



# Mulcahy Memo – January, 2019

Published for clients and friends of the Mulcahy Law Firm, P.C.

by Beth Mulcahy, Esq.



Dear Clients and Friends,

Happy New Year! I hope 2019 is a year of happiness, good health and success for you and your association.

Over the past 22 years of representing community associations, I have developed a secret recipe for a successful association. If you and your Board want to accomplish goals and have a "hassle-free" time on the Board, you need to read this month's article entitled "Secrets of Successful Associations" (scroll to the bottom on this email to read the article)!

## **Back by Popular Demand- Our Spring Class Schedule Released!**

Over the next four months, Mulcahy Law Firm, P.C. will be offering numerous free classes for board members and managers on a variety of topics pertaining to Arizona community association law. Every class has a free question and answer portion for attendees. Please click the link below for our current class schedule and class locations. Many of these classes fill-up quickly so we encourage board members and managers to sign-up for these classes early.

## Spring Class Schedule

### **Board Member Boot Camps**

**A reminder!** Our firm is now offering board member boot camps. Many of our clients are taking advantage of this personal education time with our firm to answer their questions and help their boards be more effective. Each program is offered at hourly rate and covers a variety of topics, including board of director duties, compliance with Arizona and federal laws, potential pitfalls and Q&A. The boot camp can be held at a location chosen by the board or at our office. We can tailor the session to fit your board's desires as we understand that each board is unique and has different needs. For more information, please contact Beth Mulcahy, at 602.241.1093 or [bmulcahy@mulcahylawfirm.com](mailto:bmulcahy@mulcahylawfirm.com).

### **Free CCR review**

Did you know that Mulcahy Law Firm, P.C. offers a complimentary 15-minute review of an association's documents to determine the amendment procedure/requirements for each document and gives a brief summary of what should be amended and projected costs to amend the documents? If your board is interested in this complimentary document review, please contact Beth Mulcahy, Esq. at 602.241.1093 or [bmulcahy@mulcahylawfirm.com](mailto:bmulcahy@mulcahylawfirm.com).

### **Reminder: First Friday Free Call-In is tomorrow**

Friday, January 4, 2019 is Mulcahy Law Firm, P.C.'s "First Friday Free Call-In" of 2019. Board members and managers are invited to call our firm at 602.241.1093 between 9:00 a.m. and 10:00 a.m. to have one questions answered for free by a Mulcahy attorney.

Finally, don't forget to "like" and follow Mulcahy Law Firm, P.C. on [Facebook](#) so you don't miss any of our important updates on Arizona community association law.

Let's make 2019 a great year for all community associations in Arizona!



Sincerely,  
Beth Mulcahy, Founder and Senior Partner  
Mulcahy Law Firm, P.C.



## **Secrets of Successful Associations**

*By: Beth Mulcahy, Esq.*

There is no special formula or "secret sauce" I can give you to have a successful association. It really depends on a number of different things- strong and effective leadership by a board, good communication with your members at all times, being aware of and following the law and your corporate governing documents and having an outstanding team to guide you along the way (attorney, CPA, reserve company, and management company or manager).

### **The Importance of Communication for Your Association**

**Outstanding communication** is a very important aspect of a successful association. Set forth below are some suggestions on how to have stellar communication skills within your community:

1. Give members an opportunity to speak or ask questions for a set period of time at the beginning or end of board meetings;
2. Distribute, mail, publish or post notice of board meetings, meeting minutes or financial statements to owners regularly;
3. Conduct town hall meetings where members can submit questions for the board to answer or the board can meet with residents in an informal oral Q & A setting;
4. Plan and present social events around holidays where board members can interact with neighbors in a relaxed environment;
5. Respond to member inquiries in a timely fashion, and, if managed by a management company, ask that the manager respond within a certain time frame;
6. Give all owners the name and telephone number of the contact person for the association;
7. Conduct member surveys to obtain information from residents and publish the results;
8. Form member advisory committees and consider their input;
9. Publish and distribute newsletters;
10. Form a "welcome to the neighborhood" committee and welcome new members;
11. Create a website and post newsletters, regular meeting minutes, budgets, annual reports and association documents and forms online; and
12. Give members a self-addressed and stamped postcard or comment card annually that they can send to the association with comments, ideas and/ or feedback.

