

THE HEARTBEAT

WINTER 2023

MOLAC Announcements

MOLAC is proud to announce a new lobbyist, Steve Carroll & Associates and a new sponsor to our MO Homeowners Bill of Rights, HB 1089, Rep Brad Christ



Winter 2023

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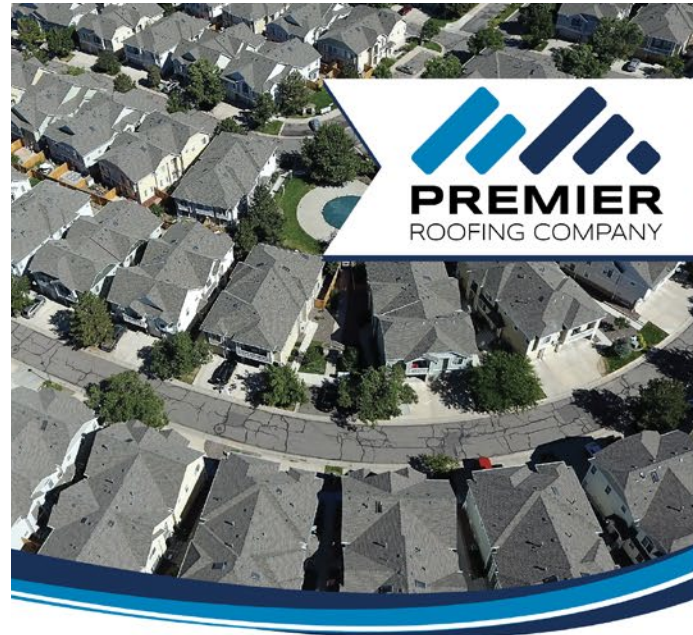
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President's Letter

By: Jim Ruebsam, EBP, CIRMS


Do you know who your state legislators are? It's okay to answer honestly—most of us have no clue. That said, by the time you're reading this, the Missouri legislature will be well into session, with adjournment occurring in mid-May. Currently, the Missouri legislature is dominated by rural representatives and senators who only have a vague awareness of community associations and the issues we face. It's an urban/suburban issue that simply doesn't make the radar in Jefferson City. As someone with roots in small town Missouri, I understand their apathy—who needs an HOA when you can't even see your neighbor's house! However, this group is working towards legislation that may have perilous results for our industry. Specifically, CAI Heartland and the Missouri Legislative Action Committee (MOLAC) wants to defeat the "Subdivision Property Owners' Act" (HB 954), which was drafted with good intentions but with an ignorance about how community associations function.

The Heartland Chapter Board of Directors, along with a strategic advisory committee that met last Fall, decided to invest more heavily in efforts to educate our state congressmen and women on the benefits of community associations. We have hired a new liaison in Jefferson City to help us better maneuver the halls of our state capitol. We have re-invigorated MOLAC and have provided this wonderful group of volunteers with additional resources to help further our mission of creating better communities. We are placing legislative affairs front-and-center on our Board meeting agenda every month. On February 8, 2023, MOLAC achieved a great victory in Jefferson City by finding a sponsor for the "Missouri Homeowners' Bill of Rights" (HB 1089) and having it read in the same committee as HB 954.

If you are connected politically – especially with representatives from rural and outer suburban areas – we may need your help. Even if you're a political novice, your voice matters. Your vote matters. Please stay tuned in the coming weeks and months for communications from our LAC volunteers and from the Community Association Institute's government affairs team on how to support HB 1089 and defeat HB 954. Also, please pay attention to the "Legislation" section

on the *new and improved* CAI Heartland website—there is a link to current bills we are monitoring under "State of Missouri" on the drop down menu.

In addition to accessing your political connections, we also call all members to register with our new website. Cathy has been working feverishly for months with our vendor GlueUp to launch the site, and we'll be rolling out additional functions this year that will improve members' virtual interactions with the chapter. When you see her, please extend a hearty thank you to Cathy for her efforts in getting the new website built. She always goes the extra mile for our members, but this project was especially challenging—but with great results!

