

Editor-in-chief:  
Jude Pisanelli

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# ASSOCIA CARES GOLF TOURNAMENT

ASSOCIA CARES<sup>SM</sup>

The first Southern California Associa Cares golf tournament will be held on May 13, 2011, at the Menifee Lakes Country Club in sunny Menifee, California. Menifee Lakes Country Club is located at 2987 Menifee Lakes Drive, off of the Newport Road exit on the 215. Associa Cares is a non-profit 501(c) 3 organization created to assist families and communities in crisis as a result of natural and man-made disasters. Associa Cares is comprised of a volunteer staff who serves on national and local committees. Associa Cares operates off the tax deductible donations of Associa employees and concerned citizens who live in communities all across America. Associa Cares has helped several families in southern California over the past several years. Three Associa companies in southern California have come together to plan a day of fun(d) raising for this worthy cause. Equity Management in Temecula, PCM in Lake Forest, and N.N. Jaeschke in San Diego, are joining forces to host

southern California's first Associa Cares Golf Tournament and they want you to be a part of this great event!

There are many ways you can participate to help make this event a success. There are sponsorship opportunities, player opportunities, raffle prize donation opportunities, and monetary donation opportunities. To donate call Equity Management at (951) 296-5640, or stop by the office at 42430 Winchester Road in Temecula, and let us know how you would like to participate. If you would simply like to golf in the tournament, let us know so we can place you on the interest list of players just act quickly to assure a space. Registration will begin promptly at 7:00 am -7:45 with the shotgun start at 8:00 am. At 12:30 lunch will be served along with raffles and prizes. We look forward to having you be part of this charitable event that helps to address the needs of individuals and communities in crisis across America. Thank you for your support!

42430 Winchester Road  
Temecula, CA 92590  
Tel: (951) 296-5640 | Web: [www.equitymgt.com](http://www.equitymgt.com)

 **Associa**<sup>®</sup>  
Equity Management

# Ed Hutt Retires after 10 Years of Service



Ed Hutt, PCAM<sup>®</sup>, was honored at a retirement party to celebrate his retirement of 10 years with Equity Management, on January 6, 2011, at Vail Ranch Steak House, in Temecula. Ed retired as an officer after 20 years service in the United States Air Force, and shortly after his retirement, he began his career with Equity Management. Ed was the on-site Manager for Tahoe Keys at Lake Tahoe and he managed the day to day operations of 1,539 units and 12 sub-associations at Tahoe Keys from 1999 to 2000. Ed moved from Tahoe to Temecula with his family in 2000, and began managing several HOA and commercial associations. In 2006, he was promoted to Vice-President, and continued as manager of the HOA department. Ed was very active in CAI and was elected as

the President of the CAI-Greater Inland Empire Chapter in 2006. In 2009, Ed served as the Lead Business Developer for Equity Management. The entire staff, several friends, vendors and past board members were present to wish Ed the best at his retirement party. He is looking forward to traveling with his wife, Pat, and spending more time with his family.

## EQUITY MANAGEMENT IS NOW ON FACEBOOK!



Equity Management is continuing to grow its on-line presence and we now have a Facebook page as part of our continuing efforts to further engage and communicate with our neighbors and homeowners.

The social media site works in conjunction with [www.equitymgt.com](http://www.equitymgt.com) as traditional communications such as press releases, seminar information and board member announcements will be available on both sites. Facebook will provide access to exclusive multimedia content not offered on the official website.

By “liking” Equity Management on Facebook, you will have the opportunity to receive news updates; get information on board seminars, open houses, trade shows, monthly/quarterly/annual meetings, social events and fundraisers; view video features and photos; receive special announcements; and have exclusive access to special promotions and giveaways.

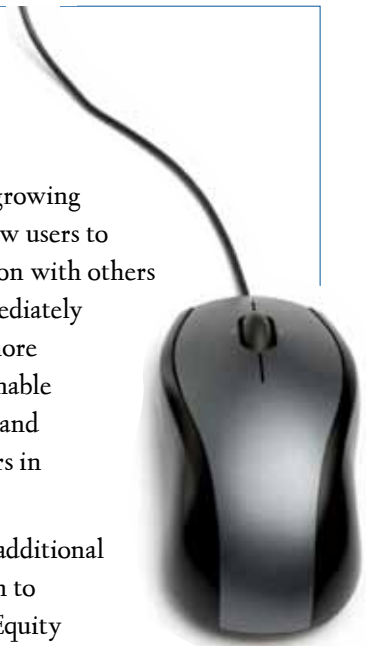
New “likes” will also provide an opportunity to receive a FREE copy of *Association Times Volume 2*, an incredible resource for community association information.

On-line social networking utilities, growing increasingly popular worldwide, allow users to connect and communicate information with others like friends, family, co-workers, immediately and unobtrusively. Facebook, with more than 500 million users worldwide, enable Equity Management to post updates and achievements to all of its homeowners in a timely fashion.

Facebook also provides you with an additional communications channel with which to learn more about and connect with Equity Management, while providing a dialogue on topics that are current and relevant.

To “like” Equity Management, please visit [www.Facebook.com/Associa](http://www.Facebook.com/Associa) and search for Equity Management.

Join our network today!





