

THE OFFICIAL PUBLICATION OF THE NEVADA CHAPTER
OF COMMUNITY ASSOCIATIONS INSTITUTE

THE MAGAZINE FOR COMMON INTEREST COMMUNITIES

community interests

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SEPTEMBER 2017

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WHAT OUR INDUSTRY IS TALKING ABOUT

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SEPTEMBER 2017

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Get Involved, Volunteer!



April Parsons, CMCA, 2017 CAI Board of Directors President

Is summer really over? How can that be? The heat is still upon us!

It may not seem like it, but it's about time to get ready for fall activities and to really dig in for 2018 budget preparation. Many communities plan fall events every year to get to know the neighbors and provide a great time for the community as a whole. These social events are normally coordinated through a social committee put in place by the Board of Directors. Even with budget preparation, a financial committee is instrumental in assisting the board in crunching the numbers. These committees are streamlined with volunteers willing to help and give their time.

This month's *CommUNITY Interest* is about volunteerism and the importance of volunteerism can't be overstated. It builds social bonds, reduces isolation, provides the satisfaction of accomplishment, decreases feelings of powerlessness, and makes community associations vibrant and thriving places to live. This is the foundation for building community and being united together.

Associations would have a hard time existing without volunteers; they're the lifeblood of any community. With that said, most communities suffer from not finding volunteers. It has become difficult for some associations to find volunteers to run to be on the Board of Directors. This is a very important factor as a board is needed for the operation of the community. If you find that you are having issues gaining the interest, ask a professional or another board member what they have done in the past to get the community involved. I have sponsored an ice cream social for some communities that had no interest, to gain the face-to-face approach. It did help in achieving new volunteers. It's worth a try.

Take the time to get involved with any organization or with your community and promote some positive energy and desire.

A pessimist, they say, sees a glass of water as being half empty; an optimist sees the same glass as half full. But a giving person sees a glass of water and starts looking for someone who might be thirsty.
— G. Donald Gale

April Parsons, CMCA

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Cheerleaders and Volunteers!



Vicki Niggemeyer, DCAL, Community Interests Magazine Committee Chair

Just what do cheerleading and volunteering have to do with one another? Both are vital components to cultivating the best in any team or organization.

Being a volunteer is an outward manifestation of an inner belief in a group. Because I believe in CAI, I want to volunteer and do my part.

Being a cheerleader is an outward profusion of loyalty and pride. Because I believe in CAI, I want to project my enthusiasm with as many people as possible.

I have been a cheerleader/volunteer with one organization or another my entire adult life. As the spouse of an AF officer, opportunities to volunteer were everywhere. As the mother of three children, teachers and youth groups constantly needed volunteers. Even in the empty nest years, I was actively engaged in community volunteerism. Retirement has not been any different.

The thing about volunteering is that, in reality, I get the most benefit. I feel good about contributing to my community and my neighborhood. I feel good about being productive and needed. I feel good about the things I have accomplished. I believe it is safe to bet that most CAI members would totally agree with me about volunteerism.

This month's issue highlights the rewards of volunteering. Shirl McMayon starts us off with *Volunteering - Sign Me Up!* It's a great compilation of volunteerism facts. You'll find it amazing how many collective volunteer hours American's donate per year!

Follow that up with Cary Brackett's interesting synopsis of the volunteer/cheerleader concept in, *Save the Cheerleader, Save the World*. Also, be sure to read Sharon Bolinger's, *Five Surprising Benefits of Volunteering*. There are other

reasons to volunteer besides "being asked"!

With the popularity of AirBnB pervading our country, short term rentals have become a source of legal dispute. Read Michael McKelleb's, *Florida Appeals Court Holds Short-Term Vacation Rentals are not a Business Use Prohibited by a Common-Interest Community's CC&Rs*. Long title, good information!

As CAI members who are dedicated to our communities and homeowner associations, everyone should read Lori Martin's, *National Good Neighbor Day - September 28*. Celebrate and make a promise to be a good neighbor every day!

September 11 is another significant day for all Americans. Richard Salvatore reminds us about the tragedy and the heroics in a *A Day of Remembrance - Never Forget*.

One last word about volunteering. We all like, and deserve, a pat on the back for our volunteer efforts. But sometimes we don't get that thank you, or the pat on the back. Nevertheless, we give of our time believing that our efforts are worthwhile. Consider this ancient proverb: **"Societies become great when old men plant trees whose shade they know they will never sit under."**

Vicki Niggemeyer, DCAL



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Volunteering Sign Me Up!

By Shirl McMayon

What is the definition of volunteering? **1. A person who voluntarily offers himself or herself for a service or undertaking; 2. A person who performs a service willingly and without pay.**

Essential to the day-to-day operations of an HOA, as with most associations, much of the workload is dependent on volunteers from the community – in the form of board members, officers, and committee participants/leaders. As such, I hope you'll take a few minutes to think about the significant role volunteers have played, and are still playing, in our country overall. Let's start by taking a look at the history of volunteering, and just how deeply the simple act of volunteering is a part of who we are as a nation.

This country has relied on volunteers from the beginning. Early colonists banded together to survive the harsh New World, forming support groups to help each other plant crops, build houses, and fight disease. Benjamin Franklin developed the first volunteer firehouse in 1736, an idea that has become the country's norm, as more than 70 percent of all firefighters today are volunteers. During the Revolutionary War, patriotic citizens volunteered to organize boycotts against British imports and raise funds for the war efforts, and, of course, there were the famous "minute men" who were a volunteer militia.

It wasn't until the Great Awakening in the 19th century that formal charitable organizations started cropping up. Inspired by a religious revival, people became more aware of the disadvantaged,

and the YMCA, American Red Cross, and the United Way were all born in response.

