

Oct. 21, 2016
Indian Wells, CA



CAI Legal Forum

CALIFORNIA COMMUNITIES



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

CAI Legal Forum: California Communities

Oct. 21, 2016 | Indian Wells, CA

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 40 years of industry experience and a member network of homeowners, managers, attorneys, and other business partners nearly 34,000 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 professionals; 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.





Fast Facts

Event

CAI Legal Forum: California Communities

Date

Oct. 21, 2016

Location

Renaissance Indian Wells Resort & Spa
44400 Indian Wells Lane
Indian Wells, CA 92210
(760) 773-4444 or (800) 468-3571

Please ask for the CAI Legal Forum group rate of \$192 when reserving your room. The group rate will be available until September 19 or until the room block is sold out, whichever comes first.

Cost

CAI Members

\$135 | Register on or before Sept. 30 (\$110 per third and subsequent registrants from same organization)

\$155 | Register after Sept. 30 (\$130 per third and subsequent registrants from same organization)

Nonmembers

\$175 | Register on or before Sept. 30

\$195 | Register after Sept. 30

Registration

Complete the attached registration form or register online at www.caionline.org/events/CALaw.

Information

For more information about the event, visit www.caionline.org/events/CALaw or call CAI Member Services at (888) 224-4321 (M–F, 9–6 ET).

Event Schedule

Thursday, Oct. 20—OPTIONAL PRE-FORUM SESSIONS

8 a.m.–5 p.m.

California Common-Interest Development (CID) Law Course

6:30 p.m.–9 p.m.

California Legislative Action Committee (CLAC) Benefit Fundraiser

Friday, Oct. 21

8–8:30 a.m.

Registration and Breakfast

8:30–9:15 a.m.

State of the Industry

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.

Luncheon and Trade Show

2:15–3:15 p.m.

Concurrent Sessions

3:30–4:30 p.m.

Concurrent Sessions



Education Program

Short-Term Rentals: Long-Term Enforcement Strategies

One of the most persistent problems facing associations today is short-term rentals. Homeowners are reaping significant financial benefits and websites such as Airbnb and VRBO have made short-term renting in community associations more prevalent. This lively discussion explores the impact of short-term rentals on association resources and community values. The presentation offers options for adopting and implementing rental provisions, as well as case studies on how to enforce violations effectively.

Robert M. DeNichilo, ESQ., Nordberg | DeNichilo, LLP; Laurie S. Poole, ESQ.,* Peters & Freedman, LLP; Amy K. Tinetti, ESQ., Hughes Gill Cochrane, PC

Does D&O stand for Dangerous and Offensive? Sometimes!

Maximizing Directors and Officers Liability Insurance Coverage and Indemnity for Claims against Managers, Directors, and Community Associations

Community association management becomes more complex every day, and legal challenges and claims related to basic operations, management contracts, and board policies arise. Claims can arise from neighbor disputes, breach of contract, alleged discrimination, trespass, employer liability, improper voting and elections, wrongful assessment collection, and more. Is the association covered appropriately under the association's Directors and Officers policies? Learn how associations can handle such claims while protecting managers and board members.

Steven S. Weil, ESQ.,* Berding | Weil, LLP; James R. McCormick, Jr., ESQ.,* Peters & Freedman, LLP

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 web page during the event and can be accessed via the mobile application for easy reference.

The Politics of it All

Election Day is just a few weeks away, and politics are on everyone's mind. This year's presidential election should prove to be contentious because every U.S. citizen has a strong opinion about the candidates running for office. The 2016 presidential election is one of many changes in office anticipated this year—confirmation of new Supreme Court Justices and filling Congressional seats will also be big issues. Learn what to expect this dynamic election year during this informational presentation.

David A. Wankel, ESQ., Iger Wankel & Bonkowski, LLP; Thomas Ware, II, ESQ., Kulik, Gottesman, Siegel & Ware, LLP; A. Patrick Munoz, ESQ., Rutan & Tucker, LLP

It's a Bird, It's a Plane, No ... It's a Drone!

How can associations chart this airspace? This presentation addresses the current landscape of drone laws in California and throughout the U.S., presents analysis on what community associations can and should do about drones, and explains how to develop protocols and policies to best regulate drone operation.

W. Alexander Noland, ESQ., SwedelsonGottlieb; Melissa B. Ward, ESQ., Hughes Gill Cochrane, PC

**College of Community Association Law (CCAL) fellow*



Education Program

Slippery When Wet: Managing the Risk of Water Losses

Community associations are vulnerable to property losses, especially those caused by water damage. Associations rely on community managers to help protect association assets by ensuring an association's insurance and risk management program is as effective as possible. This presentation tackles water-related losses head-on and gives you the information you need to understand processing and managing water loss insurance policies, as well as how to approach managing risk with insurance coverage, governing document provisions, and water loss policies.