## ARBORIST REPORT

**QUESTION:** Following the removal of 60 trees from the common areas a committee was formed to select an arborist who then reviewed our development's trees and submitted a report. None of the homeowners who served on the committee have seen the report; only the board has access to it. Can homeowners inspect the arborist's report?

**ANSWER:** In my opinion, homeowners can review and copy the report. Even though such reports are not specifically mentioned by the various statutes governing the inspection of records, the report is a record of the association and is not subject to the privacy concerns raised by Civil Code §1365.2(d). If the board rather than legal counsel contracted with the arborist, the report does not have attorney work-product protection. Even if the board included a confidentiality provision in the contract, members' inspection rights cannot be limited by contract. Corp. Code §8313. The issue of tree removal is of interest to the community and there is no reason to withhold the information. Even though the membership has an interest in the trees, the board retains the authority to make decisions about maintenance of the common areas, including the pruning and removal of trees.

## AMENDING CC&R'S

**QUESTION:** To amend our 1960s-era CC&Rs we need the approval of 3/4 of the membership. It is impossible to get a 75% of the membership to vote, let alone 75% to approve. Does current law allow amending CC&Rs with a simple majority?

**ANSWER:** Because of the difficulty (sometimes impossibility) of getting a super-majority to amend CC&Rs, the legislature enacted Civil Code §1356 to alleviate the problem. If an association makes a good faith effort to obtain membership approval and can get at least 50% of the membership to approve the amendment or restatement, the association can petition the courts to approve it.

The petition must contain the following:

1. The reasons for the amendment.
2. The number of votes required to amend.
3. The number of affirmative and negative votes actually received.
4. The association's effort to solicit membership approval.
5. A copy of the governing documents, text of the amendment, and the notice and solicitation materials used. Court Approval.

The court may (but is not required to) grant the petition if it finds:

1. The membership was given at least 15 days written notice of the court hearing.
2. Balloting on the amendment was conducted in accordance with the governing documents.
3. A reasonably diligent effort was made to permit all eligible members to vote on the amendment.
4. More than 50% of the membership voted in favor of the amendment.
5. The amendment is reasonable.
6. Granting the petition is not improper for any reason stated in Civil Code §1356(e).

**RECOMMENDATION:** We have had great success getting court approval of amendments and restatements. Boards should work with legal counsel to petition the courts if circumstances warrant it.

## Equity Management Provides Maintenance Services

### RYAN NEWBY APPOINTED MAINTENANCE TECHNICIAN

Equity Management is pleased to bring to its clients and its communities another resource to meet the ever changing needs of associations by hiring a full time maintenance technician, Ryan Newby.

The addition of Ryan to lead our maintenance efforts will greatly benefit our clients and homeowners. Ryan has more

than 15 years experience in residential construction, including time managing residential reconstruction projects for insurance claims. He is a licensed general contractor and most recently owned his own kitchen and bath remodeling company. Ryan's goal is to provide additional services and bring superior quality with a customer friendly attitude.

# Hidden Meadows Community Association Board President Awarded Volunteer of the Year 2010

Jeff Ortiz, Board President of Hidden Meadows Community Association in Menifee, was awarded with the Volunteer of the Year Award for 2010 at the annual TOPS awards banquet by the CAI-GRIE chapter. Jeff was nominated by Keren Calder, association manager for Hidden Meadows. Jeff has a long list of accomplishments he has achieved as the Board President: he created a social committee that hosts several community events; created a Facebook page for Hidden Meadows; he worked with the City of Menifee to assist the First Annual Veterans Memorial 5K run which went through the community, just to name a few. He is always looking for new ways to bring the community together, to better the community, and to make the Association successful. Equity Management was proud to recommend Jeff Ortiz as Volunteer of the Year. If someone you know has gone above and beyond in volunteering in your Association, let your manager know so they can be nominated for the Volunteer Award for 2011.



## EQUITY WELCOMES NEW TEAM MEMBER TAMMY MIDDLESWORTH

Equity welcomes Tammy Middlesworth to the community manager team. Tammy has 12 years of experience in community management and has also

worked in accounts payable and receivables prior to property management. Tammy enjoys running, camping, fishing, hiking,

backpacking, boating and star gazing. She is currently training to run in a half marathon this year. When Tammy isn't working, or training for the marathon, she loves to cook, watch Sci-Fi movies, and entertain friends in her home. Tammy has two daughters, Kara age 19, and Allison, age 16. Her daughters live with her and the family dog, a Maltipoo, named Bella.

## Santa Rosa Ranchos Awarded **SMALL ASSOCIATION OF THE YEAR** by CAI-GRIE

Santa Rosa Ranchos was awarded the small Association of the Year award at the Community Association Institute — Greater Inland Empire Chapter (CAI-GRIE) Top of Profession Service Award (TOPS) awards at the Riverside Convention Center on December 17, 2010. Jacqueline Bill, manager for the association, nominated the equestrian community made up of 92 single-family homes. Jacqueline outlined several of the community's accomplishments; they established a website with their own domain and appointed a committee to update the latest news, board meeting highlights, goals and community events, a social committee was formed for holiday events, equestrian clinics and horse shows; and the association partnered with the Master Association, Gavilan Springs, and approved an agreement of annual cost sharing that will benefit both parties. Congratulations to Santa Rosa Ranchos and to their manager, Jacqueline Bill.

