



Oct. 18, 2019 | Newport Beach, Calif.

CAI Legal FORUM

CALIFORNIA COMMUNITIES » SOUTHERN CALIFORNIA



Now in its 10th year! A one-day event for California community managers, association board members, and homeowners sponsored by Community Associations Institute (CAI)—an international organization that provides information, education, and resources to the homeowner volunteers who govern communities and the professionals who support them.

Critical updates on important legal requirements that impact how you work.

Essential information on key legal developments that impact where you live.

Hosted by CAI's eight California chapters and the California Legislative Action Committee



community
ASSOCIATIONS INSTITUTE

Education Program

FRI., OCT. 18

Fast Facts

CAI Legal Forum: California Communities | Southern California
October 18, 2019

Newport Beach Marriott Hotel & Spa
900 Newport Center Drive
Newport Beach, CA 92660
(949) 640-4000
Reservations 877-622-3056

Please ask for the CAI Legal Forum discounted rate of \$179 single/double. The discounted rate is available until Sept. 25 or until the room block is sold out, whichever comes first.

Reservations may be made online at <https://book.passkey.com/event/49905273/owner/24805/home>

To register, complete the attached form or register online at www.caionline.org/events/CALaw.

For contact information for all of CAI's eight California chapters, visit www.caionline.org/Chapters

Schedule At-A-Glance

Thurs., Oct. 17

OPTIONAL PRE-FORUM SESSIONS

8 a.m.–5 p.m.

California Common-Interest Development (CID) Law Course

6–9 p.m.

California Legislative Action Committee (CLAC) Benefit Fundraiser

Fri., Oct. 18

8–8:30 a.m.

Registration, Breakfast, and Trade Show

8:30–9:15 a.m.

Let Your Voice Be Heard—Roundtable with Louie Brown and Guest Legislators

9:15–10 a.m.

Trade Show

10:15–11:15 a.m.

Concurrent Sessions

11:30 a.m.–12:30 p.m.

Concurrent Sessions

12:30–2 p.m.

Lunch & Trade Show

2:15–3:15 p.m.

Concurrent Sessions

3:20 p.m.

CLAC Silent Auction Closes

3:30–4:30 p.m.

Concurrent Sessions

4:30–6:30 p.m.

Networking Reception

When the \$#!^ Hits the Fan: Crisis Management for Community Managers

In the world of community associations, we often face situations that we would never have dreamed might occur. These might include trees falling on homes, injuries or deaths within the community, or owners chaining themselves to common areas to avoid changes. Although it is impossible to prepare for the unexpected because there is no set rule book, fear not! We'll analyze and review approaches to working through unexpected calamities with the managerial skills that you already have.

James R. McCormick, Jr., ESQ.*, Delphi Law Group, LLP; Matt D. Ober, ESQ.*, Richardson I Ober PC; Nena T. Rutherford, CMCA, AMS, PCAM, DRM-An Association Company, AAMC

Are You Effectively Bridging the Communication Gap Using Digital Media?

This presentation explores the importance of using digital media platforms and innovative ways to deepen your communication skills. Walk away with at least 10 tips you can use immediately to help you grow your business, create your brand, and build your team, associations, and leadership. Also learn how to effectively deal with the negativity that some online platforms seem to foster.

Robert M. DeNichilo, ESQ.*, Nordberg I DeNichilo, LLP; Keven Hempel, B Taylor Painting; Janet Quinn Dennis, Quinn Dennis Mediation and Consulting

When Disaster Strikes: Fires, Earthquakes, and Floods, Oh My!

Dive deeper into disaster preparedness and learn how to advise associations in the aftermath of devastation. This presentation will cover insurance-related issues and practical steps to deal with future emergencies. Speakers will use recent real-life examples that brought to light the need for better planning to be truly "disaster ready."

Timothy P. Flanagan, ESQ., Berding & Weil, LLP; Patrick Prendiville, CIRMS, Prendiville Insurance Agency; Jill Van Zeebroeck, PCAM, Malibu Management Services LLC

CC&Rs and Bylaws: Is It Time for a Rewrite?

An association's governing documents don't have to be as old as the Constitution to benefit from amendment or restatement. Many changes in the law during the past 10+ years indicate that an association should consider updating its CC&Rs and bylaws. This program will explore issues such as common CC&R amendments, provisions to consider changing in an association's bylaws, the amendment

and restatement process, and how to battle member apathy and gain support for proposed amendments.

