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*2015 Elite Awards*

Congratulations to all 2015 Elite Award Winners! We received many nominations over the past couple months from Board members and community members. Winners were chosen by judges within the community association industry. All winners received an engraved trophy and a monetary prize!

AND THE WINNERS ARE:

**Community of the Year**

*Woods at Parkside Homeowners Association, Inc.*

Here are just some of the items completed this year:

- 1) Painted front door/units
- 2) Replaced the siding
- 3) Power washes the siding & sidewalk
- 4) Major landscaping
- 5) Replaced gutters
- 6) Planning our very first Neighborhood meet & greet

And they are not done. Many of these items hadn't been addressed in 16 years, and it has created a fresh look and attitude for the community. The community has also developed a plan to address future items. The President has also improved communication in the community and even meeting with owners who aren't able to communicate via email and wanted someone to talk to in person. No matter what the community has faced they have always kept going

**Volunteer of the Year**

*Tricia Markulin, Trailwood Springs Homeowners Association, Inc.*

She has been our fearless leader on the Board of Directors for the community for as long as I've been on the board (4 years) and has been deeply involved in the neighborhood much longer than that. She is devoted to the neighborhood and does not hesitate to roll up her sleeves and get in the trenches for service projects and the much too often entrance sign repair that her talented husband also gets sucked into! She is devoted to the neighborhood and constantly puts the homeowner's needs above her own. She doesn't hesitate to put her own house on the issue list if it has problems and is prompt to resolve them. It's been a pleasure being on the board with her and I hope she is as much of an inspiration to everyone else as she is to me.

The landscaping and entrance signs are great examples of going above and beyond the call of duty. She has worked with her husband to fix the entrance signs, free of charge, when the neighborhood could have contracted it out. She has organized socials, spearheaded landscaping projects, and worked on grants to help improve the neighborhood.

I know on the board she helps get the conversations going. She has also been integral in promoting the neighborhood social events, mostly because she is the only one willing to plan them! I wouldn't be as engaged in the community without her. She has gone through the grant

process for the neighborhood, and I've never attended an event where she wasn't present.

**Volunteer of the Year**

*Mike Thompson, Ellington Place Apex Homeowner's Association, Inc.*

He came in to the community and first served on the Advisory Board, working with the Builder to try to ensure that they addressed all concerns the residents had prior to conveying the board over to the HOA Board. Since then, for almost 2 years, he has shown a strong leadership to our board. More importantly, he took a strong stand against the builder. He did not back down when they used evasive maneuvers to try to back out of promises made for remaining improvements required for our BMPs, our common areas and a general lack of response and attention to our community's needs.

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**Friday 8:30-1:00**



## 2015 Elite Awards (continued)

He is a very passionate and devoted community President. We have all learned a lot as we went through this process, but he gave the time and commitment that many of us who work full time simply didn't have. We now have a beautiful community, lovely common areas and our homes are selling within 3-7 days (on average). His commitment and tireless dedication and time to our community have made it a better place to

live.

During times of budgetary tightness, he actually fertilized and watered plants in our entry ways and common areas, to save the community money and ensure they didn't die during a period when we had no rain for many weeks. He walks the community regularly to ensure all is good. He also suggested that our community have a project to award

2 High School Seniors who are going off to college with an award through an essay contest.



## Parliamentary Procedure Manuscript Wins National Community Association Award

By: Jim Slaughter



I recently learned that my session at the 2015 Community Association Law Seminar in San Francisco on "Running a Darn Good Meeting: What You Need to Know About Parliamentary Procedure" has received the Best Manuscript Award from the College of Community Association Lawyers. Because of the Award, the manuscript has been made available online at <http://bit.ly/1LhFkfV> in case it is of interest.

The national Community Association Law Seminar, sponsored by the Community Associations Institute (CAI) and the College of Community Association Lawyers (CCAL), is the nation's premiere continuing legal education conference exploring trends and practices in community association (homeowner and condominium association) law. The CAI's 37<sup>th</sup> annual Community Association Law Seminar will be held January 27-30, 2016 in New Orleans and will be attended by attorneys, community managers, insurance professionals, and homeowners.

James H. Slaughter  
Rossabi Black Slaughter, PA  
Attorneys at Law

## Calendar of Events and Office Closings

### NOVEMBER

November 26th and 27th—  
Thanksgiving Holiday All Of-  
fices Closed



### DECEMBER

December 8th— Holiday Open  
House and Food Drive to Sup-  
port the NC Food Bank

**Our goal this year is to  
donate 2,500 lbs. to  
the NC Food Bank .  
Please help us reach  
our goal!**

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

### JANUARY 2016

January 1st— New Year's Day  
All Offices Closed

# HOA boards should tread carefully on assistance animals

By: Mike Hunter

We are often asked about pet restrictions in the context of homeowners' associations (HOAs) and their enforceability with respect to assistance animals for persons with disabilities.

