

July/August 2009

FOCUS



News & Information from GLAC

How Firm is Your Foundation?



INSIDE:

- Corrosion: The Dreaded "Cancer" to Our High-Rise Associations
- The Key to Working with City Officials
- A Toast to Long-Range Vision
- Pipes Are Not a Lifetime Component

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Dinner Raffle, Auctions	4.00 p.m.

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INSIDE:

NEWSWORTHY:

Page 6	Corrosion: The Dreaded "Cancer" to Our High-Rise Associations
Page 10	Deferred Maintenance and HOA Liability Exposure
Page 13	The Key to Working with City Officials
Page 17	Playgrounds: Keeping Them Safe
Page 20	A Toast to Long-Range Vision
Page 22	Pending Water Legislation
Page 25	Pipes Are Not a Lifetime Component
Page 29	Earthquake Insurance: To Have or Have Not

CHAPTER UPDATE:

Page 4	President's Message
Page 5	Note From the Editor
Page 32	CAI-GLAC Membership News

NOTEWORTHY:

Page 2	2009 Golf Tournament
Page 4	New AAMC®-accredited Company
Page 9	Homeowners Association Marketplace
Page 12	PCAM® Pride
Page 15	<i>Un Soir en Blanc et Noir</i> Casino Night
Page 31	CLAC Contributions
Page 34	Let the Good Wines Roll!

FYI

Page 33	CAI-GLAC 2009 Calendar of Events
Page 33	Advertisers Index/Advertising Information
Page 36	New Member Service – Mediation Services

Community Associations Institute

Greater Los Angeles Chapter Mission Statement:

CAI-GLAC will provide education resources and opportunities to all of its members with the guiding principles being the improvement of the quality of life within community associations, the promotion of professionalism within the industry, and the advocacy of legislation which will benefit community associations.

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President's Message: Building a Firm Foundation

When the Publications Committee first developed the *How Firm is Your Foundation?* theme for this issue and started brainstorming the articles to be included, we all focused on issues related to construction projects, the literal bones of buildings, maintenance and capital improvements. In this industry, we recognize the importance of protecting our associations' largest asset — the buildings. As association managers and board members, it is your fiduciary responsibility to maintain and protect that investment to the best of your ability. This is what CAI is all about: providing you with the tools to do just that. Indeed, you can think of each of the following as the "building blocks" of our chapter:

Education. At the heart of CAI is education. CAI is an unparalleled resource, offering managers and board members a firm educational foundation in community management. Managers invest in themselves and in their associations when they take classes to earn CAI designations. Board members are prepared for their responsibilities in our Essentials of Community Leadership Workshops. And just as maintenance is necessary for our properties, the education and information offered in our excellent programs keep us learning and growing. Just as diligent investigation and planning for a major building project is a worthwhile investment that pays dividends in the long run, our continued ongoing education is an investment in our future.

Membership. We the people are our chapter's firm foundation. We learn from each others' experience garnered from years in the business, projects accomplished, triumphs and failures shared and situations overcome. Your membership, attendance, financial support and participation in events and committees support our chapter's continued viability and make it possible for us to offer everything we do.

FOCUS Magazine. This award-winning bi-monthly publication is our chapter's vehicle for disseminating information, experience, expertise and legislative news. As a past *FOCUS* editor and member of the Publications Committee for the last six years, I can assure you—if you need to know it, *FOCUS* has covered it.

Web Site. Our award-winning Web site is a world of information, a hub of CAI itself. There you will find a wealth of resources, vital links and a library of *FOCUS* articles. Have you visited it lately?

Business Partner Members. CAI-GLAC is extremely fortunate to have experienced business partner members providing services to HOAs. They generously give of their time to educate and advise us, offer in-services, write articles for *FOCUS* and sponsor our events. Does your association require a capital improvement or major repair?

Chances are you will find every building trade represented to inform and assist you. At the next program, look around at all the sponsors in the room—it is virtually a microcosm of our industry at your fingertips.

When Editor Jeanne McDonald told me that the theme of this issue would be *How Firm is Your Foundation?*, I was delighted in the synchronicity with this year's general theme: *Building Community*. Each of us is a building block—an integral piece of the whole—in the foundation of our chapter.

All my best wishes.

Jacklyn Wolf, 2009 Chapter President

Management Professionals, Inc. Awarded AAMC® Accreditation

Congratulations to Management Professionals, Inc. This full-service management company has been awarded the Accredited Association Management Company (AAMC®) designation from CAI. This is the only "Company" designation of distinction in our industry. It is the fourth company in the Greater Los Angeles area and the eighth company in California to receive this national designation.

Management Professionals, Inc. has been an active CAI member since 1991. Owner Michael Huffman, PCAM® is a past president of this chapter. The company's portfolio of association clients number more than eighty throughout the Los Angeles area.

To earn the accreditation, companies must meet financial management and reporting requirements for client associations' bank accounts, reserve funds, budgets and expenditures, and must maintain fidelity, liability and workers compensation insurance. The company must have three years of experience managing client community associations, and at least seventy-five percent of the company's qualifying managers must hold a PCAM®, AMS®, CMCA® or Certified Property Manager (CPM®) credential. AAMC-accredited companies must commit to continuing education for all management staff and adhere to CAI's *Professional Code of Ethics*. Only 150 management companies in the United States have earned the highest level of professional recognition in the community association field.

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Note from the Editor

Conventional wisdom runs like this: If you're tightening your belt, it is a good idea to take good care of the assets you have because it is more cost-effective than letting them degrade to the point where you have to replace them. Keeping that thought in mind, in this issue we turn our attention to the idea of properly caring for our building structures. This is a very big subject, of course, since it is the main focus for the association's board and its association manager.

In this issue, we'll touch on some maintenance and repair issues that may not be commonly addressed.

We start with a special focus on long-range issues. In *A Toast to Long-Range Vision*, Robert Scheaffer gives an informative history of one association that addressed long-range water usage head-on. Of course, reserve studies and reserve funding are established to handle long-term maintenance, repairs and replacement, but a reserve study usually handles only structural components with a 30-year life expectancy or less. Are there building elements with longer life expectancies that are not covered? We present two eye-opening discussions of this question. First, Paul Romano and Adam Greco's article, *Corrosion: The Dreaded "Cancer" to Our High Rise Associations*, covers the potential problems that corrosion can cause in high-rise condominiums. Next, in *Pipes are Not a Lifetime Component*, Bart Mendel discusses a similar concern for buildings' plumbing systems.

While proper maintenance of a project is crucial to keeping a pleasant living environment for the owners, another concern for everyone involved in managing and administering the project is: What is our liability for our maintenance decisions? In his article, *Deferred Maintenance and HOA Liability Exposure*, Marc Goldsmith, Esq. brings us current on the status of the law regarding this issue. Touching on one particular area of need, children's playgrounds, George Van Oosbree discusses safety requirements in *Playgrounds: Keeping Them Safe*.

Also, be sure to catch Jasmine Termain, Esq.'s article, *Pending Water Legislation*, discussing two pending legislative bills related to water consumption. SB 407 would require change-outs to lower-water-usage toilets and showerheads, while AB 49 would require a reduction in water consumption—both of which could impact your association. These are two bills to watch.

Finally, we round out this issue with an article *Earthquake Insurance: To Have or Have Not*, by Steven Grane. The insurance industry's approach to earthquake coverage has changed many times over in the past few years. In his article, Steven brings us up-to-date. Is it time to revisit this issue for your association?

Many associations are facing financial shortages these days. If budget cuts are needed, it is important to keep long-range goals in mind. Here's to wise decisions and well-maintained buildings!

Jeanne McDonald, Esq., Editor, FOCUS Newsmagazine



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Corrosion: The Dreaded “Cancer” to Our High-Rise Associations

By Paul Romano and Adam M. Greco, S.E., P.E.

Many of our first and second generation (1950-80) medium-rise and high-rise condominium buildings are being attacked by the dreaded cancer: *corrosion*. This is especially true of our coastal and near-coastal structures where the combination of salt air, high humidity and winds are taking their toll on exposed concrete surfaces. High-rises as far distant from the Pacific Ocean as Hollywood, the San Fernando Valley and downtown Los Angeles are not immune from the effects of corrosion on embedded reinforcing steel. Concrete roof decks, as well as patio and balcony deck edges, are extremely susceptible to corrosion, most notably at points of attachment of railings and barriers.

