

Association of Condominium,
Townhouse, and
Homeowners Associations



ACTHANews

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2017 Strategic Partners



*Acres Group
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DuBois Paving Co.
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*2017 sponsorships available
at www.actha.org/sponsorship*

THINK SPRING!

ACTHA's
Spring Conference
is April 8

See inside for details

Who is Managing Your Association?

Did you know Community Association Managers must be licensed through the State of Illinois? Make sure your manager has the proper license to manage your community association. Below is an explanation of the difference between Community Association Managers and Property Managers.

Who?	Community Association Manager	Property Manager
Reports to:	Association Board	Owner or General Manager
License Type:	Community Association Manager	Real Estate Broker
Scope of Work:	Manages Community Associations	Manages Properties

Community Association Managers: Managers may work for a management company or directly for one or more community associations. They may work for condominium, townhome, homeowner, recreational, marina, equestrian or other community associations. They may maintain financial records including receiving funds and making deposits, paying bills, obtaining proposals for projects, issuing work orders for routine items, responding to owner questions and complaints, maintaining records, communicating with board members, assisting with budget preparation, etc. **They may not manage properties unless they have a Real Estate Broker or Managing Broker license.**

Property Managers: Brokers and/or Managing Brokers list properties for sale or rent in order to procure buyers or tenants for clients. They also assist buyers and tenants in finding properties. Types of properties include, but are not limited to, residential, vacant land, multi-unit/apartment residential, industrial, office, retail, institutional, mobile homes, deeded parking, mixed use, businesses with real estate, etc. and they may manage properties, **but not community associations unless they also have a CAM - Community Association Manager License.** A Broker will work for a company under the direction of the Managing Broker.

All Community Association Managers must be licensed under the Community Association Manager Licensing and Disciplinary Act. It would be wise to ask for a copy of the manager's license or you may go online to check: www.idfpr.com/profs/cam.asp



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2017 Membership Renewal Reminder

Remember, all ACTHA memberships have been aligned
to a January-December dues cycle.

The deadline to renew is Wednesday, March 1.

Call us at 312-987-1906 with questions.

Board of Directors

Officers

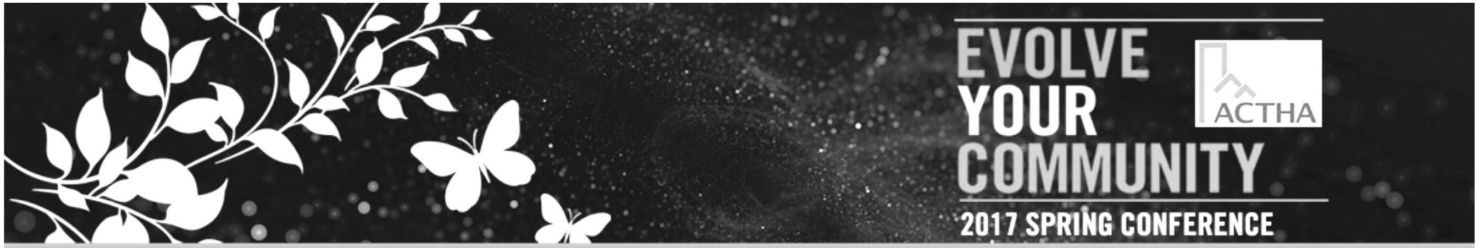
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JOIN US FOR A REVOLUTIONALIZED EXPERIENCE !

ACTHA is redefining the relationship between association and commercial members! The former trade show has been re-invented into a reception-style networking session and will provide uninterrupted time for commercial members and association attendees to develop and strengthen relationships in a relaxed atmosphere.

The Association Exchange encourages association attendees to discuss related issues within their own peer groups. The Commercial Exchange will allow vendors to discuss industry trends and share best practices on how to succeed in the community association market.

Exchange ideas with association board members

Find Solutions to the biggest issues impacting community associations

Meet representatives from legal, financial services, construction firms and more

Spring Conference | Saturday, April 8 | 8am-4pm | Drury Lane, Oakbrook Terrace

Schedule at a Glance

8:00—8:30 am: Registration and Breakfast

8:30—9:30 am: Opening Session

Building the Bridge - Strengthening Relationships Between Association Boards and Vendors

9:45—11:45 am: Networking Session

11:45 am—12:30 pm: Lunch

12:45—1:30 pm: Association Exchange / Commercial Exchange

1:45—2:30 pm: Concurrent Breakout Sessions

Cultivating Owner Involvement: Breaking Through Barriers

Financial Tips—Not Just for Treasurers

2:45—3:45 pm: Concurrent Legal Breakout Sessions

Attorney's Role at Meetings

The New Legal Framework for Meetings & Communication

3:45—4:00pm: Annual Meeting

Register by March 31 and save \$\$! Visit www.acthaconf.com or refer to the enclosed insert.