Best regards,
Jim Ruebsam, CIRMS, EBP 

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CAI Heartland Calendar

2023

- Feb 01** Tech Tools to Focus and Strive
11 a.m. – 1 p.m., WEBINAR
- Feb 08** Trivia Night- 80's Theme
4 – 7 p.m. at Woodard Cleaning & Restoration, IN PERSON
- Mar 01** Safety & Security: How to Keep Your Community Safe
11 a.m. – 1 p.m. at The Lodge in Des Peres, IN PERSON
- Apr 05** Board Best Practices Boot Camp
6 – 8 p.m. at The Lodge in Des Peres, IN PERSON
- May 03** Money Money Money
11 a.m. – 1 p.m. at The Lodge in Des Peres, IN PERSON
- May 10** Annual Manager Appreciation Reception in St. Louis
4 – 6 p.m., IN PERSON
- Jun 07** Maintenance Round Table
11 a.m. – 1 p.m., WEBINAR
- Aug 08** St. Louis Trade Show/Expo
4 – 7 p.m. at Sheraton Lakeside Chalet Hotel in Westport, IN PERSON
- Sep 06** Great Partnerships & Realistic Expectations
11 a.m. – 1 p.m., WEBINAR
- Oct 04** Insurance Round Table: Don't Be the Next Horror Story
11 a.m. – 1 p.m. at The Lodge in Des Peres, IN PERSON
- Oct 09** Annual Bill Summers Memorial Golf Tournament
Registration at 8:30 a.m. at Lake Forest Country Club, IN PERSON
- Nov 01** Legal Symposium
1 – 4 p.m. at Sheraton Lakeside Chalet Hotel in Westport, IN PERSON
- Dec 07** Annual Meeting/Holiday Party in St. Louis
6 – 9 p.m. at Elk Lodge #9, IN PERSON



50 years and counting: CAI celebrates golden anniversary

By: Tom Skiba

Not every organization gets to celebrate 50 years. Those that do drive transformation, integrate new technology, ignite passion, and instill pride. Whether you've been with us since the early days or you're a new member, you know that CAI is the collective place for community association information, education, and resources.

Founded in 1973, CAI was organized through the joint efforts of the Urban Land Institute, National Association of Homebuilders, the U.S. League of Savings and Loan Associations, the Veterans Administration, the U.S. Department of Housing and Urban Development, 23 builder/developers, and several leading community association professionals.

Thanks to our countless dedicated, selfless, and inspired member leaders, [50 years later](#), CAI is the international center for community association best practices, learning, and advocacy. We're proud of our international impact too. With nearly 44,000 members and 64 chapters worldwide, including Canada, the Middle East, and South Africa, and relationships with housing leaders in Australia, the United Kingdom, and a number of other countries, our members inspire professionalism, effective leadership, and responsible citizenship, ideals that are reflected in these communities that are preferred places to call home.

CAI provides information, education, and resources to the homeowner volunteers who govern communities and the professionals who support them. CAI members include association board members and other homeowner leaders, community managers, association management firms, and other professionals who provide products and services to associations. CAI serves community associations and homeowners by:

- Advancing excellence through seminars, workshops, conferences, and education programs, most of which lead to [professional designations](#) for community managers and other industry professionals.

- Publishing the largest collection of resources available on community association management and governance, including website content, books, guides, Common Ground magazine, and specialized newsletters.
- [Advocating on behalf of common interest communities](#) and industry professionals before legislatures, regulatory bodies, and the courts.
- Conducting research and serving as an international clearinghouse for information, innovations, and best practices in community association development, governance, and management.

We have long believed that homeowners and condominium associations should strive to exceed the expectations of their residents. [Our mission remains true today](#). We work toward this goal by identifying and meeting the [evolving needs](#) of the professionals and volunteers who serve associations, by being a trusted forum for the collaborative exchange of knowledge and information, and by helping our members learn, achieve, and excel. Throughout the years, our members have helped CAI create a special place to connect, learn, and grow—making each and every member feel welcome.

Cheers to you and to CAI! Your creativity, collaboration, and commitment supports CAI as *the* international center for community associations. Yesterday, today, and tomorrow, we are Committed to Community.

>> **Read** more about CAI's first 50 years and what may lie ahead in "[Back to the Future](#)" from the January/February 2023 *Common Ground* magazine.

>> **Access** details about [CAI history and impact](#).

>> **Share** your favorite CAI memories by emailing media@caionline.org.

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CAI Missouri Legislation Action Committee Update

By: Della Miller, CMCA, AMS, PCAM, Missouri Association Management, LLC.



CAI Missouri Legislative Action Committee (MO-LAC) is paramount not only to community associations, but to the management companies that serve the community association industry.

HB 954 would create negative effects as it relates to ensuring rules are enforced fairly and consistently, protecting the investment of direct and indirect costs absorbed by management companies in on-boarding a new association contract, and the overall risks to management companies that would create a substantial cost increase to homeowners' associations.