Andrea L. O'Toole, ESQ., Berding | Weil, LLP; Dennis Socher, Socher Insurance Agency, Inc.

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.

The Good, The Bad, and The Ugly: A Guide to HOA Law

This presentation explores multiple scenarios and case studies about the everyday governance in community associations and offers managers essential strategies for navigating related legal issues. Learn how to approach defamation claims against and on behalf of community associations, board members, and managers; contract provisions, such as insurance, liability, and arbitration clauses; and productive mediation and arbitration methods. Key takeaways include practical theories, remedies, and defenses for both associations and managers.

Karen Kokowicz, CMCA, PCAM, Coro Community Management & Consulting; Steven A. Roseman, ESQ., Roseman & Associates, APC

Proactive Strategies for Handling Specific Challenges of Elderly Residents: Their Rights, Needs, and the HOA's Responsibilities

As the population ages and lives longer, community associations face issues that affect elderly residents, such as neglect, loss of mental function, death, disability, and injury. Most common-interest communities are not equipped to handle these issues and often are unprepared when they arise. As the fiercely independent Baby Boomer generation grows older, associations should proactively plan to handle issues related to aging. This presentation examines community associations' legal responsibilities and provides practical solutions.

Timothy P. Flanagan, ESQ., Green Bryant & French, LLP; David A. Kline, ESQ., Epsten Grinnell & Howell, APC; Sharron Badham, PCAM, Desert Resort Management

HOAs in the Digital Age: Social Media and Internet Presence in Associations

Our world is growing increasingly digital, and associations are not immune to the effects of the digital age. With new technology and internet resources, the omnipresent "cloud" and increasingly tech-savvy owners, how can boards and managers balance making use of such resources? Find out how associations and owners can benefit from social media and internet presence while avoiding potential issues, how associations should integrate technology, and where to draw the line.

Sandra L. Gottlieb, ESQ.,* SwedelsonGottlieb; Farrah Esquer, CMCA, AMS, PCAM, Cardinal Property Management, AAMC

*CCAL fellow



Education Program



Disabilities and Assistance Animals in HOAs: Reasonable Accommodations

The topic of associations and assistance animals for individuals with disabilities can be confusing, and statutes surrounding the matter are ever-evolving. The State Department of Fair Employment and Housing is adopting new regulations concerning assistance and service animals, including new guidelines for reasonable accommodations to a disability. This presentation gives you the latest information on this important topic that affects all community associations.

Janet L.S. Powers, ESQ.,* Fiore, Racobs & Powers, A PLC; Representative of the California Department of Fair Employment and Housing (DFEH)

How to Enforce the Course

Rules enforcement within community associations can be challenging, but it doesn't have to be. This presentation reviews a 12-step process detailing how managers and board members

can enforce community association policies and governing documents effectively—including rules, architectural review committee guidelines, and CC&Rs. This in-depth discussion addresses everything from violation letters, hearings, internal and alternate dispute resolution, lawsuits, and more.

Margaret G. Wangler, ESQ.,* Fiore, Racobs & Powers, A PLC; Eric Angle, CMCA, AMS, PCAM, Trilogy at La Quinta Maintenance Association

State of the Industry

CAI offers a comprehensive picture of the industry informed by community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to associations, as well as Legislative Action Committees that support responsible governance. Hear about the challenges, opportunities, and trends affecting community associations and their management professionals.

I Can't Believe You Said That! Community Association Liability for the Written and Spoken Word

We live and work in a society where people speak, write, blog, post, or tweet whatever they may be feeling at the moment—without a filter. While certain community association speech is protected, there is a growing concern that some of the words we use in our communities not only engender resentment and hostility, but also place the association, its board, and managers at risk of liability. This interactive presentation reviews the law of defamation in the

community association setting and engages participants to develop best practices for association communication.

Matt D. Ober, ESQ.,* Richardson Harman Ober, PC; Jeffrey A. Beaumont, ESQ.,* Beaumont Gitlin Tashjian; Jennifer Jacobsen, ESQ., Baydaline & Jacobsen, LLP

Hot Topics for 2017 and Beyond

This presentation delivers an overview of issues expected to impact California community associations in 2017. How can associations manage and maintain golf courses when the sport is in decline? How will associations process the excessive requests for governing documents and sensitive information that needs to be redacted? And how will associations comply with the new California law that reallocates repair and replacement responsibility to the association for exclusive-use common areas that owners are responsible for maintaining? Get answers to these and other questions about what's in store for community associations in the next few years.