Pool decks and driveways that were constructed above a parking garage or main lobby pose major reconstruction expenses to associations that failed to act when early signs of corrosion were first observed. Damaged or defective planter waterproofing is often diagnosed as a primary cause of corrosion in concrete decks. Many waterproofing membranes originally installed on main concrete decks (below the decorative surface finishes, i.e., tile, brick, etc.) have deteriorated or become completely dysfunctional, requiring entire pool deck surfaces to be removed in order to effect a permanent repair. In many lower level garages, valuable parking spaces have become unusable, as spalling concrete and debris cause damage to vehicles and pose the risk of injury to owners and others.



Corrosion of reinforcing steel and concrete deterioration of upper level Parking Garage ceiling due to long-term water intrusion, requiring wholesale demolition of 12 inch-thick concrete slab.

Lay-person board members, as well as many managers interviewed, are unaware that exposed and corroding reinforcing steel can expand as much as four-to-ten times its original diameter. The stress caused by the expansion of the steel causes additional concrete spalling and cracking, further damaging adjacent concrete surfaces and creating additional areas of steel corrosion. Eventually a localized failure of the structural element occurs.

Continued on page 7



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Corrosion: The Dreaded “Cancer” to Our High-Rise Associations

continued from page 6

Faced with these daunting reconstruction issues and escalating costs of repair, many associations have developed some “unique solutions” to these problems. One association’s answer was to have a full-time staff maintenance person apply a fresh coat of paint over every new corrosion stain whenever and wherever one appeared. Another association’s approach was to fill large cracks and voids in leaking concrete decks and foundation/planter walls with sealant or caulking, hoping to minimize the visual impact to residents of water running down walls and dripping from ceilings. While installation of ceiling-mounted metal diverter pans may temporarily divert the water intrusion, they conceal the damaged areas and prevent an accurate assessment of additional structural damage.

Clearly these types of surface applications do nothing to reduce the spread of the “cancer,” and, in many cases, actually accelerate the deterioration by trapping moisture within the deteriorated concrete, hampering the necessary investigation required to properly ascertain the underlying cause and extent of the damage and to define a permanent structural repair.

Concrete pool decks above parking structures are highly susceptible to damage related to corroded reinforcing steel and, if not properly maintained, can lead to expensive repairs. One such case of a concrete pool deck located in the Los

Angeles area required “a full-depth concrete repair” to more than 50% of the pool deck area. The pool deck was constructed as a 12-inch-thick concrete “podium” slab above a parking garage, which supported a 70-unit condominium structure. Extensive corrosion damage to the concrete slab’s top and bottom reinforcing steel was concentrated around the perimeter of the pool and extended five-to-eight feet beyond the pool’s coping. A majority of the steel reinforcing had lost more than 80% of their original cross section area. This extensive and clearly-visible damage continued unabated over an extended period of time.



Concrete deterioration and corrosion of embedded reinforcing steel on 10 foot-wide, high roof “overhang”. Note absence of deck coating or waterproofing system on exposed horizontal concrete surface.

This level of damage significantly reduced the slab’s structural capacity and required extensive and costly repair measures.

Continued on page 8

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Jim Manning, Walters Consulting Group

Jim Manning has been in the association management, property management and real estate industry since 1971. Since 1994 he has been providing community managers and association management companies with marketing solutions to further their professional and business development.

Corrosion: The Dreaded "Cancer" to Our High-Rise Associations

continued from page 7

The structural repairs consisted of removing all the concrete around the corroded reinforcing bars, which resulted in the "full depth" slab demolition to over 50% of the pool deck slab area, or approximately 350 square feet. The concrete repair design also included cutting and preparing the newly-formed deck edges, where the new concrete would be cast against existing concrete. The repair design also included cutting and removing portions of the deteriorated reinforcing bars. More than 50% of the pool deck slab's top bars and 25% of the bottom bars had to be removed. Exposed reinforcing bars that remained had to be mechanically cleaned to "sound material" and new supplemental reinforcing bars added. Reinforcing dowels were added at all prepared concrete edges and lapped with the new pool deck slab reinforcing. The extensive concrete demolition, edge preparation, supplemental reinforcing steel and doweling only became necessary due to the long-term-deferred maintenance of the pool deck slab.

The repairs also required extensive temporary shoring in the garage, which made vehicle movement and owner parking somewhat difficult. The actual slab repairs, after engineering design and the building department approval, took approximately twelve weeks, at a cost in excess \$250,000, or more than \$700 per square foot.

The costs involved in these types of major structural and waterproofing reconstruction projects are rarely, if ever, included in any reserve study, since the components involved are assumed to have life expectancies greater than 30 years. In real life, many protective waterproofing systems reach the end of their useful life in much less time, partly as a result of large or excessive landscape planting and irrigation. Hence the costs necessary to implement such a repair are usually funded by special assessment.

Developing an available "cash-flow-only" repair program may be advisable so as to avoid a large one-time special assessment. Large projects can also be divided into phases so that disruption to owners and visitors can be kept to a minimum.

Associations would be well-advised to seek independent and professional guidance from qualified experts in the fields of architectural and structural engineering and concrete rehabilitation whenever the signs of corrosion and concrete deterioration are first observed.

Paul Romano is the principal and Adam Greco is the senior associate of Paul Romano Associates, based in Marina del Rey. The firm also maintains project offices in San Diego and Palm Springs, providing clients with technical and professional services centered upon the physical investigation, evaluation, design, construction, repair and maintenance of valuable real property assets. Paul and Adam can be reached at italeng@aol.com.



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Deferred Maintenance and HOA Liability Exposure

By Marc H. Goldsmith, Esq.

Many Southern California common interest development ("CID") homes were built more than 30 and 40 years ago and have original components that have outlived their useful lives...and are existing on "borrowed time." In good economic times, many CID associations have maintained unfunded or underfunded reserves. In the present recessionary economic climate, numerous associations have been contributing to reserves at even lower rates, if at all. The result of these conditions is something of an imperfect storm: major components that need to be replaced; little or no reserves to fund these replacements; and the lack of board and/or community will to confront these needs and raise the necessary replacement funds. When boards respond at all, their responses are often reactive, rather than proactive, and their measures are often stopgap ones that the board knows or should know are inadequate. These stopgap measures, though popular among the membership (because inexpensive), can nevertheless leave the association exposed to liability, despite many protections under California law and the typical CID governing documents. This is especially true of associations built in an apartment style with stacked units (as opposed to with townhomes or detached homes), where the common areas include, not only the common use spaces (e.g., hallways, stairways, roof, etc.), but also the spaces above the ceilings, behind the walls and below the floors of all of the units.

One of the most important lines of defense is the "business judgment rule" as it pertains to the decisions of homeowners associations. The CA Supreme Court case, *Lamden v. La Jolla Shores Condominium Homeowners Assn.* 21 Cal.4th 249 (1999), refined and expanded the "business judgment" defense to protect not only the directors personally, but also the association itself. The importance of this case to all community associations cannot be overstated. However, the obvious benefits of this case are subject to some important limitations, which must not be overlooked.

Prior to *Lamden*, the "business judgment" defense, which is incorporated in Section 7231 of the California *Corporations Code*, was thought to protect only a director from personal liability where that director merely believed he was acting

Many Southern California common interest development ("CID") homes were built more than 30 and 40 years ago and have original components that have outlived their useful lives...and are existing on "borrowed time."

(i) in the best interests of the association, and (ii) in good faith. This defense protected directors from having their decisions second-guessed, even if a "reasonable person" (i.e., an objective standard) would have acted differently. To protect associations, the *Lamden* Court created a new "business judgment" defense for the maintenance and repair "decisions" of homeowners associations. Specifically, the Court held that, where an association board used its discretion to select one means for carrying out its duties (e.g., using localized spraying rather than tenting and fumigation to eradicate termites), this choice of means would not be second-guessed, even if a "reasonable person" would have acted differently, provided the board had acted (i) in good faith, (ii) in the best interests of the association, and (iii) upon reasonable investigation.

