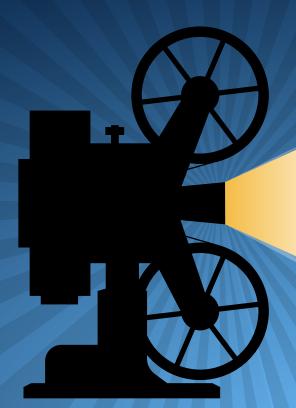
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WHAT OUR INDUSTRY IS TALKING ABOUT

WHAT HOMEOWNERS NEED TO KNOW

COMMU III

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community interests **CHANGING THE** CONVERSATION

MARCH 2018





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President's Message

Improving Perception



Bio: Adam H. Clarkson, Esq., NVEBP, President, 2018 CAI Board of Directors

appy St. Patrick's Day Everyone!!!
Hard to believe that we are coming to
the end of the first quarter when it still
feels like the year just started!

Congratulations to all of our recent award winners who received their awards at our annual gala and to all nominees. Simply being nominated for an award is recognition in itself of an individual's commitment to community associations, our industry, and CAI. It is always a tough

decision for those determining the award recipients to narrow down the decision to just one with so many highly qualified candidates. Congratulations to the winners and nominees!

Speaking of the gala, what a wonderful event we had this year! The Gala Committee's hard work paid off. Of course, having the Smith Center as our venue elevated the feel of the event. I hope everyone who attended had a wonderful time. Thank you, Gala Committee!

This month's magazine theme is "Perception is Everything" with the title of "Changing the Conversation." As noted

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above, we just held a very positive event, the gala, where we recognized individuals who are contributing to our industry and organization in a positive way, which is just part of the way CAI is "Improving Perception." Since 1975, CAI has grown from 1,000 members to over 34,000 members internationally, which means there are a lot of individuals who care about their communities. These members, in turn, improve perception by helping educate others, working with legislatures to develop more appropriate laws, and developing peer networks to help each other.

Peer networks are one of the greatest benefits that CAI offers that we talk about the least, but such networks also give us an incredible opportunity to improve perception. Peer networking is about getting to know the individuals who care about the same issues that you are facing. When the legislature is about to pass a bill that may hurt your community and needs to be stopped, who recognizes it and how do you hear about it? You heard about it from individuals in your peer network who share that information because it affects our community. The positive and negative views about community associations arise in our communities, so it follows that our peer networks are in a prime position to improve those perceptions. CAI provides a forum for developing peer networks that can improve the perception of community associations, and I encourage you to engage in those networks to work towards a more positive community for everyone.

Please join us for CAI's next peer networking opportunity, the Annual Southern Nevada CAI Golf Tournament on April 27, 2018, at The Revere Golf Club. It has been said that variety is the spice of life, so I hope you are as excited as I am that the Golf Committee has brought us another new venue for our annual tournament. The Golf Committee has promised us a great tournament this year and I am sure they will deliver. Please mark your calendar, purchase your team, and join us for the annual tournament!

Please make donations to LAC and PAC. Our Legislative Action and Political Action Committees are hard at work to protect all of our interests at the legislature. Funds donated to LAC support payment to our lobbyist and related legislative efforts. Funds donated to PAC directly support the legislators who support our communities. Every little bit helps, whether your donation is \$5, \$50, \$500, or \$5,000, pooling our resources together is how we are able to succeed.

Thank you for being a member of CAI!

Adam H. Clarkson, Esq., WEBP

Editorial Exclamations Perception



Interests

Magazine

Committee Chair

'll be honest. I am not very fond of Billings, Montana!

My first foray through that city was in 1985. We were moving from O'Fallon, IL, to Tacoma, WA, with three teenagers, two cars, long before the days of cell phones and GPS. We drove into Billings on a scorching HOT day, arriving on the industrial side of town with limited options for lodging or eateries. Our second trip through Billings was several years later, 1994, with a moving van,

station wagon, two cats, and it was freezing COLD! Ice and snow everywhere!

Now, in all fairness to the city of Billings, I suspect, had I visited there under very different circumstances, I might actually LIKE Billings. But - my perception was formed by bad experiences.

Amy E. Herman, in her book Visual Intelligence, Sharpen Your Perception, Change Your Life, says that "Perception is how we interpret the information we gather during observation."

My initial observations about Billings, Montana, were definitely not good! Does that mean my opinion would never change? Given a new set of circumstances my perception could easily be different. What would it take for that to happen? Going back to Billings and adding some new and improved observations. (I truly would like to do that!)

In our world, perception of HOAs has taken a hard hit, especially over the last decade here in Las Vegas. News agencies, TV, and some bad experiences by individuals have shaped a negative image of HOAs. In spite of statistics from a 2016 CAI survey indicating that 65 percent of HOA homeowners like their HOAs, the negatives persist.

Is it possible to change that perception? Can we turn the conversation from reportedly bad HOAs and convince people that HOAs can also be great places to live? Yes, we can! But, it will take time and persistence.

Again, from Herman's book, she points out that individuals subconsciously seek data to support their beliefs and ignore data that doesn't. We need to provide the good data!

As we meet individuals who hate HOAs, we should speak out about the positives. Just casual conversation, no pressure, but talk about how much we like our own HOA. Talk about how our HOA serves our immediate and greater communities. Talk about CAI and the education that steers board members toward making good decisions instead of poor ones.

This month's issue is all about perception and changing the conversation. Let's read and heed the ideas presented so we can turn the conversation from the negatives of HOAs to the many, many positives.

Vicki Miggemeyer, DCAL





Changing the Conversation Isn't Easy

By Michelle Goodell, DCAL

ver heard, "it's all about perception"? In the industry we are in, as well as the overall community and times we live in, perception is everything! But what we have to remember about perception is that it is not necessarily reality. It is not always based on all the facts.

Perception is about how one person interprets what is going on around them. I may perceive a situation completely different than you do, and we each may perceive it differently than the person next to us, and so forth. Perception is driven by what we see, feel, hear, or otherwise think about a situation, person, or event. This means that we have to consider how others may perceive a situation, or us, and try to put our best foot forward at all times. It also means that we have to be open to trying to change the perception if need be. This takes time and consistency, and usually can't be done overnight.

Our industry is full of people who have a negative perception of the HOA industry. HOA has often been considered a bad word. In some areas there are even news stations that carry a segment for the HOA Hall of Shame. The unfortunate part of this is that often times the perception of the situation is

skewed because it is only being told by one side and is often based on less than all the facts.