Volunteers also played an important role in the Civil War as groups such as Ladies' Aid Societies were created to make bandages, shirts, towels, bedclothes, uniforms, and tents.

Volunteerism as we know it today began to flourish in the 20th century, shaping many of our volunteer and nonprofit organizations of today: The Rotary Club, Kiwanis, and the Lions Club were all established within the first few decades of the 1900s.

One of the first nationwide efforts to coordinate volunteers was in response to the Great Depression, including work by Volunteers of America. The first Volunteer Bureau was founded in Minneapolis, MN, in 1919 and became part of the Volunteer Center National Network, which today reaches 170 million people in thousands of cities across the nation.

During World War II, volunteers were active in the military and on the home front. Thousands of volunteer offices took part in coordinating volunteers in collecting supplies, entertaining soldiers on leave, and caring for the



injured. After the war, major developments including the Peace Corps and President Lyndon B. Johnson's "War on Poverty" in 1964 started the expansion of volunteer opportunities that continues today.

Within the past few years, you could say volunteering has essentially become a national pastime. In 2011 volunteering reached its highest level since 2006, as Americans volunteered nearly 8 billion hours of their time to local and national causes! Wow – 8 billion hours! Today nearly one in four Americans, an estimated 64.3 million people, have served as volunteers, with the internet playing a huge role in engaging volunteers. Using online resources, people can now easily find and sign up for opportunities in their own communities through various websites.

And why do we volunteer? People choose to volunteer for a variety of reasons. For some, it offers the chance to give something back to the community or make a difference to the people around them. For others, it provides an opportunity to develop new skills or build on existing experience and knowledge. Here's a list of other reasons people chose to volunteer:

- Gain confidence;
- Make a difference;
- Meet people - volunteering can help you meet different kinds of people and make new friends;
- Be part of a community;
- Learn new skills;
- Take on a challenge;
- Have fun!

And volunteer work can actually contribute to your health – helping others and giving freely of your personal time can lead to a healthier inner perspective and thus a healthier life. An increased sense of value fosters an increased sense of self-worth – both are key to how a person feels about themselves (self-esteem) and how they feel about the communities they live in.

Volunteer work is also an important part of your resume. A history of volunteering demonstrates your commitment to the community and a willingness to work for the betterment of others. Many businesses have their own volunteer programs, or support local programs.

For me personally, volunteering fulfills a dual need: the "need to be needed" coupled with the "need to serve." As a college student studying ornamental horticulture, and as a member of the horticulture club at my university, we volunteered countless hours at senior and community centers helping build and maintain what are now known as Horticulture Therapy Gardens; at local parks planting and maintaining trees, shrubs and flowers; even delivering flowers for local florists on Valentine's Day. It was at that time in my life that I came to know the value of volunteering, which continues today.

“It's safe to say that volunteering is part of America's present as well as its past. And looking at how Americans volunteer, and why, it's clear that while the “how” has changed throughout history, the desire to help one another will always be a part of the nation's legacy.”

I've participated in five of the Grand Canyon Trust (GCT) volunteer trips since my first sign-up in 2009, and I am signed up to do a sixth trip this year. As a group of 16 volunteers (coupled with two GCT staff members), we will go to the north rim of the Grand Canyon and spend five days doing stream restoration work. In essence, I have elected (again) to spend my personal vacation time...working outside in the elements...doing basically what I do all day long at my "real" job – taking care of the landscape!

Granted, my volunteering efforts with a few of the many CAI committees fall under the "work" category – it's another avenue for me, as a business partner, to associate and network with the managers, board members, business partners, and homeowners. In addition to being fun and fulfilling, volunteering on the CAI committees has allowed me to make wonderful friendships with other dedicated committee members.

It's safe to say that volunteering is part of America's present as well as its past. And looking at how Americans volunteer, and why, it's clear that while the "how" has changed throughout history, the desire to help one another will always be a part of the nation's legacy.

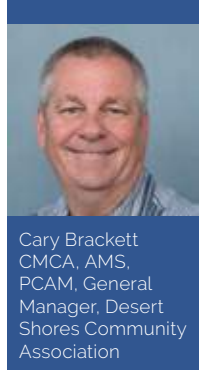
In closing, and likely unknown to many, there is yet another definition of the word volunteer – a definition that relates to my profession. Did you know that plants that grow where they wish are called volunteers? In your home garden, you may have a "volunteer Chaste tree" which is simply a Chaste tree that re-seeded itself, that you did not plant, that you did not count on, yet showed up to enhance your garden! Love volunteers! 🌱



Shirl McMayon,
ISA Certified
Arborist
and Account
Manager at GTI

“Save the Cheerleader, Save the World”

By Cary Brackett, CMCA, AMS, PCAM



You may remember hearing this popular saying a few years back, and if you weren't a fan of the TV show “Heroes” you probably didn't give it much thought. If you were like me, I just thought what an interesting quote and moved on to bigger and better things. It must have gotten stuck on some available synopsis in my RAM memory because it likes to come out of my mouth every so often when talking about volunteers. Do you see where I'm going with this?

First, let me quell your curiosity if you never saw the show and how the quote was used. The show is basically about good vs evil, no surprise there, and uses modern day heroes, just everyday types who possess a particular power to combat evil – like a cheerleader. One such hero, Hiro, comes from the future to give Peter, another

hero, a special message that is the catalyst for major events to follow. The message is “**save the cheerleader, save the world.**” I can't say much more without giving away plot twists, but I think the quote is relevant to our community industry.

In the HOA world, not unlike our personal lives, we are tirelessly recruiting volunteers, whether to serve on a committee, be a board member, organize an event, help count ballots, help at our local church, food drives, help a political party or ballot issue, help with a charity organization, community center, or any number of non-profit organizations. We all need volunteers; volunteers are our **cheerleaders**.