There were, however, several important limits to this *Lamden* defense: (i) the association's board must act within its authority as stated under laws and governing documents; (ii) the board must conduct a "reasonable investigation;" (iii) the defense may only apply to claims of economic loss (e.g., loss of resale value), and not physical harm from unsafe conditions; (iv) the defense would not apply to claims for personal injuries suffered due to unsafe conditions; (v) the defense would not apply to claims for court orders/injunctive relief to force a board to follow procedures required by law or its governing documents; and (vi) and, of course, the defense would not apply if the court finds the board lacked good faith.

These limits to the *Lamden* defense are important to stress because many of the deferred maintenance problems facing CID associations present issues for which *Lamden* is of no use —e.g., because they involve conditions that pose health and safety risks to residents.

Continued on page 11



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Deferred Maintenance and HOA Liability Exposure

continued from page 10

Two relatively recent California Court of Appeal cases illustrate the liability risks to associations that fail to address these problems appropriately: i.e., in good faith, proactively, in reliance on the advice of appropriate experts, and without resort to stop-gap measures and/or bad faith interpretations of the CID governing documents designed to shift the responsibility for these repairs from the association to the homeowners. These cases also demonstrate that a CID association's failure to take this approach may unnecessarily anger the affected residents and increase the risks of litigation that could have easily been avoided had the association been more proactive and reasonable. Finally, these cases demonstrate how the ability of the prevailing party in CID lawsuits to recover its attorneys fees and costs from the losing party greatly increases the risks and stakes in such litigation.

The first case is *Arias v Katella Townhouse Homeowners Association, Inc.*, 127 Cal.App.4th 847 (2005). In this case, the condominium owner sued the Katella for negligence, breach of contract, and declaratory relief for failure to maintain common areas causing toxic mold to develop. In short, the Katella, after failing to remediate the toxic mold, tried to settle by making a \$50,000 offer for mold-related damages. The homeowner rejected the offer, sued, and ended up being awarded (i) a \$89,000 contribution from the Katella, (ii) an additional \$6,400 in damages from the jury, and (iii) \$99,000 in attorneys fees.

The second case is *Ritter & Ritter, Inc., et al v. The Churchill Condominium Association*, 166 Cal.App.4th 103 (2008). This case involved a dispute over the repair of slab penetrations (i.e. holes) made in the concrete slab during the building's original construction. These penetrations are holes which were legal at the time of the building's construction and whose purpose was to allow space for passage by the vertical plumbing and piping which runs throughout the structure. The original architectural construction plans and the city permit requirement at the time called for these slab penetrations to be "fire proofed," but this never occurred.

The Ritters alleged that unhealthy and unappealing odors in their two units were a result of these unrepaired holes. The Ritters hired their own expert engineer who concluded that these holes constituted a fire hazard and should be filled or fire-stopped. The Churchill's expert agreed. However, instead of addressing the problem, the Churchill held the Ritters to be responsible for remedying the holes on the theory the Ritters had made the holes during a remodel, which was not the case. The board imposed daily fines of \$200 per day on the Ritters for failure to fill the holes adjacent to their own units, but expressly indicated that all such fines would be waived if the Ritters filled the holes within 30 days after the order. The Ritters sued the Churchill and each of its then-directors individually for at least \$200,000 in damages for odor and diminution in value. The Churchill cross-complained to collect \$77,000 in fines. The trial court ruled in favor of the

Ritters and awarded them \$531,150 in attorneys' fees and costs, several thousand dollars in damages, and dismissed the Churchill's claim for fines. The Court of Appeal upheld the award of attorneys fees on the grounds that the Ritters were the prevailing party.

In my experience, cases such as these illustrate the cost benefits to a CID association in (i) being proactive towards preventing common area damage before it occurs, and (ii) being proactive towards mitigating common area damage after it occurs, and then determining if it can recover some or all of the costs of repair from homeowners that may have contributed to the common area damage. In this way, the CID association can best avoid the risks and costs of litigation – which often far exceed the costs of repair.

Marc Goldsmith, Esq. general corporate counsel at McGuireWoods, provides a wide range of legal services to numerous nonprofit homeowners associations, business and mixed-use condominium associations and timeshare associations in the Southern California region. He can be reached at mgoldsmith@mcguirewoods.com.

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We are very proud of three managers who have recently earned the PCAM® designation after successfully completing CAI's Professional Management Development Program.



Dirk Foster

Congratulations to **Dirk Foster**, who has been in the community association management industry for six years. Dirk was first exposed to the field when hired for a Resident Services position at a luxury high-rise condominium while attending courses at UCLA. Even after becoming a community manager in 2004, Dirk completed his Certificate in Human Resources Management, believing it beneficial to him as an on-site manager. He also holds the Association Management Specialist (AMS®) designation from CAI, CMCA® designation from NBC-CAM, and the CCAM® designation from the California Association

of Community Managers. Currently, Dirk is the on-site general manager for an 84-unit luxury mid-rise condominium in Beverly Hills.

Congratulations to **Ruth Moffit** of *Valencia Management Group* (VMG). Ruth joined the VMG team in 2001 and served as an accounting assistant before being promoted to Homeowners Services Representative. In 2004, she advanced to the position of Community Association Manager and currently services a five-association management portfolio consisting of both single-family residential units and condominiums. Ruth also holds the Association Management Specialist (AMS®) designation from CAI and the CMCA® certification from NBC-CAM.



Ruth Moffit



Pete G. Ong

Congratulations to **Pete G. Ong, Jr.** of *Campion and Company*. Pete joined Campion and Company in 2006 with eight years of on-site experience managing Doheny West Towers in West Hollywood. He also holds the Association Management Specialist (AMS®) designation from CAI, the Certified Manager of Community Association (CMCA®) certification from NBC-CAM and the Certified Community Association Manager (CCAM®) designation from the California Association of Community Managers. Pete currently manages a portfolio consisting of a combination of 465 lofts, condominiums and single-family homes.

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The Key to Working with City Officials

By Dan Nakari, CCAM®, CMCA®, AMS®, PCAM®

Having been involved in property management for more than 20 years both in New York and California, I have run into numerous instances where I didn't have a clue as to who to go to or what to do to get a situation resolved. Anyone in our field knows what it is like when a board member or an irate owner demands a quick response or solution that must be addressed right away.

For most of us, if it is a repair issue, a plumbing problem, or an AC or heating crisis, we know who to call. But what happens when the situation requires the expertise or opinion of a local official? Trying to pinpoint and contact the right person or department can be cumbersome and time-consuming. Even if you find the right person, who is to say if and when they'll take action.

Let's face it, a whole host of issues that arise for property managers require the assistance or cooperation of local boards or officials. It's not as if the issues we face stop at the edge of the grounds of the property we manage. For instance, a truck hit a tree outside of our property and the City came by to cut it down. The problem is they left an unsightly stump. Months later, the stump remains, and a few residents have asked, "What are you going to do about it?" In the same vein, there are some diseased trees along the street bordering

Anyone in our field knows what it is like when a board member or an irate owner demands a quick response or solution that must be addressed right away.

For most of us, if it is a repair issue, a plumbing problem, or an AC or heating crisis, we know who to call. But what happens when the situation requires the expertise or opinion of a local official?

our property with large limbs that look dangerously close to falling. Whose job is it to come out and prune those trees? Even if I find the right person, how can I convince him or her to take prompt or effective action.

The streets surrounding the property I manage are dotted with signs stating: "No Parking at Any Time." Normally, this isn't an issue, but recently we had a large construction project that required residents to move their cars every day for an entire month. When I called the Department of Transportation to request permission to allow our residents to park on the street, I was greeted with a curt reply: "No way." When I asked who else I could speak to, the guy cut me off and said, "You're speaking to him."

Continued on page 14



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The Key to Working with City Officials

continued from page 13

The diversity of challenges that arise that require outside assistance from local officials is endless. For instance, every now and then our association loses water pressure from the City. You can imagine the phone calls from residents and the board of directors on that one—good luck trying to elicit a quick response from the Department of Water and Power that goes beyond: “We’ll have to get back to you on this.” These days, I feel lucky just to hear the voice of a real person instead of his/her voicemail.

