

Jomar Association News

FALL 2011

Letter from the President

By: Shelly Holland, LSM, CMCA, PCAM



While I look toward the future of Jomar and begin formulating goals and plans for our New Year, I am thankful for the many skills that have been developed throughout the years to help us through the tough times. All of the national and local economic indicators tell us we have a couple of more years of struggle before us. Our new norm might include more belt tightening and downsizing. We are trying to do more with less, while balancing family, busy schedules, work overload, and the sometimes elusive quality time.

How do we not only make it through but also thrive?

My new motto for the year is this - Don't Look at the Tray! I recently read an article that seemed to mirror many people's lives. When the author was asked 'How do you do it all?', she gave the most useful bit of advice I have heard in a long time. She said, 'I don't look at my tray'. The writer explained that all of us have a lot on our "trays" – work, family, volunteer activity. From time to time, all of these converge and are piled together on your "tray". The author said her trick was to not even look at the tray, since that is the best way to keep it balanced. Just know that when you wake up, the empty tray will soon be fully loaded yet somehow, somehow we always manage to make it through and get done what needs to be done.

So breathe, balance, and "don't look at the tray".

2012 Educational Calendar

January 4, 2012

New year resolutions
Landscape – Water conservation

April 4, 2012

Differed Maintenance

July 4, 2012

Legislative update

September 5, 2012

Budgets, financials, 2013 planning

CLIENT SUMMITS:

October 3, 2012

Tempe Office

March 7, 2012

Gold Canyon Office

In this issue:

PG2 Employee Spotlight PG2 Director's Listing PG3 Associa Living
PG3 Client Appreciation Summit PG4 Top Five Issues of 2011
PG5 Tradeshow Participants PG6 Smart Irrigation Controllers





SHAWNELL KIEHNE
Director of Finance

Employee Spotlight



ELIZABETH GIORDANI
Assistant Manager

SHAWNELL KIEHNE, was recently promoted to Director of Finance of Jomar Association Services. Shawnell is responsible for all financial aspects for Jomar clients. She holds a Bachelor of Accountancy degree and has spent her career within Associa, diversifying her skills. Shawnell has worked in the various capacities of: Corporate Controller, Collection Supervisor, Accounting Manager and Community Manager which has given her a well rounded knowledge of association management in several different states that she now brings to Jomar clients. Shawnell also has experience in non-profit, governmental and private accounting, all of which enable her to lead Jomar and Jomar’s clients in a positive financial direction.

ELIZABETH GIORDANI, began her career with Jomar Association Services in 2007 in the Customer Service Department. She quickly learned through the support and training of the staff that as a customer service representative that first impressions are important and vital to a company and advancement. Once she mastered those skills Elizabeth was given the opportunity to work with the managers and other support members as an administrative assistant. Over the last two years she has gained a greater understanding of all the challenges, rewards and responsibilities that are required to efficiently manage our communities. During

that time of learning and soaking up all the ins and outs of A HOA, Elizabeth branched out and offered time for Associa Cares. It was time to dig in, to back up and place forth a goal of hope to others that may not have some. She is extremely proud to be on the Associa Cares committee.

Elizabeth has 6 wonderful kids (11-21) and 2 adventurous dogs (Piper and Shady). She has celebrated 6 years of marriage and 11 years of a blended family. Elizabeth is involved with her Church Family and has been for four years. They moved to Arizona 5 years ago from Southern California. Their family enjoys all outdoor activities that Arizona has to offer, including summer. They have planted themselves in Mesa, looking forward to purchasing a home in the spring of 2012.

This past year Elizabeth knows she has grown and can understand growing pains. Some pains were easier than others. Becoming involved with Associa as a whole has and will continue to build up confidence, enthusiasm and compassion in all aspects of what she can instill in her family and within Jomar. Elizabeth is proud to have been asked to further advance her career with Jomar and will begin her training as an assistant manager with the goal of becoming a manager in the near future.