Changing the negative perception is what we need to do!!! However, this takes time and a lot of work. It takes all of us being patient and understanding with others while we work to understand and empathize with their perception based on their personal experience. Then, we need to try to get them to see things from our perspective. We also need to help others realize that being open to others' perspectives doesn't deny the way a situation made that individual feel, it just opens the door for compromise, solutions, and better understanding of all parties involved.

This is the challenge I give to you! Be one cog in the machine of change! Be open to others' perspectives and be willing to see that your perception may be altered!

As community managers and leadership volunteers in our industry, we face negative situations on a daily basis. These negatives come at us from all directions including, but not limited to, homeowners, service providers, realtors, other managers or board members that we work with, staff members, and even potential home buyers. Our challenge is: How do we change these negatives into positives? How do we change the conversation?

The old saying, "You catch more flies with honey than you do with vinegar" didn't become a saying for nothing. It really is true! In a nutshell, we will get a positive reaction if we ourselves are positive. This means remaining positive even in the face of adversity.

- Example 1: Let's say we are dealing with an upset realtor. That realtor is facing a deadline and they need closing documents today. As managers, we see these kinds of calls regularly. Rosy Realtor is upset and frustrated that her client, the seller, hasn't provided the CC&Rs and other documents and they have to pay for the resale package. The online system we use is confusing them, and on, and on, and on. From our side, we are becoming just as flustered because here we are facing ten other situations that have reached crisis status, our copier is down, we have 100 unanswered emails, and now Rosy Realtor is yelling at us about something that isn't our fault! We need to challenge ourselves in a situation such as this to take a deep breath and empathize with her and set aside our frustration to help deal with her call. We have to challenge ourselves to see her perception and help change it. It may be as simple as explaining the process to her, or giving her the contact of the right person to help, or it may be even simpler....just listen! Often times, people just want someone to listen and show them that we understand their feelings.
- Example 2: We are taking a phone call from that homeowner who just received the violation letter for the weeds in his yard. And here he is, screaming about everything that has gone wrong in his life, all the money problems he is facing, and why he can't possibly be bothered to take care of the one itsy bitsy weed that we happen to see when we were driving by his house. Again, the best approach to a call like this it to remain as positive and upbeat as possible. Understand that this is his home and he is taking this personally. Answer with, "I am so sorry you are facing so many challenges. I'm sure getting the letter was just icing on the cake. Please understand I am just doing my job. It's my job to enforce the rules of the association, but I am sure we can work with you to give you a bit more time if you need it. Can we perhaps agree on a later date that you can have this handled by?"...or something to that effect. Again, it comes down to just remaining positive and not letting your challenges and frustrations enter into

Oftentimes learn most from our experiences. The quote, "Keep your friends close and your enemies closer" plays a part our discussion as well. Although we aren't talking true enemies here, we can attribute the same ideas to the person on the other end of the negative situations that we face.

the conversation. Just listen to the complainant and try to reach an amicable solution. He will remember that the next time he gets a letter. And each time you approach this owner in this way chips away at his wall. It is difficult to remain mad when the person on the other end of the exchange is nothing but positive.

Oftentimes we learn the most from our worst experiences. The quote, "Keep your friends close and your enemies closer" plays a part in our discussion as well. Although we aren't talking true enemies here, we can attribute the same ideas to the person on the other end of the negative situations that we face. Keeping them close could mean really hearing what they have to say, considering their opinions (their perception). Remember that involving them in the issue/matter is sometimes more beneficial to the solution than keeping them as an outsider.



Feature Article

• Example 3: Look at the homeowner who always has a complaint on how the board handles the business of the association. Rather than just ignoring them, perhaps involving them at another level is the solution. Oftentimes we see that if the complaining owner serves on the board they come to realize the board has to look at the big picture and is often challenged with NRS, NAC, or the governing documents when making a decision, and that the decisions they make are not always what they seem. Allowing them to be a part of the process allows them to see it wasn't really what they thought at all and they can see how much work and consideration goes into each decision made by the board. If involving that complaining homeowner on the board isn't a possibility, consider having them serve on a committee that is closely related to their largest concerns. If they constantly challenge the landscape decisions, then perhaps they could serve on the landscape committee. Again, giving them a voice and a chance to be part of the solution will often turn the table. This doesn't always mean they will get their way, since they are only one vote of the board or committee, but they will at least feel as if they are being heard and considered. And this feeling of being heard goes a long way in how they then will deal with you. We also may find that their opinion or suggestions are valuable.

More and more HOAs are simply being stereotyped. I have been out in public talking to people and when asked what I do for a living I proudly say, "I manage homeowners associations." Boy, the looks I have seen...they range from pity to outrage.

Whenever possible, I try and take the time to move the conversation further. In those who seem outraged, nearly always it is because they have had a bad experience personally with an HOA. I try and discuss it with them and explain why a situation may have occurred, or how they may have been able to become more involved in the solution. I talk to them about how an HOA works, and how the decision-making process or the violation process functions. I explain how oftentimes many of the decisions being made are governed by Nevada State laws or the governing documents of the association.

Many times, people don't know all the facts. Providing those facts and exhibiting knowledge of the process helps them understand how their perception was skewed, maybe even incorrect. It definitely takes time, and it won't always work, but one by one we can change the conversation! We can change the perception!



Michelle Goodell, DCAL, **Executive Vice** President. Terra West Management





Q: Hello Harry, I'm sick of my HOA! Can I post on the association's social media pages and let everyone know what I think of the association and the board?

From. Sick and Tired

A: Hi Sick and Tired, If you are having specific issues with your association, posting on social media is not the solution. While you are entitled to free speech, "free speech" does not shield you from civil liability claims against you that are related to your statements.

My suggestion would be to make a list of your issues; think them over, then make another list of possible solutions that may remedy the problems. Don't run your mouth with problems without first knowing the Have questions? Need answers? Send your questions to me at marketing@cai-nevada.org.

association's procedures or having a suggestion for solutions. Stay calm, talk to your community manager and/or board members. Present your issues or concerns along with possible solutions. Many times issues are resolved by talking them out. Try it - you may like the outcome.

Q: Hi Harry, According to our Reserve Study, our gate operators are due for replacement this year. Do we have to replace them, even if they are working properly? From, Gate Keeper

A: Hello Gate Keeper, All Reserve Studies indicate the expected useful years of life of a component, meaning, the estimated time, in years, that a component can be expected to serve its intended function. Your gate operators are probably the most

used component in your community. However, this time period can vary. If the component, in this case, your gate operators, are well maintained with a scheduled preventative maintenance program, the expected life of the component can be extended by a few years.

An important point to remember is: This does not mean that you should postpone the funding for their replacement or use the money for other reserve expenses. Eventually, these operators will need to be replaced, and the money must be there for this. Keep an eye on the repair cost. If the major components in the operators begin to fail, consider replacing the entire unit or units.





