

Common Terra

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

Fourth Quarter 2019



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Foreclosing on a Condo/HOA Member's Property

By: Harmon Hamann, INSURICA

Recovering delinquent fees and assessments from members of a condominium or homeowners association (HOA) can be a headache for the HOA's board. Each homeowner shares a piece of the association's operating costs; when they fail to pay their fees, it prevents the HOA from paying its bills for property maintenance, renovations and utilities in a timely manner, if at all.

If a certain percentage of members are behind in their payments, the significant revenue shortfall drives HOAs to take drastic measures to stay afloat. In some cases, HOAs may force other homeowners to pick up the slack and cover the disparity. In other cases, the HOA may pursue legal action—such as a civil lawsuit or a foreclosure—against delinquent homeowners to recoup the debt.

If your HOA chooses to pursue a foreclosure against a homeowner, consider the risks you might face, and take appropriate risk mitigation steps to limit your HOA's liability throughout the process.

Is Foreclosure the Best Option?

When an HOA forecloses on a homeowner's property, it will take—and usually sell or rent out—the property in repayment for the unpaid fees and assessments. Before pulling the trigger on a foreclosure, it's important to do preliminary research to ensure a foreclo

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New Innovative Solutions in Your Lake Manager's 'Toolbox'

By: Shannon Junior, Aquatic Ecologist at SOLitude Lake Management

Herbicides and algaecides have traditionally been used to maintain balanced ecosystems in lakes and ponds—but wouldn't it be exciting if there was a new technology or process that could totally revolutionize the way we approach environmental problems in our communities? Industry leaders have long understood that proactive, holistic management strategies are the key to achieve long-term balance in our aquatic environments; however, our toolbox of sustainable solutions has not always grown at the same pace as our knowledge. That's why we are so excited about recent advances in aquatic habitat restoration.

EPA-registered herbicides and algaecides are generally only used as a last resort solution—but sometimes they are necessary and valuable tools. Just as you might take an

(Continued 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 afford-

able 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

SAN ANTONIO CHAPTER, COMMUNITY ASSOCIATIONS INSTITUTE
P O Box 68265, SAN ANTONIO TX 78204

www.caia.org

CHAPTER EXECUTIVE DIRECTOR

Judy Monger

ced@caia.org 210-389-6382

Art Downey, Editor

adowney@ix.netcom.com

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csparks@ccmcnet.com





Lynn Harmon
President, CAI San Antonio
Director of Business
Development,
Associa Hill Country
Direct - 210-471-2429
Cell - 210-901-3286

*As we head into
the tail end of
2019, I am
amazed by the
fantastic year that
we have had so far
and excited by our
upcoming events
and activities.*

The President's Message — Lynn Harmon

Dear Fellow Members –

As we head into the tail end of 2019, I am amazed by the fantastic year that we have had so far and excited by our upcoming events and activities. Your Board of Directors has been planning for the future, identifying new goals and collaborating on continuing our momentum to continue strengthening and growing our Chapter – and to provide even more opportunities for our membership.

Luncheons – Education Opportunities – I want to thank all of you who have joined us at one or more of our monthly luncheons and encourage each of you to bring a guest with you to the next luncheon and help us grow our Chapter. We have had some great speakers this year and have lots more fun and learning opportunities planned for our upcoming luncheons. I hope to see you all at our next luncheon and hope to have the opportunity to speak with you. I would love to hear your thoughts and ideas regarding new or different ways to grow our board member and committee volunteer members. Please drop me a note or give me a call if you wish to share.

I am extremely honored to have had the opportunity to serve as the Chapter President this year and appreciate all of the support and assistance of our Board as well as our Chapter CED. I am excited for the future of the Chapter, especially with the leadership skills of this amazing team

Thank you for allowing me to represent you.

Email – Lynn.Harmon@associa.us



CHAPTER AWARDS

Next Year's Board Members & Committee Chairs

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Rights and Responsibilities for Better Communities

Principles for Homeowners

Homeowners have the right to:

- ◇ A responsive and competent community association.
- ◇ Honest, fair and respectful treatment by community leaders and managers.
- ◇ Participate in governing the community association by attending meetings, serving on committees and standing for election.
- ◇ Access appropriate association books and records.
- ◇ Prudent expenditure of fees and other assessments.
- ◇ Live in a community where the property is maintained according to established standards.
- ◇ Fair treatment regarding financial and other association obligations, including the opportunity to discuss payment plans and options with the association before foreclosure is initiated.
- ◇ Receive all documents that address rules and regulations governing the community association—if not prior to purchase and settlement by a real estate agent or attorney, then upon joining the community.
- ◇ Appeal to appropriate community leaders those decisions affecting non-routine financial responsibilities or property rights.

Homeowners have the responsibility to:

- ◇ Read and comply with the governing documents of the community.
- ◇ Maintain their property according to established standards.
- ◇ Treat association leaders honestly and with respect.
- ◇ Vote in community elections and on other issues.
- ◇ Pay association assessments and charges on time.
- ◇ Contact association leaders or managers, if necessary, to discuss financial obligations and alternative payment arrangements.
- ◇ Request reconsideration of material decisions that personally affect them.
- ◇ Provide current contact information to association leaders or managers to help ensure they receive information from the community.
- ◇ Ensure that those who reside on their property (e.g., tenants, relatives and friends) adhere to all rules and regulations.



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.

Foreclosing on a Condo/HOA Member's Property

(Cont. from page 1)

sure is the best and least risky option to recoup the debt.

Refer to your HOA's governing documents: Your HOA's bylaws should dictate your right to foreclose. They may also provide information on how to place a lien on the property. A lien allows the HOA to sell the homeowner's property in order to repay overdue fees and assessments owed to the association; its purpose is to compel the homeowner to pay their debt. It's important to adhere to your association's governing documents.

