



The Elite Insider

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We're Having What Kind of Meeting?

What's the difference in a board meeting and a special meeting, or an annual meeting and a town meeting? Confused? Here's some clarification.

Annual Meetings

Annual meetings—or annual *membership* meetings—are required by our governing documents, which specify when they're to be conducted and how and when members are to be notified about the meeting. This is the main meeting of the year when members receive the new budget, elect a board, hear committee reports and discuss items of common interest.

Special Meetings

Special meetings are limited to a particular topic. The board can call a special meeting at any time, and they must notify all members in advance. The notice will specify the topic so interested members can attend. Special meetings give the board an opportunity to explore sensitive or controversial matters—perhaps an assessment increase. Members do not participate in the meeting, unless asked directly

by a board member, but they have a right to listen to the board discussion.

Town Meetings

Town meetings are informal gatherings intended to promote two-way communication; full member participation is essential to success. The board may want to present a controversial issue or explore an important question like amending the bylaws. The board may want to get a sense of members' priorities, garner support for a large project or clarify a misunderstood decision.

Board Meetings

Most of the business of the association is conducted at regular board meetings. Board members set policy, oversee the manager's work, review operations, resolve disputes, talk to residents and plan for the future. Often the health and harmony of an entire community is directly linked to how constructive these meetings are.

Executive Session

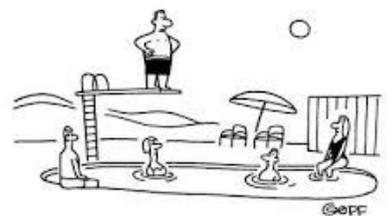
The governing documents re-

quire the association to notify you in advance of all meetings, and you're welcome—in fact, encouraged—to attend and listen. The only time you can't listen is when the board goes into executive session. Topics that the board can discuss in executive session are limited by law to a narrow range of sensitive topics.

Parties

Occasionally the association notifies all residents of a meeting at which absolutely no business is to be conducted. Generally these meetings include food and music, and they tend to be the best attended meetings the association has. Oh, wait! That's a party, not a meeting. Well, it depends on your definition of meeting.

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"Wait a minute! This budget meeting appears to have lost its focus!"

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 Mon.-Thurs. 8:30-5:30
 Friday 8:30-1:00

Thank you for your donations!

Everyone at Elite Management Professionals would like to thank you for your donations to the NC Food Bank. At the Holiday Open House this year we collected an abundant amount of food and

other necessary items to donate to this wonderful cause. We are pleased to announce that with your contribution we were able to donate over 800 lbs. to the NC Food Bank this year! Elite is so

thankful for all of you and your continued support. It is an amazing feeling to be able to give back to our community year after year. Thanks again!!

Tips for Shortening Meetings

by Jim Slaughter



“Be sincere.. Be brief.. Be seated.” Unfortunately, not all members follow this good advice from Theodore Roosevelt. That’s why effective presiding officers use various methods to keep discussion moving. Among them are the following 10 techniques, 3 of which are procedural rules that must be applied to certain types of meetings, and 7 of which are suggestions to shorten any discussion at any meeting.

Three Rules of Debate

Most associations follow *Robert’s Rules of Order Newly Revised (11th Edition)* (“RONR”). If RONR is your parliamentary authority, its procedures are binding except as spelled out in any specially adopted rules of order.

RONR has several helpful restrictions on debate that apply to most meetings and conventions (though not to boards of fewer than 12 members):

1. No one can speak more than 10 minutes.

2. No one can speak a second time until everyone who wishes to speak a first time has spoken. The person chairing the meeting can facilitate new debate by asking, “Is there anyone who would like to speak who has not yet spoken?”
3. No one can speak more than twice on the same issue.

Seven Practical Suggestions

1. Announce the adjournment time before the meeting. Members often police the length of their own comments when the meeting has a foreseeable end.
2. List starting and ending times for each discussion item on the agenda.
3. Set the discussion time prior to starting on lengthy issues: “Is there a motion to limit total debate to 30 minutes?” Such a motion requires a two-thirds vote.