We appreciate Representative Brad Christ for sponsoring HB 1089, which will provide Missouri the

statutory framework for homeowners' associations and provide more effective approaches than those in HB 954.

It was an honor to be part of the MO-LAC group who met with Representative Crist and Speaker Ploucher to discuss our concerns with HB 954 and reasons we support HB 1089.



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*Manager of the Year at the Lake-
Della Miller, CMCA, AMS, PCAM*



*Manager of the Year in St. Louis-
Jessica Goodman, CMCA, AMS, PCAM*



*Business Partner of the Year in Kansas City,
Justin Simpson, My Lifestyle Outdoor*



*Community Association Volunteer Leader
of the Year- Michelle Kistner*



*Manager of the Year in Kansas City,
Dalton Malcolm, CMCA*



Community Association of the Year- WingHaven Residential Owners Association

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How to Prevent Water Pipes from Freezing

By: Michelle Archer, Woodard Cleaning and Restoration

Prevention is very important to keep water pipes from freezing in the wintertime. Once water pipes are frozen the damage is often already done, bursting and flooding your home, business, or commercial property. One of the most effective ways to prevent this from happening is by insulating water pipes. Wrapping pipes that are most susceptible, including those in an attic, a crawl space and along external walls can go a long way to preventing freezing as the temperatures drop.

To insulate your pipes, wrap them with a foam rubber or fiberglass sleeve that is designed specifically for this purpose. This insulation will help to keep the outside of the pipe the same temperature as the water flowing through, preventing freezing. Heat tape can also be installed around the pipes that are most vulnerable. This tape draws electricity from an outlet to warm the pipe automatically as the surrounding temperatures drop. If you have had problems before with a particular area, heat tape may be a good solution.

Check for Leaks and Maintain a Consistent Temperature

Small leaks in outside walls or windows can allow cold air to seep into the home or business. This can create a cold pocket, leaving nearby pipes vulnerable to freezing. Some of the most common areas for this type of leakage include around electrical wiring, dryer vents and external pipes coming into the home. Caulking or insulating these leaks can keep the cold air out and the warm air in, reducing the risk of frozen pipes.

It can be tempting in the wintertime to turn the heat down overnight. However, this can leave your pipes



vulnerable as the temperatures outdoors and indoors drop simultaneously. The same is true when the house, business or commercial property is empty. Keeping it at a consistent temperature throughout the winter will help to reduce the risk of frozen pipes.

Reduced Water Flow May Mean Ice is Beginning to Form

The first indication that ice is starting to form in your water lines is a reduced flow of water pressure. If this happens, you will want to increase the temperature immediately. You can position fans to blow the heat into colder rooms and open closets and cabinet doors to allow the heat to reach all areas. You can also let the water continuously run with a slow trickle in the faucet to prevent frozen pipes.

If your pipes do freeze during the winter months, we have an article that will offer some guidance into what to do to minimize damage when [thawing frozen pipes](#).

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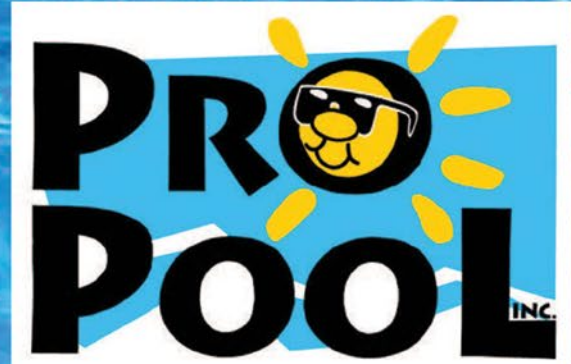


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Ruff reality: 5 ways to resolve your pet waste problems

By: Hazel Siff

Classified alongside pollutants from vehicles, pesticides, and more, pet waste is considered highly toxic and a nearly never-ending nuisance in community associations.

“Not only is dog waste unsightly and unpleasant, it can be dangerous if it’s not properly removed,” says Diana Kavadias of pet waste removal service DoodyCalls. “The waste contains harmful bacteria associated with disease, such as salmonella, e. coli, giardia, and campylobacteriosis, which, if left to accumulate on our streets or public areas without proper removal, can be spread to other animals and humans.”

The problem isn’t unique to community associations.

