
7. Take advantage of educational opportunities (e.g., publications, training workshops) that are directly related to their responsibilities, and as approved by the association.

### **Additionally, board members have the responsibility to:**

1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.
2. Exercise sound business judgment and follow established management practices.
3. Balance the needs and obligations of the community as a whole with those of individual owners and non-owner residents.
4. Understand the association's governing documents and become educated with respect to applicable state and local laws, and to manage the community association accordingly.
5. Establish committees or use other methods to obtain input from owners and non-owner residents.
6. Conduct open, fair, and well-publicized elections.
7. Welcome and educate new members of the community—owners and non-owner residents alike.
8. Encourage input from residents on issues affecting them personally and the community as a whole.
9. Encourage events that foster neighborliness and a sense of community.
10. Conduct business in a transparent manner when feasible and appropriate.
11. Allow owners access to appropriate community records, when requested.
12. Collect all monies due from owners and non-owner residents.
13. Devise appropriate and reasonable arrangements, when needed and feasible, to facilitate the ability of individual residents to meet their financial obligations to the community.
14. Provide a process residents can use to appeal decisions affecting their non-routine financial responsibilities or property rights—where permitted by law and the association's governing documents.

NOTE: The complete list of rights and responsibilities for better communities for homeowners and community leaders can be found for free at [www.Caionline.org](http://www.Caionline.org).

# TCAA Legislative Recap.....

(Cont. from page 1)

## **Section 2 – Religious Displays:**

This provision would amend Section 202.018(a) of the Texas Property Code relating to the display of religious items. The amendment states that a POA may not adopt or enforce a provision in a dedicatory instrument (including a restrictive covenant) that would prohibit an owner from displaying or affixing on the owner's "property" or "dwelling" (current law limits to entryway of home) one or more religious items. The provision would permit a POA to regulate: 1) a religious item that threatens the public health or safety; 2) violates a law (other than prohibition of the display of religious free speech); 3) contains graphics or language that is patently offensive to a passerby (for reasons other than its religious content) and 4) is installed on common area property or association property, violates building lines, easements, or setbacks, or is attached to a traffic control device, lamp, fire hydrant or utility pole.

## **Section 3 - Swimming Pool Fences**

This provision would add Section 202.022 to the Texas Property Code to prohibit POAs from adopting or enforcing a provision in a governing document that prohibits or restricts an owner from installing a swimming pool enclosure that conforms to applicable state or local safety requirements. A POA may enforce a provision in a dedicatory instrument related to the appearance of the enclosure, including regulation of colors, provided such regulation does not prohibit a black swimming pool enclosure that consists of transparent mesh set in metal frames.

## **Section 4 – Security Measures**

This provision would add Section 202.023 to the Texas Property Code to prohibit a POA from adopting or enforcing a restrictive covenant that prevents an owner from building or installing security measures (including security cameras, motion detectors and perimeter fencing). A POA is not prohibited from banning the installation of a security camera in a place other than an owner's private property or regulating the type of fencing that an owner may install. This provision would not apply to a condominium or master mixed use POA in Texas.

## **Section 6 – Resale Certificates**

This provision would amend Section 207.003(c) of the Texas Property Code to cap resale certificate fees at \$375.00 and updated resale certificate fees at \$75.00. The deadline to deliver a resale certificate after the second request was delivered by an owner under Section 207.004(b) would be changed from seven days to five days. An owner would be permitted to seek a judgment against the POA for not more

than \$5,000 for failure to deliver such information in a timely manner (currently, amount is \$500).

## **Section 8 – Online Subdivision Information**

This provision would amend Section 207.006 of the Texas Property Code to require POAs to make current versions of the POA's dedicatory instruments available on an internet website maintained by the POA or management company on behalf of a POA and available to POA members. This section only applies to POAs composed of at least 60 lots or a POA that has contracted with a management company.

## **Section 9 – Management Company Definition**

This provision would amend the definition of "Management Company" under Section 209.002 of the Texas Property as follows: "Management company" means a person or entity established or contracted to provide management or administrative services on behalf of a property owners' association."

## **Section 10 – TREC Filings**

This provision amends Section 209.004 of the Texas Property Code and requires management certificates to include declaration amendments, the phone number and email address for the managing agent or representative, website information and amount and description of transfer fees. Not later than the seventh day after the date a POA files a management certificate or amended management certificate, the POA must electronically file the management certificate with the Texas Real Estate Commission ("TREC"). Owners will not be liable for attorney's fees incurred by a POA relating to collection of assessments or interest if such fees accrue during the period a management certificate is not recorded with a county clerk or electronically filed with TREC.

## **Section 11 – ACC Members**

This provision would prohibit a person from serving on an architectural review committee ("ACC") if the person is: 1) a current board member; 2) a current board member's spouse; or 3) a person residing in a current board member's household. An owner is permitted to appeal a decision by the ACC to the board. Notice of denial must be provided to the owner meeting the requirements therein and the board must hold the hearing within 30 days after the date the board receives the owner's request for a hearing. A notice must be sent to the owner providing the date, time and place of the hearing not later than 10 days before the date of the

(Cont. on Page 11)



# TCAA Legislative Recap.....

(Cont. from page 10)

hearing (only one hearing is required). During the hearing, the board (or designated representative) and the owner are provided an opportunity to discuss, verify facts and resolve the denial by the ACC. Both the board and owner are permitted to postpone for a period of not more than 10 days. Audio recording is permitted by both parties.

## **Section 12 – Board Meetings**

This provision would amend Section 209.0051 of the Texas Property Code to provide a board meeting notice requirement of at least 144 hours before the start of a regular board meeting (current statute provides for 72 hours) and at least 72 hours before the start of a special board meeting.

## **Section 13 – Contract for Services**

This language would amend Section 209.0052 of the Texas Property Code to require a POA to solicit bids or proposals using a bid process established by the POA if it chooses to contract for services that will cost more than \$50,000.

## **Section 14 – 209 Enforcement Action Notice**

This provision would amend Section 209.006(a) of the Texas Property Code to require POAs to send the requisite enforcement action “209” notice under Section 209.006(a) of the Texas Property Code to an owner prior to reporting a delinquency to a credit reporting service.

## **Section 16 – 209 Assessment Delinquency Notice**

This language would require a POA to give an owner 45 days (current law is 30 days) to cure a delinquency before further collection action is taken (including turning an account over to a collection agent).

## **Section 17 – Credit Reporting Services**

This section prohibits a POA or collection agent from reporting fines, fees, or assessments to a credit reporting service if the charges are disputed. The fees, fines, or assessments may be reported only if: 1) 30 days prior to reporting the POA sends a notice of all delinquent charges to the owner; and 2) the owner has had an offer of a payment plan. A POA may not charge a fee to an owner for the reporting of the delinquent payment history of assessments, fines, and fees to a credit reporting service.

## **Section 18 – 209 Hearings**

This section would amend Section 209.007 of the Texas Property Code related to 209 hearings re-

quested by owners. Specifically, it provides that, not later than 10 days prior to the hearing, the POA must deliver a packet to the owner containing its evidence it will introduce at the hearing (photos, documents, communications, etc.). If the evidence is not provided, an owner is automatically entitled to a 15-day postponement. During the hearing, the board must present its case first, and then the owner is entitled to present his/her case.