Review your HOA's accounting and bookkeeping records: Were all the overdue fees and assessments properly levied in accordance with your HOA's bylaws? Keep in mind that the HOA could be sued by the homeowner if assessments were improperly imposed or fees were actually paid by the homeowner but not properly recorded.

Understand applicable state and federal laws: Debt collection and foreclosures are subject to state and federal laws based on the jurisdiction your HOA operates in. The laws regulate the following:

- The total amount of debt that the homeowner must accumulate before the HOA can start the foreclosure process
- The minimum length of time the homeowner must be delinquent in payments before the foreclosure process can be started
- The number of days' notice the HOA must give the delinquent homeowner to repay the debt before proceeding with the foreclosure process

To ensure you're in compliance with state and federal laws regarding debt collection, liens and foreclosure, consult a legal professional.

Obtain a report from the homeowner's title company: The homeowner also has rights, and the HOA board will want to understand his or her stake in the process. If the homeowner still resides on the property and has a considerable amount of equity in it, pressure from the HOA usually compels payment. However, there is also the risk that the homeowner will sue all involved after the foreclosure, even if your HOA executed it flawlessly.

How much equity does the homeowner have in the property? One way to figure this out is to obtain a

comprehensive report from the title company. Knowing how much equity the homeowner has in the property is a good indicator of how much he or she will fight to keep the home during the foreclosure process. A comprehensive report will include valuable information the HOA should consider before initiating the foreclosure process:

- The status of ad valorem taxes, tax suits or sales
- Mechanics liens
- Federal tax liens
- Foreclosure postings of prior liens
- Notices of bankruptcy, probate and divorce proceedings

The Foreclosure Process

Once you decide that a foreclosure is the best option to recover the unpaid fees and assessments, your HOA can start the foreclosure process. The steps listed below are a basic overview of the process, and may differ from state to state.

Apply for a lien: First, the HOA must apply for a Claim of Lien against the homeowner's property. What's important to know is that there may already be existing liens from other sources—such as tax liens and mortgage liens—that may affect how much you can collect when the property is foreclosed.

Notify the homeowner: After placing a lien on the property, the next step is to notify the homeowner about your plans to seek foreclosure. The homeowner is given a certain amount of time—depending on that particular state's requirements—to respond to the notice and repay the debt before the HOA can proceed with the foreclosure.

Judicial vs. nonjudicial foreclosure: After placing a lien on the property and giving the homeowner the proper notification, typically the HOA must then follow "judicial" foreclosure proceedings. A judicial proceeding means the HOA is required to obtain a court order to sell the homeowner's property. There are also "nonjudicial" proceedings, which allow an HOA to take the homeowner's property and sell it at an auction without a court order. Nonjudicial foreclosures are only allowed in certain states.

When to accept a repayment plan: At any time before the home is sold, the homeowner can stop the foreclosure process by paying all overdue, interest and legal fees owed to the HOA. In some cases, a homeowner

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Foreclosing....

(Cont. from page 6)

er may want to work out a repayment plan with the HOA. You can choose to accommodate the homeowner, as long as you have the best interest of the rest of the association in mind. Before agreeing to a repayment plan, you may want to consult a legal professional.

Maintain Professionalism

Unpaid dues and abandoned or foreclosed homes can cause tension in an HOA community. While emotions may run high, it's important for the HOA board to maintain professionalism throughout the debt collection process. While it's important to treat all HOA members fairly, there isn't a one-size-fits-all approach for dealing with delinquent members. Your board may have to review and approach each case on an individual basis to determine what's best for the HOA's financial situation.

Be patient during the foreclosure process and double-check everything you do to make sure you're in compliance with state and federal laws and your HOA's bylaws. Expediency during the process could expose you to undue risks. For additional information about foreclosures and resources for other condo or HOA risks, contact INSURICA today.

About the Author

Harmon Hamann

CIC, MPA

INSURICA®

1100 NE Loop 410, Suite 200
San Antonio, TX 78209
P 210.805.5916 | M 210.542.5799 | F
866.652.9386
hhamann@INSURICA.com



What Gives the Association the Right to Tell Me What to Do?

In a nutshell: the association declaration and state law.

Community associations have a governmental component. Like a city or county government, a community association has a *charter*—called the declaration. The declaration encompasses bylaws, covenants and other documents that give community associations their legal foundation.

These governing documents obligate the association to preserve and protect the assets of the community. To enable the board to meet this obligation, association governing documents also empower the board to make rules and define the process for adopting and enforcing them—within limits. Governing documents also establish parameters for the nature and type of rules the board can make.

State law gives associations the authority to make rules. These are called common interest community statutes, and they apply to condominiums, cooperatives, and property owners associations.

Remember, however, that the board can't make or enforce any rule that is contrary to the governing documents, local ordinances, state law or federal regulations. Remember also that the board make rules on your behalf—to protect your investment, your home.

Sign Me Up!

While serving on the board is probably the most visible example of volunteerism in our association, there are many other ways that you can contribute your time and talents to improving our community.

Your participation in the community is beneficial to you, your neighbors and the association. For example, common benefits gained by volunteering include:

- making a positive difference in other peoples' lives
- sharing or learning new skills
- boosting your resume—volunteer jobs are fair game
- meeting new people
- having fun

Don't let our community suffers from lack of enthusiasm. Even a few hours of your time can make a big difference in the culture of the community. Help us generate goodwill, encourage "paying it forward" and strengthen our community.

Electronic Voting for Property Owners Associations in Texas

By Marc Markel, ROBERTS MARKEL WEINBERG BUTLER HAILEY PC

In Texas, the right to vote by electronic means depends upon which sections of the Texas Property Code are applicable to a Property Owners Association. While it is the intent of dedicatory instruments to control the method of voting and determine who can vote, the Texas legislature has made this issue a little more complicated.