Gear Up for March Educational Programs

Join us for upcoming ACTHA education! To register, visit www.actha.org or call us at 312-987-1906.

Seminar

Meetings/Elections of an Association

Wednesday, March 1, 7:00—9:00 pm

Presenter: David Bendoff, Principal, Kovitz Shifrin Nesbit

Location: The Building Group, 1221 N LaSalle, Chicago

Learn everything you need to know about your association's meetings. Topics include: types of meetings, unit owner meetings, annual meetings and election of directors, notice, quorum requirements, voting methods, who is eligible to vote, registration and distribution of ballots, the ballot, candidate forums, cumulative and non-cumulative voting, vote counting, recounts, and board meetings.

Webinar

The Condo De-conversion Phenomenon Explained

Tuesday, March 14, 12:00—1:00 pm

Presenter: Kelly Elmore, Principal, Kovitz Shifrin Nesbit

Condo de-conversion is a process by which a condominium association sells each individual unit (in bulk) to a single investor who converts the units to rental product. Current market conditions including high rents and relatively low interest rates have led to an increasing number of condo de-conversions in the Chicago area. Learn more about this trend and the Section 15 sale process, as well as considerations for association boards.

Seminar

Physical Aspects of an Association

Wednesday, March 15, 7:00—9:00 pm

Presenter: Mark Waldman, President, Waldman Engineering Consultants

Location: The Building Group, 1221 N LaSalle, Chicago

This session will cover all physical aspect components (the building, grounds, streets and amenities), management (planning and budgeting, maintenance, preventative measures, periodic repairs, replacement), building codes, understanding the initial state and planning for a major capital project.

Seminar

Associations and Homeowner Security

Thursday, March 16, 7:00—8:30 pm

Presenter: Perry Myers, U-Spy Enterprises

Location: Tahoe Village Clubhouse, Wheeling

Package-stealing, forced entry and other crimes can be common in association communities. Home security and surveillance help maintain safe communities. Learn what unit owners and associations can do to stay secure and discover the newest technology and breakthroughs in security.

Seminar

Insurance/Risk Management of an Association

Wednesday, March 29, 7:00—9:00 pm

Presenter: Joel Davis, CPCU, CIC, CIRMS, Marketing Manager, CAU Insurance

Location: The Building Group, 1221 N LaSalle, Chicago

Confused about insurance? This seminar covers the nature and management of risk, the five-step management process and cycle, risk management tools, and insurance requirements in Illinois.

To register, visit www.actha.org or call us at 312-987-1906.

WELCOME!

New ACTHA Association Members

1010 N Harlem Condo Assn, River Forest
Chase-Ashland Condo Assn, Chicago
Dartmouth Homeowners Assn, Springfield
The Lakelands TOA, Plainfield
New Century Town Condo Assn #2, Vernon Hills
Stone Manor HOA, Batavia

Commercial Member News

COMMUNITY ADVANTAGE Welcomes New Employees

President of COMMUNITY ADVANTAGE® Peter Santangelo is pleased to announce two new additions to the team, Matt Hall and Kim Myles. Mr. Hall, officer - relationship manager, is responsible for business development and portfolio management for condominium, homeowner and townhome association clients throughout the Midwest. He received a Bachelor of Arts degree in communication from Western Illinois University in Macomb, Illinois. Prior to joining COMMUNITY ADVANTAGE, Mr. Hall started his banking career over six years ago as a teller, working his way up to senior commercial underwriter with multiple Wintrust Community Banks.

Kim Myles, vice president – relationship manager, is responsible for business development and portfolio management for condominium, homeowner and townhome association clients throughout Maryland, Virginia, and Washington, D.C. Ms. Myles attended Eastern Michigan University in Ypsilanti, Michigan and majored in finance and economics. Prior to joining COMMUNITY ADVANTAGE, Ms. Myles worked in the mortgage lending area for 12 years and has 20 years of sales and relationship management experience in technology solutions uniquely designed for financial services. “I believe that Matt and Kim will be a great addition to the COMMUNITY ADVANTAGE team and will contribute to our continued success,” said Mr. Santangelo. “Their banking experience demonstrates the depth of knowledge which we really value.”

