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Community Associations Institute
New Jersey Chapter

April 2013



AN OUNCE OF PREVENTION

INSIDE:

YOU'VE GOT A "FRIEND" IN CAI

Page 6

POUND THE PAVEMENT

Page 12

WHEN THE LIGHTS GO OUT

Page 20

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President's Corner



Nina Stanton
Clearbrook Community Association
2013 CAI-NJ President

If you don't have time to do it right, when will you have time to redo it?

The articles in this issue can assist our members in recognizing the value of preventative maintenance. As the saying goes: "An ounce of prevention is worth a pound of cure."

Each spring brings new growth, which reminds us that nothing stays the same. As the flowers, trees and lawns bloom to life, so do our spirits. With the warmer weather and extra daylight, our days are brighter but they are also more demanding. So much to do and only a small window of time to accomplish it all! Sometimes it feels like the list is never ending with one major task after another: wind and rain repairs, siding repairs/replacement, roofing projects, gutter/leader repairs/replacement, concrete replacement, landscaping, tree removal/replacement, street paving/cleaning, lighting repairs, HVAC maintenance, etc. Throw in the 3 "P's" (Pools, Pets and Parking) and you have the formula for many sleepless nights. The articles in this issue which were written by our member professionals will offer better insight to community maintenance issues.

I would be remiss if I did not share some extremely pleasurable experiences that occurred during the past three months. I have had the honor of meeting members from the following committees: Awards Dinner, Business Partners,

"My personal goal this year is to meet all of our committee members who formulate and implement our educational programs and events."

Community Association Volunteer Leaders, Conference & Expo, Editorial, Legislative, Managers, Membership and Spring Break. These meetings were awesome as they contained an unbelievable level of energy that burst forth in enthusiasm, excitement, new ideas and dedication that became quite contagious. My personal goal this year is to meet all of our committee members who formulate and implement our educational programs and events. I am looking forward to meeting the Beach Party and Golf committee members who do an incredible job every year.

We cordially invite you to join us in our celebration of Spring at the CAI-NJ Spring Break Party, at McCloone's Pier House, Thursday, April 25, 2013, from 6:00 p.m. to 9:00 p.m. Contact Robin Micallef, at events@cainj.org or (609) 588-0030 for more information. ■

On the Cover...

The cover photo was submitted for the 2012 CAI-NJ Shoot the Cover Contest. It was taken from a bridge over Marlu Lake, which is located in Thompson Park in Lincroft, NJ. Thompson Park is a 667 acre public park open every day of the year. The park has a visitor's center, playground, craft center, off-leash dog run, and of course, Marlu Lake, where visitors with a valid license can fish for bass, bluegills and perch.

Photo by Laura Tarnow, CPA, The Curchin Group LLC

Moving Forward



Lisa Hibbs
Chapter Executive Director, CAI-NJ

While the recovery in the Garden State post Superstorm Sandy continues, progress in the most hard-hit residential areas remains painfully slow. As many of you read in the Legislative Update published in the March 2013 issue of *Community Trends*[®], the New Jersey chapter has been working with the Government Relations team at CAI National and the Federal Legislative Action Committee to petition the federal legislature and top leaders at the U.S. Department of Homeland Security and the Federal Emergency Management Association (FEMA) to expand FEMA assistance to common interest communities that suffered catastrophic hardship from Super Storm Sandy. For decades, community associations have been denied equal access to federal disaster recovery assistance. This can change with your help and voice.

Residents of community associations should be treated equally as all other taxpayers. However, many New Jersey chapter members impacted by Super Storm Sandy are facing high recovery costs as local governments are being denied FEMA reimbursement for debris removal and other

“Please feel free to share any personal stories related to the FEMA reimbursement process.”

disaster recovery expenses. Congress must be made aware that additional resources and flexibility are required for FEMA to fully respond to the aftermath of natural disasters and that these resources must be made available to community associations.

CAI National and the New Jersey chapter are asking for your help. Your story needs to be told so that community associations in New Jersey and other affected regions have equal access to federal disaster recovery programs. Please let us know if your community association was denied FEMA disaster relief or your local municipality was denied reimbursement after providing service to your association.

A copy of the denial letter from FEMA would also be very useful. Please feel free to share any personal stories related to the FEMA reimbursement process. We would also appreciate it if you are able to estimate the total financial impact or cost of the denial. Please include the total number of housing units contained within your association as well. All of this information should be sent to Mr. Michael Hedge, Jr., Senior Director, Government & Public Affairs at Community Associations Institute at mhedge@caionline.org. Mr. Hedge can be reached by telephone at (703) 970-9256.

I cannot emphasize strongly enough how critical your personal story is to making long overdue changes to federal disaster recovery programs. As always, you can reach out to me directly at (609) 588-0030, extension 303, with any questions or concerns you may have regarding this call to action. ■

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Contents

In Every Issue

- President's Corner2
- Moving Forward.....3
- Legislative Update.....4
- Chapter Trends5
- CAI-NJ Upcoming Events19
- CAI Membership Application.....42
- Recruiter Club26
- New Members29

Features:

- Prompt Notice of Lawsuits Enables CAI to Participate as a "Friend of the Court"6
- When is the Right Time to Pave?12
- Eliminating Those Power Outages20

Extras

- 2013 New Jersey Forecast Wrap-up18
- Community Trends*[®] Author Guidelines30
- The Essentials Program Wrap-up.....32
- Monmouth University Poll34
- Management Trends.....46
- National Trends52
- Q&A.....57



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Legislative Update



James Magid, CMCA, LSM, PCAM
Wentworth Property Management Corp., AAMC
Chair, CAI-NJ Legislative Action Committee

“We do not agree that community associations should be mandated by the government to suspend enforcement of their communities’ rules. ”

The New Jersey chapter continues to coordinate efforts to expand FEMA assistance to common interest communities that most recently suffered catastrophic hardship from Superstorm Sandy. Dawn Bauman, Senior Vice President of Government & Public Affairs for CAI National, and her team, have been meeting with legislative leadership in Washington, D.C. and the New Jersey chapter has requested meetings with key leaders in their New Jersey district offices as well. You can assist these efforts by completing a survey sponsored by CAI National which will enable us to compile important statistics and present them to federal decision makers. The survey can be found at www.surveymonkey.com/s/7T1TDH89. If you have specific questions related to this initiative or the survey, please contact Michael Hedge, Senior Director of Government & Public Affairs, Grassroots, at CAI National at mhedge@caionline.org.

Representatives of the New Jersey Legislative Action Committee (LAC), along with our lobbyists, will be meeting with

Assemblyman Herb Conaway on his bill, A-3497, which revises the residential property mortgage foreclosure process; requires documentation of the right to foreclose, and consultation on foreclosure alternatives. A-3497 also provides an expedited process for foreclosing abandoned properties. We look forward to working with the Sponsor to further strengthen the legislation. Assemblyman Conaway is also a Co-Sponsor of the manager licensing bill.

The LAC is also working with the sponsors of A-3706 and S-2553, which, for a period of 12 months, prohibits enforcement of a homeowners’ association bylaws, prohibiting domesticated animals, if an owner is designated by FEMA as a “displaced individual” following an emergency declaration by the President or Governor. We do not agree that community associations should be mandated by the government to suspend enforcement of their communities’ rules. While we are sensitive to the desire of our community association homeowners to

assist displaced family members and friends and their pets, we believe that best approach would be for homeowners to request leniency from the community association boards on an individual basis.