## **Section 20 – Lease Information**

This provision would amend Section 209.016 of the Texas Property Code to provide that a POA may request the following information regarding a lease or rental applicant: 1) contact information, including the name, mailing address, phone number, and e-mail address of each person who will reside at a property in the subdivision under a lease; and 2) the commencement date and term of the lease.

## **Section 21 – JP Court Jurisdiction**

This section would add Section 209.017 to the Texas Property Code to permit owners to bring an action for a violation of Chapter 209 of the Texas Property Code against a POA in the justice court of a precinct in which all or part of the subdivision is located.

## **Section 22 – Repeal of Current Laws**

Repeal of Sections 202.018(c) and (d) of the Texas Property Code. These provisions are below:

(c) *Except as otherwise provided by this section, this section does not authorize an owner or resident to use a material or color for an entry door or door frame of the owner's or resident's dwelling or make an alteration to the entry door or door frame that is not authorized by the restrictive covenants governing the dwelling.*

(d) *A property owners' association may remove an item displayed in violation of a restrictive covenant permitted by this section.*

Repeal of Section 209.007(b) of the Texas Property Code. This provision is below:

(b) *If a hearing is to be held before a committee, the notice prescribed by Section 209.006 must state that the owner has the right to appeal the committee's decision to the board by written notice to the board.*

Repeal of 209.016(a) and (c) of the Texas Property Code. These provisions are below:

(a) *In this section, "sensitive personal information" means an individual's: social security number; driver's license number; government-issued identification number; or account, credit card, or debit card number.*

(Cont. on Page 14)

# ALLEN, STEIN ★ DURBIN

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The image block features the Kraftsman logo, which is a circular emblem with the text "THE FUN BUILDERS" at the top, "KRAFTSMAN" in the center, and "KRAFTSMANPLAY.COM" at the bottom. Surrounding the logo are six circular photographs showing various playground equipment and water park structures. The bottom of the block contains a dark blue banner with white text.

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## CED Corner



**Jesus Azanza**  
Chapter Executive Director

As we say goodbye to the first half of the year, we welcome what is to come for the remainder of 2021.

Many of you have already joined us as we have transitioned back to in-person events, and we hope to see many more of you soon. In May, we held a very successful luncheon at The Rustic — over 60 attendees gathered to hear Craig Huntington, President, Alliance Association Bank, present on the very important topic of *Habits & Communications*. One lucky member showed the power of leadership and walked away with \$20 in cash! Additionally, CAI San Antonio Chapter sponsors Parklane Landscaping and McKenzie Rhody, LLP were recognized, and each gave away \$100 in gift cards.

Education serves as the backbone for why CAI exists. Through timely information, relevant topics, and the ability to create meaningful connections, our chapter continues to prove the importance of staying active and being involved in every program we offer. As such, this summer you will continue to see in-person and virtual educational and networking opportunities.

On July 8<sup>th</sup>, the Membership Committee will host a Mix & Mingle at the Tower of the Americas between 4:30 – 7:00 pm. We invite all of you to join us for this unique experience and to partake in the spectacular views of San Antonio. On July 13<sup>th</sup>, the Education Committee has prepared an

exceptional presentation consisting of a panel of community association legal experts and moderated by a community association manager. The educational luncheon will be held between 12:00 – 1:30 pm at The Well, register online by visiting [www.caia.org](http://www.caia.org).

The chapter will continue to look for venues and develop programs that provide unique and beneficial experiences for our members. Perhaps the most beneficial and unique experience of the year is the upcoming CA Day (fiesta theme). We are excited to welcome everyone back at the Norris Conference Centers on August 27<sup>th</sup> for a day filled with education, networking, and the latest products and services to help you manage your communities. New this year is a legislative luncheon presentation and the CA Day Committee has secured additional space to accommodate our group and allow for a greater number of people to be able to share a meal together and hear the presentation in one room. Lastly, there are limited exhibiting and sponsorship opportunities so please, contact the chapter as soon as possible if you would like to get involved!

Most importantly, I hope everyone takes the time to enjoy their summer and safely take advantage of parks, theaters, restaurants, concerts, and other events happening in and around the central Texas area. The Board of Directors is on a constant quest to ensure your needs are being met and that you continue to see value in your membership. Please reach out to me at [ced@caia.org](mailto:ced@caia.org) or 210.389.6382 to discuss how we can provide more value, express concerns, or discuss anything else that might be on your mind — the chapter is here to serve you!



### Our Mission Statement is....

*“To Enhance Community Association Living in San Antonio and South Texas by Promoting Leadership Excellence and Professionalism Through Education, Communication, Advocacy and Resources.”*

*Jesus*

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## TCAA Legislative Recap....

(Cont. from page 11)

*(c) If a copy of the lease or rental agreement is required by the property owners' association, any sensitive personal information may be redacted or otherwise made unreadable or indecipherable.*

### Other Bills Effecting HOAs/POAs That Passed

**SB 581** – Relating to regulation by a property owners' association of certain religious displays

Another bill that has been seen in prior legislative sessions; this bill amends Sec. 202.018 of the Texas Property Code. The bill prevents POAs from enforcing or adopting a restriction that prohibits owners from displaying "on the owner's or resident's property or dwelling" one or more religious items (note that this expands the statute beyond the entry of the property). However, a POA could still enforce a restriction if the religious display threatens public safety, violates a law (other than a law prohibiting the display of religious speech), is offensive, is installed on property owned by the POA or in common with other members of the POA, or violates any applicable building line, right-of-way, setback or easement.

**SB 30** – Relating to the removal of certain discriminatory restrictions and provisions from certain real property records

Permits an owner of real property to request the removal of a discriminatory provision by completing and filing, with the district court clerk, a motion, verified by affidavit that contains, at a minimum, the information provided in the suggested form under the bill. Bill takes effect September 1, 2021.

**HB 3571** – Relating to the regulation of security measures by a property owners' association

This bill will add Sec. 202.023 to the Texas Property Code which would prohibit a POA from adopting or enforcing a restrictive covenant that prevents a property owner from building or installing a security measure, including a security camera, motion detector, or perimeter fence. The POA would be allowed to regulate the type of fencing that an owner may install and prohibit the installation of security cameras on property other than the owner's private property. Also included with SB 1588. Bill takes effect September 1, 2021.

**HB 1659** - Relating to the amendment of a residential subdivision's declaration to affect certain types of property located in the subdivision. This bill would amend Section 209.0041 of the Texas Property Code (requiring

67% vote for a Declaration Amendment) by adding subsection (d-1). The 67% vote requirement would not apply to an amendment that affects a portion of a subdivision zoned for or containing a commercial structure, industrial structure, apartment complex, or a condominium. The bill takes effect September 1, 2021.

**SB 318** - Relating to the records of certain condominium unit owners' associations.

This bill will essentially mirror the language under Section 209.005 of the Texas Property Code making the open records procedures applicable to condominium associations. The bill requires a condominium association to make the books and records of the association, including financial records, open to and reasonably available for examination by a unit owner, and sets forth the procedure to request either the inspection or production of certain association records. This bill would also require a condominium association to adopt a records production and copying policy, as well as a document retention policy. This bill takes effect September 1, 2021.