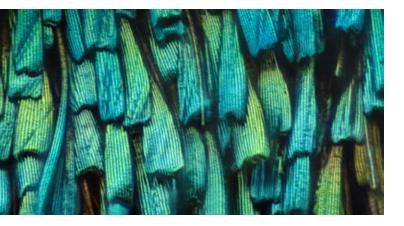
HOA Haters...

It's All a Matter of Perspective



By Cary Brackett

ave you ever played that game where you try to name simple everyday items using an extreme close-up, microscopic view? Usually, you have no idea and are completely stumped until the view pans outward and the bigger picture is revealed. Suddenly, what was so confusing just a moment ago, seems so obvious. It's just a matter of perspective; seeing the whole picture instead of just a single piece of a much larger puzzle.



When I moved to Las Vegas to be an onsite community manager, the day we arrived, and while having dinner with my family, I looked out the restaurant window and saw this billboard.



My first thought was "Wow! What have I gotten myself into?" I immediately thought that this whole community must hate what I do for a living. Two and a half years later, I've come to realize, what I'd hoped I'd find that day, was that this was clearly done by a vocal minority, a person I affectionately call an HOA Hater.

If you have been in this industry long enough, you have either seen, heard of, or spoken to someone who simply hates HOAs. Some have never even lived in an HOA community, but have somewhere along the line heard or read something that turned them against the idea of ever living in one. Others have, unfortunately, either had or known someone who had what they deemed a bad experience with an HOA. Sadly, I've even encountered several people who work directly or support this industry and say they would never live in an HOA.

However, most of the HOA Haters I've known and spoken to have been born out of misunderstanding, misinformation, or simply because they couldn't see the bigger picture. Sadder still is that no one has ever been willing to take the time to pull back the microscope so they could.

So how do we influence or change the perspective?

First of all, you can't change everyone's point of view, and I wouldn't want to. It would be a far less interesting world to live in if everyone agreed with each other on every detail 100 percent of the time. There would be no progress, no achievement, no radical leaps of thought, if there weren't people willing to disagree with everyone else. These things can also be achieved when like-minded people join as whole communities and come together to achieve a common goal, a far-seeing vision of what the future could hold, and work diligently to bring that future to fruition.

This is the underlying basis, the deep, rich heart of an HOA. How do you explain that underlying purpose though?

First of all, don't expect to change the heart or mind of every HOA Hater you meet. If they're really interested in changing how they feel, they'll keep asking questions. Don't shy away from the questions. Questions are good, and with every question you answer, you pull back that microscope just a little so that more and more of that bigger picture you love so much gets exposed.

Second, let your own love of your HOA community and/or what you do for a living shine through. Show people that deep, rich heart and what makes it beat.

If you just aren't sure how to share, here are some useful points that can get you started when trying to help someone see the true purpose - the true heart - of an HOA.

1. Associations offer a sense of community in an otherwise transient society, and so many homeowners take pride in the HOA community that has brought them together.

- 2. An HOA protects and enhances property values by preserving the nature of the community as a whole. Regulations and expectations for compliance are not in place to harass an individual homeowner, but to protect that homeowner, along with all the others, against the degradation of their properties; and to provide everyone in the HOA with a safe, nurturing, and community-building environment.
- 3. Many HOA communities provide amenities that are available for the use of all those living there, including swimming pools, parks, clubhouses, playgrounds, and gyms that some homeowners would otherwise be unable to afford. Some HOA communities go even further to provide amenities like hiking or bicycling trails, boating, water parks or golf courses.
- 4. Planned communities offer more efficient use of land and other resources to address the growing issue of urban sprawl associated with unplanned developments.
- 5. Homeowners have a vested interest, not only in their home, but in the community as a whole by promoting a higher level of civic involvement in terms of voting and volunteerism. Homeowners have a say in the election of the directors and have a voice in how the community is managed.
- 6. HOA communities provide a structure and means of communicating to numerous homeowners within the community so that many types of social clubs can be born, grow, and thrive. Anything from walking clubs to wine-tasting clubs, guilting circles to book clubs, dog-lovers' groups, singles' gatherings, teen social events, and the list goes on and on with only the imagination of the homeowners to limit it.
- 7. Most HOA leaders live in their communities so they can better understand the needs of the community and how their decisions affect the future of the community they share with other homeowners.

It isn't usually a pleasant experience when confronted by an HOA Hater, but don't shy away from the opportunity to share your perspective and hopefully change how the picture is being viewed.

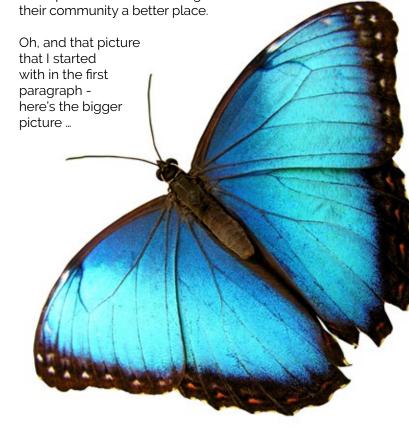
Just remember, you won't change everyone's minds.

Some people go into an HOA community with the perspective that even the smallest regulation is an infringement of their fundamental, constitutional, inalienable rights of home ownership. They feel they should have every right to paint their house any color they choose - pink, purple, neon green, or polka dot. Leaving

their trash cans in the front yard every day of the year for the foreseeable future is their prerogative as a homeowner. As is leaving the old, rusting, decades-old Chevy up on blocks for yet another decade.

Others go into an HOA community thinking they'll "change it for the better," only they don't take into consideration that what is better for them, isn't necessarily better for everyone else. Not to mention that it isn't as easy as one who has never been part of an HOA - might think to simply go in and change things.

But when everyone comes together, the homeowners and volunteers, the Board of Directors, the community managers and their staff, to share what they love and feel passionate about in their community, perhaps we can show the HOA Haters the bigger picture that they're missing! Hopefully, the next time they get that friendly compliance letter they'll see it for what it really is - a means to help them, AND their neighbors, make



So, do you consider your neighborhood your community? Your city your community? Or, is the world your community?

It's all a matter of perspective!



Cary Brackett, CMCA, AMS, PCAM, General Manager Desert Shores Community Association



Perception Is Everything!

By David Justin

mproving perception begins when we "disentangle the people from the problem." Have you ever had to deal with someone in the community who brings nothing but "problems" to your desk? Do you get tired of dealing with the person even if their problems are legitimate?

Changing the perception of this "problem person" begins when you disentangle the person from the problem.

