



# Neighborhood Insider

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## Answers from Amanda: **Self-Help**



**Q: What are the pros and cons of "self-help?"**

**A:** This is a particularly important topic these days, given the impact of foreclosures on many of our communities. Let's start with a definition of self-help.

Self-help is the ability typically granted to the Association by a community's CC&Rs to enter onto a homeowner's lot to provide cleanup and/or landscape maintenance services when the lot's landscaped area falls into disrepair and is in violation of the maintenance standards set forth in the Association's governing documents. The cost to provide this service is then billed back to the applicable homeowner, if also provided for within the CC&Rs.

To discern whether a community has the ability to use self-help as a means to clean up overgrown or unsightly lots, check your community's CC&Rs for language regarding "improper maintenance and use of lots" or "maintenance by owner". These self-help sections generally specify that the homeowner be given some type of notice stating that unless the lot is brought up to required maintenance standards (i.e. weed-free, neat, in good condition), the Board may cause corrective maintenance action to be taken at the homeowner's expense.

One of the pros of having this ability as an Association is that it gives the Board a tool to keep up community

maintenance standards, particularly with vacant homes, thereby further protecting the overall community appearance and property values. Self-help can also provide a quicker, less expensive way to deal with a lot that is in clear violation of the community's governing documents than pursuing compliance via fines and violation letters or even legal recourse.

A con that should be considered by the Board is that the Association will initially pay for the cost of the cleanup and it may be very difficult to recoup the cost from the homeowner, particularly if the home is on its way to foreclosure or is already in foreclosure. There may also be a safety issue if the home is still occupied and the homeowner, even when notified per the CC&Rs, may become unpleasant or even hostile to the landscape workers who enter the lot. In some cases, a homeowner may sue the Association for trespassing even though the CC&Rs include language allowing the Association the opportunity to use self-help.

So be sure to first check your CC&Rs to ensure that the Association can use self-help, identify the specific violation in the community's governing documents, carefully consider these pros and cons for each applicable home before moving forward and be sure to provide proper notice to the homeowner as indicated in the CC&Rs.

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## NEWS YOU CAN USE: Board Training Schedule

Mark your calendars now and plan to attend our upcoming Board Training sessions. You won't want to miss the tremendous amount of valuable industry information we manage to pack into each and every meeting!

**TOPIC:** Legislative Update  
**DATE:** Tuesday, July 29, 2008  
**TIME:** 6-8 p.m., snacks will be served  
**PLACE:** AAM Corporate, 7740 N. 16th St., Ste. 300, Phoenix

**TOPIC:** New Board Member Training  
**DATE:** Tuesday, Aug. 12, 2008  
**TIME:** 6-8 p.m., snacks will be served  
**PLACE:** Held concurrently at AAM's Corporate, East Valley and West Valley offices

**AAM Corporate Office: 7740 N. 16th St., Ste. 300, Phoenix**  
**East Valley Office: 1311 W. Chandler Blvd., Ste. 130, Chandler**  
**West Valley Office: 14780 W. Mountain View Blvd, Ste. 111, Surprise**

**Please RSVP to Tanya Salerno at [tsalerno@AAMAZ.com](mailto:tsalerno@AAMAZ.com) or 602-288-2694**

## SERVICE SPOTLIGHT: Staff Accountants



### AAM Staff Accountants

**Seated L to R:** Drew Schroder, Matt Murphy, Jeff Dekruif  
**Standing L to R:** Michael Yniguez, Niki Tran, Sandra Romero, Christina Vaaler

Preparing monthly financial statements, monitoring monthly and year-end journal entries and taking care of miscellaneous deposits and refunds are all in a day's work for AAM's busy staff accountants.

The team of seven is responsible for all things related to maintaining clients' financial peace of mind, said Matt Murphy, senior accountant.

"Accounting is the language of business and we strive to help homeowners and boards understand this language," said Murphy. "We are always available to address the accounting-related questions and concerns of each community. We often meet with boards and homeowners to clarify questions concerning financial statements and other finance-related matters."