DIRECTORS LISTING - JOMAR ASSOCIATION SERVICES, INC	
President / CEO	Shelly Holland, CMCA® , LSM® , PCAM®
Director of Finance	Shawnell Kiehne
Real Estate Broker	Darlene D’Anna, CMCA® , AMS® , Realtor®
Office Manager / Field Services	Carol Douglas



AssociaLiving.com

AssociaLiving is a fun and insightful online magazine created specifically for our Associa communities and homeowners.

A resource of useful and inspiring information for residents and community associations across North America, AssociaLiving includes relevant stories about Entertaining, Home, Practical Living and Community, each geared toward enriching our homes and building stronger community associations.

Sign up for AssociaLiving (www.associaiving.com) to get great recipes for fall or to discover activities for the whole neighborhood. Keep reading to be inspired with holiday decorating ideas or to learn the ins-and-outs of weatherproofing your home. AssociaLiving has something for everyone in your family and community.

For those everyday clever ideas, visit AssociaLiving's Neighborly Notes blog. Neighborly Notes provides quick and savvy ideas to help make your home a happier,

healthier and more efficient place to live. Blogger Carol, like many of our homeowners, juggles a life comprised of many roles: spouse, parent, child and working professional, to name just a few. She has hectic days like everyone else, but no matter where they are spent, she ends them all at the same place: home. The editors of AssociaLiving hope the helpful tips and tricks about everything from organizing things around the home to entertaining with a twist will help make your days run a little smoother.

Celebrate the best of community living.

Visit www.associaiving.com and sign up to get the latest ideas in Home, Community, Entertainment and Practical Living.



1st Annual Client Appreciation Summit

By: Carol Douglas, Office Manager

On October 4, 2011, Jomar held the First Annual Client Appreciation Summit. The goal of the summit was to unite our clients with our managers, support staff and our numerous service providers with the purpose of supplying information to all. Everyone enjoyed a light dinner which was followed by industry related topics and information on what is currently facing associations during these tough economic times.

Jomar was honored by having guests from Associa our Corporate office in Dallas TX join us. Terri Guest, with Associations Insurance Agency, Inc., answered Insurance related questions. Ron Duprey presented the benefits and value of Associerge. In addition staff was standing by to explain the many programs that are offered to our clients. Those services range from

Associa Access to Associa Cares to Associa Websites. Included in the newsletter is the information Scott Carpenter provided as it relates to issues associations are faced with in 2011. The meeting concluded with a panel of vendors and managers that fielded questions from the audience.

The feedback we received has been positive. We have also received some good suggestions which will make the next summit even better. I want to issue a big thank you to all who attended and participated in making the event so successful. We are already looking forward to next years' Summit.





Top Five Issues for 2011

By: Scott B. Carpenter, Esq. Carpenter, Hazlewood, Delgado & Wood, PLC

2011 has been another year of significant legal issues. The year started with the Arizona Legislature considering and enacting significant regulations of planned communities and condominiums in Arizona. There are five trends that merit attention at this point in the year.

#1: Board Decision Making. In the current environment, we see boards of directors adhering to perspectives on the role and function of the association. “The Association is poor!” “We’ve always done it this way.” “The Board and the Association exist to facilitate ‘neighborly’ behavior – if someone is delinquent, we’ll give them a break because that’s what neighbors should do...” These concepts are inconsistent with Arizona law. Refusal to follow A.R.S. § 10-3830 (a provision in the Arizona Nonprofit Corporations Act) that states that a director’s duties, including duties as a member of a committee, shall be discharged: (1) in good faith; (2) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and (3) in a manner the director reasonably believes to be in the best interests of the corporation. There is no room in this statutory and regulatory environment for board members to have personal agendas or philosophies about the “poverty” of the association or its degree of “neighborliness” in the decisions it makes. The law requires the association to be run as a business. Board members who cannot run the association as a business should find a different outlet for their volunteer activities.