We continue to see the introduction of bills requiring the installation of emergency power supply systems in case of emergency. S-2462, sponsored by Senator Brian Stack, requires newly-constructed multiple dwellings, with six or more residential units, to install standby generators to provide electricity in case of emergency. Senator James Holzapfel introduced S-2491, which requires the installation of emergency power supply systems to certain common areas of new planned real estate developments, and provides for tax incentives. The LAC remains opposed to these mandates. The decision should be left to each community association; however, we strongly encourage every community association to have an emergency preparedness policy and disaster/evacuation plan. ■

Help CAI’s Amicus Effort

The CAI Amicus Program is looking for your help. For years, CAI has participated in New Jersey court cases involving significant community association issues. We do this through our “Amicus” or “Friend of the Court” Program. With the court’s permission, CAI files briefs in court cases advocating the interests of our members. CAI has successfully appeared in a number of important New Jersey cases, including Twin Rivers. It is important for our members to

let CAI know when they are involved in, or become aware of, a lawsuit which may have an impact of general concern to the industry. We can only participate and have our views expressed when we know about these cases when they first arise. So, this is an important request on behalf of both the National and Chapter Legislative Action Committees to please advise the Chapter office of any litigation involving community association issues of potential importance to the entire industry.

chapterTrends

Congratulations!

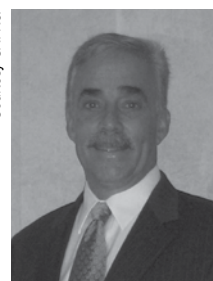
Caesar Mistretta of Hub International and his wife Martha welcomed their daughter, Amelia Constance Mistretta, into the world on March 16, 2013 at 9:37 a.m. Amelia weighed 6 lbs. 7 oz.



Courtesy CAI-NJ

Hillcrest Paving & Excavating, Inc. Receives 2012 Subcontractor of the Year Award from the New Jersey Subcontractors Association (NJSA)

Hillcrest Paving was the proud recipient of the New Jersey Subcontractors Association (NJSA) 2012 "Subcontractor of the Year Award" at the Annual Awards Dinner held on January 12, 2013 at the East Brunswick Hilton. This prestigious award defines Hillcrest Paving's commitment to quality workmanship, integrity within the industry and superior service to their clients. The commitment to excellence shown every day from the company's employees and management has earned Hillcrest Paving the distinction of being recognized as one of New Jersey's premier asphalt paving and site work construction companies.



Courtesy CAI-NJ

Jerry Giordano

Hillcrest Paving & Excavating was incorporated in 1979 and is registered as a New Jersey Public Works Contractor and is a qualified SBE. Hillcrest is also prequalified by the New Jersey Schools Development Authority (SDA), the New Jersey Economic Development Authority (NJEDA) and the New Jersey Division of Property Management and Construction (DPMC) with a \$10,000,00 bonding capacity. Hillcrest is an active member of many associations including the New Jersey Subcontractors Association (NJSA), Utility & Transportation Contractors Association (UTCA), Land Improvement Contractors of America (LICA), Building Owners and Managers Associations (BOMA), Community Associations Institute (CAI) and many others.

This award was accepted by the company president, Gerald J. Giordano (Jerry) on behalf of the company and its employees.

Hillcrest Paving & Excavating was also the recipient of one of the NJSA 2012 Safety Awards presented the same evening. This award defines Hillcrest Paving's commitment to a safe work environment for the benefit of its employees and clients.

The safety award was accepted by Jim Giordano, the company's Vice President, who noted "Hillcrest Paving & Excavating has made it a point to ensure that safety on and off the job site is a number one priority and we are proud to be honored for the company's accomplishments as well as the accomplishment of our employees."

Area Exec Among Women Honored for Changing the World of Real Estate Management

Spring Lake, NJ – Kerri E. Stimpson, CMCA, AMS of Taylor Management Company, AAMC, AMO is among a group of 70 women from the U.S. and abroad honored recently by the Institute of Real Estate Management (IREM®) for their positive impact on the real estate management profession. Recognized for innovation, mentoring, community service, leadership and other laudable initiatives, Kerri and the other women identified range from senior officers of global real estate firms to self-employed entrepreneurs to site managers of single properties who are prized for the great work they do.

"In big ways and small," said IREM® 2012 President James A. Evans, CPM®, "women are changing the face of the real estate management industry daily. This was the impetus

CONTINUES ON PAGE 48.

Be a part of the Trend! Submit your company's or association's news, milestones, achievements – including wedding and birth announcements – to communitytrends@cainj.org for publication in the chapterTrends section of *Community Trends*®.



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Prompt Notice of Lawsuits Enables CAI to Participate as a “FRIEND OF THE COURT”

By Michael S. Karpoff, Esq., CCAL
Hill Wallack LLP

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Association members, managers, attorneys: the Community Associations Institute and particularly the New Jersey chapter needs you to alert the chapter to lawsuits involving issues that can affect community associations in general. Prompt notification will enable the chapter or the national organization to make a timely application to participate in the case as a “friend of the court” if appropriate.

Sometimes, an association litigates an issue that can have a wide-range effect beyond the parties in the lawsuit. One example was *Committee for a Better Twin Rivers v. Twin Rivers Homeowners Association*, which involved several issues decided by the Appellate Division of New Jersey’s Superior Court and by the New Jersey Supreme Court. There, a group of owners challenged certain rules of the Association, but the lawsuit eventually resulted in holdings that bind associations throughout New Jersey concerning such things as validity of rules, alternative dispute resolution and speech. Another example was *Stonehill Property Owners Association, Inc. v. Township of*

Vernon, where an association challenged a municipality’s payment for snow removal and street lighting, and the Appellate Division established guidelines still used by associations and municipalities in determining amounts due for associations pursuant to the Municipal Services Act.

These two cases dealt with different subjects, but what they had in common is that CAI appeared in both as an *amicus curiae*, that is, a “friend of the court.” A “friend of the court” may appear in a case if the court believes the applicant’s input will assist the court in reaching its decision. Generally, “friends of the court” participate where the litigants have not addressed the broader implications of their arguments or where the court’s decision will affect a wider range of persons than just the litigants. Although an *amicus curiae* is permitted to participate to assist the court, it may side with one of the parties if it believes that a decision in favor of that party will benefit its constituents or a decision in favor of the opposing party will injure its constituents. Both the New Jersey chapter of CAI and the national CAI have

appeared as “friends of the court” in a variety of cases that have impacted community associations in general.

Lack of Notice Equals a Missed Opportunity

Associations who are parties to such lawsuits can benefit from CAI *amicus curiae* participation. CAI brings to the table a broader perspective on how a decision will impact community associations. Looking at the whole rather than the narrow facts of a particular case may influence a judge to rule differently. Moreover, involving attorneys active in CAI, particularly if they have litigated similar or related issues, may lead to consideration by the courts of other cases and law, both in New Jersey and in other states, that have touched on the issues.