For those of you that are working with Condominium Associations that are subject to Texas Property Code Section 81 (Condominium Act) for the most part, voting is controlled by the dedicatory instruments. The Condominium Act offers no guidance on methodology of voting nor authorization for which owners may vote. In fact, when the Condominium Act was passed there was no electronic voting in existence. In this instance, one only need to look at the dedicatory instruments for the association. Normally, voting is something that is set forth in the bylaws of the association; however, I have seen voting detailed within the condominium declaration as well as the articles of incorporation.

If electronic voting, absentee voting, or proxy voting is desired by a Section 81 condominium association, it is possible to amend the bylaws to permit these methods of voting. However, care should be taken as to the required vote to promulgate an amendment. Often the amendment provision in the bylaws was not present and the bylaws were an exhibit to the declaration usually requiring a super majority to approve an amendment. Generally, the Texas Business Organizations Code states that the board of directors may amend the bylaws unless the management of the corporation is vested in the corporation's members, or the formation document reserves that right exclusively to the members (Texas Business Organizations Code Section 22.102).

On the other hand, the Uniform Condominium Act in Section 82.110 provides that a unit owner may vote in proxy or in person. No other method of voting is considered, and this provision is only effective as to condominiums formed after January 1, 1994, or by earlier condominiums that have adopted this provision. While many provisions in the Uniform Condominium Act are prefaced with the words, "Unless the bylaws or declaration provide otherwise..."; however, these words are not present when dealing with methods of voting. So as of the writing of this paper no voting by electronic or absentee ballots is permitted.

So where does this leave condominiums in Texas? For associations that are subject to the Condominium Act, the association may establish voting methods, and qualifications for voting within its dedicatory instruments unless prohibited as detailed above. For associations that are subject to the Uniform Condominium Act, it appears as though the only permissible methods of voting are in person or by proxy. Whether proxies must be originals or if a proxy is produced via email or facsimile, the method should be clarified in the association's dedicatory instruments. The use of more modern methods of voting such as absentee ballots and electronic voting are not addressed within the Uniform Condominium Act and therefore should not be utilized.

Associations that are subject to Section 209 of the Texas Property Code are subject to a considerable amount of regulation by statute.

The minimal number of days required to be provided to an owner regarding an election is determined by whether a vote is to occur at a meeting or without a meeting. A written notice of an election to be conducted at meeting requires at least 10 and not more than 60 days' notice. A notice of an election to be conducted outside of a meeting is required to be provided to owners at least 20 days before the latest date that the votes will be counted (TPC-209.0056). This section does not clarify the word written and most associations out of an abundance of caution will mail out the notices of elections. These requirements are applicable without consideration to the method of voting that is determined permissible by the board of directors.

Section 209.00592 provides alternative methods of voting in association elections. This section of the Texas Property Code supersedes any contrary provision in a dedicatory instrument. The Property Code provides that owners may vote in person or by proxy, by absentee ballot, by electronic ballot, or by any method of representative or delegate voting as set forth in the applicable dedicatory instruments. The Property Code section goes on to state that an association is not required to provide an owner with more than one method of voting; however, owners must be provided the opportunity to vote either by

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Electronic Voting for Property Owners Associations in Texas

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proxy or absentee ballot. So, if electronic voting is to be utilized, it must be used as an alternate to at least proxy or absentee ballots.

Section 209.00592 goes further to state that an absentee or electronic ballot may be counted only for items on the ballot and establishing a quorum; however, the ballot may not be counted if the owner attends the meeting in person for the purpose of voting. While the section goes on to state that absentee and electronic ballots will not be counted if the matter to be voted upon is amended at the time of the meeting, this prohibition is not effective if the matter to be voted upon is the election of board members and the amendment is merely nominations made from the floor.

While there are specific and detailed instructions in the statute as to absentee ballots, there are no similar instructions as to electronic ballots. Specifically, the absentee ballots must provide a method of voting for or against a proposed action. It must also contain instructions for what to do with a completed ballot. Most importantly, an absentee ballot must contain the following words:

"By casting your vote via absentee ballot you will forgo the opportunity to consider and vote on any action from the floor on these proposals, if a meeting is held. This means that if there are amendments to these proposals your votes will not be counted on the final vote on these measures. If you desire to retain this ability, please attend any meeting in person. You may submit an absentee ballot and later choose to attend any meeting in person, in which case any in-person vote will prevail." While such a requirement is not present as it relates to an electronic ballot, the conservative approach would be to include this warning for those casting an electronic ballot.

Section 209.00592 defines an electronic ballot as one that is given by e-mail, facsimile, or posted on an internet website. There is a requirement that the identity of the owner can be confirmed, and the owner may receive a receipt for their ballot and the fact that they voted. When an electronic ballot is posted on an internet website, notice of the posting must be sent to each owner so that they know how to access and post their vote on the website.

Electronic ballots are currently not frequently used but they are the future if property owner associations wish to obtain a quorum for its meetings. It is not possible to

elect board members without a quorum and members whose terms have expired are not permitted to continue to serve. So, what do we do when technology moves faster than the Texas legislature? Recently I was asked about voting via text message. Well to truly understand this technology I spoke with Lee Durham of Global Mobile. Global Mobile is a company that conducts surveys and elections for municipalities and companies via its TXT2Vote platform. He explained to me that text message voting is just another way of accessing the internet and is in fact a link to an internet site. If that is an accurate description then it will more than likely be determined to be a form of electronic voting and an acceptable method of voting so long as it can meet all of the requirements set out above and the after-the-vote issues detailed below. To be clear, in addition to the text link to the internet site, there should also be a direct link to the internet site available to the owners.