First, examine the problem they are experiencing. Let's say they are a tenant in an apartment complex and their refrigerator is not working; they expect it to be fixed right now and they are visibly upset. Your maintenance staff is busy handling other units and is not readily available. Consequently, you're already tired of the "problem person" due to past interactions, justified or not.

Okay, let's look at today's problem. Their refrigerator is not working. Whether you like this tenant or not, that's a legitimate problem that any tenant would want fixed immediately. The tenant has an investment of money into perishable food and an investment each month in the form of rent to have working appliances inside the unit. This is something that falls into management's responsibility at an apartment complex. Realizing that it is a legitimate issue, you want to focus on the problem, not the person.

You have improved the perception of the situation by taking stock of the issue, removing the person from the problem, and decided that handling the problem falls under your responsibility.

The next step to take is to focus on interests, not positions. The tenant is interested in saving their investment in perishable food, you are likely interested in addressing all the issues of the day and getting this particular tenant out of your office. How do you best accomplish this while improving the perception between yourself and the tenant?

What you should **not** do is take a hard position. Do **not** tell the tenant: "We're swamped with calls today, we will get to your refrigerator as soon as we can." You've only focused on YOUR interests, not the tenant's interests. That will not achieve your goal of handling all the challenges of the day.

Instead, you might take this approach and call your maintenance director in front of the tenant and ask that person if they can get over to the tenant's unit right away; with any luck, your maintenance director will be able to do so. You've put the tenant's interests first, and they have seen and heard you address the situation which should hopefully improve the tenant's perception of management and the current situation.

Now, what happens when the maintenance director is legitimately busy (e.g., fixing leaking water from a broken toilet that is flooding multiple units) and everyone else is out sick! No one is readily available? You know those days happen, don't you?

Now it's time to work together to find creative and fair options.

If you can't get the refrigerator serviced in a timely fashion, offer to take pictures of the food in the refrigerator; either purchase new food when the appliance has been fixed or offer a discount on next month's rent. Perhaps you check the make and model of the refrigerator and realize it was time for this appliance to be replaced anyway; in that case, you can contact your appliance vendor to have them deliver a new model that day.

You might not agree on which option to pursue right then and there, but you have improved the perception again by focusing on the tenant's interests by working to find creative and fair options depending on what resources are available to address the problem.

Improving the perceptions and relationships between tenants/community members and property management begins with being able to:

- Disentangle the people from the problem;
- · Focus on interests, not positions;
- · Work together to find creative and fair options.

A book that focuses on all the above, and more, is called Getting To Yes by Roger Fisher and William Ury. Reading this book might be of some benefit to you and your staff in order to improve methods for handling challenging situations, and, ultimately, improving perceptions.



David Justin, Sales Manager for Robertson



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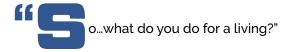
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Flip the Script When Your Clock is Ticking Towards the HOA Bomb

By Julie Nagy, CMCA, AMS



And cue the internal groan.

While such an innocuous question is usually just a social convention and ice breaker for most people, for those of us in community management, it usually turns into you trying to size up the other person within five seconds to determine if this is really going to be worth the argument. Because, let's be honest, we all know how this conversation is going to go...

You: Well, actually I work in community management

Person: What does THAT mean?

You: I manage HOAs.

Suddenly Anti-HOA Person: I hate HOAs!

You: Why do you dislike them?

Suddenly Unhappy Anti-HOA Person: They have too much power!

You: Actually, they are regulated by the state and even have a specific department with the Real Estate Division for enforcement.

Suddenly Incredibly Unhappy Anti-HOA Person: They are just a waste of money!

You: Unfortunately, quality management and time dedicated to your communities are not cheap. Additionally, a majority of the money goes towards repairs and maintaining your community. So, they are actually a great investment when you look at the preservation of your housing value.

Suddenly Incredibly Unhappy Unreasonable Anti-HOA Person: They will foreclose on your house if you have an oil stain!

You: Actually, they can't. In Nevada, HOAs are strictly regulated.

And when they try to throw that Facebook story about the guy in Florida whose HOA allegedly foreclosed on him for having a tiny flag/painting his house purple/changing his landscaping, you can remind them that we don't live in Florida!

In reality, it is never really this easy. The old adage that "any press is good press" was obviously conceived by someone who only needed to worry about newspapers and did not anticipate how "wonderful" social media would be. The days of saying "no comment" to a reporter are no longer an option. And when the person in front of you has established a radical concept of HOAs, a direct approach is usually the best approach. However, for those of us not accustomed to this conversation, there are some great ways to "flip the script."

As we all know from Conflict 101, letting the other person vent is the best opener. They get it all out in the open and feel like they are being heard. Hopefully, your elevator ride has ended by the time they are done with their list of why HOAs are "the root of all evil" and you can gracefully exit the conversation (literally and figuratively). For those times when you are unable to escape, genuinely listen to the person's concerns. Don't automatically default to a defensive position. And while it's great to correct the record if you can, placing blame is not. Although you can't



comment on their particular situation, merely showing you care and possibly providing steps to help correct the issue or their perspective shows that you're not like ALL the others. You are proving that there are compassionate and knowledgeable managers who take an interest and care about the residents. Help an anti-HOA person understand that our industry isn't about "US versus THEM," it's about working together as a team to find a common ground resolution.

You: So, I hope I helped you with your "challenge" a little

Newly-pro HOA Person: Oh yes! Now I can't WAIT to buy a house in an association!

Okay, so in all honesty, it will most likely not work out quite that way! However, if you've given them something to think about, a little education can go a long way. Maybe they'll use a little more discernment the next time they listen to the evening news headline. Maybe they'll actually look up the federal flag code to see how they can hang a flag. Maybe they won't consider Barney-purple for their new house color. Perhaps they went home and opened their governing documents for the first time. And you helped them do that!

FINAL THOUGHT....so is it worth the argument? In short: it is. For those of us who are involved in CAI, we're committed



to making all our communities better by flipping the script and educating our residents, family, friends, and anti-HOA people. While we may not be able to globally change the perception of our industry overnight, we can all do our part, one Suddenly Incredibly Unhappy Unreasonable Anti-HOA Person at a time. And that, my friends, is always worth your time.



Julie Nagy, CMCA, AMS, Community Standards Director, Mountain's Edge Master Association/CCMC

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Barbara Holland

A Positive Voice for the HOA Industry!

By Community Interests Staff



his month, we are looking at perceptions, and how to change the conversation from the negative to the positive. There are some familiar names that conjure up the negatives of our HOA industry. However, there is also a very positive voice for our HOA industry, and that name is Barbara Holland. Barbara evokes a sense of the positive, fairness, and accuracy in her answers to homeowner questions found each Sunday in the Real Estate section of the Las Vegas Review Journal. We applaud Barbara for using her journalistic megaphone to shed a positive light on our industry. We asked her a few questions about the HOA industry and what the future may bring.