**HB 1927** – Relating to provisions governing the carrying of a firearm by a person who is 21 years of age or older and not otherwise prohibited by state or federal law from possessing the firearm and to other provisions related to the carrying, possessing, transporting, or storing of a firearm or other weapon; creating criminal offenses. This bill will allow anyone over the age of 21 who can legally carry a firearm to carry a firearm without a handgun license. Private businesses, such as management companies, can still post restrictions following 30.06 and 30.07 of the Texas Penal Code on the possession of firearms.

**SB 6** – Relating to liability for certain claims arising during a pandemic or disaster related to a pandemic. This bill is another omnibus bill with many different parts. The area POAs should pay close attention to is the section adding Chapter 148 to the Civil Practice and Remedies Code. In Sec. 148.003 LIABILITY FOR CAUSING EXPOSURE TO PANDEMIC –Subsections (1)(a) and 1 (b) focus on the liability for individuals and business when exposing a person to a pandemic disease. 1(a) states a person, which includes corporations pursuant to Section 311.005 of the Texas Government Code, is not liable for injury or death caused by exposing an individual to a pandemic disease during a pandemic emer-

(Cont. on Page 15)

## TCAA Legislative Recap....

(Cont. from page 14)

agency unless the claimant can establish that the person who exposed the individual knowingly failed to warn the individual or remediate a condition the person knew was likely to expose the individual to the disease. But the person would have to had control over the condition, know the individual would most likely not come into contact with the condition and had a reasonable opportunity and ability to remediate the condition or warn the individual of the condition before that individual came into contact with the condition.

Subsection (1)(b) states the person is not liable unless the person knowingly failed to implement or comply with government standards, guidance, or protocols intended to lower the likelihood of exposure that were applicable to the person or the person's business provided that:

- The person had reasonable opportunity and ability to implement protocols.
- The person refused to implement or comply with or acted with flagrant disregard to the protocols.
- The government protocols on the date the person failed to implement or comply with did not, on the date the individual was exposed to the disease, conflict with government protocols the person implemented or complied with.

This bill will take effect on September 1, 2021.

### About the Author



*Paul Gaines is an attorney at Roberts Markel Weinberg Butler Hailey PC and practices in the firm's Real Estate Section as a member of the Community Association Team. He focuses his practice on community association law and represents the*

*firm's clients in the Central and South Texas areas. Paul graduated from St. Mary's University School of Law in 2015.*



## Thunderstorm Safety – Avoiding a Lightning Strike

Warm weather usually means fun in the sun, but summer heat also can bring severe weather. Threatening thunderstorms often loom large on summer afternoons so it's important to be prepared for downpours and accompanying lightning, which can strike outdoors or indoors. Consider the following suggestions when planning both outdoor and indoor events this summer to reduce the risk of a lightning strike.

\* **Watch the weather.** Pay attention to your local weather forecast before participating in outdoor activities. If there's a chance of thunderstorms, consider rescheduling or moving events indoors. If that's not possible, have an emergency plan in place in case a severe storm rolls in and designate a sufficient nearby structure as an emergency shelter.

\* **Stay inside.** If severe thunderstorms are imminent, go indoors and wait until they pass. Safe, enclosed shelters include homes, schools, offices, shopping malls and vehicles with hard tops and closed windows. Open structures and spaces do not provide adequate protection.

\* **Duck and crouch.** If you're caught outside during a severe storm, it's important to crouch low on the ground, tuck your head and cover your ears to help protect yourself from harm. Do not lie down; lightning strikes can produce extremely strong electrical currents that run along the top of the ground, and laying horizontally increases electrocution risk.

\* **Turn off faucets.** During a thunderstorm, lightning can sometimes be conducted through the plumbing. Avoid any type of contact with running water, including bathing, showering, and washing your hands, dishes, or clothes.

\* **Turn off electronics.** All electrical appliances—televisions, computers, laptops, gaming systems, stoves, and more—that are plugged into an electrical outlet could carry a current from a lightning strike. Surge protectors will reduce the risk of damaging electronics.

\* **Stay away from windows.** Not only is lightning a threat, but high winds and hail create flying debris that could be harmful during a thunderstorm. Close all windows and doors and keep away from them.





## LEAH K. BURTON

Get to know your CAI Chapter President.

### 5 FACTS ABOUT LEAH K. BURTON

1. Leah represents POAs of all sizes from small condominium complexes to large multi-thousand lot master-planned communities.
2. Leah has practiced POA law in both Texas and Florida and understands the complexities that associations face around the U.S.
3. Leah was raised in Anchorage, Alaska and is no stranger to the cold winters that sometimes visit the Texas Hill Country, but she enjoys the Hill Country summers more.
4. Leah's experience practicing civil litigation in California prepared her to better advise her POA clients on the risks they may face from litigation.
5. Leah is active in the San Antonio region as a member of the San Antonio Bar Association and Bexar County Women's Bar Foundation.

Learn more about Leah at [www.RMWBH.com](http://www.RMWBH.com)

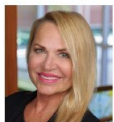


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# Five Tips for HOA Boards to Cut Down on Playground Injuries

by Laura Otto

Playgrounds are a great gathering place in the community – but unfortunately they can spell danger for HOAs if they aren't properly inspected and maintained.

Nearly a quarter of a million children visit the emergency room every year because of playground injuries, according to the Eppley Institute for Parks and Public Lands at Indiana University. Ensuring playgrounds meet safety standards should be a top priority for community associations.

We asked Kelly G. Richardson, cofounder and managing partner of Richardson Ober in Pasadena, Calif., a fellow in CAI's College of Community Association Lawyers (CCAL), and a CAI past president, for his advice for board members in structuring safe practices for playgrounds.

According to Richardson, board members should:

**Have a periodic maintenance schedule** for all equipment. "A reasonable maintenance schedule isn't a guarantee that nothing will break, or that nobody will be injured, but it may make the difference between an injury being considered as negligently caused by the association, as opposed to merely an unfortunate occurrence," he said.

**Implement a risk management plan** for playground equipment, looking for signs of future issues: How sturdy is the equipment? Is the material something that will degrade or splinter, requiring surface maintenance? Are the connections tight, or do they periodically need adjusting?

**Hire a qualified expert** who can "turn a critical eye toward the play equipment" and offer safety advice, Richardson said.

**Don't hesitate if you see a problem.** "If the association has information indicating a potentially unsafe situation, the association should move with deliberate and appropriate pace to rectify the hazard," Richardson says. "If the equipment is unsafe for any reason, it should be closed off with tape and a sign should be posted that states 'closed for repairs.'"

**Invest in a solid insurance plan.** "In the past, \$1 million was considered enough coverage, but today, that's simply not enough protection," Richardson said.

Finally, board members should consult the National Program for Playground Safety's Playground Safety Checklist (below) to ensure rules and equipment are contributing to a safe environment:

## Playground Safety Checklist

- Adults supervise children
- Children play on age-appropriate equipment
- Soft fall surfacing material surrounding equipment
- Equipment is safe
- No strings or ropes present
- Equipment is not too hot
- No bicycle helmets worn on equipment
- Children wear appropriate clothing
- Protect children from the sun
- Protect children from extreme temperatures

## About the Author



Laura Otto is editor of CAI's award-winning *Community Manager*. A seasoned journalist, Laura previously worked for a creative, advocacy agency in Washington, D.C., where she wrote and edited content for a variety of public health clients. Prior to that, Laura served as a senior writer and editor for the George Washington University School of Medicine and Health Sciences.