Obviously, for a party to apply to be an *amicus curiae*, it must know of the case. Unfortunately, unless one of the parties in a lawsuit alerts CAI to a particular case, CAI may not learn of the case until it is too late to participate. Two such situations occurred recently. In *Bell Tower Condominium*

CONTINUES ON PAGE 8.



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FRIEND OF THE COURT... from page 6.

Association v. Haffert, the Appellate Division held that a condominium association must offer an alternative dispute resolution process before filing suit to collect delinquent assessments, despite an apparently contrary holding by the Appellate Division in *Twin Rivers*. Notably absent from the debate was CAI because it did not learn of the case until after the Appellate Division rendered its decision. By the time CAI was able to seek *amicus curiae* status, the Supreme Court had denied the association's petition for review, thus ending the case.

In Dubliner v. 2000 Linwood Avenue Corp., the Appellate Division held that a shareholder of a cooperative had a constitutional right to distribute campaign literature in the cooperative's common hallways. Again, CAI missed the chance to make its views known because no one alerted it that the case was pending. Fortunately, the Supreme Court granted certification in that case and has yet to consider it; however, CAI still will not be participating because by the time it found out that the Supreme Court had agreed to consider the case, the deadline for an *amicus curiae* application had expired, and the Court denied CAI's application as untimely.

To avoid such missed opportunities, associations, their managers and/or their attorneys need to be proactive. They should ask CAI-NJ or CAI as soon as possible after the lawsuit is under way or a notice of appeal has been filed to apply to join the case as an *amicus curiae*. Even if it is determined that there is no need for a "friend of the court" at the trial level, certainly if a case is appealed and the decision can potentially bind associations statewide, notice to CAI is warranted.

Procedure for Requesting CAI Amicus Curiae Participation

A party who thinks the New Jersey chapter's or national CAI's participation as an *amicus curiae* in its case would be helpful needs to request such participation. The specific procedures for a request can be found on the CAI website, at www.caionline.org/govt/advocacy/amicus/Pages/Submission.aspx.

A request may be made to the chapter's Legislative Action Committee (LAC) or directly to CAI National. If submitted to the chapter and the chapter LAC approves the request, the LAC will forward the request to CAI with its recommendation regarding the

CONTINUES ON PAGE 10.



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issues to be addressed and whether the chapter or the national organization should make the application. Once at CAI, the request is reviewed by CAI's *Amicus Curiae* Advisory Group. If the Advisory Group approves the application, it must then be authorized by the national Board of Trustees. Although CAI-NJ may recruit and proffer an attorney to represent the *amicus curiae*, the party making the request for CAI participation may recommend a particular attorney.

Motion Required to Participate as *Amicus Curiae*

An application to appear as an *amicus curiae* may be made by motion in any court, including at the trial level, although applications often are made at the appellate level after the issues have been refined. In New Jersey, once a party has been permitted to participate as an *amicus curiae* in a case, it may participate in later appeals without needing to reapply. Motions should be made as soon as possible since the court will approve the application only if it deems it to be timely and determines that the applicant has an appropriate interest and will provide helpful information.

Pursuant to New Jersey's Rules of Court,

a motion to appear as *amicus curiae* filed with the Appellate Division of Superior Court must be filed no later than the date that the last brief is due from a litigant. A motion to appear before the New Jersey Supreme Court must be filed within 75 days after the Court has posted on its website that a notice of appeal has been filed or that it has granted certification or leave to appeal. The failure to meet the deadline can doom the application.

Although a trial court decision does not constitute a statewide precedent, it can have persuasive value and can be binding within the county where the case is venued. Therefore, if a lawsuit raises an issue that can impact other community associations, notify CAI about the case. It is particularly important to alert CAI about a case immediately upon appeal to the Appellate Division because an Appellate Division decision may be binding statewide. Waiting until the decision is rendered by the court may be too late because there may be no further appeal. Finally, if a case is appealed to the Supreme Court or a petition for certification is filed with the Supreme Court, advise CAI immediately so that, if necessary, it can file a

timely motion to participate as a "friend of the court."

Prompt Notice Necessary to Meet Deadline

Because of the time required for CAI approval for the application, it is important for CAI to be informed as soon as possible of cases involving issues that may affect community associations. Belated notice to the chapter that a case is pending or an appeal has been filed can prevent a timely application for *amicus curiae* status. CAI may then be deprived of the opportunity to apprise the court of the broad effect of its eventual decision or to raise arguments that may be helpful to the community association litigant.

If you are aware of a lawsuit or an appeal in New Jersey involving a community association and there are issues in the case that may generally affect the manner in which associations operate or the relations between associations and their members, do not keep the case a secret, particularly if an appeal has been filed. Notify the chapter promptly so that CAI will have the opportunity to review the case and, if necessary, apply to participate as *amicus curiae*. ■



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WHEN IS "THE RIGHT" TIME TO PAVE?

By Jay Stevenson, RS
Kipcon, Inc.

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In most community associations, one of the costliest items to replace and maintain is the asphalt pavement infrastructure. Because of the sheer amount of square footage, a paving project can also be one of the most delayed items when it comes to replacement. This often means that temporary fixes to the roadways and parking areas are performed in order to defer the inevitable mill and overlay project that will have to be done.

However, letting the pavement age well past its useful life (about twenty years) can mean that the roadways and parking lots in the community become a patchwork of cracks, depressions and repairs. Some communities' intent on performing crack filling instead of pavement replacement end up with a driving surface that appears to have been designed by a modern artist.

But at what point does a community decide that maintenance and repairs are no longer enough and pavement replacement is necessary? As mentioned above, if the community is nearing twenty years old with no major paving projects in its history, it

is likely that one will be necessary soon. A walkthrough of all the paved sections of the community (including all the nooks and crannies) will reveal the various issues that are indicative of aging asphalt: ponding water, depressions, pot holes, and cracking. You will find that the pavement takes a pretty hard beating at dumpster enclosures as well as the entrance and exits to the community because of the sheer amount of traffic that these areas experience. That is why these areas should be looked at most closely when performing a pavement replacement.

A community needs to be financially ready before being able to perform a wide-scale paving replacement project. While community associations are uniquely structured to have money placed aside for projects such as paving replacement, sometimes reserve accounts are not adequately funded when the work becomes necessary. This is why having an up-to-date reserve study on file comes in especially handy. The reserve study will quote an approximate budget amount when it comes to the paving project. Therefore, it is highly recommended that a reserve study update be done

"A community needs to be financially ready before being able to perform a wide-scale paving replacement project."

prior to the project as a low cost way to determine the community's financial ability. In some cases, if a community is facing a large-scale project such as this, reliable contractors will be able to provide a paving estimate without a fee.

In other cases, an engineer can be able to provide answers to a community in regard to paving recommendations. Some communities may be able to get away with an extra few years with the right combination of pavement repair projects and allow for some more time to accrue funds, while others will have no choice but to start right away.

Not only that, but other factors should be added into the equation — such as engineering fees, potential change orders and contingencies in order to present a clear picture of the actual job cost.

Lately, several communities have opted to phase larger paving projects over time,

CONTINUES ON PAGE 15.