The after-the-vote issues include the tabulation of votes, who can view the tabulation of votes, as well as a recount of an election. While most property owners association ballots are signed [or able to identify the person who executed the ballot], tabulating electronic ballots is not like taking a pile of written ballots and physically counting them. While it is possible to print out electronic ballots, I do not see in the applicable code sections any such requirement. So how do you tabulate votes and control access to electronic ballots? Section 209.00594 of the Texas Property Code controls the issue of access to ballots. Any person that is not a candidate or being voted upon is permitted to vote so long as they are not related to such a person within the third degree of consanguinity or affinity. What happens if a machine counts the votes? This is uncharted waters but having copies of the ballots printed out or stored electronically and preserved pursuant to the association's records retention policy should make this a moot point as the backup, which is capable of being counted, is available. I bet the machine will not disclose how an owner has voted and so there will not be a resulting violation of law. The only person by law that is permitted to access the ballots is the person or persons that are counting

(Cont. on page 14)

New Innovative Solutions ...

(Cont. from page 1)

antibiotic to recover from an infection, pesticides help your waterbody recover from nuisance and sometimes harmful aquatic weed infestations. Now, new herbicide technologies are optimizing the safe eradication of undesirable plant species with very limited impact on native vegetation, wildlife or recreational activity. These highly-targeted herbicides combine the best features of traditional options to target the unique growth processes in undesirable aquatic weeds and achieve more selective and long-lasting vegetation control. Thanks to their favorable environmental profile, they require 100-1000x lower use rates than traditional herbicides and have been designated by the EPA as a "Reduced Risk" solution that is virtually non-toxic to humans, pets and wildlife.

Reduced Risk herbicides can be highly successful for the management of many species and may provide exceptional multi-season control when applied by specially certified professionals at the appropriate growth stage and dosing rate. Properties suffering from chronic milfoil species, hydrilla, crested floating heart, watershield, parrotfeather, creeping primrose, slender spike rush, yellow floating heart and similar species are excellent candidates for management with these highly-selective, low-impact herbicides. For any new technology, it is important to evaluate its niche within our "toolbox" and to understand the best fit among the available water quality management strategies. There are many factors to consider when developing a comprehensive aquatic resource management plan, such as the target weed or algae species, the presence of beneficial native vegetation, and the goals and budget of the stakeholders. While reduced risk herbicides offer a new and exciting option for our clients with severe nuisance or invasive aquatic weed issues, it's important to establish long-term control by addressing the true root of the problem: unbalanced water quality.

Water quality restoration is one of the most

frequent and important challenges that we face as lake and pond managers, and should be a high priority for every waterbody. Poor water quality due to nutrient loading is a constant issue, as runoff containing fertilizers and other pollutants from agricultural farms, suburban lawns and gardens, and urban streets and parking lots drains into lakes, ponds, and stormwater management facilities. Even natural areas can contribute to water quality degradation through the deposition of sediment, leaf debris and other organic matter to our waterways. These pollutants are the ultimate source of nuisance lake and pond weeds, harmful cyanobacteria (blue-green algae) blooms and other complications that impair waterbodies for municipal and recreational uses, and may also make them less habitable for fish and other wildlife.

As a property manager or member of a homeowners community, you may have already implemented numerous aquatic management tools such as aeration and nanobubble technology, biological augmentation, and innovative sediment management techniques such as bioengineered shorelines and hydro-raking. Another new technology for the sustainable removal of nutrients and other pollutants is generating excitement within our industry. Similar to activated charcoal, this new technology has highly adsorbent properties that allow it to remove impurities from water. These charcoal-like particles can be placed in large, porous bags in moving water, and the particles will attract and trap nutrients, metals and other pollutants. The bags are then removed from the water when they are full, resulting in the physical elimination of the trapped material from the waterbody. The contents of the bag can be discarded, or better yet, applied to lawns and gardens as a soil amendment for natural fertilization and as a substrate for beneficial microbes to enhance plant growth.

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New Innovative Solutions...

(Cont. from page 10)

This new technology is most effective in flowing waterbodies so that there is constant circulation of water around the bags for nutrient adsorption. More stagnant basins would benefit from the installation of a fountain or aeration system to move the water and enhance the effectiveness of this method. The number and size of the bags required is also site-specific, and their longevity could be several weeks up to an entire season, depending on the severity of water quality impairment.

The increasing problems of anthropogenic and climatological water quality degradation have brought us to a critical time in the aquatic management industry, but new technologies like these are making the management of water resources easier and more sustainable than ever. When implementing any sort of aquatic weed or water quality solution for your waterbody, it's extremely valuable to consult with an aquatic biologist or ecologist who is on the leading edge for innovative solutions to age-old challenges. Your community members—and your long-term budget—will thank you!

About the Author



Shannon Junior is an Aquatic Ecologist at SOLitude Lake Management, an industry-leading environmental firm. She specializes in all facets of lake management, with a specific expertise in ecological assess-

ment and water quality restoration. Shannon has Master of Science degree in Environmental Science and Public Policy from George Mason University. This article is the third in a series featuring new break-through technologies that will revolutionize the management of lakes, stormwater ponds, wetlands and fisheries in 2019. Learn more at www.solitudelakemanagement.com/knowledge

Why HOAs Need Professional Management

There's a lot more to managing a community association effectively than you may realize. It's much more than property management; it's also about governance—enforcing rules, conducting elections and more. Your home and your ownership interest in the common elements represent a huge asset—possibly your largest asset. Doesn't it make sense to have a knowledgeable, trained, professional community association manager watching out for your interests? Consider all they have to offer.