Q: How did you become introduced to the HOA Industry as a career?

A: As a child, I wanted to become the first woman president (still have a chance at that), the first woman to land on the moon (still have a chance at that), and the person who cured cancer (still have a chance at that). At no time did I think that I would become involved in any aspect of real estate, from brokerage, leasing, property management, or community management. I fell into this profession by accident. In the 1970s (I am aging myself), the first major recession occurred during my lifetime. I had just graduated with a master's degree and found myself to be over-educated and unemployed. I was going crazy not being kept busy as I tried to find employment in New England. There was an advertisement in the papers at \$100 a week (and that was low even for the 70s) to be a receptionist for a real estate investment and management firm in W. Hartford, Connecticut. I had to convince the office manager to even let me be interviewed. The advertisement indicated that there was an opportunity for growth. There was. By the time I left this firm, I had a broker's license in the States of Massachusetts and Connecticut. At that time, there was no requirement to hold a special association management license or certificate. I started my own full-service real estate company in E. Hartford, Connecticut, specializing in property management with a few associations (the real growth in associations came in the late 1970s). When I moved to Nevada in 1977, the community management profession was just really starting as many associations were actually being "managed" by accounting firms. NRS 116 and the subsequent licensing laws were just beginning to come into fruition.

Q: Do you get fresh ideas for your role from other CAI members, is the networking factor a valuable resource for you?

A: I absolutely believe in networking. There is always a better way. Networking can be as "simple" as finding out what service companies another community manager is using for landscaping, pools, or asphalt. The information included in the CAI materials also assist community

managers in finding reputable companies that will properly service your communities. But often, we talk with each other about those "hard" problems that make you want to live in the nearest bar- the frivolous lawsuits or the constant complainer who writes letters to the Ombudsman on a daily basis, that difficult board member or that dysfunctional board of directors. We listen to other CAI members and how they dealt with these simple and hard problems that we face on a daily basis. Why make the same mistake if you can learn from others? Over the years, receiving good technical information has helped me greatly in dealing with severe maintenance problems.

Q: What predictions do you have for the HOA industry in the future and can CAI help address them?

A: Unfortunately, I see continued legislation in a profession that many feel is already over-regulated. The exception problem becomes the new law (pizza delivery man law as an example). We need to present association management and association managers in a more positive light and that information needs to be delivered not only to our legislators but to the general public. Think about the amenities and services that associations pay that do not come from the general tax revenues, from streets, street lights and sidewalks. We save the average taxpaver in this state thousands of dollars, if not millions. Where else can a homeowner use a swimming pool or exercise room without joining a gym for those associations that provide those amenities? As to the community manager, think about the skills that we need in order to perform our job. Hopefully, CAI will help to bring a better balance to the laws that regulate our associations and our licenses.

I see more technical advances that will help reduce human resources so that we can better concentrate on the "people' issues and not just be a computer printing out financials and sending violation letters. These cell phone applications will continue to improve helping us reduce the violation processing time and sending out text messages to our homeowners in addition to the traditional communication avenues of letter writing and sending eblasts. We will probably see some more changes in the current laws

I absolutely believe in networking. There is always a better way. Networking can be as "simple" as finding out what service companies another community manager is using for landscaping, pools, or asphalt.

which will allow us to use other communication methods in all aspects of NRS requirements. I see continued improvement in our websites, making them more userfriendly and increasing two-way communication so that we can respond to our homeowners in a more efficient and timely manner. CAI can assist managers by developing seminars and/or classes pertaining to the more common applications and how to use them.

I see the need for the universities and colleges to offer classes in community management besides those classes needed for licensing. Can you imagine a degree in real estate community management? Think about all of the disciplines that we need to have some common knowledge. We definitely have a shortage of community managers. For many current managers, they literally started from the ground up, similar to my experience by answering phones, doing administrative work, or by providing maintenance. We see a high turn-over as this is a management-intensified profession that can easily burn out our managers who work beyond a 40-hour work week every week. Many managers are single parents; being able to use the advances in technical applications and software allow much of our work to be done at home. CAI can become the leader in advancing the professionalism in the management of our associations.

Did You Know?

The most successful and productive associations are led by Board of Directors who have, as members, taken advantage of the educational opportunities of the CAI-Nevada DCAL Program.

Membership has its benefits at CAI-Nevada.org!





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Heating Swimming Pools -

Solar vs Gas?

By Stanley Monsef, Ph.D.

ecently the question of heating swimming pools by solar panels vs. heating by natural gas heaters has been the subject of inquiries and debates. While I am not a swimming pool specialist, as a professional engineer in design and operation of cross country pipelines and pump stations I have researched and reviewed the hydraulics of circulation, filtration, and chlorination of swimming pools for maintaining Southern Nevada Health Department (SNHD) standards governing health, hygiene, safety, and desired water temperature for the comfort of swimmers.

There are several types of pools: (1) single family resident pool, (2) resident lap pool, (3) private recreational pool, (4) general public pool and (5) Olympic/competition pool. Design, operation, and maintenance of pools, used for pleasure, recreation, or sporting events require knowledge and consideration of specific statistics.

In case of private recreational pools, which is strictly used for recreational purposes by members of common interest communities and their guests, is the focus of our discussion. The statistics surrounding the pool, including, but not limited to, geography, season, sunlight, number of swimmers, volume of pool water, pool water heating method, and hours of operation are imperative.

Except as otherwise regulated, limited or restricted by SNHD and ADA, the use and operation of private recreational pools are subject to established rules and regulations of the residential associations. It must be noted that while the SNHD sanitation program for the private recreational pool is the same for a general public

pool, the design, size, depth, capacity, pool appurtenances (diving board), operational program (lifeguard), and use and storage of chlorination material for a general public pool can be different from that of private recreational pool.

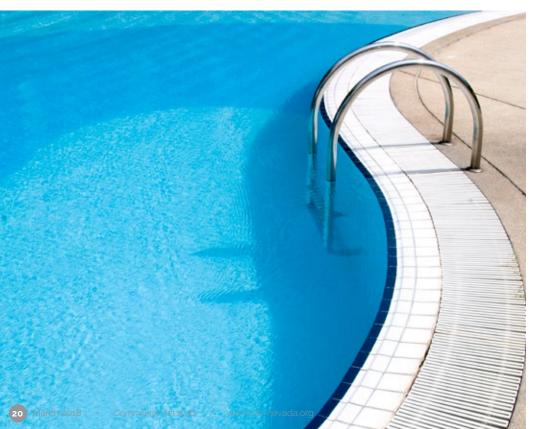
Private recreational pools are of 15,000 to 30,000 gallons capacity, with circular, rectangular, or oval shapes and depths of 4-6 feet. Not all clubs or residential associations have their pools open year-round. In which case, hours of operation are posted, clearly indicating any special restrictions.