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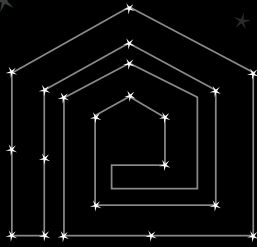
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sometimes over the course of years. This piecemeal approach has the benefit of affording the community some time to continue to accrue reserves to perform the projects. While the preferred way to perform a pavement replacement project is all at once, the phased approach can be a much more feasible way to get it done.

However, the phasing should be well planned and measured in order to accurately budget and schedule the project. In order to do this, a reliable team consisting of management, contractor, engineer and financial advisor must be created. An open line of commu-

nication between all these professionals will ensure that the project will be completed as smoothly as possible.

Once the job is complete, a smooth, jet-black driving surface is the result of all the hard work, blood, sweat, and tears. While not many will realize how much goes into a project such as this, the result is much more of an impact than most would think. Not only is it aesthetically pleasing, it tends to increase property values and generates interest among new buyers as well. Just be glad that if properly done, it only happens once every twenty years. ■

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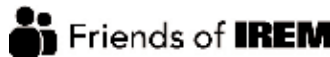


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2013 New Jersey Forecast

The 2013 New Jersey Forecast was held on Tuesday, March 12, 2013 at the Crowne Plaza Monroe. This was the third year that CAI-NJ and the Institute for Real Estate Management (IREM) – New Jersey Chapters 1 & 101 have co-hosted this event.

The keynote speaker was Joseph J. Seneca, Ph.D., professor, Edward J. Bloustein School of Planning and Public Policy at Rutgers University. Dr. Seneca has taught at all levels of instruction throughout his career at Rutgers and has received numerous awards for exemplary teaching and public service. Dr. Seneca spoke about the state of economy both nationally and in New Jersey, trends of the housing and labor markets and how Superstorm Sandy affected New Jersey's economy, housing market and labor statistics.

The second speaker was Michael Van Wagner, Executive Director of the Business Action Center for the New Jersey Department of State. The Business Action Center is responsible for efforts in attracting, retaining and growing businesses in New Jersey. Mr. Van Wagner spoke about the challenges his department and the State of New Jersey faces in encouraging businesses to both remain in and move to New Jersey. He stated that New Jersey has its challenges, but also has many significant benefits to businesses of all sizes such as its port cities and proximity to other major cities in the region.

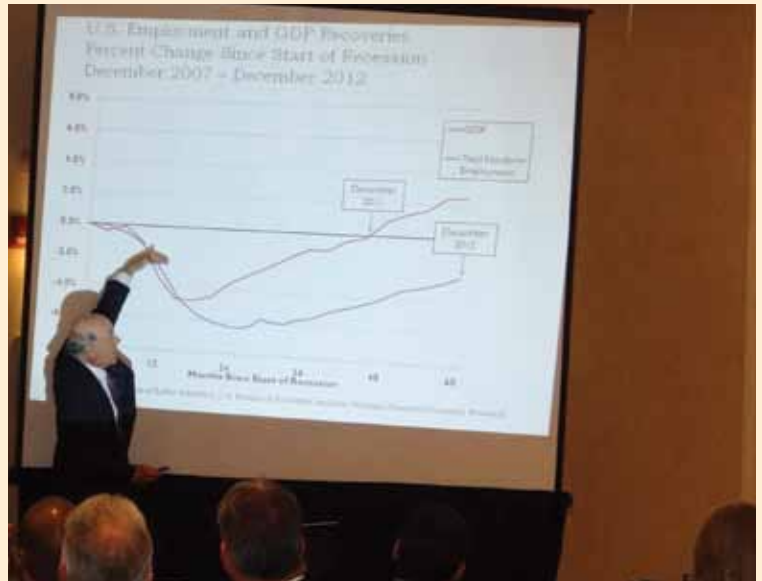
At the conclusion, Dr. Seneca and Mr. Van Wagner facilitated a short question and answer session where the audience was able to interact with the speakers on more specific issues.

CAI-NJ would like to extend its sincerest appreciation to Dr. Seneca and Mr. Van Wagner for sharing their valuable expertise to the 70 members of CAI-NJ and IREM who attended this insightful and important program. ■



Photos this page courtesy CAI-NJ.

(above) Nina Stanton, Clearbrook Community Association, CAI-NJ President, Larry N. Sauer, CPM, CMCA, PCAM, Taylor Management Company, AAMC, AMO, IREM New Jersey Chapter 1 President and Darrell Williams, CPM, Interstate Realty Management Co., IREM New Jersey Chapter 101 President, welcome the attendees.



(above) Joseph J. Seneca, Ph.D., professor, Edward J. Bloustein School of Planning and Public Policy at Rutgers University, shows the correlation between unemployment and the gross domestic product during the recession.



(left) Tim Martin, MBI*GluckShaw introduces Dr. Joseph Seneca.

(right) Dr. Seneca and Mr. Van Wagner take questions from the audience at the conclusion of their presentations.



(above) Michael Van Wagner, Executive Director, Business Action Center for the New Jersey Department of State, talks about his role in keeping New Jersey an attractive business environment.

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CAI-NJ Spring Break Party
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McLoone's Pier House
1 Ocean Avenue
Long Branch, New Jersey
Registration: 5:30 p.m.
Event: 6:00 p.m.-9:00 p.m.

2013 Dennis R. Casale Memorial Golf Outing
Monday, June 10, 2013
Eagle Ridge Golf Club
2 Augusta Boulevard
Lakewood, New Jersey
Registration: 10:30 a.m.
Shotgun Start: 12:30 p.m.

CAI-NJ Beach Party
Thursday, August 15, 2013
Martell's Tiki Bar
308-310 Boardwalk
Point Pleasant, New Jersey
Registration: 5:30 p.m.
Event: 6:00 p.m.- 9:00 p.m.

CAI-NJ Conference & Expo
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2013 CAI-NJ EDUCATION SCHEDULE

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MAY 8, 2013
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The Stone Terrace
Hamilton, New Jersey
Event: 6:00 p.m.-9:00 p.m.

JULY 18, 2013
Senior Summit
The Renaissance at Manchester
1 Renaissance Boulevard
Manchester, New Jersey
Registration: 8:30 a.m.
Program: 9:00 a.m.-12:00 p.m.

NOTE: This is the first of three Summits. Watch for dates to be announced for two more Summits — one each in north and south Jersey.

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JUST NEXT DOOR... CAI PENNSYLVANIA/DELAWARE VALLEY CHAPTER EDUCATIONAL EVENTS

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M-204
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AUGUST 8-10, 2013
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Eliminating Those Power Outages

By Allan Samuels, LEED AP
Energy Squared Consulting Engineers



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For those of us who suffered through days of power outages in the wake of Superstorm Sandy, we are all looking for ways of alleviating this eventuality in the future. With all the overhead power lines in New Jersey and the ever-increasing evidence of climate change, it looks inevitable that we will be exposed to more and longer blackouts in the future.