Cheerleaders motivate and encourage the team and are out there cheering on a belief, a cause, or a way of life. Cheerleaders volunteer their time, energy, and sometimes money, for something they believe makes a difference, albeit sometimes the smallest of differences in the grander scheme of things, but a difference is a difference. They all add up to something bigger than ourselves, which I believe is at the heart of being a cheerleader.



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Our industry and communities are filled with many types of cheerleaders, and we can never take them for granted, otherwise they will go the way of the Dodo. So "Save the Cheerleader, Save the World" makes sense because without them, very little gets done and our communities (our world) would be a lot more chaotic. There is also the dollar and cent value to consider, imagine how much more money we would have to spend paying someone to do what they do. Our cheerleaders spend countless hours in board or committee meetings, property inspections, volunteer patrols, newsletters, events, clubs, information booths, etc., all because they care about the community in which they live.

Our cheerleaders are the heart of each community with each minute they volunteer. So, now we need to realize their contributions and make sure we are "Saving the Cheerleader" in order to "Save the World." First and foremost, do we thank them for the time and service they put in?

THANK YOU! Probably the first words we learned from mommy and daddy, and the easiest to overlook, but the most rewarding words to hear so that you know you are appreciated. Try starting your next meeting by publicly thanking your cheerleaders. Randomly recognize a cheerleader in the newsletter, website, or Facebook page. Hold an annual appreciation dinner for your cheerleaders. Provide a random thank you gift, which could be as simple

as a One Hundred Grand candy bar or as elaborate as an engraved gift, such as a clock or gavel for a particular amount of hours or years serving in one capacity or another. Sometimes the most cherished form of saying thank you is with a hand written thank you card, and that will only cost you a bit of your time and paper.

Make it fun! Nobody wants to volunteer if it becomes more work than fun. Fun can take on many shapes and sizes and is different for everyone. Fun can be completing a task, creating a policy that improves the community, seeing homeowners enjoy an event, helping make the meetings more enjoyable to be a part of, and always require a level of respect from the community toward our cheerleaders. Nothing is worse than volunteering for your community only to feel like you're being beat up by your community. Cheerleading must be rewarding, so occasionally ask a volunteer how being a cheerleader is rewarding for them and use that information to help make it FUN.

As I said, we can spend a lot of time recruiting cheerleaders which can seem like a never ending job, but maybe, just maybe, if we spent more time saving the cheerleaders we have, then hopefully more people will see how rewarding it is to be a cheerleader. Believe me, I know how easy it is to get wrapped up in the day-to-day busy work of our jobs and lives, but every so often, remember to say: **Save the Cheerleader, Save the World!** And, it's OK to say it out loud. 🗣️

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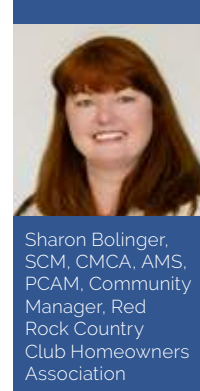
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Five Surprising Benefits of Volunteering

By Sharon Bolinger, SCM, CMCA, AMS, PCAM



Sharon Bolinger,
SCM, CMCA, AMS,
PCAM, Community
Manager, Red
Rock Country
Club Homeowners
Association

The power of volunteering has been documented for the last 2,500 years; however a slew of recent research is shedding even more light onto its surprising benefits. Science now proves what great leaders and philosophers have known for years:

"One of the great ironies of life is this: He or she who serves almost always benefits more than he or she who is served."
— Gordon Hinckle

Here are five surprising benefits of volunteering:

1. Volunteering time makes you feel like you have more time. Research found those who volunteer their time feel like they have more of it. Results show that giving your time to others can make you feel more 'time affluent' and less time-constrained than wasting your time, spending it on yourself, or even getting a windfall of free time.

2. Volunteering your skills helps you develop new skills. Skills-based volunteering is an excellent opportunity to develop talents to help you get ahead in your career. In fact, skills-based volunteering could offer you "the next executive training ground."

“ Research demonstrates that volunteering leads to better health... ”

3. Volunteering your body helps you have a healthier body. A Corporation for National & Community Service report noted: "Research demonstrates that volunteering leads to better health... those who volunteer have lower mortality rates, greater functional ability, and lower rates of depression later in life than those who do not volunteer." The fact that volunteering has been proven to make you healthier is reason enough to engage in pro bono activities."

4. Volunteering your experience helps build your experience. We consistently see this with highly skilled professionals like investment bankers and business consultants. Also, volunteering in a new industry will give you knowledge to help you switch fields. And if you want to move from the corporate world to the nonprofit sector, volunteering first can help prove your commitment.

5. Volunteering your love makes you feel more love. Admittedly, love is a hard thing to measure. But when researchers examined the relationship between volunteering and measures of happiness, they found the more people volunteered, the happier they were. Volunteering builds empathy, strengthens social bonds, and makes you smile — all factors that increase the feeling of love.



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Can We Get Some Volunteers?

Our CAI Nevada Chapter is all about volunteering - homeowners, business partners, managers. Our members volunteer in so many ways - boards, committees, events, social, outreach. We are passionate to serve in our industry and in our community in so many ways.