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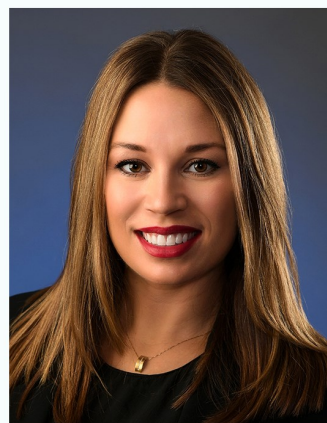
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## MODEL CODE OF ETHICS

CAI developed the Model Code of Ethics for Community Association Board Members to encourage the thoughtful consideration of ethical standards for community leaders. The model code is not meant to address every potential ethical dilemma but is offered as a basic framework that can be modified and adopted by any common-interest community.

### Model Code of Ethics for Community Association Board Members

#### Board members should:

1. Strive at all times to serve the best interests of the association as a whole regardless of their personal interests.
2. Use sound judgment to make the best possible business decisions for the association, taking into consideration all available information, circumstances and resources.
3. Act within the boundaries of their authority as defined by law and the governing documents of the association.
4. Provide opportunities for residents to comment on decisions facing the association.
5. Perform their duties without bias for or against any individual or group of owners or non-owner residents.
6. Disclose personal or professional relationships with any company or individual who has or is seeking to have a business relationship with the association.
7. Conduct open, fair and well-publicized elections.
8. Always speak with one voice, supporting all duly adopted board decisions—even if the board member was in the minority regarding actions that may not have obtained unanimous consent.

#### Board members should not:

1. Reveal confidential information provided by contractors or share information with those bidding for association contracts unless specifically authorized by the board.
2. Make unauthorized promises to a contractor or bidder.
3. Advocate or support any action or activity that violates a law or regulatory requirement.
4. Use their positions or decision-making authority for personal gain or to seek advantage over another owner or non-owner resident.
5. Spend unauthorized association funds for their own personal use or benefit.
6. Accept any gifts—directly or indirectly—from owners, residents, contractors or suppliers.
7. Misrepresent known facts in any issue involving association business.
8. Divulge personal information about any association owner, resident or employee that was obtained in the performance of board duties.
9. Make personal attacks on colleagues, staff or residents.
10. Harass, threaten or attempt through any means to control or instill fear in any board member, owner, resident, employee or contractor.
11. Reveal to any owner, resident or other third party the discussions, decisions and comments made at any meeting of the board properly closed or held in executive session.



# HOMEOWNER ASSOCIATION GUIDELINES

Many residents – owners and renters alike—don't really understand the fundamental nature of homeowner associations. Many others, including the media and government officials, lack a true understanding of the homeowner association concept.

What is the basic function of a homeowner association? What are the essential obligations and expectations of homeowners? What are the core principles that should guide association leaders?

1. Associations ensure that the collective rights and interests of homeowners are respected and preserved.
2. Associations are the most local form of representative democracy, with leaders elected by their neighbors to govern in the best interest of all residents.
3. Associations provide services and amenities to residents, protect property values and meet the established expectations of homeowners.
4. Associations succeed when they cultivate a true sense of community, active homeowner involvement and a culture of building consensus.
5. Association homeowners have the right to elect their community leaders and to use the democratic process to determine the policies that will protect their investments.
6. Association homeowners choose where to live and accept a contractual responsibility to abide by established policies and meet their financial obligations to the association.
7. Association leaders protect the community's financial health by using established management practices and sound business principles.
8. Association leaders have a legal and ethical obligation to adhere to the association's governing documents and abide by all applicable laws.
9. Association leaders seek an effective balance between the preferences of individual residents and the collective rights of homeowners.
10. Association leaders and residents should be reasonable, flexible and open to the possibility—and benefits—of compromise.

# Condos and HOAs Remain Popular With U.S. Homebuyers

By Amy Repke

As the U.S. economy recovers from the COVID-19 pandemic, the housing market remains strong, with the demand for homes far surpassing the inventory in many regions of the country. According to Community Associations Institute (CAI), community associations remain preferred housing options for millions of American homebuyers.

In addition to the housing model's popularity, the number of new condominium and homeowners associations is expected to increase by 4,500 this year, according to projections by the Foundation for Community Association Research, an affiliate organization of CAI. Representing nearly 25% of the housing stock in the U.S., community associations are home to more than 73 million Americans. The 2021 projections reflect a 1.3% increase in new communities.

In the 2020 Homeowner Satisfaction Survey, a biennial, nationwide report conducted by Zogby Analytics that provides a better understanding of today's condominiums and homeowners associations—88% of residents said they knew the home was in a community association and 38% said that fact made them more interested in buying while 48% said the fact has not impact on their buying decision.

The *National and State Statistical Review for Community Association Data*, published by the Foundation, found that planned communities give local municipalities the ability to transfer the obligation to provide services—trash and recycling removal, snow removal, streetscape beautification, sidewalk and street maintenance and lighting, stormwater management, and more—to homeowners.

According to the 2020 Homeowner Satisfaction Survey, residents said the following about their community association experience:

- 89% of residents rate their overall community association experience as very good or good.
- 89% say members of their elected governing board “absolutely” or “for the most part” serve the best interests of their communities.
- 74% say their community managers provide value and support to residents and their associations.
- 94% say their association's rules protect and enhance property values.

## About the Author

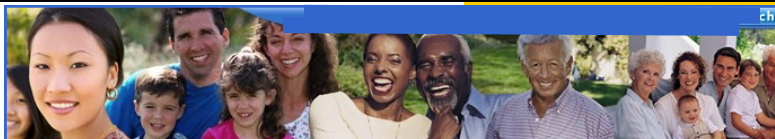


*Amy Repke, Vice President, Communications & Marketing. Amy brings more than 20 years of experience to CAI. Her communications career began in television news where she worked as a producer, writer, and assignment manager for local and network news channels. Amy has been nominated for four Washington Regional Emmy awards for writing and producing. Amy is a graduate of Old Dominion University and received a master's degree in Strategic Public Communications from American University*



# EVENTS CALENDAR

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## 2021 CALENDAR OF EVENTS

Due to health concerns with the COVID-19 virus the Board of Directors has decided to postpone **all in-person** CAI San Antonio events until further notice. "Our top priority is the health of our members and feel that it is best to err on the side of caution."  
Virtual meetings may be scheduled instead.

