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THE DO'S AND DON'TS WHEN PASSING A SPECIAL ASSESSMENT

With the right procedures in place and staying organized, there will be less room for error.

BUDGET SEASON IS HERE

It is everyone's favorite time of year again; budget season is here.

RECENT CHANGES IN THE CONDOMINIUM ACT

Record keeping, financial records, audits, and website requirements

THE MANAGER CANDLE

Learn how to mitigate burnout or job dissatisfaction and promote well-being

2023 CAI-WI GOLF OUTING RECAP

A special thank you to everyone who attended!



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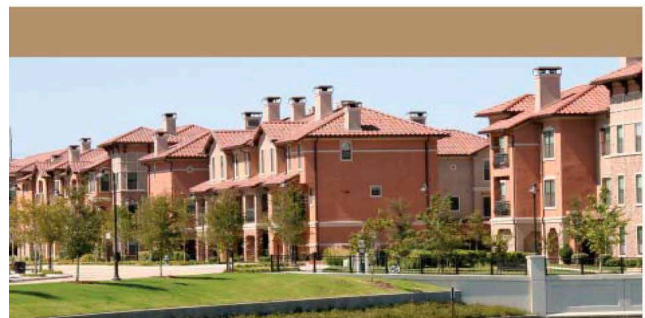
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News for the New American Neighborhood



- 5 President's Message
- 6 The Do's and Don'ts When Passing a Special Assessment
- 8 Budget Season is Here
- 11 Recent Changes in the Condominium Act
- 14 The Manager Candle
- 20 2023 CAI-WI Golf Outing Recap

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PRESIDENT'S MESSAGE



CAI-WI Members,

Summer... Summer... Summer!!!

Thank you so much to the Golf Committee and everyone involved for such a great Golf Outing event in June! The weather was a little iffy, but everyone made it through and it was a success!!!

As most of you are experiencing, the rush and constant movement of summer is among us. Managers, Contractors, and Board members are all trying to keep their heads afloat to make sure projects are in the works and completed. Before you know it, budget and snow season will be hitting hard, so try to enjoy these next couple of months of the weather and fun!

We are looking forward to the upcoming education sessions in 2023. Please make sure to continue to check the CAI-WI website at <https://cai-wi.org> to see what you may be interested in. In addition, we will be planning a Fall Event and are excited to receive the details soon. Please keep an eye out for the details on the end of the year networking event for all members.

Everyone have a safe end to the summer and I hope to see all of you soon!

Sincerely,

Sara Moker

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THE DO'S AND DON'TS WHEN PASSING A SPECIAL ASSESSMENT

by Amanda Gibson, Cantey Associates

One might think if an Association passes a special assessment that it can be a horrible inconvenience. However, from time to time, Associations do have to pass a special assessment in order to have funds necessary to maintain and repair the components of the common property. One question a homeowner may ask is "What is the special assessment going to be used for?" The Board will need to communicate the purpose of the special assessment to all homeowners, so there are a few things a Board will need to consider when passing a special assessment, such as:

- The purpose of the special assessment – Is the special assessment to be used to fund a major capital project, repay a loan or to build the Association's reserve funds back up after being depleted by a major capital project or funding an shortfall in the operating funds.
- The dollar amount to be charged back to the homeowners.
- Payment terms to be offered to the homeowners.

Once the special assessment has been passed and the Board has communicated to all homeowners the purpose of the special assessment, the dollar amount to be assessed and the repayments terms, keeping track of the special assessment payments from the homeowners can be a daunting task for any management company or self-managed association. However, putting in the work ahead of time to create a special assessment schedule can assist in reducing the amount of work involved in keeping track of the homeowners' payments.

Many times, management companies or self-managed boards do not realize the amount of work that is involved with keeping track of a special assessment, especially if the Board is offering multiple types of repayment options. Keeping repayment options to a minimum, such as a lump sum payment or a monthly payment over a period of time, will not only help reduce the amount of work and costs involved in maintaining a special assessment schedule but also reduce the potential for errors. The best option would be to limit the repayment options offered to the homeowners. Depending on the amount of the special assessment, a lump sum payment may be more appealing and easier to keep track of. However, not all homeowners have the financial capability to pay the special assessment in one lump payment. Offering a repayment option over a specified period, such as 1 year, may be the better option.