- Professional managers must be aware of many laws and regulations—real estate, corporate and labor laws; federal laws and state statutes and government regulations.
- Professional managers must have a working knowledge of finances, accounting, budget preparation, taxes and insurance.
- Professional managers must have strong personnel management skills—hiring and supervising contractors and staff.
- Professional managers must work and communicate effectively with residents, resolve disputes and facilitate communications.
- Professional managers must have a keen understanding of property maintenance—landscaping, repairs and replacements, facilities upkeep and mechanical maintenance.
- Professional managers coach and mentor the board members who govern the association. They help conduct meetings, supervise elections and ensure compliance with governing documents. Governance is one key area where property management and community management differ.



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CED Corner



Judy Monger
Chapter Executive Director

Our CA Day Committee was WONDERFUL!! Thank you, Austin Denson and Robert Hausen. If you did not make it, you missed out! August 23rd, 2019 will go down in our history books, CAISA's that is! We sold out all the booths that were available and our attendance was great. There were pirates everywhere! FUN! FUN! FUN!

Our Awards & Recognition Gala Committee is working hard on that **January 18th** event, Our Gala will have a theme of Havana Nights and the gaming tables will still be there again! We will have an MC, a DJ, and Raffles. That is the night we recognize and honor our outstanding Managers, Homeowner Volunteers and Business Partners. The rules, questions and scoresheets are being tweaked again so these awards will mean the winners are exceptional in their fields. There are three Manager of the Year Awards this year. But, you can only be nominated for one. Be on the look-out as the applications will be coming out soon.

Mark your calendars! On May 14, 2020 CAI San Antonio will host the **M-100** (2 ½ days) and then on September 11, 2020 we will host the **M-202** (1 ½ days). Spread the word so we can

make these great, successful events. More information to come! Watch for it!

Our next three (3) luncheons will be great. Don't miss out. October is a legal panel on Harassment/Neighbor Disputes, then in November we will have Conflict Resolution with Bexar County Dispute Resolution Center and to end the year, in December we will have lessons on what can be done to protect our HOAs from Hoarding/Mental Issues.

Our Sponsorship program is being looked at again for next year so look so plan your budget accordingly. We cannot do any of this without you! We appreciate all you do for CAI San Antonio!

Please try to come to the November Luncheon and plan to stay after so we can answer any question you may have on this program.

. Our program was Legal Jeopardy. This was something we all need to hear and we laughed a little, too. We elected 3 Board of Directors in September at our Annual Meeting

We elected Cassie Thompson (Manager), Brady Ortego (Business Partner) and Harmon Hamonn (Member At Large) to the Board of Directors. Please remember your current Board of Director, 2020 Board of Directors and all our wonderful committees. Tell them THANK YOU and ask them how you can help make the San Antonio Chapter of CAI the best!



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."

Judy

Judy Monger, CED
ced@caisa.org

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Electronic Voting for POAs in Texas

(Cont. from page 9)

the ballots. However, if a court requires the production of the ballots, the association must comply with the court order.

The other issue which may pose an issue for electronic voting is the recounting of the ballots. Section 209.0057 of the Texas Property Code provides the requirements as to recounts. A demand for recount must occur within 15 days of the date when an election occurred, or the results of an election outside of a meeting are announced. The person desiring the recount must be provided an invoice estimating the costs relating to the recount within 20 days of receiving a request for a recount. The cost includes the costs of the individual who will be conducting the recount and the costs to the electronic voting service to provide the data. This invoice must be paid within 30 days after the invoice is sent to the owner, and if not paid, the request for the recount is considered withdrawn. If the recount is to go forward, a question arises as to the review of electronic ballots; however, once again the conservative and safe method of review is to provide printed copies of the electronic ballots.

A final issue effecting electronic balloting that is a potential concern is Section 209.0058(d) of the Texas Property Code detailing the process for an association to promulgate rules permitting secret ballots. First, there are two Section 209.0058(d) that were both passed in the same legislative session. The difference of the two is that one permits a candidate to name an observer for purposes of counting ballots. Just to make it a little more complicated, the section states that the observer is not entitled to see the name of the person that cast a ballot, and if they become disruptive, they may be removed. Both sections require the following conditions for a secret ballot to be utilized. The first requirement is that a member cannot cast more votes than they are eligible to cast and second, the association must count every eligible vote.

So, in the electronic voting method where section 209.00592 states a requirement that the identity of the property owner can be confirmed there should be no problem creating a secret electronic ballot so long as the identification can be stripped prior to a manual tabulation or recount.

When stepping into the world of electronic balloting to be conducted by third parties it would be prudent to have your association counsel review the process being used by the provider and review the contract with the association. As to voting via text, so long as it is tied to an internet site and there is another way to directly access the internet site, then it should also be acceptable. If an error occurs in the tabulation, the association could be at risk for the costs of the recount as well as the resulting embarrassment to a candidate that thought they won and the candidate that was shown to win after the recount. Additionally, bylaws may also contain additional requirements as to voting and those requirements should be compared to the applicable Property Code section.

About the Author

ROBERTS MARKEL WEINBERG BUTLER HAILEY PC



Marc Markel is an Equity Shareholder with the firm's Real Estate section and is a leader of the Community Association Team. He has actively defended community associations and their volunteers in litigation and frequently assists developers through their due diligence process and creation of community



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New Gun Laws Coming to An Association Near You

By Marc Markel, ROBERTS MARKEL WEINBERG BUTLER HAILEY PC

Every September of an odd numbered year means understanding and complying with new laws. For this article, we want to highlight the changes to gun laws enacted by the legislature that could have a major impact on POAs for years to come.

SB 741 and HB 302 are the new gun laws coming out of the 86th Texas Legislature affecting POAs. HB 302 only impacts condominium associations, while SB 741 affects both condominium and single-family, townhome associations.