I just provided you a list of five benefits from volunteering! So, what are you waiting for? Start volunteering with CAI now and reap the rewards! 🌱

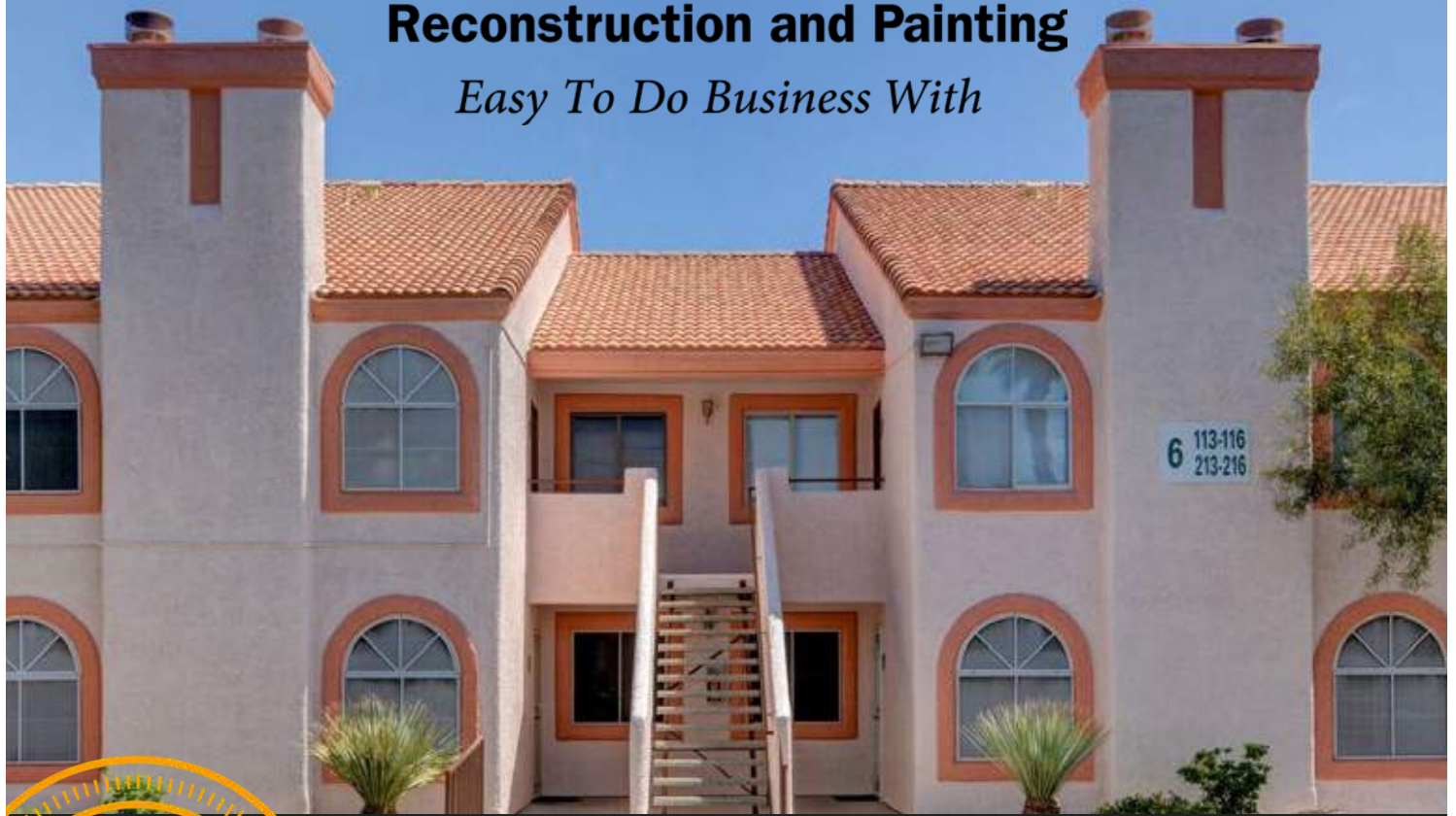
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September is Emergency Preparedness Month!

Be prepared by signing up for Community Emergency Response Team (CERT) Training

By Mary Camin, CERT Program Specialist/Southern Nevada CERT Program Manager

The damage caused by natural or manmade/technological disasters can affect all aspects of a community, and can severely restrict or overwhelm emergency resources, communications, transportation, and utilities. This community-wide damage to resources and infrastructure can leave individuals, households, and neighborhoods isolated from emergency response agencies for three days or longer. Individual and community preparedness, such as taking a CERT course, will allow you, your family, and your community to cope effectively in the aftermath of a disaster. How well you prepare today will be reflected on how well you survive after a disaster.

Community Emergency Response Team (CERT) training is designed to provide members of our communities with disaster response training in order to effectively and appropriately respond to unmet emergency needs in the aftermath of a catastrophic disaster. **The training is free for everyone and after completing the class, all students receive a disaster response CERT backpack for free.** The training covers basic skills that are important to know in a disaster when emergency services are not available.

The CERT program focuses on disaster preparedness, fire safety and utility controls, disaster medical operations, light search and rescue operations, CERT organization, disaster psychology, and terrorism. The course concludes with a disaster simulation exercise which incorporates all the skills the students learned throughout the course.

Here is a more detailed list of topics taught in a CERT class.

- **DISASTER PREPAREDNESS:** Addresses hazards to which people are vulnerable in their community. Materials cover actions that participants and their families take before, during, and after a disaster. Since people will want to help themselves, their family members, neighbors, or coworkers, this training can help them operate in a safe and appropriate manner.
- **DISASTER FIRE SUPPRESSION:** Briefly covers fire chemistry, hazardous materials, fire hazards, and fire suppression strategies. However, the thrust of this session is the safe use of fire extinguishers, sizing up the situation, controlling utilities, and extinguishing a small fire.
- **DISASTER MEDICAL OPERATIONS, PART I:** Participants practice diagnosing and treating airway

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obstruction, bleeding, and shock by using simple triage and rapid treatment techniques.