In either scenario above, management or a self-managed board should create a special assessment schedule for each payment option to keep track of the special assessment payments from the homeowners. In addition, management or the board should reconcile the special assessment schedule monthly. Reconciling monthly can be a helpful tool in finding errors, such as payments being applied incorrectly or if a homeowner was billed an incorrect amount. When creating a special assessment schedule, the schedule should include important information such as the homeowner's name and address or unit number, the unit's percentage of ownership, the unit's portion of the special assessment, the repayment option chosen, and the balance owed. In the scenario of a monthly repayment option, also include the interest rate charged, if applicable. Any payoffs, whether the homeowner chose to pay off the special assessment early or from the sale of the unit, should be included in the special assessment schedule.

In addition to creating a special assessment schedule to keep track of the homeowner balances, opening a new bank account for the special assessment funds is good practice. Having a separate bank account for the special assessment funds, reduces the potential of commingling with the associations operating funds and decreases the risk of using the special assessment funds for other expenses than what they were intended to be used for. This separate bank account will also assist in reconciling the special assessment schedule monthly.

In many cases, the purpose of a special assessment is to repay a loan the Association obtained to fund a major capital expenditure. In this case, the Association will want to ensure any homeowner payoffs are applied directly towards the loan as an additional principal payment and reduce the loan balance. If the special assessment funds are kept by the Association rather than reducing the loan principal balance, the Association will need to repay the loan with association funds, rather than the special assessment funds. The association will end up incurring more in interest expense, since the association will be paying interest on a higher loan balance.

A special assessment does not have to be a burden. With the right procedures in place and staying organized, there will be less room for error.

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BUDGET SEASON IS HERE!

by Carissa Pezewski, CMCA, AMS, PCAM and Brandon Grosz, CMCA, AMS, CERT

It is everyone's favorite time of year again; budget season is here. This year, like all others, is flying by and it is time to create the budget for 2024. The stores already have Halloween décor, and nobody is putting out jack-o-lanterns right now, but it is important to always be thinking ahead and getting ready for what is to come.

Your association may be still working on completing projects and scheduling them, but in tandem every association/ property management firm needs to start working on the 2024 budget. Each year solidifying contracts and projects for some of the trades is getting harder and harder, if you wait until the last minute your association may not be able to get a crucial project completed for this year's budget.

Since COVID-19, trades are becoming more and more in demand as skilled labor is becoming more difficult to find. This is leading to timelines to be pushed out and in some cases; work being turned down. But the major factor in all of this is the cost of the project, which has seen a 50-100% increase in recent years.

If your association is anticipating projects for 2024, the board or your property manager need to start contacting vendors now to at least get on their bid list and get a projected cost for 2024. If you have a bid from a previous year for a project, you cannot assume that the price is the same as that bid or that they are interested in your project. Contractors are so busy, asking vendors for bids for future years (2+ years on the cost) is not feasible as the prices fluctuate and the condition or circumstance for your project can change. If your association is trying to figure out what projects are needed for future years, you should refer to your reserve study or commission one so you can make it part of your budgeting process.

Snow, who would have thought to start bidding snow out in the middle of summer? Wisconsin has had snowstorms in May, so you may get a few weeks into the landscape maintenance contract before you need to start thinking about snow. Snow is so unpredictable, and snow removal companies start lining up their snow crews during the summer months so they know what and how many contracts they can take on.

When you start your budgeting, review all your service contracts to see if any of them are multi-year; you can then easily plug the contract price into your budget worksheet. Take your time during your review and have multiple drafts of the budget.

For example, if a landscape contract was not fully reviewed or quickly glossed over, you may miss terms and conditions that pertain to added fuel surcharges should gas prices rise above a certain price point. If that is not factored into your budget, you could be setting it to underfunded at the outset.

If your association is responsible for trash and recycling removal, review the contract carefully for the percentage of increases that can happen each year and check the previous year's bills for any extra charges that are added onto the monthly bill. The trash removal industry is one that fluctuates on the price of petroleum and the market. It is always better to over budget for trash than to significantly underbudget.

Finally, insurance premiums. This is a very unpopular topic as premiums can increase from single digit percentages to 20, 30 or even 40 percent. It is extremely important to plan for these increases. Insurance agencies will request your loss runs about 60-90 days in advance and usually will give your association about a month to approve the new premiums. This is the time if you have any questions to talk with your agent about coverage and deductibles.

Now comes the work of putting the service contracts out to bid, calling about increases, digging out the reserve study to see what projects were planned for the upcoming year and really working the numbers. The budgeting process should not be done quickly as it is the forecast of the expenditures for the following year. The information should be carefully reviewed and calculated to ensure it includes all needs of the association.