HB 302

We'll begin our focus on HB 302. HB 302 was initially drafted by Dennis Paul (R), Houston, and filed on November 15, 2018. The bill proceeded through the legislature passing the House on April 11 and the Senate on May 2, and it was signed by Governor Abbott on May 16. Coming into law on September 1, the bill amends 30.05, 30.06 and 30.07 of the Texas Penal Code to provide a defense against prosecution for tenants or guests of a Chapter 81 or 82 condominium lawfully possessing or storing a firearm in their vehicle or unit and lawfully transporting a firearm from their vehicle through the parking lot to the unit and vice-versa.

The change that condominium associations need to pay attention to is related to restricting firearms in common areas. HB 302 amends Chapter 82 of the Property Code by adding Section 82.121. The new section states a condominium unit owner, tenant, or guest of the owner or tenant cannot be prohibited from lawfully possessing, carrying, or storing a firearm, part of firearm, or firearm ammunition in the condominium unit or in a vehicle parked on the condominium's property in a space provided for tenants or guests. The new section also allows for the lawful transporting of the firearm through the association's common areas for the purpose of entering or exiting the condominium unit, the vehicle on the property, or the condominium property. This change reaffirms the precedent set forth in *Chiarini v STATE*^[1] that the common areas of a condominium unit are 'owned in common by all of the Owners of the Condominium Units and shall remain undivided,' thus allowing for a condominium owner to lawfully transport a firearm in the common areas. The introduction of this bill was in response to some condominium boards in the state passing rules to prohibit the carrying of weap-

ons in the common areas. The bill does not address if a restriction can be placed on possession in common areas other than while transporting but the Chiarini case should provide sufficient information for condo boards to not attempt to modify the laws.

HB 302 also amends Chapter 92 of the Property Code to prohibit landlords from restricting the lawful possession of a firearm in the leased unit or in a vehicle on the leased property in the lease agreement.

SB 741

The gun bill with the most sweeping changes for POAs is SB 741. SB 741 was initially drafted by Sen. Bryan Hughes (R), Mineola, and filed on February 11, 2019.

The bill proceeded through the legislature passing the Senate on April 17 and the House on May 22. The bill was signed by Governor Abbott on June 14.

SB 741 amends Chapter 202 of the Texas Property Code by adding Section 202.020. The new section changes the way associations can draft or enforce their dedicatory instruments related to firearms. After September 1, associations will no longer be able to include or enforce provisions in their dedicatory instruments "that prohibits, restricts, or has the effect of prohibiting or restricting any person who is otherwise authorized from lawfully possessing, transporting, or storing a firearm, any part of a firearm, or firearm ammunition, as well as the otherwise lawful discharge of a firearm."

If your association has prohibitions in the dedicatory instruments [which would include rules and regulations promulgated by the board] against the lawful possession of firearms, it will have to immediately stop enforcing these prohibitions.

So many associations have entered into the business of attempting to regulate possession of weapons in the past and those rules and regulations are no longer enforceable if they ever were. Private businesses like management companies can if they desire, continue to regulate gun activity but as we have cautioned in the past if you regulate be sure you can and do enforce. I have yet to come across a management office that has a metal detector that screens employees and visitors.

Some of you that live in, or manage, subdivisions in unincorporated areas of counties may be thinking to yourself this is a great bill because I can now hunt from my back porch. This may or may not be the case. Section

New Gun Laws ...

(Cont. from page 18)

235.042 of the Texas Local Government Code gives county commissioners courts the authority to prohibit or regulate the discharge of firearms on lots that are 10 acres or smaller in subdivisions in unincorporated areas of counties. For example, in Atascosa County, which is south of San Antonio, the county commissioners court passed a resolution prohibiting the discharge of firearms on lots 10 acres or less. Violating the resolution could result in a Class C Misdemeanor punishable with up to a \$500 fine.^[2] The resolution does have some exceptions, one being the removal of a predatory animal, so check with your individual counties to better understand what the rules and regulations are where you live because not every county has adopted such a resolution and hunting on a lot 10 acres or less in an unincorporated subdivision may be permitted. For example, Kendall County has not promulgated a resolution, so a weapon can be discharged on lots 10 acres or smaller. The one that discharges a weapon is responsible for the effects of the firing of a gun, but the association may no longer regulate that activity in areas of the state where the discharge is not regulated by the county. With the changes to the laws, you or your homeowners may have questions on how your dedicatory instruments and their enforcement are affected. Do not hesitate to reach out to your attorney to ensure you are following the proper procedures and your questions on what you can or cannot do with a firearm in your community are answered.



About the Author

Marc Markel is an Equity Shareholder with the firm's Real Estate section and is a leader of the Community Association Team. He has actively defended community associations and

Special Meetings

Special meetings are unscheduled meetings called from time to time by the board for a specific purpose. Special meetings usually address issues that need immediate attention or that need more time and discussion than can be handled in routine board or annual meetings.

There are a couple of things that make special meetings ... well, special.

First, members must be notified of the exact purpose of the meeting, and the meeting must be limited specifically to achieving this purpose. This is important because people typically decide whether to attend a special meeting based on the issue and how it's being addressed. Therefore, actions taken on issues not listed in the notice will be invalid. In fact, no action can be taken at all, if it was not included in the notice. For example, if the stated purpose of a meeting is "to discuss" a problem, the board cannot actually vote on a solution—at least not in this meeting.

Second, association members—not just the board—can call for a special meeting, if they get a minimum number of signatures on a petition that states exactly what issue or problem they want to address. Homeowners give the petition, with its stated purpose, to a board member who schedules the special meeting.

Like annual and board meetings, special meetings are open to all association members who wish to attend, and they require a quorum before any business can be conducted. Also, notifying all association members properly is essential; when and how the notice is delivered, what it says, and other requirements must be met.