For those communities with communal facilities like a clubhouse or common space shared by all the residents, a generator offers the opportunity for keeping the lights on, the air conditioning running, the water hot and all the receptacles operating, ready to charge all of the electronic devices. The problem is that for the average layperson, trying to find the right generator solution can be confusing at best. Of course, you will need an engineer to assist with this process, but the multitude of choices can hinder the process. The following questions should be understood before finalizing the decision to add a generator to the building:

- What exactly needs to remain on when the utility power goes down?
- Are you intending to keep everything in the building operational (including lighting, heating, cooling, receptacles, etc.) when the power goes out? It is entirely possible to keep everything in the building operational, but generators are expensive and the more items that you wish to put on the generator, the larger the size of the generator and therefore the cost.
- What is the budget for the new generator system? As mentioned previously, generators are expensive. It is not just the generator that is expensive, but there are multiple components including transfer switches, fuel storage, outdoor enclosures, exhaust and ventilation that will add to the cost. Added to this is the cost of installation, including wiring, circuit breakers, electrical panels and possibly gas lines. Besides the capital cost, the generator also has an ongoing maintenance cost that must be accounted for by the community.

“The problem is that for the average layperson, trying to find the right generator solution can be confusing at best.”

- What type of fuel will the new generator use? Generally, smaller generators up to 100 kilowatts operate on gas (natural gas or propane). Larger generators will require diesel fuel. Natural gas is generally regarded as a reliable source whose supply will continue even during most storms. The existing gas service may not be adequate for the generator and may need to be upgraded. Larger generators will require diesel fuel which will have to be stored either in a tank under the base of the generator or in a remote tank. One of the problems with diesel is that it will most likely be very difficult to obtain during extended power outages, so the community will need to have a larger tank to store adequate fuel for the number of days that will be needed until new supplies can be delivered.

CONTINUES ON PAGE 22.



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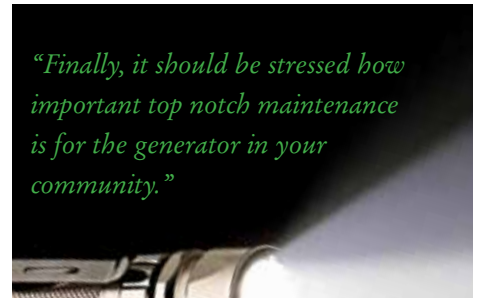
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POWER OUTAGES... from page 20.

- What type of generator is most suitable for your community? There are many different types of generators, but the first priority should be to obtain a high quality system that will function reliably and properly in times of emergency. Besides a standard generator that produces electricity, there are also Combined Heat and Power Systems ("CHP systems") that produce both electricity and usable heat for the community. These systems can be far more reliable and more efficient than a standard generator. Although CHP systems have a higher initial cost, they have the potential to significantly lower utility costs. In addition, the State of New Jersey has incentives worth up to a million dollars per CHP system under the New Jersey Office of Clean Energy's Pay for Performance Program.
- What are some of the other considerations when considering a generator? Generators will need to be "exercised" or "run" every

"Finally, it should be stressed how important top notch maintenance is for the generator in your community."



week. This is done automatically and will help the reliability of the system. The generator will need to be located where the noise will not disturb the residents. A simple alarm system will warn the property manager that the system has failed during the exercise cycle, and a maintenance company can be dispatched. In New Jersey, there are restrictions, based on the pollution levels with respect to when the generator may be exercised. There are systems that can be put in place to ensure that your generator will be in compliance.

- Finally, it should be stressed how important top notch maintenance is for the generator in your community. Just like an automobile, generators need regular maintenance to ensure that they function when the need is critical.

A generator can literally be a lifesaving system and can significantly improve the comfort of the residents during times of power outages. ■



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To qualify as an affiliate, the employee must be a direct employee of the company member. The affiliate will receive all New Jersey Chapter mailings for events and publications, the current membership directory, each month's *Community Trends*®, as well as the opportunity to serve on committees and work groups. Only the primary contact for each business partner membership has the right to vote in elections; affiliate members do not have voting rights.

This program does not replace the multi-chapter membership or national corporate membership. The cost for each employee is just \$100.

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- Louis J. Curtis, CMCA, AMS, PCAM - 2
- Scott T. Dalley, CMCA, AMS, PCAM - 1
- Lee Allison Klimansky - 1
- Martin Laderman - 1
- Denise Lindsey, CMCA, AMS, PCAM - 4
- Jeff Logan - 5
- Michael Pesce, PCAM - 1
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Email: membership@cainj.org

MEMBERSHIP CONTACT (Where membership materials will be sent):

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Title: _____

Association/ Company: _____

Address: _____

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Fax: _____

E-Mail: _____

Select your Chapter: NEW JERSEY

Recruiter Name/Co. Name: _____

CATEGORY OF MEMBERSHIP: (Select one)

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2nd Board Member \$200
3rd Board Member \$275
4th Board Member \$345
5th Board Member \$395
6th Board Member \$445
7th Board Member \$500

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Important Tax Information: Under the provisions of section 1070(a) of the Revenue Act passed by Congress in 12/87, please note the following. Contributions or gifts to CAI are not tax-deductible as charitable contributions for federal income tax purposes.

Complete only the portion of the remainder of the application that applies to your category of membership.

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For 2-3 Member Board applications, please indicate below who should receive membership renewal information. Please contact CAI National Customer Service at (888) 224-4321 for Board memberships exceeding 7 individuals.

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NEW MEMBERS OF THE NEW JERSEY CHAPTER

(February 11, 2013 through March 10, 2013)

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Mr. Terry Vaura
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Mr. Thom Robert Watson
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Ms. Teresa Cambra
Access Property Management, LLC, AAMC, AMO

Ms. Hetel Gore
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Ms. Shelia Green-Barnhill
Homestead Management Services, Inc., AAMC

Ms. Mary Gunness
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Ms. Linda Kadel, CMCA
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Mrs. Roberta Mowahan
Homestead Management Services, Inc., AAMC

Mr. Tom Santacroce
Wentworth Property Management Corp., AAMC

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Please contact Lisa Hibbs at (609) 588-0030.

Lisa can verify within 24 hours that a company has a valid CAI New Jersey chapter membership, or if a company or individual holds a current CAI designation or accreditation.



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CAI-NJ is always looking for new articles to be published in *Community Trends*®

If you are interested in submitting an article, please read the following *Community Trends*® Author Guidelines

Community Trends®, the official magazine of the New Jersey chapter of Community Associations Institute, is published monthly (12 times a year). It is sent to approximately 2,000 community association members, attorneys, accountants, insurance agents, engineers, property managers, other service providers and interested citizens of community associations. We appreciate your interest in writing for *Community Trends*®. Before you begin your article, please take a few minutes to review the following author's guidelines.

Purpose

Articles published in *Community Trends*® have the same goal: to inform and educate CAI members on community associations. They should not serve as flagrant marketing pieces for a company's services.

Content

The author of the article is considered the expert, and all content should be original

content, or cited appropriately. Authors must verify the validity of all statements made in the manuscript. Credit quotes, documents, and personal observations in your writing.

Article specification

If possible, please send your article via email to the chapter office at communitytrends@cainj.org. If you do not have access to email, submit a hard copy, double-spaced, and a 3 1/2" IBM-PC compatible disk. IBM programs that are readable include Word and Word Perfect. Be sure to forward a two to three sentence biography of your position and affiliation. If possible, send photos that are relevant to the article. (Polaroid photos are not accepted.) Label all mailing envelopes containing disks, "DO NOT BEND".