Murphy acknowledged that many important community decisions are made based on the information his department provides. For that reason, staff accountants take special care in making sure funds are allocated appropriately, that all bank accounts are reconciled properly and that interest rates are monitored to ensure the association is getting the best return on its investment.

"We believe it is very important to provide the boards/homeowners with accurate and timely information so they can make the best decisions possible," said Murphy. "We also assist the community managers and boards in the budget preparation process each year."

Asked about his favorite part of the job, Murphy replied, "My favorite part of the job is gaining the trust and confidence of each community by providing excellent service and accurate accounting information."

## NEWS YOU CAN USE: How to Deal with Board Resignations

Board vacancies are bound to occur due to expiring terms, early resignations and sometimes, conflicts among Board members. Frequent resignations, on the other hand, may be a warning sign that there are problems with the Board or that individual members are not the proper fit for the role they previously occupied.

Regardless of the cause, having a plan in place to reduce resignations will help enhance continuity within your community Association's structure. The Board can further help reduce resignations by keeping an open mind to new ideas and ensuring the best interests of the community are always a priority.

Diversity among Board members will also enhance the effectiveness of the Board in relation to understanding the needs of the community. In today's fast-paced society, it's not uncommon to find fewer residents who are able or willing to make time to serve as Board members for the purpose of assisting their neighborhood.

While taking preventive measures may not eliminate the unexpected resignation, it can reduce the impact of the resignation. The following are a few suggestions to assist your community in reducing Board resignations and, when faced with such, a structure to identify potential replacement candidates:

- Arrange annual orientation for members of the Board that will focus on communication and procedural issues, and will provide them with future guidance in their Board roles.
- Establish procedures to groom future leaders by involving homeowners in community projects and creating a strong committee structure.
- Current Board members should place articles in the newsletter and on the web site listing the functions and duties of the Board members. This will assist any "recruits" in easily becoming familiar with their potential roles. It will also assist them in understanding that the roles performed by directors will differ

from their roles as homeowners. In most instances, the list of duties will be shorter than most recruits imagine.

- Diligently seek to identify potential candidates who will strengthen the Board.
- Advertise as soon as you are aware of an upcoming vacancy or resignation.
- Remember the welfare of the community depends on level headed and concerned volunteers.
- Establish criteria for the selection of directors as set forth below:
  - Should be an individual of the highest character and integrity
  - Should be free of any interest which would violate any applicable law or regulation or interfere with the proper performance of the responsibilities of a director
  - Should be willing and able to devote sufficient time to the affairs of the Association
  - Should be diligent in fulfilling the responsibilities of a director
  - Should be prepared to attend and participate in Board meetings and community events.
- Frequently post positive communication through your newsletter and web site regarding meetings, planned improvements, and/or events.
- Sponsor regular association social events to help neighbors stay in touch with each other and stay abreast of future community plans.

Implementing these suggestions will assist in dealing with Board resignations, while limiting your exposure regarding changes in governance, procedural interruptions and ineffective operations of your community Association. Once you have been fortunate enough to obtain volunteers to serve on your community Association's Board, your objective can return to leading the community to a positive and rewarding future. Stability on the Board offers the opportunity for better planning and greater success.

Source: [associationtimes.com](http://associationtimes.com).

## Thank You - Higley Park Clean Up

Great things can happen when we all work together. This fact was illustrated clearly in May, when AAM and some of its contractors joined with homeowners at Higley Park in Gilbert for a much-needed clean-up day.

Higley Park is a community feeling the effects of a down market. The idea of a clean-up day started informally with AAM employees and homeowners coming together to pull weeds in the common areas. AAM contacted some of our contractors and asked if they would contribute to the cause. They all responded with, "How can we help?" Hence, the official Higley Park Clean-Up Day was born.

These companies donated their time, labor (over-time) and equipment, ranging from three-man tree crews to 10-man crews pulling weeds. We would like to extend a heartfelt shout of gratitude to these industry leaders:

**Arizona's Best Landscape**  
**Asset Landscape**  
**Bircher Exterminating**  
**DLC Resources**  
**Green Innovations**  
**Hurricane Aquatics**  
**Sundance Landscape**  
**Tot Lot Care**