- **DISASTER MEDICAL OPERATIONS, PART II:** Covers evaluating patients by doing a head to toe assessment, establishing a medical treatment area, performing basic first aid, and practicing in a safe and sanitary manner.
- **LIGHT SEARCH AND RESCUE OPERATIONS:** Participants learn about search and rescue planning, size-up, search techniques, rescue techniques, and, most important, rescuer safety.
- **DISASTER PSYCHOLOGY AND CERT TEAM ORGANIZATION:** Covers signs and symptoms that might be experienced by the disaster victim and worker. It addresses CERT organization and management principles and the need for documentation.
- **COURSE REVIEW AND DISASTER SIMULATION:** Participants review their answers from a take home examination. Finally, they practice the skills that they have learned during the previous sessions in disaster simulation exercise.

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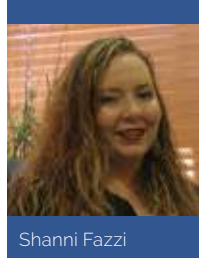
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Project 150

Another Charitable Success!

By Shanni Fazzi



Shanni Fazzi

Thank you for your generosity!!! Project 150 backpack drive was a huge success!

The CAI Outreach committee would like to thank everyone who donated backpacks and other essential items for Project 150 from May through July 2017!

'PROJECT 150' helps students who are working hard to complete their education despite major adversity. Currently, there are over 2,500 homeless high school students living in the Las Vegas valley. Your contributions and donations are greatly appreciated. 🙏



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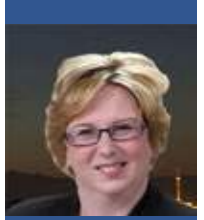
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How to Foster Community Engagement Through Events

By Jocelyn W. Holzwarth, DCAL



Jocelyn W. Holzwarth, DCAL, Board Member of the Green Valley Ranch Community Association


One of the biggest challenges that homeowner associations face in Southern Nevada is apathy, or lack of “community engagement.” People move here, they buy into a common interest community, and then, except for the occasional sightings on the street, you never see them. Board meetings tend to be sparsely attended and even social events are frequently met with a lukewarm response. The question often becomes how to foster community engagement, beginning with events.

The majority of associations spend many hours determining what activities residents might enjoy. If the associations are more focused on age groups, such as age-restricted with on-site management, there might be good data or a history that “bingo Mondays,” or “card Tuesdays,” or “pickleball tournaments” are important to the community. In condo associations with lots of singles, you might have quite a good response to “Wednesday wine and cheese” or “Saturday meet and greet BBQ and pool party.” However, what do you do when the association is a master with thousands of residents representing many diverse groups such as young families with children, singles, retired couples, working professionals, and more? Frequently activities address one cohort’s desires over others – so how do you reach out to the varied groups?

The diversity of events has proven to have the most success, recognizing that families with young children in sports probably won’t attend an adults only weekday evening social or Saturday morning breakfast; however, they might love the mid-week evening annual pool party – especially if it includes free ice cream! Over the years, our master association of almost 4,000 homes has its standard activities – bi-annual garage sales at homes where the association does all of the advertising, annual community breakfast with varied topics and speakers, annual pool party with lifeguards at the local multi-generational center, and the occasional BBQ in the fall or evening social. Determining which events reach the most and different numbers of residents is a challenge.

The best advice is to keep trying! Yes, have the holiday lighting contest and post results in the community newsletter or on the website, perhaps add a coloring contest for small children to the newsletter to

engage more residents or set up a meet your neighbors and first responders to review safety and the newest apps. Our biggest surprise this year was hosting an Easter egg hunt in one of our local parks complete with baskets, age-banded hunting grounds, hot cocoa for the kids, and the Easter bunny. Never having done this before, we planned for the exorbitant amount of 200 kids – we had almost 500 attendees! Apparently, this event appealed to grandparents and grandchildren as well as parents and kids – who knew?

The main message is to keep holding different events at different times of the day, week, season, and year until you get the desired results. Just because something didn’t work 10 years ago, it might work now. Set up a social committee to get new thoughts. New members, especially those new to the area, could have ideas no one has ever considered. So, go out, be social, foster community engagement, and follow the one golden rule for any event – offer free refreshments! 



Northern Nevada Golf Gallery

CAI Nevada and CAI Northern California joined together again for the annual Northern Nevada Golf Tournament at Northstar Golf Resort in Truckee, CA. Golfers and sponsors enjoyed a beautiful day in the Lake Tahoe area. Thank you to our teams and sponsors!





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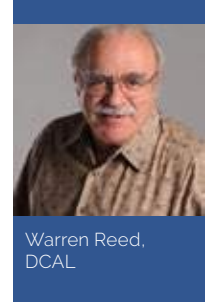
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Simple Guide to Bewildering "Alphabet Soup"

By Warren Reed, DCAL



Warren Reed,
DCAL

It has been five years since I became a DCAL. A project that I did back then was to write an article on abbreviations. There were so many abbreviations that my head was swimming. This is a follow-up to that article.

Abbreviations:

PA = Public Adjuster (or) Public Accountant
CE = Continuing Education
PBG = Policy Based Governance
BOD = Board of Directors
CICS = Common Interest Communities
ICS = Insured Cash Survey
CDARS = Certificate of Deposit Account Registry Service

FDIC = Federal Deposit Insurance Corporation
CAMICB = Community Association Managers International
 Cert. Board
CAI = Community Associations Institute
D & O = Directors & Officers
BCC = Board (of) County Commissioners
RTC = Regional Transportation Commission
RTP = Regional Transportation Plan
FYI = For Your Information
CCAL = College (of) Community Association Lawyers
FHFA = Federal Housing Finance Agency
HOPA = Housing For Older Persons Act
GAAP = Generally Accepted Accounting Practices
MLS = Multiple Listing Service
PMI = Private Mortgage Insurance
SRPA = Senior Real Property Appraiser
FHA = Federal Housing Administration
FY = Fiscal Year
OS = Operating Systems





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Magazine Survey


By Richard Salvatore, DCAL, Magazine Co-Chair

During the CAI-Nevada July Northern and Southern region luncheons, the *CommUNITY Interests* magazine committee asked attendees to participate in a brief satisfaction survey. After all, what better way to find out what topics interest our readers than to ask them.