W. Alexander Noland, ESQ.*, Noland Law PC; Tracy R. Neal, ESQ., The Miller Law Firm

California's Landmark Decisions

Pivotal community association cases impact, for better or worse, how associations are managed. Cases run the gamut from disputes about cats, personal injuries, and violent attacks to termites and home-based businesses. Speakers will explore concepts like the "business judgment rule" and the meaning of "fiduciary duty" using an interactive format where the audience will be asked to predict the outcome based upon the facts presented. The real-life verdicts may surprise you. Walk away with tips and tools from these cases to apply to your day-to-day activities.

Denise D. Iger, ESQ., Iger Wankel & Bonkowski LLP; Cang Le, ESQ., Angius & Terry LLP; Steven J. Tinnelly, ESQ., Tinnelly Law Group

The Fair Housing Regulations Are Almost Here! Do you Know How to Comply?

After years of study and deliberation, California's Department of Fair Employment and Housing Council is in the process of adopting the state's first fair housing regulations. These regulations, if not followed, could expose both managers and boards to expensive enforcement liability and damages. This fast-paced presentation will feature the current director of DFEH and two attorneys active in fair housing matters. You'll leave with practical tips regarding compliance and additional useful information related to the regulations. Janet L.S. Powers, ESQ.*, Fiore Racobs & Powers APLC; Kelly G. Richardson, ESQ.*, Richardson I Ober PC; Kevin Kish, Director of the California Department of Fair Employment and Housing

Mobile App

It's a paper-lite event! In an effort to be environmentally responsible, we are providing all Legal Forum handouts digitally. Electronic handouts will replace paper and will be accessible online after Oct. 1, during and after the Forum. A digital version of our on-site brochure will be posted on the Legal Forum webpage during the event and can be accessed via the mobile application for easy reference.

Continuing Education Units

(CEUs) for professional credentials, including CMCA, AMS, PCAM, and LSM, are awarded for attendance at the Legal Forum. Visit www.caionline.org/education for details.

No Laughing Matter: Dealing with Bullying and Harassment Within Your Communities

Forms of aggressive behavior in which someone intentionally and repeatedly causes another person discomfort, distress, or even injury are becoming more prevalent in our communities. Bullying and harassment cannot be ignored, and you need tangible ways to manage this behavior. Attendees will receive practical tools to: prevent and de-escalate situations; manage high-tension board and membership meetings; appropriately respond to bullying; and hold individuals accountable for improper or illegal actions.

Sascha Macias, CMCA, AMS, PCAM, FirstService Residential AAMC; Steven A. Roseman, ESQ., Roseman Law APC

No Fear! Combatting Discrimination with Awareness

Delving deep into the understanding of prejudice and becoming self-aware is a great first step to eliminating discrimination in our communities. This presentation will review third-party liability, protected classes, provide insights for managers to address this topic with board members, and help raise awareness among the attendees. Participants are encouraged to take a 10-minute social attitude survey before the start of the presentation at <https://implicit.harvard.edu/implicit/takeatest.html>. (Scroll down to "I wish to proceed.")

Brian D. Moreno, ESQ.*, SwedelsonGottlieb; Lisa A. Tashjian, ESQ.*, Beaumont Tashjian

Freedom of Speech in CIDs: Where Are the Boundaries?

In today's society, people often speak, write, blog, or tweet without a filter, believing that they are protected by the First Amendment. This presentation will address the boundaries of protection and gray areas in common-interest developments that often leave homeowners, boards, vendors, and managers exposed to defamation claim liability. Attendees will take away practical steps that can be used to guard against defamation claims.

Sean D. Allen, ESQ., Roseman Law APC; Chelsi Rueter, CMCA, AMS, PCAM, Community Property Management



Keynote

LET YOUR VOICE BE HEARD

Join us for a lively, interactive roundtable when local legislators come together with CAI-CLAC Legislative Advocate Louie Brown to discuss the political climate in Sacramento and hot topics affecting our industry. This session will include audience Q & A.

Louie A. Brown, Jr., ESQ., Managing Partner, Government Relations Group; Kahn, Soares & Conway, LLP

Picking Up the Train: Getting Compliance Issues Back on Track

When the train falls off the track, you've got to pick it up. In the legal world, a board's power is often derailed by not being in compliance with governing documents and California laws. When an association gets off track, its ability to settle disputes favorably regarding maintenance, rules, or policies can be compromised. With an overall goal of protecting the association, speakers will address how to get back into compliance, form good policies, overcome prior mistakes and historical practices, and implement best-practice record retention methods.