### **JULY**

7/8/21 - Mix & Mingle (4:30 - 7:00 pm) at the Tower of the Americas

7/8- 9/21 - M-206 Virtual

7/13/21 - Luncheon Meeting – Attorney Panel — The Well (5539 UTSA Boulevard, San Antonio )

### **AUGUST**

8/7/21 - Board Leader Development Workshop - Virtual

8/18/21 – 8/21/21 CAI Annual Conference & Exposition: Community NOW – Las Vegas, NV

8/27/21 - CA DAY (8:00 am – 3:00 pm) Norris Conference Center

*\*Note: there will not be an educational luncheon in the month of August.*

### **SEPTEMBER**

9/14/21 - Annual Membership Meeting & Manager Panel – Virtual Presentation

9/18/21 - Advanced Accounting Workshop - Virtual

### **OCTOBER**

10/8/21 - Golf Tournament - Canyon Springs Golf Club

10/12/21 Luncheon Meeting – (in person) - Location TBD

### **NOVEMBER**

11/9/21 - Luncheon Meeting – TBD

### **DECEMBER**

12/14/21 - Luncheon Meeting – TBD

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**NOTE:** Location is San Antonio TX unless otherwise noted. Watch email for times and details. Always RSVP!

**See you there!**

# Legal Assessments

## Contributing Writers:

Elliott Cappuccio, Dominique Valenzuela  
and Ryan Quiroz Pulman, Cappuccio & Pullen, LLP

### **Attorney's Fees Must be Proven to be both Reasonable and Necessary**

**Rosanna Silverio and Alvin Green v. Traditional Heritage Village Homeowners Association Ince. a/k/a Heritage Village, No. 02-19-00347-CV. (Tex. App.—Fort Worth Aug. 20, 2020)**

Rosanna Silverio and Alvin Green (the “Homeowners”) owned property in the Heritage Village subdivision, which is governed by Traditional Heritage Village Homeowners Association, Inc. (the “Association”). In 2015, the Association foreclosed on the Homeowners’ property because the Homeowners failed to pay past-due assessments, totaling \$3,990.88. The court also authorized the Association to collect \$7,500.00 in attorney’s fees. On June 2, 2015, the property was sold for \$11,500.00 to 8199 Robertson Land Trust (the “Land Trust”) at a foreclosure sale. In October 2015, the Homeowners redeemed the property by paying \$12,262.00 to the Land Trust. In exchange, the Homeowners received a redemption deed conveying the property back.

In February 2019, the Association sued the Homeowners again to foreclose on the lien on the property because of nonpayment of assessments, late fees, and attorney’s fees. The Association sought judicial foreclosure on the Association’s lien on the property. In response, the Homeowners, representing themselves, answered by asserting multiple affirmative defenses, including fraud, release, violations of the Texas’s Deceptive Trade Practices Act, among others. The Homeowners claimed that the Association represented that if they redeemed the property by paying the exact amount being claimed within the first lawsuit, they would recover the property free of any liens.

The Association filed a combined Motion for Traditional and No-Evidence Summary Judgment. The Homeowners responded by assert-

ing they were now being asked to pay the same amount they had paid when they redeemed their property the first time, violating the Texas Rule against double recovery. The court granted the Association’s summary judgment and awarded the Association a judgment of \$30,748.63, plus \$5,000.00 in attorney’s fees and ordered the property to be seized and sold at a foreclosure sale.

The Homeowners appealed the trial court’s order. They argued on appeal, among other things, that the Association was not authorized to recover any costs it incurred while the Homeowners did not own the property, the attorney’s fees requested were not reasonable, and the Association failed to state and prove any ground upon which the attorney’s fees were reasonable or recoverable.

The Court of Appeals affirmed the trial court’s judgment because the Homeowners did not present sufficient evidence of fraud, release of the obligation to pay assessments, or violations of the Texas Deceptive Trade Practices Act. The court did, however, reverse the award of \$5,000.00 in attorney’s fees and remanded the attorneys fee issue to the trial court to determine if \$5,000.00 was reasonable and necessary for attorney’s fees.

### **About the Authors**

*Elliott Cappuccio is the partner in charge of the Property Owner Association Section at the law firm of Pulman, Cappuccio & Pullen, LLP (“PC&P”), along with Associates Ryan Quiroz and Dominique Valenzuela. PC&P is a full service “Preeminent” Rated law firm with offices in San Antonio, Fort Worth, Austin, and McAllen. This article is not intended to provide legal advice, nor is it intended to create an attorney/client relationship between PC&P and the reader. If you have specific legal questions, you may contact Elliott Cappuccio at (210) 222-9494 or [ecappuccio@pulmanlaw.com](mailto:ecappuccio@pulmanlaw.com).*



## CAI—Answers in the Book Store

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### ***The Board President***

Useful information for newly elected and veteran presidents, this guide defines the role of the president and offers tips for working with the board, managers and residents. It outlines how to develop goals, set priorities, use committees effectively and promote volunteerism. It also explains governing documents, the president's fiduciary responsibility, how to conduct meetings and more.

Item #5895.

Nonmembers: \$25 | **CAI members: \$15**

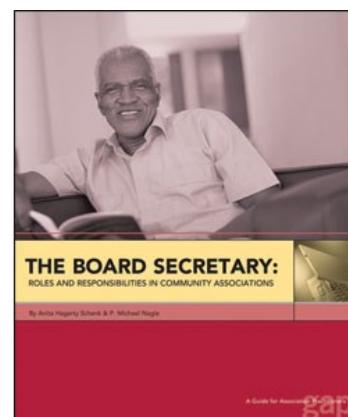


### ***The Board Secretary***

A must-have for all association or corporation secretaries. Full of advice on every aspect of the work of corporate, recording, and corresponding secretaries. Covers such subjects as meeting preparation, maintaining lists, how to establish an effective filing system, and how long to keep documents. It also answers many legal questions you may have. Includes samples of agendas, minutes, and forms.

Item #5834

Nonmembers: \$25 | **CAI members: \$15**

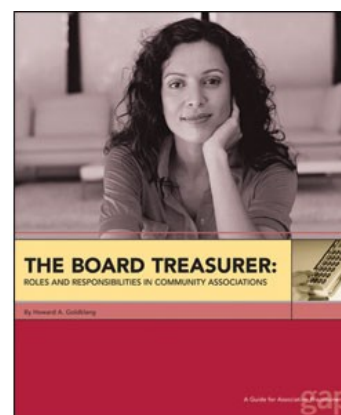


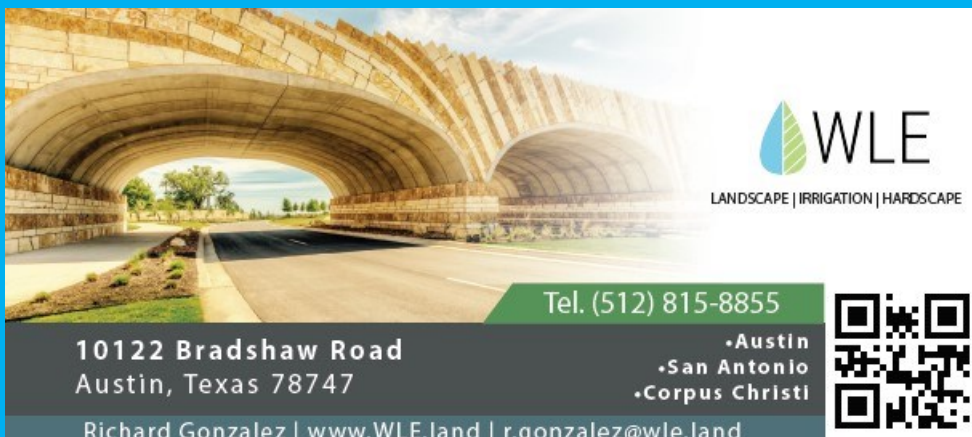
### ***The Board Treasurer***

This guide is written specifically for the treasurer. However, the information and guidelines on critical areas of community association financial activity that it contains will be of interest to anyone involved in community associations—managers, volunteer leaders, informed homeowners, and even the financial professionals who serve them. Some of these areas include: investments, reserves, financial statements, income taxes, budgets, borrowing, and special assessments.