Mary M. Howell, ESQ.,* Epsten, Grinnell & Howell, APC; Wayne Guralnick, ESQ., Guralnick & Gilliland, LLP

*CCAL fellow



Optional Pre-Forum ACTIVITIES

California Common-Interest Development (CID) Law Course

Thursday, Oct. 20, 8 a.m.–5 p.m. (registration begins at 7:30 a.m.) at the Renaissance Indian Wells Resort & 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 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: \$95 members | \$130 nonmembers
After Sept. 30: \$110 members | \$145 nonmembers

The 2016 California Legislative Action Committee Benefit Fundraiser

Thursday, Oct. 20, 2016, 6:30 p.m.–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, drinking, and networking with peers while also benefitting CLAC. The CLAC Benefit Fundraiser dinner will be held at Stir on the lower level across from the Glo Lounge at the Renaissance Indian Wells Resort & Spa. For CLAC Benefit Fundraiser sponsorship and registration go to www.caiclac.com.

Separate registration and fee required.

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.

Event Sponsors

(AS OF JUNE 10, 2016)

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CAI California

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Kelvin Nanney, CMP, CAE, Executive Director

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Kelvin Nanney, CMP, CAE, Executive Director

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Wendy Van Messel, CMCA, Administrative Coordinator



Oct. 21, 2016
Indian Wells, CA

Registration

CAI LEGAL FORUM: CALIFORNIA COMMUNITIES

NAME _____ NICKNAME FOR BADGE _____

TITLE _____

FIRM/ASSN _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____ E-MAIL _____

Check if this is new contact information. Check if you have special needs/food allergies. Attach a written description.

I would also like to register for: CID Law Course

PLEASE NOTE: To register additional participants, please make copies of the blank registration form and submit all completed with payment. Payment information may be consolidated onto one form.

POSTMARKED BY SEPT. 30, 2016 **MEMBERS** | Legal Forum \$135 x _____ = \$ _____

For members only: If you are registering three or more individuals from the same company or association, the third and subsequent registrants may deduct \$25 each. - \$ _____

PRE-FORUM OPTIONAL ACTIVITIES CID Law Course \$95 x _____ = \$ _____

NONMEMBERS | Legal Forum \$175 x _____ = \$ _____

PRE-FORUM OPTIONAL ACTIVITIES CID Law Course \$130 x _____ = \$ _____

POSTMARKED AFTER SEPT. 30, 2016 **MEMBERS** | Legal Forum \$155 x _____ = \$ _____

For members only: If you are registering three or more individuals from the same company or association, the third and subsequent registrants may deduct \$25 each. - \$ _____

PRE-FORUM OPTIONAL ACTIVITIES CID Law Course \$110 x _____ = \$ _____

NONMEMBERS | Legal Forum \$195 x _____ = \$ _____

PRE-FORUM OPTIONAL ACTIVITIES CID Law Course \$145 x _____ = \$ _____

TOTAL \$ _____

Number of persons registered _____

PAYMENT METHOD

CHECK PAYABLE TO CAI VISA MASTERCARD AMERICAN EXPRESS DISCOVER

NAME ON CARD _____ SIGNATURE _____

BILLING ADDRESS _____

CITY/STATE/ZIP+4 _____

CARD NUMBER _____ EXP. DATE _____

TO REGISTER **ONLINE** www.caionline.org/events/CALaw (credit cards only)
CALL (888) 224-4321 (M-F, 9-6 ET, credit cards only)
MAIL CAI, P.O. Box 34793, Alexandria, VA 22334-0793
FAX (240) 524-2424 (credit cards only)

NOTE: CLAC Benefit registration is available at www.caiclac.com

Cancellation Policy: Full refunds will be issued if written cancellation is received at CAI by Sept. 30, 2016. Cancellations received Oct. 1-7, 2016, are subject to a 50 percent administrative fee. Registration fees are not refundable after Oct. 7, 2016. Fax cancellations to CAI at (703) 970-9331 or e-mail to cwallace@caionline.org. Substitutions may be made by phone or e-mail until Oct. 17, 2016. After this date, all changes must be made on-site.

CAI Suitcasing Policy: CAI has a no-tolerance policy regarding "suitcasing," which describes the practice by nonsponsoring companies or individuals of soliciting sales or sales leads in the hotel, lobbies and/or representing their services or soliciting seminar participants, including social activities. Nonexhibiting suppliers participating in the seminar as attendees or speakers are prohibited from soliciting business in or after sessions, or in the hotel itself.

Violators of these policies will be charged the amount an exhibitor (\$795), which must be paid prior to registering as an attendee, exhibitor or sponsor at any future CAI functions.



6402 Arlington Blvd., Suite 500
Falls Church, VA 22042
www.caionline.org

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CALIFORNIA COMMUNITIES

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on key legal issues that impact where
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