The budget process is an important part of a board's fiduciary duty. It should not be done in haste but with consideration of all expenditures and economies of the association and its homeowners. The Community Associations Institute (CAI) provides information and timelines to assist you as you work on your associations budget. This can be found online at www.cai-online.org

CARISSA PEZEWSKI, CMCA, AMS, PCAM, is the Director of Community Associations with MPC Property Management. Carissa currently serves on the CAI-WI Board of Directors as well as the Education & Programs Committee and the Magazine Committee.

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RECENT CHANGES IN THE WISCONSIN CONDOMINIUM ACT THAT AFFECT YOUR ASSOCIATION: Record Keeping, Financial Records, Audits, and Website Requirements

by Lydia J. Chartre, Esq. CCAL.

We apologize to author, Lydia Chartre, for disclosing her information in the previous magazine. *Be sure to read through this fantastic article!* Thank you, Lydia, for sharing your knowledge with all of us.

In 2022, the legislature has adopted some additional provisions that affect all Wisconsin condominium associations. Because the new statutes require condo associations to take affirmative action, your association needs to be aware and get prepared.

The changes are found in Wis. Stat. Section 703.20, primarily. The language regarding the financial and operational records condominium associations were required to keep per Section 703.20 used to be very general in nature, so much so that for our condo association clients who were nonstock corporations, we would look to provisions in the Nonstock Corporations Act (specifically, Sections 181.1601-.1603) for greater detail and guidance on the records that associations should keep. With the recent changes to Section 703.20, this is no longer the case; in fact, Section 703.20(5) now states that those nonstock corporate records statutes (Sections 181.1601-.1603) no longer apply to condominium associations.

What Every Condo Association Needs to Know

The statutes are now much more specific about the records condominium association are required to keep on hand and at the ready. **Going back 6 years**, for all of the following items, you need to have on hand:

- Minutes of owners' meetings and board meetings
- Records of any actions taken without a meeting (by written ballot of the owners, or by informal action of the board)
- Detailed bookkeeping records showing an itemization of all receipts and expenditures affecting common elements
- Annual budgets, which include (1) anticipated common expenses and amounts to be allocated to reserve account(s); (2) the amount and purpose of any other association expenditure; (3) the amount in the reserve account(s); (4) any common surpluses; (5) the amount/source of any income other than assessments; and (6) the amount of any assessments to be levied against the owners and the purpose of the assessment(s).
- Financial statements
- Bank statements and account statements, including reserve accounts

- Income and expense statements
- Insurance policies
- Audit of the association's records (if one has been done)
- Contracts entered into in the last 6 years (and bids obtained going back 3 years)
- Invoices and expense-related records

Part of the reason that condominium associations need to keep the above records at the ready is that Section 703.20 now includes a provision that describes the unit owners' rights to inspect and copy all of the above-described records going back 6 years. The new language states that a unit owner, on 10 days' written notice to the association, is entitled to inspect all of these records and make copies if they wish. The statute provides a few exceptions to what unit owners are allowed to see, however. Unit owners are not entitled to inspect (1) records protected by attorney-client privilege or the association attorney's work product; (2) personnel records; (3) records of another owner's violation(s); (4) records of another owner's assessment payment/nonpayment; or (5) financial records related to the initial construction of the condominium project (because the association is not required to maintain those, period). Subject to those few exceptions, every other record listed above, however, going back 6 years, is fair game for unit owner inspection. The association can redact the excepted/protected information before allowing the unit owner to inspect the records, and the association can charge the owner (a) a reasonable cost of the copies; or (b) the cost of labor and materials to provide the copies but no more than the actual cost or \$150, whichever is less.

What Every LARGE (100+ units) Condo Association Needs to Know

In addition to the above, condominium associations with 100 or more units have another requirement: beginning on April 1, 2023, they will need to maintain an internet website that houses all of the association records listed above and provides password-protected access to the unit owners and employees/managers of the association.

Continued on page 13



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Continued...

The website can either be owned/maintained directly by the association or can be operated by a 3rd party provider (like the association's property management company). So if you are a large condo association with 100 or more units, and you don't have a website, now is the time to get one set up so you can comply with this new law.

Finally, the Thing about Audits...

It used to be that the statutes were silent as to an association's requirement to conduct financial audits of its records, and we only had to worry about audit requirements if the association's governing documents required it. Not anymore. Section 703.20 now specifies that if the association receives a written request of a majority of the owners, the association must hire an independent audit done at the association's expense. The statute also states that during the period of Declarant control and one year

after, just 3 unit owners or 10% of the non-declarant owned units (whichever is less) can make the written request for an audit at the association's expense. In both cases (before and after Declarant control), the cost shifts to the requesting owners if an audit was done within 36 months of the request.

Heeding these statutory changes—being aware and being prepared—will keep your Association ahead of the game and out of trouble.