Item #0765.

Nonmembers: \$25 | **CAI members: \$15**






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Chapter CED, Jesus Azenza|  
[Ced@CAISA.org](mailto:Ced@CAISA.org)  
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# Texas Community Associations

## facts & figures

» Approximately **5,965,000** Texans live in **2,093,000** homes in more than **21,000** community associations.

» These residents pay **\$9.5 billion** a year to maintain their communities. These costs would otherwise fall to the local government.



» **201,000** Texans serve as volunteer leaders in their community associations each year, providing **\$182.7 million** in service.

» The median home value in Texas is **\$161,700**. Homes in community associations are generally valued at least **4%\*** more than other homes.

» By **2040** the community association housing model is expected to become the most common form of housing.



**88** » percent say their association's rules protect and enhance property values (66%) or have a neutral effect (22%).

**70** » percent of residents oppose additional regulation of community associations.

**85** » percent of residents rate their community association experience as positive (56%) or neutral (29%).

**43** » percent always or usually vote in national elections and 59% always or usually vote in local and state elections.

9.26.20

» Community associations are private entities, not governments. Residents vote for fellow homeowners to provide leadership—making decisions about operation, administration and governance of the community.

» Assessments paid by association members cover the costs of conducting association business—such as common area maintenance, repair and replacement, essential services, routine operations, insurance, landscaping, facilities maintenance as well as savings for future needs.

CAI supports public policy that recognizes the rights of homeowners and promotes the self-governance of community associations—affording associations the ability to operate efficiently and protect the investment owners make in their homes and communities.



[www.caionline.org](http://www.caionline.org)  
(888) 224-4321

@CAIAdvocacy

#### SOURCES

Community Associations Fact Book 2019.  
Published by the Foundation for Community Association Research - [foundation.caionline.org](http://foundation.caionline.org). Note: Statistics published are estimates generated from seven public/private data sources; including the American Communities Survey.

Home Sweet HOA: 2020 Homeowner Satisfaction Survey.

Community Next: 2020 And Beyond, 2018.

\*Clark, W. & Freedman, M. (2019). The Rise and Effects of Homeowners Associations. *Journal of Urban Economics*, 112, 1-15.





## 2021 SPONSORSHIP OVERVIEW

CAI San Antonio is proud to present its 2021 Sponsorship Package. The goal is to provide an a la carte system of sponsorships which will provide the chapter with a strong foundation of support for general chapter functions and provide higher level CAI San Antonio sponsors the opportunity to select specific chapter activities to support. CAI San Antonio survived 2020 and will thrive in 2021 with your help. Thank you for your ongoing support of the chapter.

\*\*\* If you remain at the same Diamond, Platinum or Gold Sponsorship Levels or move up a level you can take 10% off your 2021 Sponsorship Level's cost.

Example: \$4000 - \$400 (10%) = \$3600

\*\*\* If you pledged money towards CA Day, Education or Membership in 2020, you may use 50% of those pledges on 2021 programs in the same category.

2020 CA Day = Golf Tournament, Education = Education and Membership = Membership. TCAA money was used.

All donations collected from the Friendship, Bronze, and Silver donation levels will provide general funding to the CAI San Antonio chapter. This includes basic financial support of:

1. individual committees,
2. educational opportunities such as the monthly luncheons programs,
3. advocating on behalf of our members before the Texas Legislature and the United States Congress, and
4. other needs of the chapter addressed in the annual budget.

Donations collected to achieve Gold, Platinum, and Diamond donation levels will provide additional funding support for 2021 CA Day, Membership, Education, TCAA and the Golf Tournament. Cost for booths, tables, and/or tickets to events will be provided separately by the respective committee.

### COMMITTEE OVERVIEWS

Donations received for specific committees will be utilized for that committee's needs, unless otherwise deemed appropriate by the Board of Directors to reallocate funds per the CAI San Antonio Bylaws. The chapter will honor all donation levels at all events and functions. Specific donations may or may not be recognized separately.

#### CA DAY

CAI San Antonio's CA Day strives to provide a perfect balance of education and networking opportunities for community volunteer leaders, community managers, business partners, and other professional organizations related to the community association industry. This event is free to community volunteer leaders and community managers. (Cost of exhibitor tables will be provided by the CA Day Committee later.)

#### GOLF TOURNAMENT

The Golf Tournament is a new event for the CAI San Antonio chapter, held to celebrate getting together again as managers, volunteers, and business partners to have fun and network. The Golf Tournament will be one of the most highly anticipated NEW CAI San Antonio events of the year.

#### MEMBERSHIP

Membership growth and retention is vital to maintaining a healthy CAI chapter. This committee strengthens the CAI San Antonio chapter through promotion of membership benefits and by furthering CAI San Antonio chapter's mission statement. (Cost for specific membership events will be provided by the committee later.)

#### TEXAS COMMUNITY ASSOCIATION ADVOCATES (TCAA)



CAI of San Antonio

## Sponsorship Program

Advocacy is one vital pillar of the San Antonio Chapter of CAI's Mission Statement. Without the efforts of TCAA's paid advocacy team that functions on-site in Austin, full-time during legislative sessions, we may not have been able to preserve the right of our Texas associations to self-govern on issues like fining, chickens, display of religious items, collections, foreclosure, and state oversight. TCAA's on-site advocacy team is its single largest investment in the future of our Texas community associations. There is never an off year when it comes to fundraising for TCAA. Without appropriate funding to TCAA, legislation designed to create a solution for an individual constituent complaint will be the future. Owners, volunteer board members, management companies, and the business partners that serve Texas community associations will experience the financial and unbalanced effects of individualized legislation. TCAA encourages you to invest in the preservation of your right to self-govern your community.

**EDUCATION**

Our Education Committee provides our members with education, tools, and resources by developing, promoting, and presenting education programs for community association volunteers, community managers and business partners both virtually and in-person. The goal of this Committee is to provide enhanced knowledge and professionalism in the industry.

**2021 SPONSORSHIP LEVELS**

Your 2021 sponsorship level will be determined by your overall donation amount. The following donation levels provide general budgetary support for the CAI San Antonio Chapter:

**CAI San Antonio Friendship** Donation - You may enter any amount that you choose between \$100.00 and \$599.00 to support your CAI San Antonio chapter.