So what’s a property manager to do? One lesson I’ve learned over the years that has been worth its weight in gold is to get to know your local government representative or council member and his/her staff. I’ve also found that it is key to introduce yourself and meet them—before you need their help. Your representative wants to help you, and they have field representatives for that reason. Believe me, politicians never lose sight of the fact that they are elected and will one day want your vote. Their field staff can help you get in touch with the right department and to the right person.

When you think about it, our industry is all about relationships. This is why I have made it a point to get to know our councilman and his staff. I cultivate that relationship to the point where we are on a first-name basis, and I don’t wait to get to know them when I have a problem—I start way

One lesson I’ve learned over the years that has been worth its weight in gold is to get to know your local government representative or council member and his/her staff. I’ve also found that it is key to introduce yourself and meet them—before you need their help.

before that. We all know that when you are on a first-name basis with someone, the relationship is more personal. When it’s more personal, the person will want to help you a little bit more because they know you and you have established a good relationship with one another. The relationship is built on mutual respect. When I call up my councilman’s field representative, I go to him not to yell and scream but to work with him hand-in-hand to resolve the specific issue.

I learned long ago that, in most situations, I can achieve far greater success when I stand shoulder-to-shoulder with someone and we both face the issue together. Nothing is gained by turning a potential ally into an obstacle. I saw the evidence of this the other day when a resident who had called the City to resolve a problem told me that he ended up yelling at the person whom he had called for help. At the end of their heated

Continued on page 15



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The Key to Working with City Officials

continued from page 14

conversation, the resident asked "So what am I supposed to do?" The official's advice was succinct: "Get a lawyer," and he hung up.

The importance of building a good relationship with your local representative can be easily put off or overlooked. We all know what it's like to open the mail and be hit with a notice that screams "Here's a headache for you." Last summer, I opened a notice from a cell phone company, only to learn that they planned to erect a cell tower next to our association. "It's the only place that will work, so forget about objecting," a phone company rep told me when I called. "It's a done deal, forget it."

Who could I turn to and what could I do?

In each of these situations the solution came from contacting our local councilman's field office. I'd had a good relationship with our councilman and his field office staff for years. They return calls in a timely manner, tell me who I should speak to about a problem, and make a first call to that person to let him or her know of my request for help and that I'll be calling. That introductory phone call from the councilman's office always carries a certain weight—and every city worker knows it. In addition, the field rep will follow up with a phone call or even drop by to check to see if there's progress on the situation. It's a relationship I value very much.

The importance of building a good relationship with your local representative can be easily put off or overlooked. We all know what it's like to open the mail and be hit with a notice that screams "Here's a headache for you."

In the case of our association requesting special permission for our residents to park on the street during our construction project, my first call to the Department of Transportation had been met with the words: "Absolutely not!" I hated to do it, but after one phone call from the councilman's office, the same person who had said, "Absolutely not!" was now asking me how many cars and for how long I would need the permits. When the project was over, I made it a point to call both the field supervisor and the person who had initially said "No Way" to thank them for their help.

As for the low water pressure, the councilman's field rep showed up to watch a team from the Department of Water & Power while they tested our water pressure to determine the problem. Pumps were adjusted in that part of the city to boost pressure and the issue has been resolved. The verdict is still out on the cell tower issue, but our councilman has put us in touch with officials at the phone company who

Continued on page 16

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The Key to Working with City Officials

continued from page 15

have met with us and neighboring associations to discuss our differences. The bottom line is that local officials want to know what is happening in their districts. They also want to be of help.

Not to be overlooked are the many people who work in city government. One doesn't need to go to the person in charge for every issue. I've also found that one should never underestimate the knowledge and help that can come from a secretary, an assistant or any member of city staff. In some instances, they have greater knowledge of an issue than the person higher up.

The way I see it, courtesy and good relationships make a difference in one's dealings with one's board, staff or residents but with the city as well.

Dan Nakari, CCAM®, CMCA®, AMS®, PCAM® has been involved in property management for more than 20 years both in New York and California. Currently he is the general manager of Century Park Place HOA, a 416-unit condominium association located in Los Angeles. Dan can be reached at dannakari@centuryparkplace.org.

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Playgrounds: Keeping Them Safe

By George Van Oosbree, CPS

Children's playgrounds have their own special maintenance and safety requirements. Why? Playgrounds often get a lot of use and abuse by children and others. Without proper care and maintenance, "tot lots" can prove to be hazardous to children. Hazards such as splinters, outdated or broken equipment, inadequate playground surfaces, surface compaction and faulty fasteners are just a few of the dangers children face.

In addition to the danger of accidents, there is also the issue of cleanliness. Many playgrounds pose a challenge when it comes to being able to keep them properly cleaned. One issue that is particularly challenging is when a cat mistakes the sand at a tot lot for its kitty litter box.

Specific maintenance specifications for playgrounds may include some of the following:

1. Keep the area around the equipment free and clear from all objects and materials that could injure participants. Visual area checks around the play equipment for objects and materials that could potentially cause injury should be conducted at least three (3) times weekly in summer and one (1) time per week in the winter.
2. Inspect the equipment for stability and exposed footings and tighten all bolts and nuts. Inspections should be conducted monthly and fasteners should be tightened every two (2) months or as needed.
3. Inspect all equipment for rust and touch-up paint every six (6) months or as necessary.
4. Wipe down all equipment with warm water and a soap solution once per week, or as needed.
5. Ensure that all matting materials are free of dirt and debris. Clean as necessary.
6. Monitor surface compaction. Depending on the surfacing type and play surface height, you may need from six inches to twelve inches of un-compacted surfacing.

State regulations for playgrounds in California went into effect on January 1, 2000. These regulations required that a Certified Playground Safety Inspector inspect and conduct an "Initial Safety Audit" of all playgrounds by October 1, 2000. Then, the operators/owners were required to implement changes in the design, installation, inspection, maintenance and supervision of their playgrounds that were identified by the Inspector as necessary to comply with the requirements established in the regulations. Most playgrounds installed prior to 2000 failed the audit—but don't be disheartened—most were able to be brought up-to-standard with minor modifications and maintenance.

These changes or upgrades to playgrounds were required to be completed by January 1, 2003. The regulations also state that anyone who installs playground equipment must have

Continued on page 18

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Playgrounds: Keeping Them Safe

continued from page 17

the equipment installed under the direct supervision of the manufacturer or a Playground Safety Inspector, and certified by The National Playground Safety Institute, which must inspect the equipment prior to use. In addition, you will also need to have a regularly-scheduled safety inspection at least annually. This inspection may be performed by any individual, but must follow the guidelines set forth in the initial audit. Since most individuals are not completely familiar with the Playground Safety requirements, your best bet is to stick with the Certified Inspector.

Section 65735 of the regulations requires that the owners/operators train their personnel in the design, installation and maintenance of their playground equipment by ensuring that the personnel have read and understood the requirements established by the regulations before such personnel participate in the design, installation or maintenance of the playground.

An important note is that the inspection report issued by the inspector may only be used as a reference for the necessary upgrades and does not alter the association's potential liability. Another important note is that, if your playground was installed or built prior to 1994, it must be modified to meet the new standards. If your playground was built or installed after 1994, it must be inspected to prove that it meets the new standards. Translation: If you have an old playground, it will have to be upgraded or removed.

Either way, all playground facilities should have been inspected before October 1, 2000, and the necessary upgrades should have been made by the year 2003. New playground equipment should be inspected immediately after installation and prior to opening the area to the public.

If you have any questions, you can contact the following organizations.

1. California Park and Recreation Society: 916-665-2777
2. Consumer Product Safety Commission's Handbook for Public Playground Safety (a copy of the handbook can be obtained at www.dhs.ca.gov/epic/)
3. American Society for Testing and Material's (ASTM) "Performance Specification for Playground Equipment for Public Use": 610-832-9585.
4. California Park & Recreation Society (contact Leslie Fritz, director of education at leslie@cprs.org): 916-665-2777 or www.cprs.org
5. State of California: www.ccr.oal.ca.gov

George Van Oosbree is the senior vice President of ProTec Building Services. He is also a National Playground Safety Institute Certified Playground Safety Inspector and a LEED-Accredited Professional by the United States Green Building Council. George can be reached at gvanoosbree@goprotec.com.