In Southern Nevada, much like the hot water in a garden hose when left in the sun, the pool surface water absorbs considerable sun heat, and by regular circulation of pool water during the day, the temperature of the pool begins to increase by 10-15 degrees F. The same effect occurs when pool water is heated by passing the water through a gas heater or solar panels. The most comfortable recreational pool temperature for swimming is 78-82 degrees F.

Gas Heaters:

Heating pool and spa water to set controlled temperatures by means of natural gas heaters, one for the pool and one for the spa, has been a long-time practice. For a recreational pool of about 25,000 gallons capacity, the strictest pool filtration guideline requires that there is the need to theoretically turn the pool over twice per day.

For example, a 1HP pump at normal operation can pump 80 gallons per minute (GPM) of water circulation even with the filter dirty. The 25,000 gallons of pool water divided by 80 gallons per minute is 312 minutes or just over five hours of pool water turn over. The number of pool water turn overs depends on the number of swimmers, the intensity of the sun's heat, and the hours the pool is open to swimmers.



Because of the presence of sunlight and desert sun temperature during the month of June through September (four months), the recorded pool water temperature for Southern Nevada is 84-90 degrees F; THUS, not requiring heating. Should the pool be closed to swimmers during months of colder weather, the water circulating pump should remain on to avoid stagnation and scum line. It is much easier to maintain *chemistry* with the circulating pump on.

The difference in elevation between the pool skimmers and pool water circulating pump is typically 4-6 feet, and, in most cases, equates the static inlet pressure and dynamic outlet pressure at the pump. Subsequently, the electricity consumed to maintain water in circulation is very low. It is important to skim the pool at a different time than vacuuming. The life expectancy of a gas pool heater, with a proper maintenance program, is 12-15 years.

Solar Panels:

Solar panels contain small 3/16 inch black tubes of polypropylene, which absorbs the heat from the sun and transfers it into water passing through the panel. A properly sized and oriented solar system with at least six hours of direct sun will effectively add 10-15 degrees to the pool water temperature. Ironically, Southern Nevada summer desert sun can generate excessive heat in solar panels causing the tubes to become brittle and eventually crack. Most polypropylene solar heating panels have an advertised life expectancy of 10 years. However, in desert sun with high temperatures, the expectancy is eight years.

Water circulating through the solar panel is generally established by a pump of 1 HP, which receives the water by gravitational static pressure from the skimmers and pumps it at a controlled flow of 70-90 gallons of water per minute (GPM) to the solar panels. Solar panels are located on the top of a clubhouse building for convenience, if not for lack of suitable flat space within the proximity of the pump location.

Because of difference in height between the solar panels to the pump location, there is about 30 feet of height that the circulating pump needs to overcome to deliver water to the apex of the building. The 30 feet in height generates a kick-back pressure on the pump of 30 x 0.436 = 13 psi, plus 12 psi pressure loss in the filter and 4-6 psi loss in pipe and fittings and in polypropylene panels, which in turns consumes more electricity at a higher cost. *Everything else* being equal, the cost of extra electricity alone is about two times higher than the cost of gas heating operation.

Furthermore, when using a gas heater for heating the pool, the pool gas heater will be out of circulation for 10 months. During this long period of time, the gas heater can act as a standby heater for the spa in case of any breakdown of the spa heater.

It is my finding that the use of gas heaters for maintaining desirable pool water temperature, including circulating water to maintain *chemistry*, is less costly, more effective, has a better life expectancy, and provides dual functionality for the system.

For recreational pools, the *chemistry* in the pool and spa (NAC 444.148) can become corrosive and can affect the operation, maintenance, and the life expectancy of the system. Depending on the number of swimmers and sun temperature heating the pool, the applicable pool water chemistry is: Ideal Chlorine, 1-5ppm and never to exceed 8ppm; total alkalinity 80-120ppm; spa water temperature, 104 degrees F; pH value 7.0 to 8.0.



Stanley Monsef, Ph.D. President, Mercury Consultants

References: ADA - Pool regulations SNHD- Aquatic Heath program, NAC 444.280 ENERGY.GOV- Gas Heating vs. Solar Heating REVER POOLS - Best Pool Heater Option HAYWARD - Swimming Pool Heater Guide PENTAIR - Solar Panel Collector Panels



Misconceptions of an HOA

By Tonya Gale, CMCA, PCAM, DCAL

hen a person purchases a home, there is a never-ending stack of documents that needs to be signed in order to get the keys and move in. It would take days, or even weeks, to read through every single page provided, so the escrow agent usually generalizes the documents you are signing, places them on a disk or flash drive, and after you have completed the signing sends you on your way.

Included in that massive stack of documents is a form that states you have read and understand the governing documents for the association you are purchasing into. Seems straight forward, but who actually reads those governing documents unless you have been exposed to the HOA industry as a whole?

Among many other things, those governing documents provide information for what the association is required to maintain and repair versus what the homeowners are responsible to maintain or repair. As managers and board members, we utilize these governing documents daily to help set straight the misconceptions of what some people would assume to be the responsibility of the association. Here are a couple of the craziest examples I personally have come across over the years in the industry.

Can you please send a plumber to fix my toilet?

At roughly 10:30 p.m. on a Friday night, my husband and I were headed home from a night out with friends. My phone rang, and since I was manning the emergency line for the company, I answered.

It was a request to have a plumber sent to someone's home because their son had flushed something he shouldn't have, and the water wouldn't stop overflowing the toilet in their master bathroom. At first I was at a loss for words, but I quickly recovered and explained how to shut the water off to the toilet so the damages could be contained. Next, I explained to them that the association does not make repairs to toilets in a single-family home community, that it was the owner's responsibility. He was not happy, said a few choice words, asked what he was paying HOA assessments for, then hung up the phone.

In some cases, owners believe that when they buy a home in an HOA they have no repair or maintenance responsibilities at all. That simply is not true. Even in condo communities there are several elements that are the responsibility of the homeowner, and in most single-family home communities the homeowner is 100 percent responsible for the repair and maintenance of their homes.

Why are you not keeping me safe in my gated community?