A rule of thumb for word count

Generally an article should not exceed 1500 words. 250-300 words of double-spaced text fits onto one 8 1/2 x 11 page; therefore, a 500-word article usually fills two pages, double-spaced; a 750-word article usually comprises three pages, double-spaced and so forth.

Language

The following words shall be in lower case, except for at the beginning of a sentence: board, board of directors and association.

Limit your subject

Be cognizant that readers need specific advice about specific issues. Articles in *Community Trends*® are most useful if they clearly explain why the subject is important to the reader. For example, an article discussing proposed legislation should clearly explain its ramifications. Keep this in mind as you formulate your article and focus your piece.

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Craft a good lead

Hook your readers right away with a creative lead that lets them know why they should spend time reading your piece. Let your readers know if the information you are going to share will save them time, money or help solve a problem. Anecdotes, quotes and questions are some examples of ways to end an article on a memorable note. Like the rest of the article, conclusions should never be self-serving.

Writing style

Express your ideas with words that you are comfortable using. When in doubt about the rhythm of your words or cadence, read the sentences out loud. Ask someone who is not in your field of expertise to critique your article.

Formulating an outline is one of the best ways to start an article. First, list all of your ideas on paper, then organize them in a manner that allows for logical transition from one paragraph to the next. Use an active voice whenever possible. For example, instead of "The documents were filed by the association" write, "The association filed the documents". Shorter, concise sentences are more readable than long, run-on sentences. Add imagery to your story with anecdotes and memorable quotes.

Deadlines

All articles are due in the chapter office 60 days prior to the month of publication, unless you are informed otherwise.

Editorial policy

The editor reserves the right to omit and/or condense information as necessary to accommodate the layout. We recommend that the author indicate which text could be omitted or condensed if need be. The author will be notified of changes when possible. We do not accept multiple submissions. Please let us know if your article was submitted to other publications.

Authors may submit a photograph with their article. Please note CAI-NJ has the exclusive right to refuse to publish any photograph for any reason.

Should you have any questions, contact the chapter office:

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The Essentials of Community Association Volunteer Leadership

The New Jersey chapter of Community Associations Institute (CAI-NJ) was pleased to host the informative workshop “The Essentials of Community Association Volunteer Leadership” on Saturday, March 23, 2013 at The Clearbrook Community Association Cultural Center in Monroe Township, New Jersey.

The course included such topics as legal foundation, problem solving, maintenance, rules creation and enforcement, insurance, finances, board meetings and hiring a professional team.

Participants asked questions and received detailed explanations and feedback from facilitators and peers. The facilitators for the course were Jules Frankel, CPA, Wilkin & Guttenplan, P.C., Nancy Hastings, CMCA, AMS, PCAM, MAMCO Property Management and Fran McGovern, Esq., McGovern Legal Services, LLC.

If you were unable to attend the program, CAI-NJ will be hosting the Essentials Program two more times in 2013: once in northern New Jersey and once in southern New Jersey. Check your mailbox and inbox for future dates and locations.

CAI-NJ would like to thank the Clearbrook Community Association for graciously hosting this important program as well as the facilitators for sharing their knowledge and expertise with the participants. ■



Photos: this page courtesy CAI-NJ.

(above) Raymond Barnes, CMCA, AMS, RCP Management Company, AAMC, AMO welcomes the participants on behalf of the CAI-NJ Membership Committee.



(above) Jules Frankel, CPA, Wilkin & Guttenplan, P.C.



(right) Jeffrey Logan, Taylor Management Company, AAMC, AMO speaks about the wealth of information that CAI provides its members.



(above) Nancy Hastings, CMCA, AMS, PCAM, MAMCO Property Management



(above) Nancy Hastings, CMCA, AMS, PCAM, MAMCO Property Management

(below) Fran McGovern, Esq., McGovern Legal Services, LLC introduces the facilitators.



(above) The facilitators field questions from the participants.



(right) Fran McGovern, Esq., McGovern Legal Services, LLC



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GARDEN STATE QUALITY STAYS HIGH

Only a slight drop-off in post-Sandy impact

Monmouth University Poll, West Long Branch, NJ 07764 • www.monmouth.edu/polling



In its regular tracking of residents' satisfaction with life in New Jersey, the Monmouth University Poll finds the current Garden State Quality of Life Index stands at +29. This is down only slightly from the +30 score recorded in December and marks the third highest score in the more than two years Monmouth has been measuring this index.

A major factor in the index score is residents' overall rating of the state as a place to live. Currently, more than 2-in-3 residents say New Jersey is either an excellent (18%) or good (50%) place to call home, compared to 3-in-10 who rate it as only fair (24%) or poor (7%). This 68% positive rating is down by 4 points from the decade-high 72% recorded in December, just after Superstorm Sandy hit the state.

In terms of the overall index score, the slight statewide rating drop was offset by a 3-point increase in residents' opinion of their local schools, which now stands at 64% positive. Other components of the index include positive ratings of one's town as a place to live (73%), local environment (71%), and neighborhood safety (63%). These ratings are no more than one or two percentage points lower than the December poll results.

"While there has been a slight decline in New Jerseyans' feelings of goodwill about their home state, post-Sandy positivity is still well in evidence," said Patrick Murray, director of the Monmouth University Polling Institute.

The Garden State Quality of Life Index score remained fairly steady for nearly every demographic group when compared

"A major factor in the index score is residents' overall rating of the state as a place to live."

to December's results. There are only a couple of regional differences worth noting. The index score among residents of the Route 1 Corridor has gone up by 9 points to +35, while the score among Central Hills residents has declined by 10 points to +37. In prior polls, Central Hills residents consistently gave the highest ratings on New Jersey's quality of life. This group is still numerically highest in the current poll at +37, but they are now closely followed by both Northern Shore (+36) and Route 1 Corridor (+35) residents.

CONTINUES ON PAGE 36.

GARDEN STATE QUALITY OF LIFE INDEX

	NJ TOTAL	GENDER		AGE			RACE		INCOME		
		Male	Female	18-34	35-54	55+	White	Black/ Hispanic	<\$50K	\$50- 100K	>\$100K
February 2013	+29	+28	+30	+30	+27	+31	+36	+12	+20	+30	+36
December 2012	+30	+31	+29	+30	+30	+30	+36	+14	+17	+33	+38
September 2012	+24	+28	+20	+16	+21	+32	+30	+5	+10	+23	+37
July 2012	+27	+26	+29	+21	+31	+30	+32	+16	+16	+31	+37
April 2012	+31	+33	+28	+25	+30	+37	+36	+19	+24	+28	+42
February 2012	+25	+20	+30	+25	+24	+26	+29	+13	+17	+23	+38
October 2011	+24	+24	+24	+23	+21	+29	+31	+7	+15	+25	+31
August 2011	+22	+25	+19	+27	+19	+21	+26	+9	+9	+22	+32
May 2011	+23	+24	+22	+23	+22	+23	+26	+14	+15	+22	+32
December 2010	+21	+20	+23	+23	+20	+23	+26	+13	+15	+21	+31

GARDEN STATE QUALITY OF LIFE INDEX

	REGION							COMMUNITY TYPE		
	North east	Urban Core	Route 1 Corridor	Central Hills	Northern Shore	Delaware Valley	Garden Core	Urban	Stable Town	Growing Suburb
February 2013	+31	+17	+35	+37	+36	+25	+23	+11	+33	+36
December 2012	+36	+18	+26	+47	+40	+21	+31	+9	+37	+37
September 2012	+29	+14	+17	+45	+33	+26	+13	-1	+27	+31
July 2012	+37	+12	+30	+37	+34	+22	+18	+8	+34	+34
April 2012	+38	+26	+27	+44	+34	+22	+28	+20	+35	+36
February 2012	+33	+17	+27	+35	+29	+19	+22	+11	+31	+29
October 2011	+31	+6	+22	+45	+35	+18	+23	-1	+31	+34
August 2011	+24	+16	+21	+38	+27	+26	+6	+4	+29	+25
May 2011	+28	+17	+16	+41	+29	+22	+20	+6	+29	+28
December 2010	+26	+15	+22	+38	+23	+14	+17	+12	+23	+27

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GARDEN STATE QUALITY... from page 34.