## **How to Have Strong Leadership in Community Associations**

Much like a sports team or a business, leadership in a community association starts from the top. So how can your Board exhibit strong leadership in your community? **Below are several key qualities that make a good leader:**

1. ***Emphasizing Teamwork:*** Your Board can achieve success by acting as a team (consider participating in team building exercises), prioritizing the interests of the community ahead of the interest of any individuals, and playing to the strengths of each individual board member. The ability to effectively delegate, based on the individual strengths of each board member, is a key trait for any board president.
2. ***Honesty, Integrity and Transparency:*** In order to lead, you must first gain trust. The best way to foster trust is by exhibiting honesty, integrity and transparency. Your Board should consider adopting a Code of Conduct, and compliance with the Code of Conduct should become a pillar of the culture of the Board and community.
3. ***Commitment and Determination:*** Board Members can prove their commitment by familiarizing themselves with the community's governing documents and applicable Arizona laws; attending, participating in and being prepared for Board Meeting and Meetings of the Members; and, committing to a Code of Conduct.
4. ***Communication:*** The ability to communicate is absolutely vital to having strong leadership in your community association. Communication is the tool used to translate many of the qualities discussed above. It is paramount that Board Members learn to effectively communicate with one another. Take time to learn the personalities of your fellow Board Members and tailor your communications in a manner that will resonate with them. To that end, the Board may even want to consider using personality tests (e.g. DISC personality test) as a tool to improve communications. The Board must also learn to effectively communicate with the membership and association managers/vendors/contractors/employees, etc. Here are a few suggestions to improve communication:
  - Think about the message you are trying to send and organize your thoughts in a clear and concise manner to communicate that message effectively
  - Be a good listener and be open and receptive to others, especially if their ideas differ from yours
  - Communicate in a positive, courteous and professional manner - avoid interrupting others, raising your voice or giving off negative body language
  - Clear up miscommunications or misunderstandings by asking questions, being patient and exhibiting empathy

## **Association Documents a Community Association Leader Must Follow**

- **Governing Documents:** A copy of the CC&Rs, bylaws, articles of incorporation and rules and regulations should be maintained by the board of directors.
- **Operations Manual:** The association history, governing documents, current contracts, and "need to know information" when kept in one place becomes the institutional history for the association.
- **Meetings of the Association, Board and Regularly Scheduled Committee Meetings:** Follow the Arizona Open Meeting Law, A.R.S. 33-1804/ Condo A.R.S. 33-1248.

- **Annual Meeting of the Members:** Must be held at least once a year.
- **Board Packet with Agenda:** Providing a board packet prior to the board meeting assists board members in having a prepared board ready to discuss business in a professional manner.
- **Minutes:** Minutes of a board meeting are taken, approved by the board and made available to the membership in a timely manner. Minutes are the official record of the meeting and should include actions taken, not discussion.

### What Type of Leader are you?

Leadership is often divided into four styles:

- **Directing leaders** give specific instruction and closely supervise group tasks; they show exactly what they want others to do and how to do it.
- **Coaching leaders** direct and supervise tasks but they also explain decisions, ask for suggestions and encourage those they work with. They will encourage all to contribute when deciding what to do and how to do it.
- **Supporting leaders** share in the decision-making. They facilitate and support the group members' efforts. They might say to the group "I will be here to help if you need me."
- **Delegating leaders** give all decisions and problem-solving responsibility to the group members.

The president of a board of directors may be one style, or a combination of the leadership styles. Additionally, he or she may use a different style depending on the desired outcome of the makeup of the committee or board he or she is working with.

Please visit [www.mulcahylawfirm.com/publications](http://www.mulcahylawfirm.com/publications) for more helpful information on becoming a leader that you community association will follow.

To access our very popular cheat sheet on this topic, please follow the link below:

### [Secrets of Successful Associations](#)

If you have questions and need answers on this topic, please contact Beth Mulcahy, Esq. at 602.241.1093 or [bmulcahy@mulcahylawfirm.com](mailto:bmulcahy@mulcahylawfirm.com).