Cold winter night and I was snuggled in bed sleeping when the emergency phone rang at about 2:00 a.m. I answered and was bombarded by yelling and screaming. I asked the person who had called what was going on. She screamed that she had just been robbed at gunpoint and needed

me to come to the community to handle the situation. My first question was, "Have you called the police?" To which she immediately responded with, "I can't call the police because they stole my drugs and I will go to jail too." Well now, this just got interesting. I, again, was at a loss for words. I told the woman on the line that the association was not responsible for the theft, and that she would need to call the police. Of course, she was not happy, and responded that the association was terrible at keeping the residents safe. Once again, the phone call ended abruptly.

It is a common misconception that HOA communities provide safety and security for residents, especially gated communities. In fact, gated entrances can delay response from police, fire, and medical emergency vehicles, a fact few people are aware of when buying into a gated community. Homeowners need to understand that personal security and safety within their unit/home is their responsibility. There are no guarantees that even in a gated community, security and safety will be achieved. The HOA board has an obligation to maintain the gates, cameras, or other security features that may be installed, but individual homes/units are the responsibility of the owner.

In this industry, there are so many misconceptions with regards to HOAs we could write an entire book on the subject, so these are just a couple of examples. I am sure you all have your own stories as well.

The best advice I can give is to read the governing documents for each association and put together a quick reference guide of who is responsible for what in each association. By making this separate document a part of the "Welcome Package," a new owner can easily identify essential information about individual responsibilities versus that of the HOA; therefore, minimizing the likelihood of those unnecessary phone calls and misconceptions.



Tonya Gale, CMCA, PCAM, DCAL. Is the owner of EPIC Association Management and member of the Membership

Poor Maintenance Practices....

Historic Tree Was Doomed to Die!

By Eddie Rodriguez

Jackson Magnolia Tree

- hortly after President Andrew Jackson became president in 1828, his wife Rachel died. In memory of her, he planted a cutting of her favorite magnolia tree from their home in Tennessee, in front of the White House. From 1928 to 1998, the tree was featured on the \$20 bill. In 1994, a plane crashed on the front lawn leaving debris in the tree and they had to cut one of the branches off. Laura Bush commissioned a set of White House china inspired by the tree, and various dignitaries and first ladies have gifted or replanted seedlings from the tree throughout history.

How the Tree Failed

Seventy years ago, three new shoots emerged from the base of the tree, also known as codominant stems. In the 1970s, one of those shoots broke off leaving just three stems, damaging the trunk, leaving a cavity, and exposing the area to decay. They would fill the cavity with concrete only to make it worse. So, they removed the concrete, cabled all the limbs, and installed a post at the base of the tree to hold it all together. Eventually the cables pulled through the crumbling decayed trunks.

Proper Pruning Practices

Over the years, arborist assessments determined that the tree was in extreme danger. If proper pruning practices had been applied when the shoots emerged (meaning if the shoots were cut off) failure would not have occurred. Despite efforts to save the historic tree, it could not be saved. In December of 2017, Melania Trump made the decision to remove the tree entirely.

The number one cause of tree failure is improper pruning, and this could be essential to the trees' historic value, good or bad. Often the lowest priced vendor is chosen to perform maintenance on your trees, but is not the most

The number one cause of tree failure is improper pruning, and this could be essential to the trees' historic value, good or bad.

qualified. I leave you with this quote, "It takes a lifetime to grow a tree and only seconds to destroy it." Today's story proves the point well.



Eddie Rodriguez, First Choice Tree Service

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There's an App for That ...

and We've Got It!

By Evan Savar,

n this day and age, when advances in technology are happening faster than ever imagined, it's important to stay informed about new developments. All of these advances can only improve every aspect of our businesses and associations, in addition to making life 'a lot easier' for every one of us.

For a while, our chapter has been searching for a mobile 'app' that would put all information about CAI National and CAI Nevada at our fingertips, making the 'search' so much easier for everyone. We found it. By partnering with MyResidentLinc we found a company that provided us a completely customizable mobile app solution and the app is now available for everyone to download, putting all information at the tip of your fingers. MyResidentLinc can bring the same customized technology to your neighborhood or community association.

For example ... imagine living in a homeowner association ... clicking on the app ... and finding different perks for homeowners such as discount coupons for local businesses, information on local transit, connections to UBER or taxis, or school district information. What about being able to pay your monthly assessment through the app, or sharing pictures of your beautiful association with others?

From the app you can connect with everything related to both CAI National and CAI Nevada, benefits of membership, sponsors, events, education classes, advocacy, LAC information, members in all representative groups, copies of *Community Interest* and *Common Ground* magazines, public policies, committees, and many more important and helpful pieces of information.

You can download the app for CAI Nevada, by following these few easy steps.

For Android users: https://play.google.com/store/apps/details?id=com.hl.mushroom.cai

For IPhone users: https://itunes.apple.com/us/app/caieducation/id1319841714?mt=8

You can also search MyResientLinc in the app store and click on the developer to find the CAI education app and other apps they have created.

Finished downloading? Good! That was easy, wasn't it? And now you just made your life a lot easier. Enjoy CAI at your fingertips!

Business partners, management companies, and homeowner associations can also adapt this technology to optimize how their own communities run. Imagine a 'next door' type app where you, as moderator, can control and easily manage the content by combining community communications, streamlining the payment process, monitoring neighborhood security and much more.

No matter what your type of membership, you can build your own app from scratch by choosing features that will enhance the lives of your residents or clients to make communicating easier, increase your marketing efforts, and help run your business or association more easily and efficiently.

One of MyResidentLincs HOA customers, Four Turnberry Place, was able to cut out 90 percent of their printing costs by using push notifications to communicate with residents. It's also worth mentioning that the app helped Four Turnberry Place receive the highest Green Globes Certification on the west coast.



Another client of theirs, Warmington Apartments, created a resident perks program, so if their residents take their app to local businesses, they can get exclusive deals and discounts for being a resident of that apartment. They have been able to secure relationships with over 50 local businesses.

MyResidentLinc helps property management/HOA companies strengthen their communities by providing a custom mobile platform to facilitate the process.

At the 2017 NMHC Annual Meeting, Ron Witten of Witten Advisors discussed this exact topic in his talk, "Hanging Onto Residents By Cultivating Real Community and Relationships." He shared some interesting statistics on how the number of people residents know in their apartment community directly impacts their plans to stay in the community. Data has proven that a stronger community also increases safety.

As technology continues to be developed at the pace we're used to, it's important to have a mobile app. With that said, it's more important to invest in a mobile app platform that can continue to innovate by adding functionality that keeps at the same pace of technology. MyResidentLinc has created a platform that will allow management companies and board members to innovate by including features that their board and residents use now and in many years to come.



Congratulations! **CAI Nevada Chapter**



Members' Brag Page

My How Time Flies!