An HOA's governing documents often restrict the type, size, and quantity of pets allowed. Like all good rules, there are exceptions.

In this case, they come in the form of the federal Fair Housing Act. The act, which prohibits discrimination based on race, color, religion, national origin, gender, disability, or familial status in the sale, rental, and financing of housing, mandates that HOAs provide reasonable accommodations to homeowners with disabilities.

The act should not be confused with the American with Disabilities Act (ADA). The ADA governs only public spaces, including public housing. It is not applicable to HOAs in most cases, since most HOA-owned common areas are not places of "public accommodation."

According to the Fair Housing Act, assistance animals (also known as service animals) are not pets, but are "work animals" that help owners in a myriad of ways. Assistance animals do not need to be trained or certified

to perform a specific task. The work that an assistance animal may provide runs from a seeing-eye dog to dogs that alert owners or others that a diabetic coma or seizure is imminent.

There are also assistance animals that provide emotional support, whether to a war veteran suffering from post-traumatic stress disorder or to someone who suffers from severe anxiety. Assistance animals have also been known to help children with autism and their families.

If a homeowner has an assistance animal in violation of the restrictions it may result in the HOA sending a violation letter.

What the board does from here on out is important. If the homeowner claims that the pet is an assistance animal, then all the board can do is ask if the homeowner has a disability and if so, request a doctor's note with respect to the assistance animal.

If the disability is obvious, the board may ask the owner to provide a note from the owner's doctor that the assistance animal is indeed a medical necessity for accommodation of the owner's disability.

If the disability is not obvious, the

board may ask for a physician's note confirming both the existence of a disability and the specific need for the assistance animal.

If the homeowner can answer yes to the question as to whether he has a disability and can provide documentation on the benefit and medical necessity of the service animal, then the board must allow the animal as a reasonable accommodation.

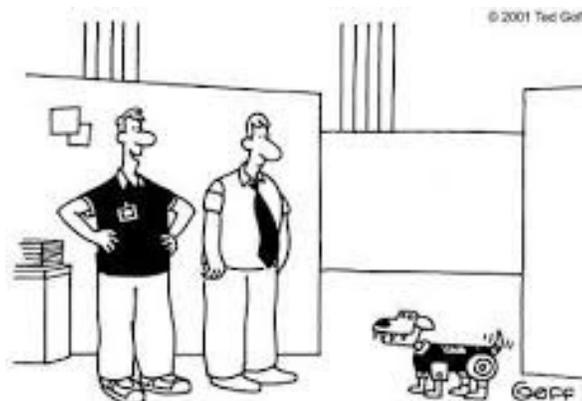
The board may not ask the homeowner what the disability is or why the assistance animal helps the owner.

Further, if the board repeatedly asks for more and more information, even after being presented with a doctor's note, they could be in violation of the act.

Asking for too much information, asking for information that is too detailed (including what the disability is), and not granting reasonable accommodations may open the association up to litigation.



## Cartoon Corner



"Finally, the first approved pet for homeowner associations."

## *JDRF Team Efforts*



We would like to thank all of the vendors and clients that donated to our JDRF team efforts.

Thank you for your continued support!

## *Home and Shopping Crime Prevention Tips for the Holidays*

### **Tips for Home**

- Be extra cautious about locking doors and windows when you leave home.
- If you have an alarm, set it when you are away or asleep
- Don't display gifts where they can be seen from a window or doorway.
- Leave lights and a radio or TV on timers when you are away.
- Do not advertise on social media that you are on vacation or away from home .
- Have a trusted neighbor friend or relative collect your mail and your newspaper when you are away.
- Be wary of strangers soliciting for charitable donations. They may take advantage of your increased generosity during the holidays.
- Avoid leaving boxes from expensive purchases or gifts out on the curb for trash pickup.

### **Tips for Shopping**

- Shop before dark if possible. Never park in an unlit lot or area, no matter how convenient it is.
- Keep your vehicle's doors locked and valuables out of site. Lock your packages and gifts in your vehicle's trunk.
- Avoid carrying or flaunting large amounts of cash.
- To avoid purse snatchers and pickpockets, don't overburden yourself with packages.
- Ladies should keep their purse secured and never place it in shopping cart.
- Have your keys in hand when approaching your vehicle. Check the backseat and around the car before getting in.
- Check your credit card and bank statements regularly for fraudulent use.
- Shop only at secure Websites.

*Elite Management Professionals Wishes Everyone a Safe & Merry Christmas and a Happy New Year*

