

HOAMCO



HOMEOWNERS ASSOCIATION MANAGEMENT COMPANY

**Homeowners Association Management Company
is offering a FREE Seminar in Prescott**

Scott Carpenter, Esq.

of

Carpenter Hazlewood PLC

presents

CHANGES IN THE LAW AND LEGISLATIVE TRENDS

THE AGENDA OF THE SEMINAR INCLUDES:

- *New Construction Defects Law*
- *Fiduciary Responsibilities of the Board*
- *New American Flag Display Law*
- *Collections*
- *Closed Meetings vs. Open Meetings*
- *Legislative Trends*

Saturday, June 29, 2002

9:00 a.m. – 11:00 a.m.

Yavapai Hills Clubhouse

4975 Hornet Drive

Prescott, Arizona

*Please contact HOAMCO at 800-447-3838 or 928-776-4479
to register to attend this free seminar.*

Enforcing rules with kindness

ROUTINE INSPECTION

Restrictions and uniform guidelines are often what attract some residents to a community in the first place. Of course, this is often before those same residents are caught in an area of noncompliance, and that's when managers can find themselves between the rules and a hard place.

AMBIGUOUSLY UNACCEPTABLE

In order to establish proper procedures for regular on-site inspections, you first should review all documents related to the rules and regulations, including restrictive covenants, articles of incorporation, bylaws, design guidelines, and enforcement and fining policies. Whenever you find areas of ambiguity (such as, "yards shall be maintained in an attractive manner"), work with the board to develop specific standards (such as, "grass shall be mowed to a height of three inches, and beds shall be weed-free").

The idea is to create measurable, objective standards. The worst scenario a manager can face is trying to defend a subjective rule.

SHINY PROPERTY, HAPPY PEOPLE

When issuing a notice of noncompliance, be consistent. Although it's your job to help the board maintain property values, it's also your duty to make covenant enforcement a win-win situation. Essentially, you're balancing the need for compliance with the need to maintain harmony within the community.

Once you've done your homework about the requirements of the documents and the specific directives of the board, it's time to implement a system of inspections and follow-up that fosters a positive amenable attitude among all—even those who are caught in violation of the rules.

Realize that in every community there are certain days when it just doesn't make sense to perform an inspection. For example, if trash cans are required to be hidden from public view, and the community you're inspecting collects trash on Thursdays, then Thursday is not a good

day to inspect for errant trash cans. Be sensible about your timing.

PREEMPTIVE PARTICIPATION

You can stay one step ahead of the inspections game by finding ways to encourage compliance before a warning notice becomes necessary. For example, run articles in your newsletter and on your Web site outlining requirements before scheduled inspections. April or May might be a good time to describe rules for maintaining yards and what measurements you'll use to determine what constitutes a violation.

Support those who do take good care of their yards (or comply with other important requirements) by rewarding them with a simple thank-you postcard or note. Yard-of-the-month awards are flattering and serve as helpful reminders to others.

When all else fails, try to make your initial violation notices friendly (depending on your state laws). They should be gentle reminders; most homeowners respond better to a positive approach.

Use creative ways to develop pride in community appearance. If you're planning an inspection of paint (or other exterior-structure maintenance), run an article on the benefits of keeping paint in good condition and acceptable paint colors. Obtain a discount from paint suppliers for those who repaint their homes during a set period of time.

Rules and regulations should be the backbone of a fair but firm system. Without restrictive covenants, successful enforcement would be next to impossible—but a kinder, gentler approach to compliance will help smooth the way for pleasant inspections.

*By Judy Phares, CMCA, PCAM. Judy is CEO of RTI/Community Management Associates Inc., in Plano, Texas. Reprinted with permission from *The Community Management* newsletter, May/June 2002.*

Justin Scott, President and CEO of HOAMCO, announces the appointment of Robert Balzano to the position of Chief Operating Officer for all HOAMCO operations in the tri-state area of Arizona, New Mexico and Colorado. With the significant growth of HOAMCO's client base over the past several years, Robert has been assigned the responsibility for HOAMCO's day-to-day operations to assure the host of services valued by our existing and future clients meet or exceed their expectations.

A Message from HOAMCO's Chief Operating Officer

It is a pleasure to introduce myself in my new position as Chief Operating Officer for HOAMCO. Prior to relocating to Prescott, Arizona three years ago, my wife Deborah and I resided in the Albany, New York area and made a decision to relocate to Prescott as we also found it to be "everybody's hometown."

My professional background includes over 25 years experience in senior management in industry and health care. I also provided consulting services to the banking community for approximately one year, in support of information systems for their clients. I hold an Associate Degree in Business Management from the State University of New York and also attended American International College.

After settling in our new home in Prescott, I felt it was time to look for a career where I could utilize my experience in project and program management that would satisfy my career objectives as well as providing a positive contribution to the community. I was soon to discover HOAMCO, and after discussions with Justin Scott, I accepted a position as Community Association Manager. During the past two and one half years managing a portfolio of properties, I have become intimately familiar with the business of providing quality and

timely management services to the membership and Board of Directors of homeowner associations.

My new responsibilities are considerable and are first and foremost focused on HOAMCO's clients and HOAMCO's sixty-five employees that provide you with a full range of services vital to your association's well-being and continued growth. My responsibilities include developing, maintaining and enhancing existing services, supporting the CEO as necessary for sales and marketing initiatives, quality control of the association managers' standard operating procedures, operating and capital budget responsibilities, management direction, guidance and advice to the Boards of Directors, development of employees and technology initiatives that are customer-focused, enhanced communications for HOAMCO's clients and employees and assuring that your association is in compliance with State statutes.

I am prepared for the challenge that is in front of me. I encourage you to call me and look forward to interacting with you for the specific needs of your association.

I want to assure you that my energies will be focused on the business of providing your association with timely and quality management services.

NEW COUNTY OUTDOOR LIGHTING STATUTE

In order to help preserve the wonderful views of the night sky enjoyed here in the southwest, Yavapai County has adopted a light pollution control ordinance. The new ordinance is much more detailed than the previous one; a brochure is available for more detailed information. For more specific details, see Section 120 of the Yavapai County Zoning Ordinance available for review at either the Cottonwood (10 S. 6th Street) or Prescott (500 S. Marina Street) locations or available on the county website at www.co.yavapai.az.us.

Some of the major points of the ordinance include:

- A limit on commercial uses to 100,000 lumens per acre, and a tiered system for residential limits.

The tiers are 20,000 lumens on parcels larger than one acre, 10,000 lumens on one-half to one-acre lots, and 7,500 lumens for smaller lots. Lumen amounts are listed on light bulb packaging.

- Half of the residential lighting on parcels one acre or smaller can be unshielded. Larger parcels can have as many as 5,000 unshielded lumens.
- The ordinance has no curfew on residential lighting, and allows people to turn motion-sensor lights to "constant on" while they're having an evening event in their yard.
- Decorative lighting on recognized holidays is exempt from the ordinance, as are streetlights that illuminate public areas, emergency services and school sports lighting.

HOMEOWNERS ASSOCIATION MANAGEMENT COMPANY

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