**Bronze** - Minimum donation of \$600.00 to support your CAI San Antonio Chapter

**Silver** - Minimum donation of \$1,200.00 to support your CAI San Antonio Chapter

\*\*\*These higher donation levels MUST include "Add-On Donations" as indicated on the Sponsor Application to reach the required minimum donation for that level:

**Gold** - Donations must total at least \$2,000.00 (\$1,200.00 Silver Level + \$800.00 in optional add-on donations)

**Platinum** - Donations must total at least \$3,000.00 (\$1,200.00 Silver Level + \$1,800.00 in optional add-on donations)

**Diamond** - Donations must total at least \$4,000.00 (\$1,200.00 Silver Level + \$2,800.00 in optional add-on donations)

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CAI of San Antonio

Sponsorship Program

### DIAMOND LEVEL SPONSOR - MINIMUM \$4,000.00 DONATION

(\$1,200.00 Silver Level (required) + \$2,800.00 in optional add-on donations)

#### Benefits:

- One (1) free regularly sized booth or table at all CAI San Antonio functions, booth, and table upgrade options available, except the Golf Tournament
- Ability to pre-register for all events two (2) weeks in advance of normal registration
- Two (2) free luncheon tickets to all regularly scheduled luncheons (when in-person events resume)
- Opportunity to provide marketing material on the Business Partner Venue Table at all regularly scheduled luncheons (when in-person events resume)
- CAI San Antonio Annual Meeting sponsor
- Luncheon sponsor of two (2) regularly scheduled luncheons (virtual and/or in-person)-includes:
- \$100.00 in gift cards given in business partner's honor by CAI San Antonio
- Opportunity to present business information to attendees for maximum of two (2) minutes at the beginning of each event.
- Recognition on the CAI SA slideshow under Diamond level, viewed at all luncheons and events
- Company logo included in slideshow at CAI San Antonio luncheons and CA Day,
- Free submission of one (1) featured article in Common Terra - article to be written by business partner
- Free full-page advertisement in four (4) issues of Common Terra
- Link on the CAI San Antonio website homepage to your company website (Logos N Links)
- Special Diamond Level name badges for up to two (2) representatives

### PLATINUM LEVEL SPONSOR - MINIMUM \$3,000.00 DONATION

(\$1,200.00 Silver Level (required) + \$1,800.00 in optional add-on donations)

#### Benefits:

- 50% off one (1) regularly sized booth or table at all CAI San Antonio functions, booth, and table upgrade options available, except the Golf Tournament.
- Ability to pre-register for all events two (2) weeks in advance of normal registration
- Two (2) free luncheon tickets to six (6) regularly scheduled luncheons (when in-person events resume)
- 50% off an additional two (2) luncheon tickets at any two (2) regularly scheduled luncheons (when in-person events resume)
- Opportunity to provide marketing material on the Business Partner Venue Table at all regularly scheduled luncheons (when in-person events resume)
- CAI San Antonio Annual Meeting sponsor
- Luncheon sponsor of one (1) regularly scheduled luncheon - includes:
- \$100.00 in gift cards given in business partner's honor by CAI San Antonio
- Opportunity to present business information to attendees for maximum of two (2) minutes (when in-person events resume)
- Recognition on the CAI SA slideshow under Platinum level, viewed at all luncheons and events
- Company logo included in slideshow at CAI San Antonio luncheons and CA Day.
- Free submission of one (1) featured article in Common Terra - article to be written by business partner
- Free half (1/2) page advertisement in four (4) issues of Common Terra
- Link on the CAI San Antonio website homepage to your company website (Logos N Links)
- Special Platinum Level name badges for up to two (2) representatives



CAI of San Antonio

Sponsorship Program

### **GOLD LEVEL SPONSOR - MINIMUM \$2,000 DONATION**

(\$1,200.00 Silver Level (required) + \$800.00 in optional add-on donations)

#### **Benefits:**

- 25% off one (1) regularly sized booth or table at all CAI San Antonio functions, booth, and table upgrade options available except the Golf Tournament
- Two (2) free luncheon tickets to four (4) regularly scheduled luncheons (when in-person events resume)
- 50% off an additional two (2) luncheon tickets at any two (2) regularly scheduled luncheons (when in-person events resume)
- Opportunity to provide marketing material on the Business Partner Venue Table at all regularly scheduled luncheons (when in-person events resume)
- Recognition on the CAI SA slideshow under Gold level, viewed at all luncheons and events
- Company logo included in slideshow at CAI San Antonio luncheons and CA Day.
- Free submission of one (1) featured article in Common Terra - article to be written by business partner
- Free quarter (1/4) page advertisement in four (4) issues of Common Terra
- Link on the CAI San Antonio website homepage to your company website (Logos N Links)
- Special Gold Level name badge for one (1) representative

### **SILVER LEVEL SPONSOR - MINIMUM \$1,200 DONATION**

#### **Benefits:**

- Ability to upgrade to Gold, Platinum, and Diamond levels
- Two (2) free luncheon tickets to two (2) regularly scheduled luncheons (when in-person events resume)
- Opportunity to provide marketing material on the Business Partner Venue
- Table at all regularly scheduled luncheons (when in-person events resume)
- Recognition on the CAI SA slideshow under Silver level, viewed at all luncheons and events
- Company logo included in slideshow at CAI San Antonio luncheons and CA Day
- Free business card size advertisement in three (3) issues of Common Terra
- Link on the CAI San Antonio website homepage to your company website (Logos N Links)
- Special Silver Level name badge for one (1) representative

### **BRONZE LEVEL SPONSOR - MINIMUM \$600 DONATION**

#### **Benefits:**

- One (1) free luncheon ticket to one (1) regularly scheduled luncheon (when in-person events resume)
- Opportunity to provide marketing material on the Business Partner Venue
- Table at all regularly scheduled luncheons (when in-person events resume)
- Recognition on the CAI SA slideshow under Bronze level, viewed at all luncheons and events
- Company logo included in slideshow at CAI San Antonio luncheons and CA Day
- Free business card size advertisement in two (2) issues of Common Terra
- Link on the CAI San Antonio website homepage to your company website (Logos N Links)
- Special Bronze Level name badge for one (1) representative

### **FRIENDSHIP LEVEL SPONSOR - MINIMUM \$100/MAXIMUM \$599 DONATION**

#### **Benefits:**

- Free business card size advertisement in two (2) issues of Common Terra
- Link on the CAI San Antonio website homepage to your company website (Logos N Links)

# professionalism and community managers



Community managers are the professional backbone of the community associations they serve, providing expertise that is crucial to the successful operation of homeowners associations, condominiums, cooperatives and other planned communities.

Many communities contract with association management firms for specific services. Others hire full-time, on-site managers.

Successful managers must possess knowledge and skills relating to association governance, financial and facilities management, communications, insurance, maintenance and much more.

Many of the most successful managers elevate their expertise and careers by taking advantage of CAI's Professional Management Development Program, which includes 17 expert-led courses that address the many facets of community management—including professional ethics.



Professionals who want to expand their knowledge and further accelerate their careers can earn the following credentials:

- Certified Manager of Community Associations (CMCA®)
- Association Management Specialist (AMS®)
- Professional Community Association Manager (PCAM®)
- Large-Scale Manager (LSM®)

Companies that meet specified professional requirements can earn CAI's Accredited Association Management Company (AAMC®) credential.

These individual and corporate credentials tell community association boards and homeowners that they are supported by managers with high standards of professional excellence.



Learn more:

- » **PMDP courses:** [www.caionline.org/pmdp](http://www.caionline.org/pmdp)
- » **Professional credentials:** [www.caionline.org/credentials](http://www.caionline.org/credentials)
- » **CAI benefits for managers:** [www.caionline.org/managerbenefits](http://www.caionline.org/managerbenefits)



# the homeowners we serve



Homeowners are CAI's largest member group, comprising more than 40 percent of our 32,000-plus members. For the most part, these are the homeowners who have chosen to be leaders in their communities—serving on association boards and committees or volunteering for special projects. Some simply rely on CAI to stay informed about how their communities should be governed and managed.