Jacqueline D. Foster, ESQ., Fiore Racobs & Powers APLC; Cyrus Koochek, ESQ., SwedelsonGottlieb

Legal Jeopardy! Practical Answers to Common Questions

Experienced community association attorneys are frequently asked questions about similar issues that most associations face. In this session, the attorneys will pose and answer common questions that give rise to tricky legal dilemmas, including elections, neighbor-to-neighbor disputes, nuisances, and enforcement. They will explore the unique issues and discuss practical solutions to help boards and managers avoid legal jeopardy in your community.

Christina Baine DeJardin, ESQ., Delphi Law Group, LLP; Susan M. Hawks McClintic, ESQ., Epsten Grinnell & Howell APC; Laurie S. Poole, ESQ.*, Adams Stirling PLC

Jail Is Not an Option: What Happens When Managers and Directors Violate Davis-Stirling?

The Davis-Stirling Act has 254 statutes, and there are fair housing, solar, bankruptcy, corporations, and other laws that regulate associations and management. Many laws impose penalties—some tame, others severe—for violations. This fun and fast session will focus on laws with big penalties: how to avoid them, how to minimize risk, and how to manage the often-unavoidable politics when problems occur.

Robert Harvey, CMCA, AMS, PCAM, Associa-PCM, AAMC; Steven S. Weil, ESQ.*, Berding & Weil LLP

Networking Reception

Get to know your California peers. In addition to a full program of education sessions, the CAI Legal Forum ends with a networking reception to make contacts and identify resources that can help you better serve your community.

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Optional Pre-Forum Activities

THURS., OCT. 17

California Common-Interest Development (CID) Law Course Thursday, Oct. 17 | 8 a.m.–5 p.m. (registration begins at 7:30 a.m.) at Newport Beach Marriott Hotel & Spa

This eight-hour, pre-forum session is an in-depth legal course for community managers, board members, and attorneys in California. Taught by experienced community association attorneys, this is the most comprehensive legal course available covering California and federal laws affecting community associations. Attendees will gain a clear understanding of the Davis-Stirling Act, California Corporations Code, and common law as they relate to common-interest developments (CIDs). A California CID Law Seminar workbook, a valuable resource for use after the seminar, is included. Topics covered include: conflict of interest, governance, board members' fiduciary duties, operations, homeowners' rights and responsibilities, finances, reserves and assessment collections, meetings (notices and voting), rules enforcement and disclosure requirements, and CID and board liability.

Registration fees (lunch included):

On or before Sept. 30: \$119 members | \$149 nonmembers

After Sept. 30: \$134 members | \$164 nonmembers

California Legislative Action Committee Benefit Fundraiser Thursday, Oct. 17 | 6–9 p.m.

In conjunction with the Legal Forum, please join CAI's eight California chapters and the California Legislative Action Committee (CLAC) for an exciting evening of dining, cocktails, and networking with peers while also benefitting CLAC. The benefit will be held at the Rose Garden on the grounds of the Newport Beach Marriott Hotel & Spa.

Registration fees on or before Sept. 30: \$135 members | \$170 nonmembers

After Sept. 30: \$160 members | \$195 nonmembers

Silent Auction

A silent auction will run throughout the day during the Legal Forum. Items will include gift baskets, day trips, wine, exclusive art, and much more. The bidding will end before the last session of the day. Proceeds will be donated to the CLAC to support its legislative efforts.

The auction closes at 3:20 p.m.



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Community Associations Institute (CAI), the worldwide leader in building better communities, invites you to a special, one-day event on key legal topics that affect every common-interest community in California.

With more than 45 years of industry experience and a member network of homeowners, managers, attorneys, and other business partners more than 41,000 members strong, CAI is in a unique position to deliver both a local focus and a global perspective on the issues that shape community association governance and operations.

The CAI Legal Forum offers education sessions for community managers, board members, and homeowner leaders. Sessions are presented by expert panels, including government officials, seasoned management professionals, and other community association experts, including members of CAI's prestigious College of Community Association Lawyers (CCAL)—a professional organization that represents the very best attorneys in the industry.

Anyone who lives in, works for, or provides services to a California community association will leave the event more informed, more engaged, and able to contribute effectively to a successful community.