Everyone in our chapter knows who Mary and Chris are. They are essential ingredients to the success of the CAI Nevada Chapter. But, did you know that they have been on the job for 10 years this month!

Yes, for 10 years they have smiled with us, encouraged us, worked for us, and brought this chapter to new heights. Do I hear a HUGE round of applause for their efforts? I thought so. Many thanks to both Mary Rendina and Chris Snow. Congratulations

If you have anything you want to share, please submit it at least six weeks prior to the magazine publish month. Anything received after the 20th of the month prior to publication may not make it into that issue, but will appear in the following issue. Please submit your items to info@cai-nevada.org or fax to 702-240-9690.

Southern Nevada Aquatics Update

By Barbara Holland

big thank you to Clark County Commissioners Marilyn Kirkpatrick and Chris Giunchigliani, to Jacqueline Resztar, REHS, and Jeremy Harper, REHS, of the Southern Nevada Health District for working with the associations in developing the proposed aquatic regulations.

The following is a summary of the proposal that will be brought to the Board of Health for their review and hopefully approval. This new perspective by the Southern Nevada Health District staff (SNHD) is based upon the premise of "self-management" by the homeowner associations and property residential owners and apartment managers. Below is a preliminary outline of what has been discussed that we hope to codify as the final version with the approval of the Board of Health.

- Associations, condominium communities, townhomes, apartment communities, and other aquatic venues at similar facilities may qualify for exemption from routine inspection from SNHD.
- · Application will be made to the SNHD.
- Approval will be on a case-by-case basis, and will be determined by facility/owner based on previous inspection compliance, maintenance of complete and accurate facility records, imminent health hazard history, etc.
- The following criteria must be met to maintain eligibility for exemption:
 - Maintaining accurate maintenance records on a quarterly basis.
 - No incidents of imminent health hazards observed as a result of a complaint or drowning/ near drowning/diving accident or injury investigation.
- Upon finding unsatisfactory compliance, the SNHD may contact the permit holder and review the exemption and may schedule a supervisory conference to discuss conditions of exemptions.
- If satisfactory compliance with the regulations cannot be met, the facility will enter the administrative process and SNHD may revoke the exemption. Such facilities will not be eligible for the exemption process for a period of two years.
- Changes in ownership for existing facilities could potentially impact exemption status, and owner history will be considered upon original application which could allow the new ownership to qualify for exemption from routine inspection from SNHD.

- SNHD will respond to complaints of imminent health hazard conditions (example: fence/ barrier issues, missing or broken drain cover, etc.). Non-imminent health hazard complaints can be handled administratively (contacting the property, management company, etc.). Results of investigations may be used to determine eligibility.
- Any changes in equipment, either by remodel or equivalent equipment replacement (like-for-like), are still subject to the review/remodel process and must be approved by SNHD.
- Facilities in new construction may submit alternate methods for review by SNHD in lieu of automated chemical control.
- There will be an appendix which would include any relevant attachments, including the application, helpful inspection checklists for the managers and operators as well as a closure violation list, etc.

What do the new regulations mean to you and your community? This is a major shift at how the SNHD representatives will interact with community and property managers and property owners. It is designed to acknowledge the responsible communities who properly maintain their swimming pools and spas while allowing the SNHD representatives to take affirmative action for those property owners and managers who allow their swimming pools and spas to become imminent health hazards. In essence, a regulation that rewards the "good guys" for a change!

We look forward to this new partnership of working together with SNHD to educate and communicate with our managers and our residents so that we can enjoy our amenities in safety. In the coming months, we plan to have informational articles for your community newsletters that will benefit your residents from Jackie and Jeremy, along with, hopefully, a CE credited seminar designed for community and property managers as to our roles in managing our aquatic venues.



Barbara Holland, CPM, is a regional manager with FirstService Residential and regular contributor to the Las Vegas Review Journal on HOA/CIC affairs



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Squatters Still a Big Problem for HOAs

By Lisa Tufano

ne of the worst things that can happen to an HOA community is to have squatters take over a home. Like most crime in Las Vegas, it has no address and can affect communities of all demographics.

Most often the crime occurs in homes that have gone into foreclosure and are targeted by squatters. The fact that a financial entity is managing the home instead of a personally invested individual gives squatters all the opportunity they need to move in.

You can have squatters that range from a homeless person just looking for a place to sleep, all the way up to the savvy squatter who is in it for the long haul; both can do equal and extensive amount of damage, not just to the units themselves, but to the overall integrity of the HOA as well.

The savvy squatter is familiar with how to look on the internet for the name of the current owner and/or trustee. They create fake leases that give board members and neighbors a false impression that they belong in the home. It isn't until questionable activity starts surrounding the home that the individual's presence becomes suspect.

Most squatters are financially destitute, so getting utilities like water and power to the homes is where the real damage and danger can occur. Typically, they will have to live in the home without water unless the water is being provided by the HOA. But, the bigger danger is how they acquire power.

Most times they run lines to common areas because they know the increase in the bill typically goes undetected. Squatters are experts in the art of stealing power; however, they are not experts in proper electrical wiring and many fires are started due to this reason. Fires can also be started by the aforementioned homeless person just looking for somewhere to spend the night. In an effort to stay warm, they will start a fire in a metal can in the middle of the living room. I have seen this firsthand!

Besides the imminent danger squatters pose to the homes themselves, they also pose a danger to the community by bringing other people and elements onto the property. This brings me back to the squatter who's in it for the long haul and is typically a drug addict. The goal is to have a safe and secure place to be able to do, and sometimes sell, their drug of choice. This means there is now a more insidious criminal element about to move in with the eventuality of car break-ins, property damage, and even home invasions taking place.

No HOA wants this for their community! However, it is happening, and the statistics are staggering. With roughly 13,360 vacant properties in Las Vegas, the squatters certainly have no shortage of prime real estate to choose from. In 2016, there were approximately 4,458 squatter related

service calls within the valley. That number jumped to over 5,000 in 2017.

So, after all of this scary information I've laid out before you, let me give you some light at the end of the tunnel. Removing a squatter has actually become a fairly easy process after the laws were changed in November of 2015. The link below gives you a step by step process of how to remove a squatter.

www.civillawselfhelpcenter.org/self-help/removals/ overview-of-removal-process/259-evictions-related-tosquatters-2

I would still suggest hiring an experienced property manager to deal with a squatter situation; however, it is possible for you to do it yourself if outsourcing is an issue. There are also "squatter task forces," police officers in each sub-station tasked with the duty of assisting homeowners and property managers in the removal of squatters.

Dealing with squatters can be a challenge. But armed with the right information and personnel, you too can rid your community of squatters.



Lisa Tufano, MP Association Management





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