[Miami Beach has launched an educational campaign](#) to keep Biscayne Bay clean and free of dog waste. The campaign aims to spread awareness about just how damaging uncollected waste is to the ocean. When left on the streets, rain collects the waste and carries it into the sea, polluting the water with harmful bacteria. This, in turn, kills off sea grass and other aquatic plants, as well as the animals that rely on them, such as manatees. Though many are unaware of the hazard, Miami Beach’s new campaign, Don’t Be Ruff on the Bay, aims to fix that through posters and signage, educating residents on the issue and encouraging waste cleanup.

Like Miami Beach, communities [need to address the risks of pet waste](#) to ensure the safety of the environment and community members.

Adrienne Brewer, a manager with Aperion Management Group, AAMC, in Oregon, recommends the following strategies:

- **Establish a policy and educate residents.** Have [clear-cut regulations and rules](#) surrounding removal of pet waste and how the rules are enforced. There are several ways to educate residents. You can discuss pet waste during an open board meeting, publish a statement in your newsletter, send out information via email, or post information to the community website. By bringing awareness to

the issue, you provide residents an opportunity to address it before the association intervenes.

- **Send a courtesy notice or violation.** If you know whose animals are responsible for the uncollected dog poop, send the residents a formal letter. Some associations choose to implement DNA testing in their communities. Animals register and their DNA is stored so that samples found in uncollected waste can be matched and appropriate fines can be assessed to the owner’s account. This option can be costly, but it is accurate and effective.
- **Install waste stations and send reminders.** Make it convenient and easy for owners to pick up. Having pet waste stations located in high traffic areas will provide residents with no excuse. A sign or flyer also can help remind residents and visitors alike that there are rules and regulations in place.
- **Hire a pet waste removal service.** A professional cleaning service will ensure that someone is responsible for picking up and properly disposing of the uncollected pet waste on a regular basis. Alternatively, if you have on-site maintenance staff, ask that they monitor and service any high traffic areas or problem spots.
- **Offer pet-friendly amenities.** Some communities find that it can be easier to keep things tidy when dog owners are directed to one general location, such as a dog park. Just make sure the area is properly outfitted with waste stations and plenty of poop-scooping bags. Often, the peer pressure from seeing other dog owners clean up is enough. Having amenities where dogs can play and burn some of their energy also helps reduce issues seen when dogs get bored, such as excessive barking and property damage.

Communities should try to manage their pet waste issues as soon as they arise. Doing so reduces conflict, improves property values, and ensures a healthier environment. **CAI**

Professional/Occupational Licensing of Community Association Managers

written by: Dawn Bauman, CAE

Occupational licensing is a legal requirement, usually mandated by a state or province that a credential be obtained or an exam be passed to practice a profession. Ostensibly, the regulation exists to protect consumers being served by the profession.

While CAI supports educated and competent community managers through our education, certification, and designations, CAI **does not** support state licensing of community association managers for a variety of reasons. The substantial costs associated with licenses creates higher consumer prices, a barrier to entry in a labor market that is already strained, and a governmental tendency to rely on unrelated subject matter experts to develop the competency assessment (exam) for community managers.

The current political trend for occupational licensing is licensing reform, which requires states to defend their state licensing laws, amend licensing laws to support individuals with a criminal record reentry into the labor market, and reciprocity of licenses from state to state.

In 2023, [four states introduced legislation](#) regarding licensing for community association managers:

Hawaii: HCR 6 – Requests the department of licensing conduct a sunrise review of licensure and regulation of community association managers. A sunrise review is an analysis and evaluation of the benefits of licensing community association managers.

Maryland – HB 80 – Requires licensing of community association managers. The CAI Maryland Legislative Action Committee opposes this legislation because it doesn't recognize CAMICB or CAI credentials. It creates a financial burden on managers and consumers, and is a barrier to enter the profession.

New York – S 663 – Requires community association managers to be licensed. The CAI New York Legislative Action Committee opposes this legislation because it doesn't recognize CAMICB or CAI


credentials. It creates a financial burden on managers and consumers and is a barrier to enter the profession.

Virginia – SB 1480 – Requires an analysis, review, and justification of the community association manager licensing requirements currently in place.

British Columbia and Ontario, and several provinces in Australia require licensing of community association managers. In the U.S., [California, Connecticut, Florida, Georgia, Illinois, Nevada, and Virginia](#) have some form of licensing.

Licensing or credentialing surfaces at a federal level in the way of resources and funding for professional development. In the 117th Congress, CAI supported two bills that provided funding or resources for individuals to take education classes and earn credentials in their profession.

Freedom to Invest in Tomorrow's Workforce Act: H.R. 2171 / S. 905. This bipartisan, bicameral legislation expands eligible uses of tax-favorable "529" education savings plans to cover costs associated with workforce training and credentialing programs, such as certification and recertification exams.