The Garden State Quality of Life Index was created by the Monmouth University Polling Institute to serve as a resident-based indicator of the quality of life offered by the state of New Jersey. The index is based on five separate poll questions: overall opinion of the state as a place to live – which contributes half the index score – and ratings of one's hometown, the performance of local schools, the quality of the local environment, and feelings of safety in one's own neighborhood. The index can potentially range from -100 to +100.

The latest Monmouth University Poll was conducted by telephone with 803 New Jersey adults from February 6 to February 10, 2013. This sample has a margin of error of ± 3.5 percent. The poll was conducted by the Monmouth University Polling Institute in West Long Branch, New Jersey. ■

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CAI offers a number of ways to help members understand and support our government affairs efforts. Some of these resources are public and some are for CAI Members only. You will be directed to the Members Only login page before being allowed to proceed to these sections. If you are not a member but wish to learn more, please email glenn@caionline.org or call CAI at 703-544-4900. Membership benefits can also be viewed online.

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Healthy Air in Your Condo

By Glen Kassis, CMCA, AMS, PCAM
Metropolitan Management LLC

With all the ongoing discussion about the environment and global warming, there does not seem to be enough discussion or concern about interior air quality, which is equally as important. There are typically three types of indoor pollutants: (1) airborne particles; (2) organic compounds; and (3) micro-organisms, all of which deserve consideration and proper attention. People spend a lot of time in their home both day and night without realizing they may be breathing polluted air and that it can usually be improved or the pollutants eliminated. Before panicking or running out to purchase a gasmask, there are simple, cost effective ways to have healthy air in a condo unit or townhome.

Compared to older structures, newly constructed condos and townhomes are being built with stricter standards designed to limit heat loss and reduce energy usage. Windows and doors have more efficient gaskets and seals to prevent drafts, walls and ceiling have more insulation with a higher “R value” and heating appliances are being built to use outside air for combustion to name a few. While these innovations are designed for the betterment of the occupants, these building techniques unfortunately limit the exchange or introduction of air into the structure that is needed to have healthy air quality in a condo or townhome.

It should be realized that pollutants come in all forms and sources. The use of aerosol cleaning chemicals and beauty products are probably the most common, but an unrealized way to introduce chemicals into the air. While most people like the smell of fragrant spray deodorizers or newly-installed carpets, the smell is actually the off-gassing of the chemicals in the product being used. Furniture and certain building materials use various types of glues and components that can contain formaldehyde and other dan-

gerous chemicals that also off-gas into the living space. While it is always better to use products that have lower volatile organic compounds (VOCs), precautions should be taken for dealing with existing materials and their emissions especially when they are new.

Carbon monoxide is considered to be the most deadly indoor contaminant and must be taken very seriously; fortunately, it is easy to detect and prevent. The source of carbon monoxide gas can be linked to damaged or improperly installed flue pipes or chimneys that allow this deadly gas to enter into an interior space undetected. Gas stoves can also emit carbon monoxide and should not be used to provide heat during an emergency. It is also a good idea to use an exhaust fan during its use. Fuel burning equipment should be inspected annually, and there must be a working carbon monoxide detector in the living area at all times.

There are also naturally occurring pollutants — like radon and methane gas that can affect the interior air quality — that are found throughout New Jersey. Owners should periodically test their unit for these pollutants. Mold is probably the most reported indoor pollutant and can be a very serious problem that must be handled by a licensed professional. Dust mites, pollen, and pet dander can become airborne and add to the poor air quality of a condo or townhome, but can usually be controlled by a good air filter. It is a good idea to contact a professional environmental consultant to test for any concerns and follow their recommendations for abatement.

Tobacco smoke is probably the most obvious reported type in the media of an indoor pollutant that is easy to detect or smell. Secondhand smoke contains hundreds of dangerous substances and carcinogens, which have been proven to cause cancer and death with long-term exposure. Secondhand



“Fortunately, there are simple ways to improve and maintain “healthy air” in your condo or townhome...”

smoke can be a real nuisance in a condo or townhome community since it very noticeable and can easily travel from unit to unit depending on how the building was constructed. Sealing cracks and air-gaps is a good way to control this, but convincing the resident to smoke outside or stop smoking altogether is the best solution.

Fortunately, there are simple ways to improve and maintain “healthy air” in your condo or townhome; the easiest way is to regularly open the windows to allow for these pollutants to escape and be replaced with fresh air. The regular use of kitchen or bathroom exhaust fans is another way to remove indoor pollutants. It is also important to change the air filter in the HVAC unit at least two times per year and use a higher quality HVAC filter. The use of a HEPA filtration device is another great way to filter out airborne contaminants. For more serious concerns like mold or asbestos, it is imperative that a professional environmental consultant be contacted.

Following these easy steps will help ensure that everyone has “healthy air” in their condominium to breathe. ■

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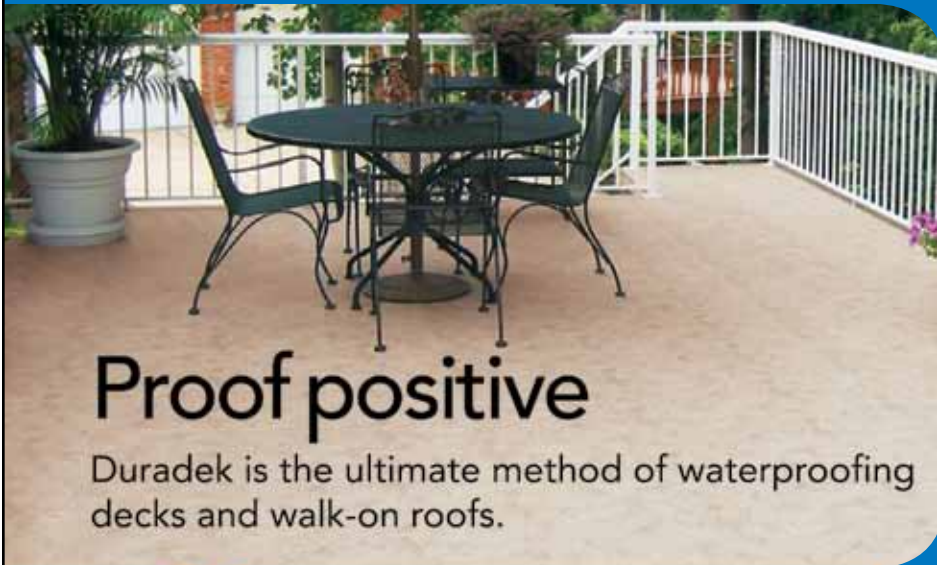
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CHAPTER TRENDS... from page 5.

for IREM to identify Stimpson and some other women who represent the absolute best of what our industry can accomplish." All of their stories — as told by those that nominated them — are featured in the March/April issue of IREM's member magazine, the *Journal of Property Management* (JPM®).