4. Encourage new discussion (and prevent repetition) by asking for speakers who have not yet spoken.
5. Alternate pro and con. After hearing from a proponent, ask “Is there anyone who wishes to speak against the motion?” Alternate. When no one wishes to speak on a particular side, ask unanimous consent to end debate. “Is there any objection to closing discussion? Hearing no objection, discussion is closed.”
6. Ask for a motion to end discussion. “Is there a motion to close debate?” Most parliamentary authorities allow debate to be closed with a two-thirds vote.
7. Establish speaking rules for all meetings by adopting special rules of order with notice and a two-thirds vote. That is, set guidelines to limit the amount of debate and number of speakers.

Calendar of Events and Office Closings

JANUARY 2015

January 19th– Martin Luther King Day Main Office Closed

Board Education Seminar

January 27th–6:00-8:00 PM at Elite Management Professionals

Come join us to review the important role of serving on the Board, how to review the financial statements, governing documents and review your community websites. Please contact Dawn Hatcher to register.

MARCH

March 31st– 2015 Spring Fling

APRIL

April 3rd– Good Friday All Offices Closed

MAY

May 25th– Memorial Day All Offices Closed

JULY

July 4th– All Offices Closed

SEPTEMBER

September 7th– Labor Day All Offices Closed

September 29th– 2015 Fall Festival

NOVEMBER

November 26th and 27th– Thanksgiving Holiday All Offices Closed

DECEMBER

December 8th– Holiday Open House

December 24th and 25th– Christmas Holiday All Offices Closed

JANUARY 2016

January 1st– New Year’s Day All Offices Closed



Five Common Reasons for Potential HOA Lawsuits



As a member of your HOA Board of Directors, you have a responsibility to protect your association from lawsuits. The best course of action is being aware of the common reasons for litigation so that you can put the right processes in place to protect the community. Below are five common reasons that HOA owners initiate lawsuits.

ARB Standards

If your HOA has a few architectural review board (ARB) guidelines in place instead of clear standards that are easy to understand, you're leaving the association open to a lawsuit. When owners request a variance to add a bedroom, a deck or an outside storage unit, you need to be able to point to clear standards as to why or why not the owner can proceed. Do your ARB standards withstand the test?

Misuse of Funds

Homeowners choose to live in a managed community because they don't have to take care of repairs themselves. They choose to pay monthly assessments in lieu of handling the everyday maintenance problems themselves. If owners spot evidence that the money they are paying is being mismanaged, legal action is likely to follow.

Election Violations

Disputes about mishandling or election results can turn ugly, often escalating into litigation. You can avoid putting your association at risk by documenting clear procedures throughout the election process.

Discrimination

When your HOA Board fails to enforce rules consistently, you put your association at risk for a lawsuit. Your association is free

to establish rules to create the community that you prefer. Make sure that your rules don't violate the housing discrimination laws and are enforced consistently for all owners.

Maintenance

Owners pay HOA assessments to ensure that short-term and long-term maintenance is managed for them. They expect to have access to all the amenities that are listed in their contract. If amenities are left in disrepair or not properly maintained, homeowners may bring suit against the HOA.

It's the Board's responsibility to represent the best interests of all the homeowners in the community. Protect your community by making sure that you have processes in place that help you manage your association consistently and effectively—and put measures in place to help protect against legal action.

About our Association Attorney



Many community associations retain an attorney who specializes in community association law. Attorneys serve associations in several important ways that protect and enhance each member's assets.

Provide legal opinions: Advise the board in all matters pertaining to the association.

Review documents: Review governing documents, rules proposed by the board, and contracts with service providers.

Educate: Attend meetings to answer questions, explain concepts or documents, and provide information to homeowners or board members.

Collect delinquent assessments: Write and send routine demand letters, file liens, process foreclosures, litigate if necessary.

Enforce deed restrictions: Write and send routine demand letters, file lawsuits, litigate if necessary.

Litigate: For collections, to enforce deed restrictions, to defend the board.