LYDIA CHARTRE has extensive experience advising Wisconsin condominium association boards of directors on the myriad issues facing them, including declaration and bylaw amendments; assessment collection and foreclosure; rule-making, voting and governance issues; and HUD and fair housing issues.

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THE MANAGER CANDLE

by Tom Engblom, Ph.D., CMCA, AMS, PCAM, ARM, CPM, EBP

Most individuals have heard, experienced, and frequently “burned the candle at both ends.” This is a common philosophy for a (CAM) community association manager’s weekly routine. The concept to “burn the candle at both points,” paradoxically describes going to bed in the late hours of the evening and waking early in the morning; based on workload, a (CAM) will sometimes awaken during the night with thoughts of a task that needs to be completed. The (CAM) community association manager is on a hectic pace to complete their to do list timely, attend meetings and obtaining (RFP) request for proposals. This work style cannot be sustained for an extended duration without burning the manager to the end with no flicker left. A burned out (CAM) signifies the physical, mental, and emotional exhaustion experienced by the condominium manager specifically to the prolonged, excessive stress and pressure associated with their job responsibilities. The process of burnout may have detrimental effects on both the individual’s well-being and the overall functioning of the condominium complex.

What signifies the reflection for the process of the burnout or job dissatisfaction for the (CAM). Initially the heavy workload as a (CAM) regularly controls an extensive range of responsibilities, from managing finances, overseeing maintenance and repairs, enforcing rules and regulations, and addressing resident concerns. The monumental tasks can become overwhelming, leading to burnout. In comparison the (CAM) and the candle wax will melt the same way if not properly supported by management and their board of directors. Inasmuch, if the (CAM) or the candle does not have the proper support, it will form a memory ring meaning neither will reach their full potential creating the conundrum called “tunneling” thereby creating a hollowed-out center in the wax or the (CAM), each becoming less effective. It is imperative to avoid tunneling to prolong your (CAM) production and longevity equivalent to the candle’s burn time.

The (CAM) is predicted to sustain the highest standards of professionalism and efficiency. He/she is often under pressure to meet the demands of residents, board members, business partners and endless issues which can lead to stress and burnout. The (CAM) frequently deals with challenging situations, including conflicts between residents, difficult board members, and emergencies such as water infiltration, elevator or power outages and delayed projects. The (CAM) is constantly managing these emotionally charged situations that can take a toll on their mental and emotional well-being. The responsibilities are endless to their schedule facilitating the processes and procedures for an association.

The (CAM) may have a lack of support whereas in some cases the (CAM) may not receive adequate support from the board or property management company. This can result in increased stress and burnout as they try to oversee all responsibilities without proper assistance or resources.

The consequences of (CAM) burnout or job dissatisfaction can be significant. It can lead to decreased productivity, poor decision-making, increased absenteeism, and even turnover. Additionally, burnout can have negative impacts on the manager’s mental health, causing symptoms such as chronic fatigue, anxiety, depression, and a decreased sense of accomplishment.

Comparatively, to maintain a steady glow of the candle, it requires one to routinely trim the wick, so it burns evenly without flickering. To prevent or address the (CAM) burnout or job dissatisfaction, it is crucial for both the individual and the organization to take proactive steps to help avoid it. This may include setting realistic workload expectations, providing adequate support and resources, encouraging work-life balance, promoting self-care, and fostering a positive work environment. Regular check-ins, training opportunities, and access to professional support can also help mitigate burnout or job dissatisfaction and promote the well-being of the (CAM).