#2: Transfer Taxes. The Arizona Legislature dealt with fees and charges due on sale to the association this year. Senate Bill 1149 becomes effective January 1, 2012. SB1149 will create new restrictions on the amounts that can be charged when a lot or home in a condominium or planned community is sold (or ownership is transferred). Among other things, SB1149 will place a cap of no more than \$400 “to compensate the association for the costs incurred in the preparation of a statement or other documents furnished by the association pursuant to this section for purposes of resale disclosure, lien estoppel and any other services related to the transfer or use of the property”. SB1149 will permit a “rush” fee of \$100 if the services are required within 72 hours and will permit a \$50 update fee if 30 days or more has passed since the original disclosure. SB1149 will prohibit associations from charging \$400 if the fee on January 1, 2010 was less than \$400 except the fee can increase no more than 20% per year to the cap. SB1149 will permit the imposition of a civil penalty of no more than \$1,200 for violating the new fee cap requirements.

#3: Duty to Inspect. Many CC&Rs in recent years require associations to inspect the association’s common areas, roofs on condominiums, etc. every year. If the Association does not, the owners may have a claim against the Association for breach of contract (the CC&Rs) and breach of duty. Even for associations that do not have specific requirements, a periodic inspect of the state of the Association’s components the Association is obligated to maintain is a “best practices” governance concept.

#4: “New Foreclosures.” With the downturn and the dip in home prices, more and more people who are fully employed are engaging in “strategic default” or “intentional default” on their mortgage. They often stop paying the Association in the process of their intentional default. In the downturn we learned that assessment delinquencies become more difficult to collect when the homeowner loses their home to their lender. But today we are increasingly seeing owners lose their homes to their lenders only to turn around, rent a similar home down the street, keep receiving paychecks from their job, and thus providing the association with an opportunity to garnish wages. The “new foreclosure” possibility should cause associations to investigate each lender foreclosure more carefully to determine if the owner has money to pay the association but chose to let their home go back to the bank.

#5: Fair Housing. Fair housing issues and liabilities continue to be at the forefront of our concern for our clients in 2011 and looking forward to 2012. “Fair Housing” encompasses discrimination based on disability, race, gender, etc. “Fair Housing” also addresses modification of premises for people with disabilities. Extreme care and caution should be used by any association when confronted with any issue that involves protected classes. The vast majority of fair housing matters we handle involve the board reacting to a potential fair housing situation and, afterward, being accused of mishandling it under applicable law. There is no substitute for good advice on potential liabilities before the association reacts or commits on an issue that has fair housing implications.



Annual Appreciation Summit Trade Show Participants

By: Shelly Hollands, President/CEO

I would like to thank all of the service providers who participated in our 1st Annual Client Appreciation Summit. Your commitment to our clients and Jomar is truly appreciated.



M. C. Patten CPA

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Water Accurately and Lower Your Water Bills with Smart Irrigation Controllers

By: Richard Restuccia, Director, Water Management Solutions | Valley Crest Landscape Companies

Here in the Valley of the Sun, over 50% of our urban water is used for landscape irrigation. Reducing the amount of water we use for landscapes is critical for future generations and the continued residential growth.

Smart irrigation controllers are making a significant impact on reducing the amount of water we use. Smart controllers, also known as weather-based controllers or “et-based” controllers, adjust their irrigation schedules automatically based on daily weather changes and estimated plant water requirements. Because smart controllers adjust daily to apply just the right amount of water based on actual need, they have the ability to significantly reduce the amount of landscape water we are using. In addition, the cost of these controllers is not significant when you consider the amount of money you save once the controllers are installed. In many cases, a return on investment of less than two years is being achieved.

In the 60s and 70s flood irrigation was prevalent and most people received residential irrigation from a valve in the

corner of the yard. A traditional timer that is doing its job, just by coming on and shutting off when scheduled was a significant improvement over flood irrigation. However, since traditional controllers are typically set to water for extreme conditions, we often experience problems from overwatering.

Several things make a controller smart. Instead of turning valves on and off at the programmed time, a smart controller calculates current, local weather conditions and adjusts to optimize water usage. Optional features include scheduling capabilities and the ability to manage your controllers anywhere you can get an internet connection.

Smart controllers can provide a quick return for your green investment. As the price of technology decreases and water becomes more expensive it's more critical now than ever. For more information, visit your local specialty irrigation store.

Learn, discover and contribute: www.valleycresttakeson.com