Klauber Rejoins Popular Association Banking

Popular Association Banking (PAB) is pleased to announce that Marty Klauber has rejoined the Division as Vice President to assist Community Associations with their financing needs. Marty will be covering Illinois as well as other Midwest territories. Marty has a strong background in finance, having received his MBA in Finance from the University of Wisconsin. Leveraging 35+ years in the finance arena, and 25 years specializing in commercial and community association lending, Marty joins PAB with a wealth of industry experience. Most recently, Marty was SVP/Association Banking Manager at another bank, and decided that representing Popular would be the best way to provide financial assistance to community associations in the region.

Popular Association Banking serves the community association industry exclusively, and can accommodate an association's financing, lockbox and depository needs. PAB is a division of Banco Popular North America.

Package Management And Electric Vehicle Charging Stations



Package Management has now become the number two most requested amenity for apartment and condo buildings next to fitness centers

&

Consumers with electric vehicles are searching for apartment and condo buildings that have charging stations for their vehicles

Both products help attract and retain consumers along with increasing both property value and revenue

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Question of the Month: Who's Responsible for Foundation Cracks?

By: Michael DeSantis, Attorney
Gardi & Haught, Ltd.
Schaumburg, IL

Question: Is a crack in a garage floor the responsibility of the Association or unit owner? We are assuming, as based on reading our Declarations, that the unit owner is. Garage floors are not specifically mentioned, just "...foundations, structural parts of the Building...", (unless the floor is considered part of the foundation).



Answer: In this response, I am assuming you are referring to a crack in your garage foundation. You are correct to assume that your answer lies in your community's covenants, conditions and restrictions ("CC&Rs"). CC&Rs detail what responsibilities belong to the Association and what responsibilities belong to you, the individual homeowner. In your case, you must discover whether your CC&R's define garage foundations as a limited common element or designate it as something else, specifically whether your garage is defined as being part of your individual unit. If your garage is defined as being part of your unit, then it is your responsibility to maintain. If your garage is defined as a limited common element, the Association is likely responsible for its maintenance.

However, even if your Association is responsible for its maintenance, there is a possibility that your Association will make you pay for the repair depending on what your CC&R's read. If your unit is governed by the Illinois Condominium Property Act (the "Act"), the Act provides that an Association may assess the cost of maintenance, repair and replacement of limited common elements back to the homeowners who have use of those amenities, if the CC&R's provide for such a charge back. Carefully reading your CC&Rs will help you clarify who is responsible for your garage foundation maintenance and whether such costs can ultimately be charged back to you.

Legislative Update

The 100th General Assembly is now operational and will remain so until 2018. In other words, thousands of bills will be introduced, many of which will affect the interests of community associations. ACTHA's Legislative Committee identifies bills that impact community associations and works with ACTHA's lobbyist to enact a strategy to attain a favorable outcome for association members. These identified bills may be found on www.actha.org along with ACTHA's position regarding each bill. Additionally, ACTHA introduced the following bills:

HB 2931 (Gabel) Amends the Condominium Property Act. Provides that condominium bylaws shall provide that notwithstanding any provision in the condominium instruments to the contrary, the board of managers has discretion to: (i) address any budget surplus by transferring the surplus funds or portion thereof to the association's capital or operating reserves or applying the surplus funds to any other common expense; and (ii) address any deficit by incorporating the deficit into the following year's annual budget. In provisions governing the combination of units, defines "combination of any units". Provides that the exclusive right to use as a limited common element any portion of the common elements that is not necessary or practical for use by the owners of any other units is not a diminution of the ownership interests of all other unit owners requiring unanimous consent of all unit owners under other provisions of the Act or any percentage set forth in the condominium instruments. Provides that notwithstanding other provisions of the Act or the condominium instruments, an amendment pursuant to the Section governing combination of units is effective if it meets the requirements set forth in that Section.

HB 2932 (Gabel) Amends the Condominium Property Act. Makes numerous changes in provisions concerning: common expenses; liens for nonpayment of common expenses; other liens; standing and capacity of the board of managers; disposition or removal of any portion of the property; the contents of bylaws; powers and duties of board of managers; master associations; display of the American flag or a military flag; standards for community association managers; and resale of a condominium unit.

Call for Volunteers Now Open

ACTHA seeks volunteers with passion, dedication and diverse perspectives to serve on the following committees:



Membership

Education

Events

Communications

Legislative

Finance

As a committee member you'll contribute to ACTHA's success while meeting fellow members and developing new skills. If you're interested in serving, please submit a Committee Volunteer form through the ACTHA website. Completed forms are due by Friday, March 17.

ENGAGEMENT + CONTRIBUTION = A VOLUNTEER

Volunteer at www.actha.org/leadership