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A Toast to Long-Range Vision

By Robert Scheaffer, CMCA®, AMS®, PCAM®

When the early Twentieth Century American humorist Will Rogers advised would-be investors to *"Buy land, they ain't making any more of the stuff,"* he probably never imagined that one day we might be saying the same thing about potable water.

Facing the prospect of dwindling supplies of fresh drinking water, at increasingly higher prices, the Leisure Village Home-owners Association in Camarillo, California, recently completed a multi-year, multi-million-dollar project to cut drinking water usage by some seventy percent.

The successful completion of the project was marked by a "Water Celebration" in the Recreation Center of the more than 400-acre retirement community (55 and older), located forty miles north of Los Angeles and about the same distance south of Santa Barbara.

The start of the project goes back about twenty years, when a few of the community's "engineer-types" and other future-conscious retirees met informally to consider some of the likely scenarios that could play out over the coming decades, dramatically affecting life in what they considered to be a paradise.

The community is blessed by almost year-round overnight and early-morning moisture carried by westerly breezes

off the Pacific, some twelve miles away. Yet those earlier visionaries considered other events that appeared to be coming together faster than most realized — events that might reduce or neutralize the natural benefits that made the community so attractive.

Two of those events were the inevitable results of increasing population growth taking place in the near desert-like conditions common to much of California's coastal, sub-tropical valleys and basins, and the looming possibility of more and longer droughts. Also, there was the fact that the Village is located in Ventura County, one of the most productive agricultural areas in the state, making it certain that increasingly-limited water supplies for all might only get worse.

Beyond thinking and talking about the potential problems, and ultimately forming a loosely-organized Water Committee, not much was done until early 2003. That's when the thinking-and-talking was transformed into serious planning.

The Village, which is self-governing and managed by a paid staff of professional employees, now had a Water Committee which every day found growing evidence of the need for real change in the way the community was using and wasting water. The need for change was no longer off in some hazy future, but now.

Continued on page 21



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A Toast to Long-Range Vision

continued from page 20

With advice and guidance from its main supplier, the Camrosa Water District, and the approval of the Village's five-member, resident board of directors, the Committee came up with a three-stage project that would soon become the most expensive and biggest in the Village's nearly-forty-year history.

Instead of reducing the supply of fresh water to more than 3,000 residents in the Village, the plan called for replacing some 70% of the annual potable water usage with cheaper, more plentiful recycled water. That water would come from the City of Thousand Oaks Reclaimed Water Treatment Plant some five miles to the north. Fortunately, that recycled water comes down the Conejo Creek which runs alongside the eastern border of the Village, through filters and holding ponds just a few miles away.

The three stages involved the following:

- Collect \$450,000 in special assessments approved by the board to retrofit the irrigation for the first nine holes of the three-par golf course.
- Install 2,136 back-flow devices — one on each residence (to guarantee no recycled water finds its way into residential drinking water) and retrofit the irrigation of half the Village landscaping.
- Complete retrofitting the irrigation system for the second nine holes of the golf course and the remaining half of the Village.

Critical to the completion of the project was a \$2,000,000 line of credit from the Metropolitan Water District of Southern California, the Calleguas Water District and Camrosa. Also, Camrosa covered the expense of the new piping that was needed to bring the water from its holding points to point of entry and the Village state-of-art filtration pumps.

On May 14, as some nearby communities were restricting residential water usage and dusting off rationing plans, and the Sierra snowpack was again reduced, Leisure Village marked the completion of its long-range vision: its recycled water project was complete, ahead of schedule, and several hundred thousand dollars under budget.

In the glow of the success of our community's biggest and costliest project ever, we should always raise a glass of "potable" water to the men and women who, through the years, were not afraid to plan for Leisure Village's distant future, a future that is today.

Robert Scheaffer, CMCA®, AMS®, PCAM®, is the general manager of Leisure Village Homeowners Association in Camarillo. He can be reached at b.scheaffer@leisurevillage.org.

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Pending Water Legislation

By Jasmine Termain, Esq.

If passed, *Senate Bill 407* and *Assembly Bill 49*, currently before the California legislature, may have a big impact on common interest developments and the environment.

Sponsored by Senator Padilla, *SB 407* will mandate all high-water usage toilets and showerheads in commercial and residential properties built prior to 1994 be replaced with more environmentally-conscious fixtures. Recognizing the need to address ongoing drought conditions and the resultant water shortages, Senator Padilla hopes personal water conservation will help combat this issue. The statute provides for a gradual ascension to personal water conservation. *SB 407* first requires sales disclosures, then expands to cover home improvements that require a permit, and finally requires all properties, not just upon transfer or sale, to comply with the conservation guidelines.

Starting in 2011, sellers of residential properties must disclose the upcoming retrofitting requirements to prospective buyers. Similarly, effective 2014, building departments would be required to also inspect a dwelling's plumbing fixtures, and require any necessary retrofitting, prior to issuing permits. The requirements will apply to unrelated work with an estimated cost of \$150,000 or more, work that increases the

SB 407 will mandate all high-water usage toilets and showerheads in commercial and residential properties built prior to 1994 be replaced with more environmentally-conscious fixtures.

existing square footage by 10%, or work that requires a permit within an area where plumbing is located. Finally, owners of single-family homes built prior to 1994 will be required to replace their toilets and showerheads that do not otherwise fit within the water conservation guidelines with updated fixtures by 2017. The law provides an additional two years for owners of condominiums and multi-family residential dwellings. Importantly, *SB 407* does provide carve-outs for registered historical properties and properties certified by a plumber as not being feasible to retrofit.

If *SB 407* passes, associations would need to retrofit any applicable fixtures, such as common area fixtures (club houses, bathrooms, etc.). Given the length of time prior to required compliance, associations will have time to factor any expected costs into their annual budgets. Boards should also consider how to address its implications with architectural guidelines and related provisions contained in their CC&Rs. Given

Continued on page 23



The advertisement for SAX Insurance Agency features a large, stylized 'S' logo in the upper left. Below it, the letters 'SAX' are prominently displayed in a bold, sans-serif font, with 'Insurance Agency' written in a smaller font underneath. To the right of the logo, the text reads: 'Our Goal is to Service the Needs of your Community with Quality Insurance Products and Client Satisfaction.' Below this, there are two logos: 'MEMBER OF community ASSOCIATIONS INSTITUTE' and 'AFFILIATE MEMBER' with a logo consisting of four squares containing the letters C, A, C, and M. The toll-free number 'Toll Free: 866.SAX.5390' is listed. At the bottom, the name 'Pamella De Armas' is shown next to a small portrait photo of her. Below her name is the 'Direct Line' number '626-233-1632'.

Pending Water Legislation

continued from page 22

While not as big a concern for planned unit developments, we envision potential issues in condominiums where poor workmanship could cause water damage within the community.

SB 407 will apply to all real property, educating the public will be a challenging obstacle to ensuring compliance. Associations will likely play a key role in educating their members, however, they would need to stop short at seeking enforcement.