Resources & Education to Build (REBUILD) Skills Act: Pending. This bill provides eligible displaced workers, returning service members, and military spouses federally funded "Career Rebuilding Scholarships" to earn certifications and would create a national database of quality certification programs. 



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Tips for Handling Vehicles with Advertisements

By: Amy Repke

Can our community restrict vehicles with advertisements on them from parking in driveways or on the streets overnight? These vehicles are allowed in the community, but they have to be parked inside owners' garages.

Regulating parking in any community is complicated. First, parking priorities will vary widely depending on the type of community, whether urban or rural, condominium or homeowners association, whether the development offers plentiful parking or has limited spaces, and whether the roads are public or private.

Typically, a board or its agent will not have the authority to regulate parking or motor vehicle violations on public roads but will have broad authority for private roads. There may be exceptions to this in each jurisdiction's code or ordinances. Further, boards have to be attentive that there is specific authority to enforce parking rules. Prior to enforcement, members are entitled to proper legal notice in writing and often by signage in the community, particularly where a member's car, which is personal property, may be booted and towed. Finally, boards are tasked with the challenge of being able to uniformly and consistently enforce parking violations where owners, including guests, and their cars are frequently changing.

A community's [covenants, conditions, and restrictions \(CC&Rs\)](#) will specify any restrictions relating to vehicles and parking. These restrictions typically cover everything from storing inoperable vehicles and prohibitions of recreational vehicles or trailers to specific limitations and conditions for parking in reserved spots or on streets. Definitions are critically important because whether a vehicle is covered under the restriction will depend on precise language, such as the definition of a commercial vehicle.

Beyond definitions and restrictions in the CC&Rs, a board often has broad authority to administer rules pertaining to common areas, which can include parking and private roads. Boards can create resolutions to assign parking spaces, limit two cars to a shared lot, or prohibit overnight parking. However, difficulty arises if the board attempts to impose a greater restriction on vehicles or parking than is already expressly provided in the documents. So, for example, if the documents either don't mention a restriction on commercial vehicles at all or, alternatively, only restrict commercial

vehicles from being parked on a road overnight, the board cannot, by rule alone, modify this to also ban commercial vehicles in driveways and streets altogether.

Unless the language in the governing documents expressly authorizes the board to amend the restrictions by rule in the future from time-to-time, a more intense restriction will need to be accomplished by amendment only.

If the documents or existing rules currently prohibit parking of vehicles on the streets overnight, then commercial vehicles are likewise prohibited. Alternatively, if the CC&Rs expressly state that commercial vehicles must be parked only in the garage, then this too will suffice because it is clear to the letter.

If the documents do not grant the board powers to dictate parking in driveways, then it cannot restrict commercial vehicles in owners' driveways. If the streets are private and all cars are currently allowed to park overnight, the board may put into place under its broad powers a generalized restriction on overnight parking, but it would flow to all vehicles, not only commercial vehicles.

Generally, any rule that is administrative or merely supplemental to an established restriction is permissible, but any kind of board-crafted rule that contradicts a permissive right or privilege in the governing documents (meaning it is not currently restricted) must be accomplished by amendment. If the roads are public and not private, you will need to refer to state statutes.



LENDING TOOLS TO HELP YOUR ASSOCIATION

LINE OF CREDIT (LOC)

- Short-term financing
- Balance due at maturity
- Ability to complete work, pay contractors, and preserve property values

TERM LOAN

- Budgeted line item: adjust annual budget to incorporate debt
- Increase assessments to cover loan expense
- Special assessment for per owner charge; owner can either pay in full or finance their share over term of loan

COMBINATION LINE OF CREDIT CONVERTING TO TERM LOAN

- Project amount uncertain
- LOC to provide availability of funds
- Pay for only what is used
- Term loan will allow for time to repay amount borrowed
- Commonly repaid through regular assessments, special assessment, or combination

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A few simple questions to answer at your next community Board Meeting...

Are management tasks completed on a timely basis? Do you talk about the same issues at meeting after meeting?

Can owners access community information via the web?

Are delinquencies out of control?

Do we get good advice from our manager?

Could our community benefit from the proven knowledge of an industry leader and a CAI Accredited Association Management Company (AAMC)?

Is the work order list longer than expected?