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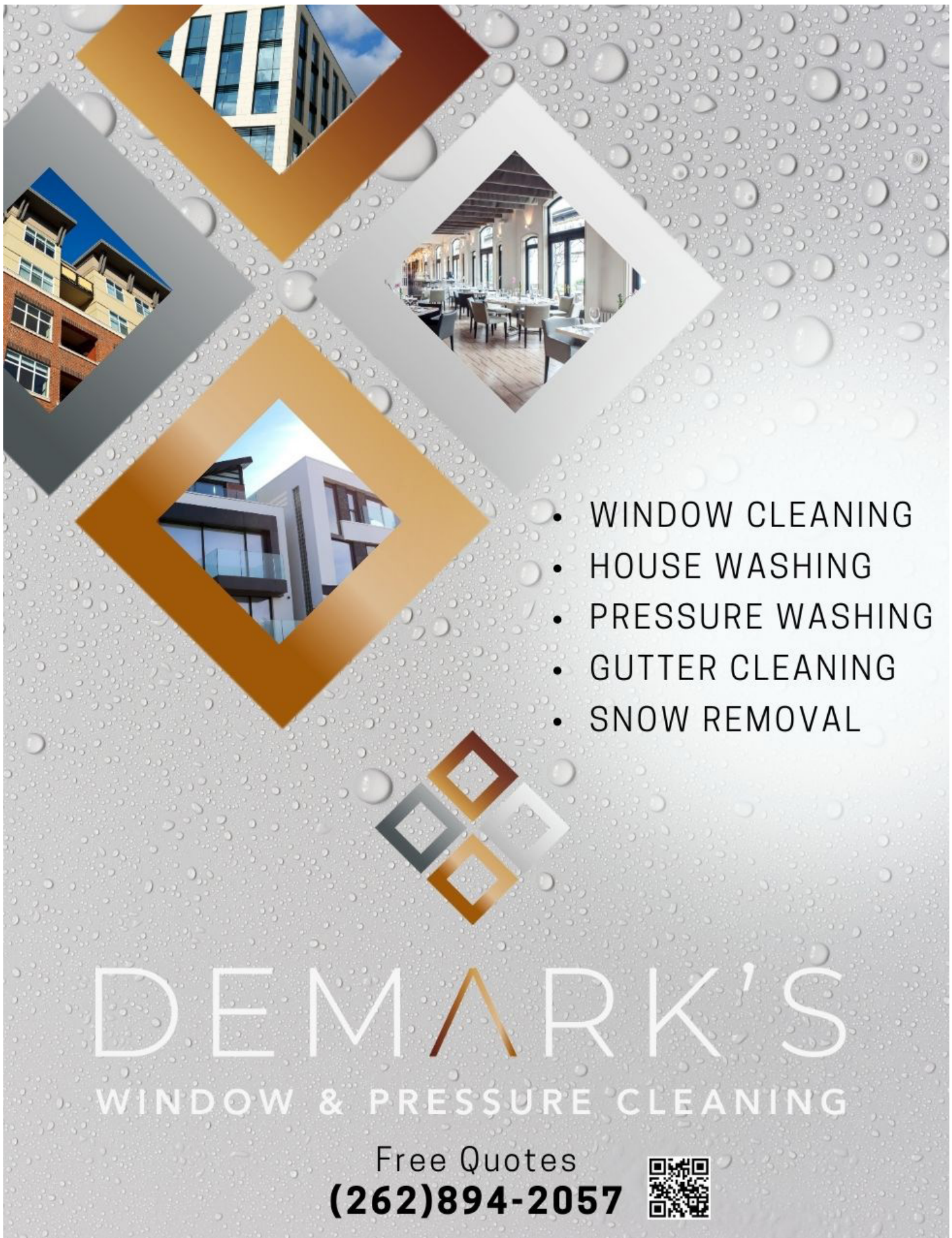
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2023 Annual GOLF OUTING RECAP

THANK YOU TO EVERYONE WHO ATTENDED!



The CAI Golf Outing, on June 26th at Ironwood Golf Club in Sussex was a bit damp with severe wind gusts at times. Surely some golfers and vendor partners were questioning the wisdom of their decision to attend when rain was in the forecast. The attitude at the registration table was "Bring It On!" and it seemed to be universal throughout the golfers. In golf and weather, luck matters. We got lucky and the sun came out before dinner was served and the event ended up being a huge success! As always, the Ironwood course was well manicured and had an amazingly attentive staff. The lunch and dinner meals served by Bunzel's Catering were delicious. I will guarantee that nobody left hungry and hopefully had room for an ice cream treat from the surprise visit of an ice cream truck. You may not have been a winner of one of our many raffle prizes donated by our business partners, but how could you not celebrate a wonderful day ending with "perfect summer weather?" Networking with fellow CAI members at the Party Barn was supercharged as people warmed up, chilled out, and dried off.

The committee would like to thank all the sponsors for their tremendous support, especially Paul Davis Restoration for sponsoring the event. Without the support of over forty sponsors for holes, raffles, lunch, Bloody Mary Bar, drink carts, etc., we could not have put on such a wonderful event. A special thank you to all the golfers for attending and smiling through a bit of rain and wind. Seriously though, thanks to all for helping to have the entire day filled with making connections with friends, engaging in pleasant conversation, and hopefully making many new friends. The Golf Committee is taking a close look at next year's location and day of the week. We hope to have this decision made in the next 60 to 90 days.

As always, thanks for your support. See you next year!

Eric Swanson & Christy True
 CAI Golf Chairperson CAI Golf Co-Chair



2023 Annual GOLF OUTING RECAP CONTINUED...

THANK YOU TO EVERYONE WHO ATTENDED!



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