Each year our committee holds a planning meeting to discuss various topics to be covered in the following year's issues. This year, the results and comments from our recent survey proved to be very helpful in determining what topics the readers would like covered in *CommUNITY Interests*.

All who participated in the survey were entered into a drawing. The lucky winners of the three \$50 gift cards were: Greg Toussaint, Judith Hanson, and Debora Costa.

The committee would like to thank everyone who participated and provided input as we continue our commitment to excellence in each and every issue.

For information on a one year subscription to *CommUNITY Interests* Magazine, contact Chris Snow, CAI Communications Manager at marketing@cai-nevada.org. Just \$36 per year. 



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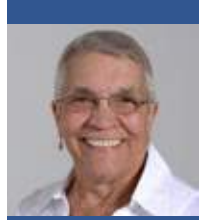


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Challenging Leaders in the HOA Industry

Maurice Talley

By Judith Hanson, DCAL



Judith Hanson,
DCAL, Treasurer
Aliante Master
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President the
Fields at Aliante,
Director, Sun City
Aliante, CAI Board
of Directors

For those of you who attended the Board Member Appreciation luncheon at the Gold Coast in July, how would you describe our speaker, Maurice Talley, in three words or less? If you said “dynamic” - “motivational” - “challenging” - I think you would have hit the nail on the head; although, there are other words that could describe him as well, such as innovative and passionate.

Maurice is a lifelong Las Vegas resident. He has been a motivational trainer for some 19 years now, and his speech did not disappoint. He is definitely passionate about what he does, and he wants you to be as well.

Early in his PowerPoint presentation, Maurice placed three familiar faces on the screen one at a time, and a quote as well. Those faces included Oprah Winfrey, Tony Hsieh, and Jeff Bezos. What was the driving force behind each of these players? Each had a different style, different characteristics. I wonder, if I listed them below, could you match the qualities below with the leaders above who embody the following: **pacesetter leadership; charismatic leadership; and innovative leadership?**

Each of these three had a vision, but it took looking beyond the box to formulize that vision.

You encounter a homeowner who wants to be combative right off the mark. What do you do? Maurice says, use “freeze time.” Stop. Take a step back. Then turn the conversation into something positive. Change your internal dialogue. If you think this is impossible to do, then take that step back one more time and change the conversation - “freeze time.”

Is it easier to call Channel 13 and put your HOA in the “Hall of Shame,” or is it easier to reassess your internal thoughts? After all, it is your philosophy that creates your attitude, and attitudes can change. It requires visionary leadership,

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the belief that togetherness will create change, the belief that you can make the difference.

Inside the box. What did that represent? It represents you, but outside the box is your to-do-list. What can we put in that to-do-list that will become a positive – possibly the birth of a leader? Here are Mr. Talley's answers:


1. Seek change, embrace change, and drive change;
2. Be the example;
3. Challenge the status quo;
4. Sell the vision;
5. Become a transformational communicator.

I did not necessarily put the to-do-list in the order it was presented, but in what I felt was the most important. Your list may look slightly different than mine.

Leadership is not easy. It starts with what we hear and then transforming those words into change. Share your knowledge. Be patient in your thoughts. Educate the homeowner. These all take a little practice; but in the end, these can make the change in how you communicate to your homeowner, neighbor, board member, or colleague in the business world.

In conclusion, take two steps back. Then, not only change the attitude, but change your philosophy as well. So, who had the visionary leadership? Jeff Bezos when he said, "the wave of the future is buying online." Who had the pacesetter leadership? Tony Hsieh who said, "What's dangerous is not to evolve." And, who the charismatic leadership? Oprah Winfrey when she said, "when you undervalue what you do, the world will undervalue who you are."

Make the change. Be positive. Change your internal clock, and change your philosophy. In the end, you will change your attitude, and attitude is the key to everything. Closing remark: "Do not go where the path may LEAD, instead go where there is no path and leave a TRAIL." Ralph Waldon Emerson.

For a great read, Maurice recommends, *The Slight Edge* by Jeff Olson. Watch for his book review in a future issue of *Community Interests* magazine. It changed Maurice's life some seven to eight years ago, perhaps it can change yours as well. 

Attendees at the September 12 luncheon in Las Vegas will have a chance to win a copy of this excellent book, donated by our Community Interests magazine committee.

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Florida Appeals Court Holds Short-Term Vacation Rentals

are not a Business Use Prohibited by a Common-Interest Community's CC&Rs

By Michael W. McKelleb, Esq.

The Florida Court of Appeals recently held that short-term vacation rentals do not violate CC&R provisions prohibiting commercial (business) use. See *Santa Monica Beach Prop. Own. Assoc., Inc. v. Acord*, 2017 WL 1534769 (Fla. Dist. Ct. App. Apr 28, 2017). The defendants in that case, David and Virginia Acord, owned two properties within the association subject to the restrictive covenants, which in pertinent part provide:

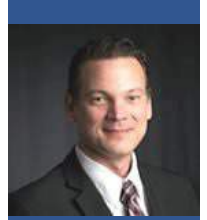
Said land shall be used only for residential purposes ... nor shall any building on said land be used ...for business or manufacturing purpose.

The Accords were advertising their units on a website called Vacation Rentals By Owner (VRBO). Citing this, the association sent the Accords a violation letter stating short-term rentals were prohibited by the business use restriction in the CC&Rs. The Accords ignored the letter causing the association to file a complaint to enjoin the short-term rentals.