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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

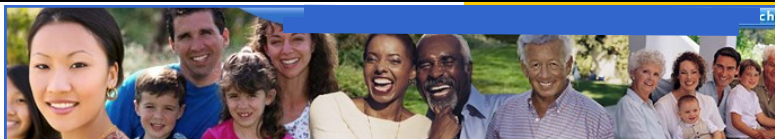
Many residents – owners and renters alike—don't really understand the fundamental nature of homeowner associations. Many others, including the media and government officials, lack a true understanding of the homeowner association concept.

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.**

EVENTS CALENDAR

Mark yours today!



2019 CALENDAR OF EVENTS

October

8th Board Meeting before luncheon (10:00 am)

8th Luncheon - Neighbor Harassments (Attorney Panel)

17th Advanced Legal Workshop

November

7th Recruiting Mix & Mingle - Pearl

12th Board Meeting before luncheon (10:00 am)

12th Luncheon – Dispute Resolutions

December

5th New Member Luncheon

10th Board Meeting before luncheon (10:00 am)

10th December Luncheon - Hoarding/Mental Issues

15th Deadline for Common Terra advertising and article

2020 Upcoming Events

January 18th – Awards & Recognition Gala

March 15th – Deadline Common Terra - Advertising & Articles

April 16th – Fiesta Speed Networking

May 14th – M-100 (all interested members)

June 15th - **Deadline Common Terra - Advertising & Articles**

September 11th – M-202

September 15th - **Deadline Common Terra - Advertising & Articles**

December 15th - **Deadline Common Terra - Advertising & Articles**

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Contributing Writers:

Elliott Cappuccio, Leigh Leshin Levy, Adrian Coronado, Christian Vieira and Luke Kraus

POA Prevails in Restriction Enforcement Case

BCH Development, LLC v. Lakeview Heights Addition Property Owners Association, No. 05-17-01096-CV, 2019 WL 2211479 (Tex. Ct. App. May 21, 2019)

BCH Development, LLC (“BCH”) purchased property within the Lakeview Heights Addition Property Owners Association. In 2013, BCH demolished the existing one-story home on the property and planned to build a two-story home. The restrictive covenants encumbering the property only allowed for the construction of a single family dwelling not to exceed one-story in height.

BCH posted a City of Dallas permit indicating its intention to build a home with a second-level. A resident of the association wrote a letter informing BCH that it would violate the restrictive covenants. The association then filed suit to enjoin BCH from constructing a home with more than one-level of living space. Among other things, BCH asserted the affirmative defense of waiver because one out of the 104 existing homes in the association was two-stories.

The trial court granted temporary injunctive relief to the association, and BCH subsequently modified its plans to refer to the second level as a “habitable attic.” BCH also asserted counterclaims against 27 individual members of the association. The trial court ultimately granted a permanent injunction in favor of the association prohibiting the construction of the two-story home. The trial court also awarded the association attorney fees.

BCH filed an appeal. The appellate court reversed the trial court’s summary judgment in favor of the association based on BCH’s affirmative defense of waiver, and remanded the case back to the trial court for further proceedings. The appellate court also dissolved the permanent injunction in favor of the association, and reversed the award of attorney fees to the association.

POA Prevails in Construction within Easement Case

Bolleter v. Grand Lake Estates Property Owners Association, Inc., No. 09-18-00013-CV (Tex. App. June 13, 2019)

Grand Lakes Estates Property Owners’ Association, Inc. began the construction of drainage ditches across and behind the lots of several homes within the association. The purpose was to address drainage issues. The homes were subject to drainage and utility easements. The homeowners contended that the restrictive covenants encumbering their properties did not authorize the association to construct drainage ditches within those easements.

After construction began, the homeowners sued the association for trespass and conversion, and asked for a mandatory injunction requiring the association to return their properties to their prior condition. The association filed a motion for summary judgment asserting that the covenants authorized it to enter the easements and construct without owner consent. The association also asserted that the hold-harmless provision in the CCRs prevented it from being liable. The trial court granted the association’s motion, and ruled against the homeowners.

The homeowners filed an appeal. The appellate court affirmed the trial court’s decision. The appellate court found that the covenants were unambiguous and the association had the right to enter the homeowner’s properties and commence construction.

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 Senior Counsel Leigh Levy, Adrian Coronado, and Associate Joshua Govea. 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.

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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**

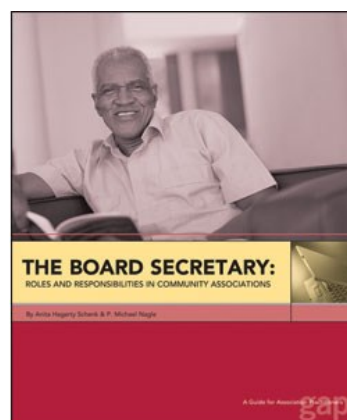


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Item #5834

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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.

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Talise de Culebra HOA - Parklane rendering of revitalized entry and parkway. Phase 2 currently underway.

Parklane Landscaping is a professional full-service landscape firm specializing in managing HOA common areas throughout San Antonio, Boerne, New Braunfels and surrounding municipalities. With a decade of HOA landscape maintenance experience and a reputation for excellent client service, Parklane provides a full array of landscape services that keep HOA landscapes welcoming, sustainable, and vibrant.

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Texas Community Associations

facts & figures

» Approximately **4,010,000** Texans live in **1,530,000** homes in **19,900** community associations.

» These residents pay **\$5.4 billion** a year to maintain their communities. These costs would otherwise fall to the local government.



» **137,000** Texans are elected to their community association boards each year, providing **\$112 million** in service.