CAI strives to serve homeowners who have or probably will step up to the plate to serve their communities and fellow residents. The benefits we provide to them—from *Common Ground* magazine and our specialized newsletters to web content and educational opportunities—are developed for these leaders.

While we do provide information for all HOA residents—including our online course, *An Introduction to Community Association Living*—our focus is on community associations and those who lead them, especially the more than two million residents who serve on association boards and committees. By supporting community leaders, we are making communities preferred places to live for all residents.

Our primary mission is to help homeowner leaders and professional community managers protect property values, preserve the character of their communities and meet the established expectations of all residents.

Our education inspires effective governance and management. Our best practices help leaders build and sustain more harmonious communities. Our advocacy promotes practical legislative and regulatory policies. Our ethics guidelines inspire fairness, transparency and integrity.

That's how we serve all community association residents, even as we strive to preserve and enhance the concept, perception and value of common-interest communities.

» **About CAI:** [www.caionline.org/about](http://www.caionline.org/about)

» **Member Benefits:** [www.caionline.org/homeownerleaders](http://www.caionline.org/homeownerleaders)

» **Find a chapter:** [www.caionline.org/chapters](http://www.caionline.org/chapters)

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# Community Associations

## Making Neighborhoods Stronger Across Texas

### What Is TCAA and who are its supporters?

Texas Community Association Advocates, (TCAA) is the public policy voice of community associations and the professionals who serve them.

#### Our supporters are united by a common mission:

To ensure that Texas community associations function properly for the benefit of all residents, that property values are protected and that community associations are well governed and properly managed to serve homeowners across Texas.

We are the voice for millions of Texas homeowners who choose to live in community associations and want to preserve the value of their home—the greatest asset most Texans will ever purchase in their lifetime.

We believe in responsibility and involvement in working together with public officials on public policy and working to find common ground to benefit homeowners and protect the quality of life of Texas neighborhoods.



## What is a community association?

HOAs, POAs, and Condominium Associations are non-profit associations which deliver services that were once the exclusive responsibility of local government. For many single-family communities these include street paving, lighting, pools, parks, trails, entry ways, recreational areas and many other services. HOAs also provide protection against neighborhood deterioration such as abandoned cars, dilapidated homes or yards that are not maintained.

In past generations, the city probably had a city park with a municipal swimming pool and community center where events were held. Often this is no longer the case. For the last several decades, municipalities have shed these responsibilities and costs by requiring developers of new communities to provide services once funded by cities. Most owners choose to live in these communities to give their families first-rate schools, swimming pools, tennis courts, playgrounds and other amenities many could not afford on their own.

# Community Associations

Making Neighborhoods Stronger Across Texas

Texas Community Association Advocates (TCAA) is the public policy voice of community associations and the professionals who serve them.

## TCAA Priorities For Neighborhoods

- Champion transparency and openness for community associations
- Provide educational resources to ensure volunteer board members, HOA professionals and others are trained about Texas laws
- Teach best practices in operating community associations
- Support protecting our environment through energy efficient practices



Our supporters are united by a common mission: To ensure that Texas community associations function properly for the benefit of all residents, that property values are protected and that community associations are well governed and properly managed to serve homeowners across Texas.

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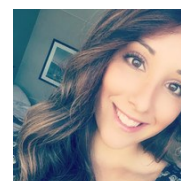
# Welcome New Members



## New Members – 1<sup>st</sup> Quarter 2021

### Managers

Darin Laracuente, CMCA, AMS	James Lee Smith
Luanne Weinberg	Rosana Carter
Sherry Portzline	Bonnie Carlisle
Kevin Baldwin	Ernest Castanon
Tate Johnson	Heidi Krasner
Heather Dawn Torrescano	



### Membership Chair

**Amaris Lozano**  
[alozano@ccmcnet.com](mailto:alozano@ccmcnet.com)

### Business Partners

Barton Benson Jones PLLC – Adrian Coronado  
 DoodyCalls – Jacob D'Aniello  
 Dynamic National Inc. – Luke Hollingsworth  
 Lake Management Services, LP – Ryan Evans  
 United Protective Services – Robert Young

*“CAI offers several  
 membership  
 opportunities with  
 appropriate  
 member benefits  
 and resources for  
 them all.”*

### Volunteer/Homeowner

Ed Castor	John G Geddes
John Mccullough	Manuel Perez
Marie Dahlstrom	Kathleen Murray
Steve Hansen	Vickie King
Debbie Fassett	Kelli Fischbach
Denise Robes	Diane Sanford

Use the services  
 of  
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 It Matters!!



The Membership Committee extends a warm welcome to our new members. If you know someone who may be interested in joining the San Antonio Chapter of CAI, please have them contact Amaris so that he can provide the information they need to join.



## CAI of San Antonio *Luncheon Program*

2<sup>nd</sup> Tuesday of Every Month

11:30 – 1:00 p.m.

RSVP Until Tuesday, One Week Before—[ced@caisa.org](mailto:ced@caisa.org)

Luncheons will be held either in-person or  
virtually as determined by the CAI-SA

Board of Directors and Education Committee

CAI of San Antonio



### 2021 Board of Directors

**President**

Leah K. Burton

**President Elect**

Cassie Thompson

**Vice President**

Art Downey

**Secretary**

Clayton Hadick

**Treasurer**

Amy Atkins

**Director**

Harmon Hamann

**Director**

Doug Smith

**Director**

Richard Gonzalez

**Director**

Russell Birdy

### COMMITTEE CHAIRS

**Awards Gala**

Stephen Martinez & Jenee Lewis

**CA Day**

Roxanne Jones & Lucy Filipowicz

**Common Terra**

Art Downey

**Education**

Tom Newton & Danae Bledsoe

**Golf Tournament**

Jesse Trevino & Jenee Lewis

**Membership**

Amaris Lozano

**Nominating**

Lynn Harmon

**Sponsorship**

Suzanne Hubbard

**Social Media**

Bethany Vuyk

**TCAA & Legislative**

Leah K. Burton & Paul Gaines

# about Community Associations Institute

## Building Better Communities



Founded in 1973, CAI and its 59 U.S. and international chapters provide information, education and resources to the homeowner leaders and professionals who govern and manage homeowners associations, condominium communities and cooperatives. CAI's 32,000-plus members include community association board members, other homeowner leaders, community managers, association management firms and other professionals who support common-interest communities.

CAI serves associations by:

- Advancing excellence through seminars, workshops, conferences and education programs
- Publishing the largest collection of resources available on community association management and governance
- Advocating on behalf of community associations and their residents before legislatures, regulatory bodies and the courts
- Conducting research and serving as an international clearinghouse for information, innovations and best practices

CAI believes community associations should strive to exceed the expectations of their residents. Our mission is to inspire professionalism, effective leadership and responsible citizenship, ideals that are reflected in communities that are preferred places to call home.

Visit [www.caionline.org](http://www.caionline.org) or call (888) 224-4321.