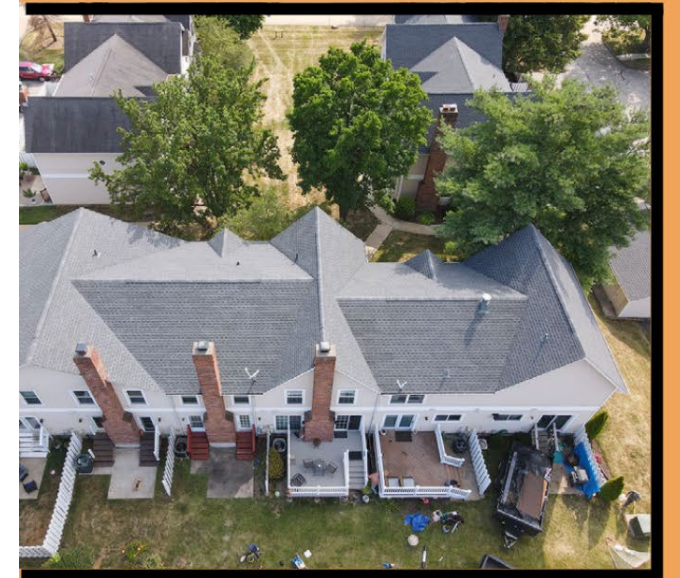
If the answer is yes to any of these questions we would like the opportunity to demonstrate how CPM can positively impact the many ways your community does business.

We look forward to meeting you!



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 FirstService Residential Missouri
 FirstService Residential Missouri
 FirstService Residential Missouri
 FirstService Residential Missouri
 Greystone Condominium Association
 Greystone Condominium Association
 HOA Management Services, LLC
 HOA Management Services, LLC
 HOA Management Services, LLC
 HOA Management Services, LLC
 HOA Management Services, LLC
 HOA Management Services, LLC
 Lake Sherwood Estates Association
 OnDemand Painters
 Precision Concrete Cutting
 PuroClean Emergency Restoration Services
 Sentry Management, Inc.
 The Smith Management Group
 The Smith Management Group
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 The Smith Management Group
 Wood's Glen Condominium Association

Ms. Andrea M. Stephenson, CMCA, AMS
 Mr. Austin Edwards
 Mr. Dustin Imgarten
 Mr. Matthew Majikes
 Mr. John Baxter
 Mr. JD Besares
 Ms. Terri Johnson
 Ms. Marinel Kilpatrick
 Ms. McKayla Robinson
 Ms. Nancy Ridenour
 Mr. Mark Warren
 Mr. Michael Austin Casey
 Mr. Dashawn Heath
 Ms. Melinda Kay Osborn
 Mrs. Michelle Renee Shaw, CMCA, AMS
 Mr. Ricci Tucker
 Miss Madelyn Turner
 Mr. Michael Shawn Bennett
 Mr. Chris Heerdegen
 Mrs. Tracy Deniszczuk
 Ms. Dana Weiss Metzger
 Mrs. Brandy Ford
 Ms. Carol Graham
 Ms. Cristi Haddock
 Ms. Diana Kraisser
 Ms. Joanne Votino Patterson
 Mr. Charles Schwartz



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 Community Property Management
 Michelle Shaw, CMCA, AMS
 HOA Management Services, LLC

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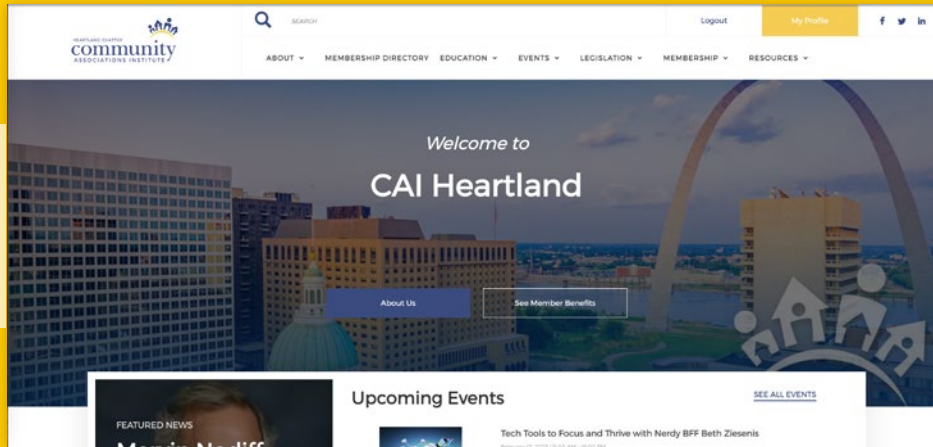
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