» Homes in community associations are generally valued at least **5-6%*** 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%); only 8% say the rules harm property values.

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%).

4.6.18

 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
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SOURCES

Community Associations Fact Book 2016.

HOA Sweet HOA: 2016 Homeowner Satisfaction Survey.

Community Next: 2020 And Beyond, 2017.

foundation.caionline.org

*Agan, A. & Tabarrok, A. (2005). What are private governments worth. *Regulation*, 28 (3), 14-17.



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| Misti Jacobs | Brooke Soderberg |
| Diana Ledezma | Bianca Armes |
| Natalie Madrigal | Oscar Rico |
| Howard Newton | Grecia Ruiz |

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Haynie & Company - Johnathan Boekweg
Homeowners Association Insurance Managers - Cesar Ibarra
HelloNabr - John Marchak
Priority Protection & Investigations, Inc. - Tom Norris
Serene Oaks Landscaping, LLC - Jacob Sotello

Volunteer/Homeowner

| | |
|--------------------|-------------------|
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| Robert Dickens | Dwayne Scates |
| Virginia Donnelly | Debra Yanik |
| Robert Farrar, Jr. | Ken Pfeiffer |
| Shelly Ludwig | Vanessa Salzlbibb |
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CAI offers several membership opportunities. Go to CAIonline.org to learn more about member benefits and resources. Your membership total includes membership dues, a mandatory advocacy support fee and an optional donation to the Foundation for Community Association Research.



CAI of San Antonio

Sponsorship Program

2019 SPONSORSHIP OVERVIEW

CAI San Antonio is proud to present its 2019 Sponsorship Package. The goal is to provide an a la carte system of sponsorships which gives the chapter a strong foundation of support for general chapter functions and provides higher level CAI San Antonio sponsors the opportunity to select specific activities of the chapter to support.

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, (3) TCAA legislative advocacy, 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 CA Day, Membership, and the Awards Gala. Cost for booths, tables, and/or tickets to events will be provided separately by the respective committee.

2019 SPONSORSHIP LEVELS

Your 2019 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)

All 2019 sponsorship opportunities, except attendance cost to specific events, are provided in the 2019 Sponsorship Package.

Your sponsorship level for 2019 will be determined by your overall donation amount. You can choose to support the chapter's general fund, or you can choose to also provide support to the chapter committees as well.

All donations must be received between January 1, 2019 and March 31, 2019. Payment plans are also available; please contact Judy Monger, Chapter Executive Director, for payment plan details.

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.



SPONSORSHIP LEVELS - BENEFITS

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 (Does not include Awards Gala, see below)
- Ability to pre-register for all events, two (2) weeks in advance of normal registration
- Four (4) free tickets, or 50% off of one (1) table, to the 2020 Annual Awards Gala
- Distinguished Diamond Award to be presented at the 2020 Awards Gala
- Two (2) free luncheon tickets to all regularly scheduled luncheons
- Opportunity to provide marketing material on the Business Partner Table at all regularly scheduled luncheons
- CAI San Antonio Annual Meeting sponsor
- Luncheon sponsor of two (2) regularly scheduled luncheons - includes: \$100.00 in gift cards given in business partner's honor by CAI San Antonio. Opportunity to present business information to attendees.
- Recognition on the CAI SA banner under Diamond level, viewed at all luncheons and events
- Company logo included in slide show at CAI San Antonio luncheons, CA Day, and Awards Gala
- 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
- Ability to utilize the Constant Contact coupon program
- 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 (does not include Awards Gala, see below)
- Ability to pre-register for all events, two (2) weeks in advance of normal registration
- Two (2) free tickets to the Annual Awards Gala, or 25% off one (1) table, at the 2020 Awards Gala
- Distinguished Platinum Award to be presented at the 2020 Awards Gala
- Two (2) free luncheon tickets to six (6) regularly scheduled luncheons
- 50% off an additional two (2) luncheon tickets at any two (2) regularly scheduled luncheons
- Opportunity to provide marketing material on the Business Partner Table at all regularly scheduled luncheons
- 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
- Recognition on the CAI SA banner under Platinum level, viewed at all luncheons and events
- Company logo included in slide show at CAI San Antonio luncheons, CA Day, and Awards Gala
- 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
- Ability to utilize the Constant Contact coupon program
- Special Platinum Level name badges for up to two (2) representatives



CAI of San Antonio

Sponsorship Program

SPONSORSHIP LEVELS - BENEFITS

GOLD LEVEL SPONSOR - MINIMUM \$2,000.00 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 (does not include Awards Gala)
- Two (2) free luncheon tickets to four (4) regularly scheduled luncheons
- 50% off an additional two (2) luncheon tickets at any two (2) regularly scheduled luncheons
- Opportunity to provide marketing material on the Business Partner Venue Table at all regularly scheduled luncheons
- Recognition on the CAI SA banner under Gold level, viewed at all luncheons and events
- Company logo included in slide show at CAI San Antonio luncheons, CA Day, and Awards Gala
- 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
- Ability to utilize the Constant Contact coupon program
- Special Gold Level name badge for one (1) representative

SILVER LEVEL SPONSOR - MINIMUM \$1,200.00 DONATION

Benefits:

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

BRONZE LEVEL SPONSOR - MINIMUM \$600.00 DONATION

Benefits:

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

FRIENDSHIP LEVEL SPONSOR - MINIMUM \$100.00/MAXIMUM \$599.00 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

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
- » **Professional credentials:** www.caionline.org/credentials
- » **CAI benefits for managers:** 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
- » **Member Benefits:** www.caionline.org/homeownerleaders
- » **Find a chapter:** www.caionline.org/chapters
- » **Join CAI:** www.caionline.org/join

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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CAI of San Antonio



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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 or call (888) 224-4321.