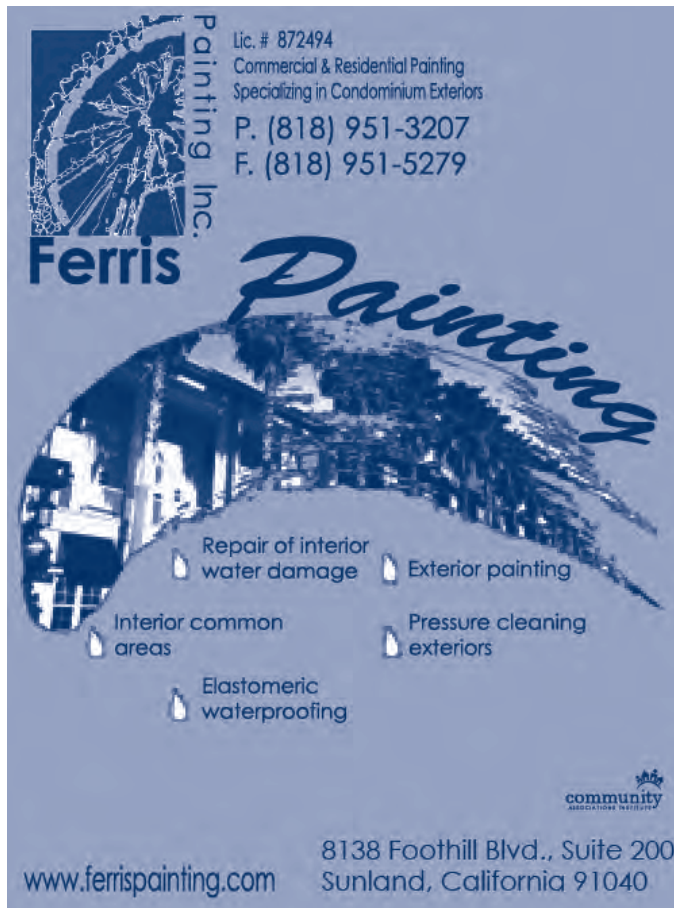
While not as big a concern for planned unit developments, we envision potential issues in condominiums where poor workmanship could cause water damage within the community. In general, we recommend all common interest developments include a provision in their CC&Rs for non-responsibility for consequential damages to protect and limit an association's potential liability from water intrusion. We feel such a clause will become essential should SB 407 pass. Presently, CAI remains neutral on SB 407.

Taking water conservation one step beyond individual or residential usage apparent in SB 407, Assemblyman Mark Feuer's bill, AB 49, will require an across the board 10% decrease in

urban water usage by 2015 and the full 20% decrease by 2020. The bill will require local water suppliers to have a water conservation plan by December, 2010. The statute defines "urban" suppliers as containing more than 3,000 end-users or delivering more than 3,000 acre-feet annually. As such, most people will fall within the "urban" reduction guidelines. While SB 407 will have more impact on individual owners, AB 49 will impact property owners and common interest developments alike. Specifically, if AB 49 passes, common interest developments would need to forecast to, if necessary, adjust common area maintenance, landscape choices and schedules, pool and spa usage and related issues affecting water consumption within the community. Individuals would need to address personal water consumption given the statute seeks to reach a 55-gallon per day usage rate for residential consumers. While only a target number, it underscores the potential impact AB 49 will have on individual usage in urban settings.

In seeking to achieve an overall 20% reduction in water consumption by 2020, AB 49 contains an intelligent flexibility in how it proposes to measure consumption reduction. Instead of monitoring on a per capita basis across all providers, the law will provide for factors such as weather, population growth, density, increased commercial growth, and related

Continued on page 24



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Pending Water Legislation

continued from page 23

...if AB 49 passes, common interest developments would need to forecast to, if necessary, adjust common area maintenance, landscape choices and schedules, pool and spa usage and related issues affecting water consumption within the community.

elements germane to water usage from provider to provider. While providing for some flexibility, the law also seeks to establish consistent water conservation standards appropriate for urban and agricultural users. CAI currently supports AB 49 and its efforts to seek responsible, but flexible water conservation by 2020.

As you can see, the pending legislation, if passed, will have a big impact on common interest developments, both on associations and their individual members.

Jasmine Termain, Esq. is an associate with Rapkin Gitlin & Beaumont, an attorney firm serving community associations throughout Southern California for more than 20 years. Jasmine can be reached at jtermain@rgblawyers.com.



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Pipes Are Not a Lifetime Component

By Bart Mendel

Although “lifetime building component” may be a correct reserve study term it is actually a misnomer, in that nothing lasts forever. This is particularly true of piping systems, which are exposed to friction, corrosion and wear. If properly installed, galvanized steel pipes have a life expectancy of 30-50 years, copper 40-75 years and cast iron 50-75 years. But these are just generalities; it is not unusual to see pipes failing at 30-40 years or even earlier. Because most reserve studies have a horizon of only 30 years and are often set up originally by the property developer, associations rarely plan for pipe replacement. Of course, the best time to perform pipe replacement is just before they fail, avoiding water damage to buildings and personal property, resultant mold, and loss of use. But how do you determine the magic moment just prior to pipe failure? When do you stop responding to service calls for piecemeal repairs? How do you address and plan for major repairs? In order to answer these questions, let's first look at why pipes fail.

Causation for Pipe Failure

Many factors affect the life expectancy of piping:

- **Manufacturing defects.** Precise manufacture of pipes is critical to life expectancy. For example, residual stress from improper manufacturing of cast iron pipes increases the chance of later cracking, and sand cast into copper

piping can create pinhole leaks much later on. These conditions create the potential to make every pipe in a building a future time bomb.

- **Design.** Undersized drainage piping will clog, corrode and fail more quickly than properly-sized piping. Improperly-designed systems may increase the friction on the interior of pipes and accelerate corrosion. Corrosion increases with use and velocity, (i.e. recirculated hot water piping corrodes more quickly than unrecirculated cold water piping).
- **Improper installation.** Contact with concrete or dissimilar metals, lack of pipe support, general poor workmanship and improper or crooked pipe joints all stress piping.
- **Location.** Drainage piping on ground floors suffers from the combined gravitational effects of greater use and corrosion, as well as sometimes-unintended weight from unsupported pipes from floors above. Accessibility of cleanout valves can greatly aid preventive maintenance or complicate repair and replacement.
- **Improper use.** This is a significant factor in pipe failure, especially in residential buildings. Garbage disposals introduce grease and food residues, which adhere to the interior walls of pipes, causing stoppages, backups and often premature corrosion.

Continued on page 26



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Pipes Are Not a Lifetime Component

continued from page 25

- **Corrosion.** All metals corrode in contact with water, air and chemicals—some faster than others. Corrosion can be internal, such as through contact with water and caustic cleaning chemicals, and external, such as from salt air with proximity to the ocean. Below-ground piping often ages more rapidly than above-ground because of contact with acidic or alkaline soils.
- **Patterns of occupancy affect pipe longevity.** In full-time occupancy, the pipes maintain a consistent moist environment, whereas in vacation or second homes which are used sporadically, pipes can dry out and become more prone to cracking. Piping in high-population buildings typically sees an accumulation of more corrosion and buildup in the system.
- **Lack of maintenance.** One example is the lack of routine hydrojetting of main sewer lines, which contributes to buildup and failure.
- **High-rise considerations.** A mid- or high-rise building adds another level of complexity with sophisticated mechanical systems, utilizing pumps to distribute flow throughout the buildings through large diameter steel piping. Each part of the system is prone to failure and has the potential for catastrophic water damage.

A good way to determine whether the pipes in your building are nearing their life expectancy is to watch for emerging maintenance patterns. There will be increasingly more pinhole leaks, clogs and backups, more homeowner complaints, and more service calls.

- **Other factors.** Tree roots, stress from earthquakes or other building movement, or the shrinking of wood studs are a few other factors.

With the cumulative effects of all of these issues, pipe systems face a losing battle to remain leak-free over time. We frequently see a combination of many factors plaguing aging multi-family residential buildings.

Telltale Maintenance Patterns

A good way to determine whether the pipes in your building are nearing their life expectancy is to watch for emerging maintenance patterns. There will be increasingly more pinhole leaks, clogs and backups, more homeowner complaints, and more service calls. Particularly if you are managing resultant mold damage due to water damage from piping, we suggest you take a step back and look at the bigger picture. It may be time to evaluate the system as a whole.

Continued on page 27



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Pipes Are Not a Lifetime Component

continued from page 26

Do You Need Pipe Replacement?

To answer this question, a construction professional needs to evaluate all causes for pipe failure in your building. Be mindful that there may be more than one reason: we've seen too many instances where an association too readily assumed the cause of a particular failure and spent time and money correcting the problem, only to subsequently experience additional failures from yet other undiagnosed causes. Evaluation methods include videoing and hydrojetting sewer and storm drain lines, physical inspection for installation flaws, destructive testing, pipe sampling and analysis by a metallurgical laboratory which can evaluate wall thickness and integrity and possible residual stress, and prototype repairs to typical units.