The Accords responded by filing a motion to dismiss, claiming short-term rentals did not violate the CC&Rs because, similar to much longer leases, the use is residential. The association countered that short-term rentals were a business use, which the association argued was verified by the fact the Accords were required to obtain a business license and collect and remit state sales and local bed taxes. The Accords replied, arguing that

even though they were licensed and collect taxes, this did not convert a residential use to commercial.

The trial court agreed with the Accords and dismissed the case. According to the trial court, "the critical inquiry is not the duration of the tenancy, but the character of the actual use of the property by those residing thereon." The court then determined that short-term tenants use the property to sleep and eat, concluding short-term tenants use the property in the same manner as tenants under longer leases, for residential purposes. Further, the court determined that a residential use is not transformed into commercial simply because the property is subject to a regulatory scheme (requiring licensure). Finally, the trial court noted the CC&Rs did not contain an explicit restriction on short-term rentals, concluding the omission created ambiguity that required resolution in the Accord's favor.



Michael W. McKelleb, Esq., is an associate attorney with the law firm Angius & Terry LLP.

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The association appealed to the Florida Court of Appeals, which affirmed the dismissal. In affirming the case, the Court of Appeals began by noting the matter was an issue of first impression, meaning it was the first time the appellate court had been asked to determine whether short-term leases were a business use. The appellate court then analyzed the issue by referencing a number of cases from other states which considered the matter under almost identical restrictive covenants, each of which determined short-term leases are a residential use. The appellate court then adopted the reasoning in those cases, echoing the lower court's conclusion that the critical determination was not the duration of the lease, but whether the ordinary use of the property was for residential purposes. To highlight the difference between a prohibited commercial use and residential, the court compared the case to *Robins v. Walter*, 670 S.2d 971 (Fla. 1st DCA 1995).

In *Robins*, the appellate court found a bed-and-breakfast was a business use (concluding it was essentially a small hotel) prohibited by an association's CC&Rs. The *Robins* court came to that conclusion by citing the indicia of business involved in the operation, including the presence of an on-site manager, signs on the property advertising the bed-and-breakfast, and the fact that each bedroom had a separate entrance. Comparing the two cases, the appellate court concluded that even though short-term rentals may constitute an economic endeavor, construing the residential use of the property as a business use was too attenuated without the presence of additional indicia of a business. Finally, the appellate court agreed that minus an explicit prohibition on short-term rentals, the CC&Rs prohibition on business use could not be interpreted against the Accords.

Notably, this result is not unique; indeed, at least 14 other jurisdictions agree. This overwhelming weight of authority suggests that when an association's CC&Rs do not explicitly prohibit short-term rentals, unless other indicia of a business are present, it is possible Nevada's courts will not enjoin short-term rentals as a prohibited business use either. Moreover, cases like this are instructive in relation to fining a unit's owner for other claimed business uses, for example, assisted living facilities. Because the tenants' use is purely residential, cases such as *Robins* and *Santa Monica Beach HOA* indicate an association should – perhaps must – perform some due diligence to determine what, if any, other indicia of a business exists before it sends the unit owner a violation letter, making it advisable for an association to consult its general counsel first. 



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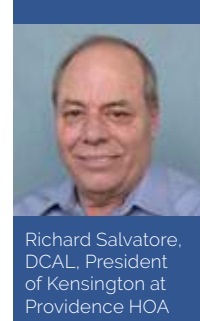
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A Day of Remembrance

NEVER FORGET

By Richard Salvatore, DCAL



This article is not intended to depict the carnage and destruction of the events of September 11, 2001, but to honor and pay tribute to all those first responders, police, fire, and EMTs, who without thought ran into the damaged and burning buildings while so many others were running out. Also to all of the families who had lost loved ones in this senseless attack. These men and women are true unsung heroes.

Like so many dates in our history that are remembered, September 11, 2001, tragically was added to the list. On this date, over 6,000 innocent people were senselessly killed in attacks in New York City; Arlington, Virginia; and Shanksville, Pennsylvania, in a horrific terrorist attack on our nation.

It was a bright sunny Tuesday morning when unbeknownst to anyone four commercial airliners were hijacked shortly after takeoff from Logan Airport in Boston, Massachusetts; Newark Liberty in Newark, New Jersey; and Washington Dulles in Virginia.

Remembering: At 8:46 a.m. in New York City, five hijackers who took control of American Flight 11, which departed Logan Airport, piloted the plane into the North Tower of the World Trade Center (1 WTC). At first, everyone thought this was a horrible accident; news helicopters covering the morning commute broadcast the aftermath of the scene. Emergency responders from the five boroughs of New York City, fire, police, and EMTs, were on the scene within minutes getting people out of the buildings and attempting to rescue those trapped on the upper floors. The North Tower, weakened by the fire, collapsed at 10:28

a.m. after burning for 102 minutes. When the North Tower collapsed, debris fell on the nearby 7 World Trade Center building (7 WTC), damaging it and starting fires. These fires burned for hours, compromising the building's structural integrity, and 7 WTC collapsed at 5:21 p.m.

Remembering: At 9:03 a.m., while news helicopters were covering the crash and so many on the ground were watching, another five hijackers crashed United Flight 175, which also departed Logan Airport, into the South Tower of the World Trade Center (2 WTC). Additional police, fire, and EMT responders began the rescue operation of this and other nearby buildings. The South Tower weakened by the fire collapsed at 10:28 a.m. after burning for 56 minutes.

Remembering: At 9:37 a.m. a third aircraft with five hijackers in control of American Flight 77, which departed Washington Dulles Airport, flew the plane into the western side of the Pentagon in Arlington, Virginia. CAI Nevada Chapter member, Robert Rothwell, Ph.D., DCAL, Colonel, USMC, was inside the Pentagon, in a private meeting with the Commandant of the Marine Corps, when the attack happened. First responders were on the scene within minutes.

