

# Neighborhood Insider

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## Answers from Amanda



**Q: Why is it important to consistently enforce our community's CC&Rs?**

**A:** Consistent and equitable enforcement of a Community's governing documents, including the CC&Rs, is critical in creating a balanced, successful Association.

The first step in achieving consistency is to read and thoroughly understand the Community's CC&Rs and Design Guidelines, as well as any other governing documents that may include specific requirements or restrictions for each Lot. One of the many reasons why this step is so important is because each Community can be very different from a governing document standpoint. You cannot assume that all communities do not allow 12-foot tall playground structures. The governing documents must be read and understood by both the community manager and the Board of Directors for each and every Community before enforcement takes place.

The second step in consistent CC&R enforcement is scheduling regular weekly or bi-weekly Community inspections. Regularly occurring inspections will help insure that items that are not in compliance will be identified and addressed in a timely manner. It is also very important that an appropriate

Fine Policy be established and approved by the Board of Directors. A Board-approved Fine Policy gives the guidance needed to help insure that the Community's rules are being followed by all residents and the consequences of non-compliance are equitable.

Lastly, as the definition of the word consistent (i.e. constantly adhering to the same principles, course, form, etc.) implies, consistent enforcement means adhering to the governing documents in each case, and treating each non-compliant issue in the same manner according to the Board-approved Fine Policy. A community manager should not subjectively ignore a clear, defined violation one week and then choose to address it later. This same concept applies to the Community's Board of Directors, as they need to support the consistent application of the governing documents by the Community Manager and stay objective on compliance issues even when it may involve a friend or neighbor.

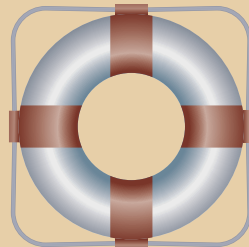
By consistently enforcing the CC&Rs, Design Guidelines and all other applicable governing documents, the community manager and Board of Directors will build understanding and trust with the Community's homeowners, which then creates the foundation for a successful, well-run Association.

**Amanda Shaw, President of AAM, LLC**

## DID YOU KNOW Pool Safety

Thanks to successful marketing campaigns such as "Two Seconds is Too Long," and "Watch Your Kids Around Water," drowning prevention awareness is at an all-time high in the Valley of the Sun. But here are some facts from the U.S. Consumer Product Safety Commission that may surprise you. The facts were uncovered during a comprehensive study of drowning and submersion incidents involving children under 5 years old in Arizona, California and Florida:

- Seventy-five percent of the submersion victims studied by CPSC were between 1 and 3 years old; 65 percent of this group were boys. Toddlers, in particular, often do something unexpected because their capabilities change daily.
- At the time of the incidents, most victims were being supervised by one or both parents. In all, 69 percent of the children were not expected to be at or in the pool, yet they were found in the water.
- Pool submersions involving children happen quickly. A child can drown in the time it takes to answer a phone. Seventy-seven percent of the victims had been missing from sight for 5 minutes or less.
- Survival depends on rescuing the child quickly and restarting the breathing process, even while the child is still in the water. Seconds count in preventing death or brain damage.



- Child drowning is a silent death. There's no splashing to alert anyone that the child is in trouble.

### A few drowning-prevention tips:

- There is NO substitute for adequate supervision. **DON'T LET CHILDREN OUT OF YOUR SIGHT!**

- Pools and spas are attractive to children. Provide a permanent barrier to entry. Local ordinances will specify a 3 - sided or a 4 - sided, non-climbable fence with self-closing, self-latching mechanisms on the gate. The gate should be locked when the pool is not in use. Do not place chairs or tables near a fence which would allow a child to climb over. Portable, above ground spas should have a hard top that locks on, preventing its use.
- In addition to a barrier around the pool, the National Spa and Pool Institute promotes an idea called Layers of Protection, and has produced a pamphlet under the same name. This is the combination of many safety features working together to form several "layers" of safety protection around a swimming pool or spa. A simple fence just won't do to protect the pool when it is not under supervision.
  - Learn CPR (Cardio-Pulmonary Resuscitation).
  - Have children take swimming lessons at an early age.



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# SERVICE SPOTLIGHT:



**Terri Roberts**

Administrative Assistants play an important role in any company, and at AAM, it's no different. The company's 32 Administrative Assistants – 11 at corporate headquarters and 21 on site at various communities – are busy nearly every moment of every day with responsibilities ranging from answering homeowner phone calls to sourcing vendor bids and preparing for board meetings.

"They interact a lot with our boards and homeowners," said Terri Roberts, AAM's Vice President of Administrative Services. "They do a lot of leg work to make sure requests are responded to in a timely manner."

In addition to their regular administrative duties, the Assistants are instrumental in helping educate homeowners about community governing documents, and are an important part of the Community Manager's overall effort to keep operations running smoothly.

According to Roberts, the ideal Administrative Assistant possesses excellent computer and organizational skills, and has had some related HOA experience. But, perhaps the most important job qualification is a winning attitude and a desire to go the extra mile. "Attitude is everything," said Roberts. "Customer service is our number one goal, and being a team player is vital to making that happen."

## NEWS YOU CAN USE: Tree Pruning

**As we head into the hotter summer months, the importance of trees – and the shade they provide – cannot be overstated.**

In fact, Rick Robinson, a certified arborist and president of DLC Resources, one of the Valley's leading landscape management firms serving large, master-planned communities, believes trees are pretty darn important any time of the year.

"The trees growing in HOA landscaped common areas represent one of the most valuable assets of the Association," he said. "Proper care of this asset will cause the trees to continue to grow to maturity and appreciate in value. Conversely, no care or improper care will prevent many trees from reaching maturity, and the value of this asset will often depreciate."

Robinson offers these tips to help keep your community's trees in tip-top shape:

- Have an arborist perform an annual evaluation of the Association's trees to determine current pruning needs. The pruning schedule is dependent on several factors, including type and location of the trees.
- Pruning should be performed during temperate times of the year – such as fall and winter – to minimize tree stress.
- Ask an arborist to develop a multi-year pruning schedule and budget for the community. A very general guideline is to plan on pruning one-fourth of a community's trees each year, beginning three or four years

after the trees are installed, at a cost of around \$60 per tree. This will provide, at least, an estimate for budget purposes.

- When hiring a company to trim your community's trees, look for the following requirements: an arborist certified by the International Society of Arboriculture (ISA); proof of insurance that specifically covers tree work; and a comprehensive reference list.

Robinson said improper pruning can cause more trouble than just a shabby appearance. There are a number of liability issues to consider, as well.

"The first is liability that a tree, or a portion of a tree, may fall and cause damage to people or property," he said. "Another form of liability exposure is that company personnel performing the work could be injured, and if the company is not properly insured, the injured personnel could bring suit against the HOA. Insufficient pruning can cause intersection visibility to be reduced, or blocked, and become the cause of traffic accidents. Any time branches from a tree grow into pedestrian, bicycle or vehicle pathways, they constitute a liability exposure for the HOA. Lastly, the health of the tree can be adversely affected by improper pruning practices."

So, as you can see, there's a lot more to those trees than meets the eye. No wonder it's best to "leaf" their care up to the experts!

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