Pipe replacement costs vary tremendously, depending on the accessibility of piping. Typically the costs to expose the piping and restore finishes are greater than the pipe replacement itself. There are many options, and combinations of options, that should be considered in a pipe replacement project that can be made only after a thorough investigation. The repair strategy should be driven by causation to ascertain the best and most cost effective approach.

Alternative Technologies

Pipe coating and lining are offered by many companies and manufacturers, with competing technologies, approaches and warranties. The concept of lining or coating is an attractive option because it does not entail the expensive destruction and renovation of finishes within units, particularly in kitchens and bathrooms. Many pipe coating, lining, and trenchless technologies can be effective and come with extended warranties. These processes all need to be carefully considered for their appropriateness to the specific conditions in your building, its population and usage. Not all treatments are appropriate in every situation, and it bears mentioning that some are new enough to not have a reliable track record to determine true longevity.

Without a thorough evaluation and cost-benefit analysis, it will not be clear which approach is best for each situation. Often, an amalgamation of multiple techniques is the best or most effective approach.

Challenges from hazardous materials are often encountered in re-piping projects. If your building was constructed prior to 1978 or even after, it is likely that large-diameter pipes are

Continued on page 28

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Pipes Are Not a Lifetime Component

continued from page 27

Due to the complexities and variables of problems of access, hazardous materials and varying causes of pipe failure, it is essential that your re-piping project be professionally-managed through careful investigation, planning and design.

wrapped with asbestos insulation. Other building materials requiring demolition to access piping may be asbestos-containing as well, such as drywall tape compound and plaster. It is very wise in the planning phase (prior to establishing the budget), to incorporate a pre-demolition survey in order to determine the prevalence of hazardous materials. If there has been any type of pipe failure, with resultant water damage, anticipate mold. It is not unusual for mold remediation to add a whopping 25% or more to the total cost of a project.

Risk Management

Any project that includes access into homes and damage to finishes carries risk. It is critical to be acutely aware of the legal structure of your homeowners association regarding common area vs. homeowner responsibilities before you open any walls. In any project of substantial size, careful management of contract negotiations can protect your liability and control costs. The never-ending insurance crisis facing association contractors limits the number of bidders, reduces their insurance companies' liability for future failures, and also tends to increase costs.

These myriad dynamics associated with re-piping create a tremendous challenge on controlling costs for a project. Due to the complexities and variables of problems of access, hazardous materials and causes of pipe failure, it is essential that your re-piping project be professionally-managed through careful investigation, planning and design. While these initial steps cost money, proper investigation and planning is a worthwhile investment that pays dividends in the long run.

Bart Mendel, LEED AP is President of Stonemark Construction Management, a full-service planning and construction management firm that specializes in the management of capital improvements, construction defect investigation and repairs, water infiltration and problem building analysis for homeowners associations, multi-family residential and commercial projects. Bart can be reached at bart@stonemarkcm.com.

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Earthquake Insurance: To Have or Have Not

By Steven Grane

Boards of directors often struggle with wanting to do the right thing for their associations and at the same time questioning if they really need earthquake insurance coverage, given the added cost to cover this policy. When boards present this coverage to the homeowners, the first question the homeowners ask is, "Why does this cost so much when you read in the paper that earthquake insurance has dropped in cost over the past five years here in California?" The second question that follows is, "Why not just let FEMA help us out?" I'd like to answer these two questions to help board members and homeowners understand how earthquake insurance works.

The Difference Between A Homeowners Association (HOA) Earthquake Policy And A Homeowner Earthquake Policy

First and foremost is the misunderstanding that the HOA's earthquake insurance comes from CEA (California Earthquake Authority). **The HOA's earthquake insurance comes from the commercial insurance market.** CEA is for individual homeowners, and the base limits for condominium owners is \$25,000 for property, \$5,000 for personal contents and \$1,500 for additional living expenses/loss of use. These limits can be increased to \$100,000 for property and \$15,000 for additional living expenses/loss of use for an additional premium cost. When boards and homeowners read in the newspaper that earthquake rates are coming down, this statement is based on the state of the CEA's reserve fund. CEA reserves are currently very high because: 1) there has not

been a big earthquake in California for quite a few years; 2) the CEA is not affected at all by other disasters in the United States; and 3) CEA funds are for California alone.

Homeowners association earthquake insurance, which comes from the commercial market as previously mentioned, relies heavily on the reinsurance market. No insurance company carries the full exposure on earthquake insurance. They rely on the reinsurance market to help share the exposure. With the reinsurance market taking a hit last year due to Hurricane Ike in Texas and the low return on investments, rates are increasing in the reinsurance market.

Insurance companies rely on Catastrophe Exposed Area (CAT) to determine whether premiums go up or down. Insurance underwriters also rely heavily on Risk Management Solutions (RSM), the world leader in providing products, services and expertise for qualification and management of catastrophe risk. (Learn more at www.rsm.com.) Role modeling these factors together determines an HOA's area of risk. According to RSM, the risk for an earthquake in some areas of California has risen.

What does this mean for an association's earthquake premiums? It means that we will be seeing higher insurance costs for earthquake insurance in the future. The earthquake insurance market is being very cautious regarding the risk they are taking on. For some associations the risk has gone up to a

Continued on page 30



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Earthquake Insurance – To Have or Have Not

continued from page 29

higher level than before, and the insurance companies are not renewing that risk. If they do renew the policy, the premium is usually higher than the previous year.

Why Still Carry Earthquake Insurance If “Fema Will Take Care Of Us?” Will Fema Take Care Of Us?

Let's look at FEMA for a moment and see what happened in the Gulf Coast after Hurricanes Katrina, Wilma and Rita in 2005. It has taken years for that region to recover, and they are still recovering today. Granted, there have been improvements in FEMA since 2005, but, as I mentioned, they are still rebuilding to this day. If there should be a magnitude 7 or higher earthquake anywhere in California, how long would it take before FEMA came around to help all of us out?

If you maintain some earthquake coverage, first and foremost, you will not have to wait months or years to have repairs started on your association. If for some reason the local authorities deem your building uninhabitable, then you, the unit owner, will have to find other housing until the work is completed. If you have an HO-6 policy (an insurance policy that covers your personal property) with an earthquake policy attached, you can get housing from that policy. Remember, during the waiting period while your building is being repaired, your mortgage payments do not stop. The sooner the building is repaired the better.

Since the reinsurance market is unstable and the risk management factors are showing areas of greater risk, the association can bring down the premium cost by having higher deduct-

ibles and less coverage. The way to pay for the deductibles on the earthquake master policy is by having earthquake loss assessment on the homeowner's personal insurance policy with limits at \$25,000, \$50,000 or \$75,000. Remember, one thing you can almost count on is a special assessment to all homeowners if your association has earthquake damage. That is why, even if your association has earthquake coverage, as an owner you need to find out what the deductible is and call your personal lines agent to have them provide you with enough personal coverage for the special assessment.

So What Do We Board Members Do?

Do we renew our association's earthquake coverage or do we find alternative ways just to get some coverage? To cut costs, you can go with higher deductibles or reduce property coverage. Reducing property coverage will bring down the premium and still provide some coverage. The best thing to do is to have your association's agent give you several different options so that you as a board can decide which option is best for your association. My thinking is that some earthquake coverage is better than not having any.

Let's just hope the earth doesn't shake too much or too soon to give the market some time to settle down.

Stephen Grane is a Broker/Partner of Alante Insurance Services, a Div. of MCS. Alante Insurance has been insuring homeowners associations in California, Arizona & Nevada for more than 20 years. Steve can be reached at sgrane@mcsins.com.