About Kerri Stimpson, CMCA, AMS: Kerri was cited in her nomination by the board of the Essex and Sussex Condominium Association

and in addition supervises the Southern Region in New Jersey for Taylor Management Company, AAMC, AMO. Stimpson was singled out for the oversight of a major restoration project, her professionalism and the "calmness that she brings to every situation." Kerri's dedication to her profession and attention to details that she brings forth in performing her daily duties is unsurpassed only by her ability to deal with each issue calmly and effectively. ■

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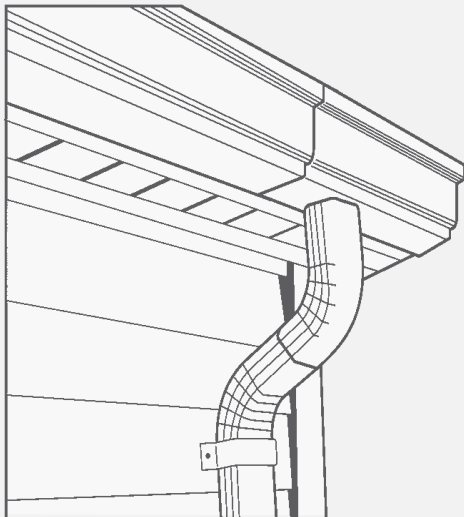
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CAI Annual Report Stresses Collective Success

March 11, 2013, Falls Church, VA — Community Associations Institute (CAI) set yet another membership record, expanded its professional development programs and achieved key accomplishments in critical regulatory and legislative venues in 2012, according to CAI's Annual Report, *Collective Success*.

The report is published in the March-April issue of *Common Ground*, CAI's flagship magazine.

Below are just a few of our accomplishments:

- Membership reached a record of 32,059, an increase of more than 500 in one year.
- CAI elevated its role as a major influence in mortgage and condominium certification issues.
- More than 2,500 members attended four of CAI's major events, including the Annual Conference and Exposition.
- Almost 3,800 students took CAI professional development courses in the classroom and online.
- More than 800 professionals earned CAI designations.
- CAI Press, the publishing division of CAI, sold more than 36,000 books and brochures.
- Almost 300,000 people visited CAI's website for information and resources.

"When we succeed as individuals, we gain respect and recognition, accelerate our careers, strengthen our professions and grow our businesses," said 2012 CAI President Kathryn C. Danella, CMCA, LSM, PCAM. "When we succeed collectively, we fulfill our mission of supporting and strengthening communities and serving the people who call them home."

CAI's achievements, she added, "reflect an organization with members and leaders who understand the importance of both our individual responsibilities and our collective contributions."

Added Chief Executive Officer Thomas M. Skiba, CAE: "With the help and support of countless CAI member volunteers, we will continue to provide information, education and representation that support you, your associations, your residents, your careers and your professions."

Review the Annual Report and FY 2012 Financial Statements at www.caionline.org.

With more than 32,000 members dedicated to building better communities, CAI works in partnership with 60 domestic chapters, a chapter in South Africa and housing leaders in a number of other countries, including Australia, Canada, the United Arab Emirates and the United Kingdom. CAI provides information, education and resources to community associations and the professionals who support them. Visit www.caionline.org or call (888) 224-4321.

CAI Joins Coalition Cautioning Federal Regulators on QRM Re-Write

On March 4, 2013, CAI joined partners of the Coalition for Sensible Housing Policy in sending a letter to federal regulators and senior staff in the U.S. Department of Treasury and the Executive Office of the President. The letter urges regulators writing the new Qualified Residential Mortgage (QRM) rule to stay as close to the Bureau of Consumer Financial Protection's (CFPB) Qualified Mortgage (QM) standard as possible. The letter also cautions against very high down payment requirements for potential homeowners. The CFPB earlier issued the final rule defining "ability to repay" and the QM standard under the Dodd-Frank Act on January 10. In addition to defining safe mortgage products and mortgage underwriting standards, QM marks the maximum breadth of the QRM exception of the risk-retention rule, a rule currently under consideration by federal agencies. ■



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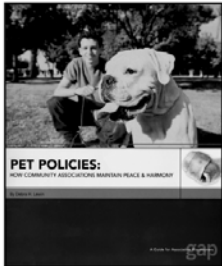
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Accent Group.....26	Grand Sanitation Service.....51	Prime Management, Inc.....16
Access Property Management, LLC, AAMC, AMO.....24	Growing Concern, Inc.....53	Project Support Services.....44
Accurate Reconstruction.....9	Gutter Master.....47	RA Landscaping & Design, LLC.....43
Altura Construction Co., Inc.....25	Halecon.....39	Rapid Pump and Meter Service Co., Inc.....38
Amco Pest Services, Inc.....43	High Tech Landscapes, Inc.....50	The Regency Management Group, LLC, AAMC.....56
Becht Engineering BT, Inc.....31	Hillcrest Paving & Excavating, Inc.....23	Servpro of Freehold, Middletown, So. Jersey City/Bayonne.....48
Bell General Contractors.....24	Hillsborough Irrigation & Landscape Services.....22	Signature Property Group, AAMC.....35
Berry, Sahradnik, Kotzas & Benson.....39	Homestead Management Services, Inc., AAMC.....27	Solitude Lake Management.....13
BHB Insurance Services.....14	Hueston McNulty, Attorneys at Law.....22	Specialty Building Systems.....47
Brown & Brown Insurance.....21	Integra Management Corp., AAMC.....51	Star Building Services.....23
ChuteMaster.....53	JGS Insurance.....17	Taylor Management Company, AAMC, AMO.....49
Community Association Banking & CondoCerts.....13	JRG Termite & Pest Control.....38	Tri-County Construction Services / Total Plumbing, Heating & Air Conditioning.....42
Cowley's Termite & Pest Services.....36	Kipcon, Inc.....Back Cover	Union Bank Homeowners Banking Services Smartstreet.....25
Diversified Property Management, Inc.....8	Lomurro Davison Eastman & Muñoz, PA.....16	Wastewater Management, Inc.....25
Environmental Landscape Design, LLC.....54	MEM Property Management.....33	Wilkin & Guttenplan, P.C.....10
Executive Property Management, AAMC.....14	M. Miller & Son.....37	Woodwinds.....23
The Falcon Group - Engineering, Architecture & Energy Consultants.....7	MorganStanley SmithBarney (The Levy Tebeleff Group).....15	Young & Associates.....40
Felsen Insurance Services, Inc.....27	National Cooperative Bank.....41	
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