Remembering: At 9:42 a.m., the Federal Aviation Administration (FAA) grounded all civilian and commercial aircraft within the continental U.S., all aircraft already in flight were told to land immediately. All international aircraft were either turned back or redirected to airports in Canada or Mexico, and were banned from landing in the United States for three days.

Remembering: At 10:03 a.m. a fourth aircraft with another four hijackers in control of United Flight 93, which departed Newark Airport, was believed to have a target of either the U.S. Capitol or the White House. The cockpit voice recorder revealed crew and passengers



Image © Rafael "RC" Concepcion

tried to seize control of the plane from the hijackers after learning through phone calls that the other flights had been crashed into buildings that morning. As passengers and crew members attempted to subdue the hijackers, the hijackers rolled the plane and intentionally crashed it into a field in Stonycreek near Shanksville, Pennsylvania.


The attacks caused the deaths of 2,996 people and the injuries of more than 6,000 others. The death toll included 265 on the four planes, 2,606 in the World Trade Center and in the surrounding area, and 125 at the Pentagon. Nearly all of those who perished were civilians with the exceptions of 343 firefighters, 72 law enforcement officers, and 55 military personnel.

Since September 11, 2001, each year New York City holds a memorial service at the site of the North and South Towers, reading the names of each person who perished in the attack. At the footprint of where the North and South Towers once stood, there are two reflecting pools surrounded by a memorial marble wall engraved with the names of those who perished. During the service, the New York City Fire Department (FDNY) ring a bell at the exact time each tower was struck and again at the exact time that each tower fell. It is a very sobering moment.

Memorials have been created across the country, many of which are displaying reclaimed sections of steel from the World Trade Center buildings. We see them in government centers, parks, schools and other areas.

In 2003, the U.S. Navy began construction on the USS New York (LPD-21). On September 9, 2003, at a ceremonial pouring of 7.5 tons of reclaimed steel from the World Trade Center, was melted down to cast the bow of the ship. On September 9, 2004, it was announced that two of New York's sister ships would be named Arlington and Somerset in commemoration of the places where two of the other planes used in the attack came down: Arlington County, Virginia, and Somerset County, Pennsylvania.

On November 2, 2009, the USS New York sailed into New York Harbor, passing the World Trade Center site for the first time and gave the site a ceremonial 21-gun salute. The ship commissioning of USS New York took place on November 7, 2009, in New York City not only honoring the memory of those who perished, but those who survived the attacks. This floating memorial will forge an enduring alliance between the people of New York and the ship and her crew. The USS New York LPD-21 motto, which sends shivers down your spine: "Strength forged through sacrifice. Never forget."

I would ask everyone to take some time from your busy schedule to honor and remember all the lives that were lost on September 11, 2001. Never Forget that when others are running away from danger, the first responders are running toward the danger. Thank a first responder for being there when it counts. 

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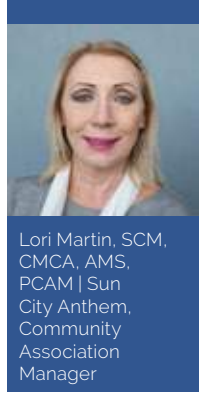
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National Good Neighbor Day

September 28

By Lori Martin, SCM, CMCA, AMS, PCAM



On September 28 of every year, our nation observes National Good Neighbor Day. The day was proclaimed in 1978 by President Jimmy Carter; however, creator of National Good Neighbor Day, Becky Mattson of Lakeside, Montana, had coined the term in the early 1970s. Mattson is quoted saying, “[A]s our Nation struggles to build friendship among the peoples of this world, we are mindful that the noblest human concern is concern for others. Understanding, love and respect build cohesive families and communities. The same bonds cement our Nation and the nations of the world. For most of us, this sense of community is nurtured and expressed in our neighborhoods where we give each other an opportunity to share and feel part of a larger family...I call upon the people of the United States and interested groups and organizations to observe such day with appropriate ceremonies and activities.”

This day is designed to promote neighborliness and niceness towards people who surround us. It is a blessing to have a good neighbor, but it is even a greater thing to BE a good neighbor. Good neighbors often become friends. They watch out for each other, lend a helping hand and are there for advice when asked. Neighbors often watch our homes and sometimes watch our pets. Basically, a good neighbor makes good neighbors and develops lifelong friendships.

In today's time, we have all sorts of methods to connect with our neighbors, even if they do not live immediately next door. Speaking of next door, most everyone has heard of Nextdoor, a private social network that is used by many neighborhood residents so that an exchange of information and other various notifications can be made instantly. With a platform such as Nextdoor, Facebook, Twitter, Instagram, LinkedIn, Alert ID, or other comparable

networks, it has become easier to offer a kind word, offer a suggestion, or help people who reside around us.

Where I live, we have a strong Neighborhood Watch group with about 75 people on the email chain. If someone is peddling door-to-door and appears suspicious, we quickly get an email from a friendly neighbor letting everyone on the email chain know what is going on and to be aware. Neighborhood Watch is certainly considered one of the original coordinated organizations that began in the 1960s to encourage individuals to watch out for each other, particularly as it relates to crime. National Good Neighbor Day focuses on each of us reaching out to others socially and hospitably and, usually, making a new friend.

With so much turmoil in our country these days, perhaps we should be more cognizant of our friendship with our neighbors and celebrate the day as Mattson had envisioned. Since most all of us are in the “sense of community” business (aka community management), exploration of ideas for neighbors to come together should be encouraged consistently throughout the year and on this day of celebration.

Here are a few thoughts and ideas to start your day on September 28:

Be nice to your neighbor – at home or elsewhere.

If you don't know your neighbors well, maybe today is your chance to go up to them and strike up a conversation.

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