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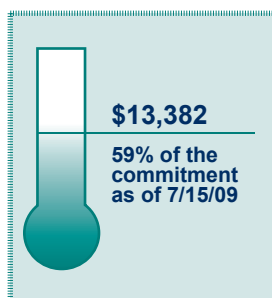
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Ali Condo HOA	Park Crest HOA
Animal & Insect Pest Management, Inc.	PCW Contracting Services, Inc.
Ascot HOA	Polynesian HOA
Bordeaux Community Association	Property Management Solutions, Inc.
Campion and Company	Rancho-Glen HOA
Cardiff Court Owners Assn.	Rapkin Gitlin & Beaumont
Carson Villas I HOA	Reserve Studies Incorporated
Casa Loma Assn, Inc.	Richardson & Harman, PC
Castlegate HOA	S.B.S. Lien Services
Century Woods COA	Santa Clarita Sienna Ridge HOA
Chateau Goshen HOA	Seascape-Redondo HOA
Concept Seven, LLC	Selby Westwood HOA
Del Rey Manor HOA	Silverview HOA
El Arbolada HOA, Inc.	South Bayport HOA
El Segundo Las Brisas HOA	South Hermosa HOA
Feinberg, Grant, Mayfield, Kaneda & Litt, LLP	South Shore Mediterranean HOA
Florwood Estates HOA	Southern Oaks Society
Gardena Townhome Estates HOA	Steven G. Segal Insurance Agency, Inc.
Gorham Park HOA	Studio Village HOA
Irena Vista HOA	The Brentwood at Kiowa HOA
Harper HOA	The Californian on Wilshire HOA
Hayworth Owners Assn.	The Galaxy HOA
Highlands Owners Assn.	Timothy Cline Insurance Agency, Inc.
Hillcrest Meadows HOA	Two Eleven Spalding Condo Assn.
Idaho Villas HOA	Valencia Management Group
International Tower Owners Association	Villa Pacifica T.C. HOA
Jeffrey Hall Financial & Insurance Services, Inc.	Villa Romano HOA
Kelton Arms HOA	Villa Serena C.A. Inc.
Law Offices of Laura J. Snoke	Villa Vallarta HOA
Le Faubourg St. Louis HOA	VIP Goshen HOA
Marine Village HOA	Vista Pacifica HOA
Mira Verde HOA	Warner Woods HOA Inc.
Oak Street HOA	Westside Manor HOA
Ocean West HOA	Westside Townhomes HOA
Old Orchard I HOA	Westview Towers HOA
	Wilshire House HOA
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CAI-GLAC MEMBERSHIP NEWS

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Advanced Painting, Wood Repair
& Wrought Iron
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Suntrek Industrie

COMMUNITY ASSOCIATIONS

Grandview Townhomes HOA
Warner Village III HOA

COMMUNITY MANAGEMENT COMPANIES

Optimum Property Management Inc.

COMMUNITY MANAGERS

Alexandria Fletcher
Seabreeze Management Company
Angela Flores
Community Consulting Pros
Paula Neidlinger, CMCA®
Ross Morgan & Company
Brian Phillips
Bell Canyon Association

OUR THANKS TO RENEWING CAI-GLAC MEMBERS! – as of June 30, 2009

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GetDocsNow.com
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Bentley Manor HOA
Century Woods Condo Association
Del Rey Manor HOA
Hancock Park Terrace HOA
Harbor Ridge Towne Homes Association
Holloway Terrace HOA
Marineland Community Association
Mountain West Condominium Owners Assn.
Nine-Fourteen Lincoln Blvd. HOA
North Hollywood Owners Association
Park Crest HOA
Summerwind HOA
The Colony at Westwood
Villa Romano HOA
Warner Woods HOA

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Anchor Management
Berro Management
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Valencia Management Group
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Westcom Property Services, Inc.

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Westview Towers HOA
Lorna LeViste, CCAM®, PCAM®
Promenade West HOA

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Regatta Seaside HOA
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Century Woods Owners Association

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ADVERTISERS INDEX

- 18 Animal & Insect Pest Management, Inc.
- 17 Association Lien Services
- 13 Association Reserves, Inc.
- 29 Berg Insurance Agency, Inc.
- 7 Community Association Banc/
CondoCerts
- 21 Constantine Painting, Inc.
- 16 Draeger Construction, Roofing,
Painting
- 30 Drake Construction
- 25 Feinberg, Grant, Mayfield, Kaneda
& Litt, LLP
- 23 Ferris Painting, Inc.
- 16 First Bank Association Services
- 10 Gayle G. Gould, CPA
- 28 Harris Duct & Vent Cleaning
- 11 Jeffrey Hall Financial &
Insurance Services
- 20 PCW Contracting Services, Inc.
- 26 Personal Touch Cleaning
& Maintenance
- 28 Poindexter & Company, CPA
- 29 Popular Association Banking
- 28 Preferred Commercial Painting, Inc.
- 14 R.W. Stein Painting, Inc.
- 23 Rapkin Gitlin & Beaumont
- 16 Reserve Studies Incorporated
- 19 Richardson & Harman, PC
- 24 S.B.S. Lien Services
- 22 SAX Insurance Agency
- 10 Seabreeze Outdoor Leisure
Furniture
- 6 Select Painting
- 24 Stay Green Inc.
- 20 Steven G. Segal
Insurance Agency, Inc.
- 25 Stonemark Construction Mgmt.
- 8 Timothy Cline Insurance Agency
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CAI-GLAC 2009 CALENDAR OF EVENTS

AUGUST

- 17 13th Annual Golf Tournament – 8:00 a.m.
MountainGate Country Club, Los Angeles
- 26 Luncheon Program for HOA Boards and Managers – 11:00 a.m.
Skirball Cultural Center, Los Angeles
- 28 Chapter Board of Directors Meeting – 8:30 a.m.
Shaker's Restaurant, Glendale

SEPTEMBER

- 12 Essentials of Community Leadership Workshop for HOA Boards – 8:15 a.m.
Telesis Community Credit Union Community Room, Chatsworth
- 23 Luncheon Program for HOA Boards and Managers – 11:30 a.m.
Skirball Cultural Center, Los Angeles
- 25 Chapter Board of Directors Meeting – 8:30 a.m.
Shaker's Restaurant, Glendale
- 29 Homeowners Association Marketplace (Expo)/Annual Meeting – 5:00 p.m.
Skirball Cultural Center, Los Angeles

OCTOBER

- 14 Manager Program – 11:30 a.m.
Skirball Cultural Center, Los Angeles
- 28 Valencia Educational Breakfast – 8:30 a.m.
Bridgeport HOA Clubhouse, Valencia
- 30 Chapter Board of Directors Meeting – 8:30 a.m.
Shaker's Restaurant, Glendale

NOVEMBER

- 07 Casino Night - 6:00 p.m.
Los Angeles Athletic Club, Downtown Los Angeles
- 10 South Bay Evening Program – 7:00 p.m.
Manhattan Country Club, Manhattan Beach
- 14 Essentials Community Leadership Workshop – 8:15 a.m.
Location TBD
- 18 Luncheon Program for HOA Boards and Managers – 11:30 a.m.
Skirball Cultural Center, Los Angeles
- 20 Chapter Board of Directors Meeting – 8:30 a.m.
Shaker's Restaurant, Glendale

Let the Good Wines Roll!

Wine the Night Away X...

...an evening of fine wines, hors d'oeuvres...and classic cars!



More than 100 chapter members and guests attended our Wine Night event on June 13 at the Petersen Automotive Museum in Los Angeles. They tasted carefully-selected wines and accompanying hors d'oeuvres while strolling through vignettes depicting the history of the automobile in Southern California. A special thanks to the Wine Night Committee for organizing such a successful event: **Bruce Ratliff**—Co-chair (*Action Property Management*), **Katy Krupp**—Co-chair (*Feinberg, Grant, Mayfield, Kaneda & Litt, LLP*), **Pamella De Armas** (*SAX Insurance Agency, Inc.*), **Lionel Harris** (*Harris Properties*), **Diane Hilliard** (*Ross Morgan & Company*), **Joanne Peña** (*Horizon Management Company*), **April Tronson** (*Servpro of Burbank*) and **Jolen Zeroski** (*Union Bank*).

Petersen Automotive Museum • June 13, 2009

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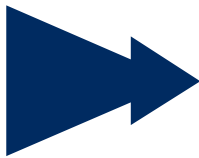


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