



Mulcahy Memo – May, 2019

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

by Beth Mulcahy, Esq.



Dear Clients and Friends,

I hope you are having a wonderful spring and enjoying the beautiful Arizona weather and desert wildflowers.

May Memo: Tips for Dealing with a Bully

A "bully" is defined as someone who habitually seeks to harm or intimidate those whom they perceive as vulnerable. This month's Memo discusses the strategies to effectively deal with a "bully" in your community association. Scroll to the bottom of this email for the full memo.

Update on HOA/Condo Bills Pending in Arizona Legislature

The Arizona Legislature is surprisingly still in session. To date, there haven't been any controversial bills signed by the governor pertaining to HOAs and condominiums. However, we are keeping an eye on a few bills pertaining to collection of assessments (SB1531), satisfaction of judgments (HB2151), timeshares (HB2639) and short-term vacation rentals (HB2672). While the legislature is in session, our firm prepares a weekly summary of these proposed bills and posts them to our website. For a listing and summary of the pending bills, please click [here](#). As always, shortly after the legislature adjourns, our firm will provide a Cheat Sheet Summary of the 2019 legislative changes pertaining to HOAs and condos.

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 an 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.

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.

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.

Thank you!



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



How to Effectively Deal with a Bully in a Community Association

By: Beth Mulcahy, Esq.

Most members in an association understand that rules and social decorum dictate how they are to interact with board members, association employees, and other members. However, there are a small percentage of people that do not abide by rules and social decorum and they are always looking for a fight. These people need to be dealt with differently because they are simply looking to create an altercation and they will not respond to a positive approach to their "problem."

- The bullies discussed in this memo are more difficult than bullies who are periodic "gadflies." These bullies are people who always respond negatively, even when a board member or manager interacts with them positively and politely.
- Board members and managers need to respond to these bullies with strength. These kinds of bullies will not respond to common reasoning.
- When a bully creates an issue, the situation needs to be addressed as soon as possible. The bully needs to be informed, expressly or impliedly, that their behavior will not be tolerated and they will not be rewarded for making the board's/manager's life difficult.
- Try to be clear and concise when defusing a situation with a bully. Clarity will give you more confidence in your/the board's position and it will make it harder for the bully to prolong the confrontation.
- One way to deal with a bully is to call them out on their behavior. Tell them that you know they are purposefully trying to escalate a situation. They may be shocked that you have actually called their bluff.
- Make sure that you and the board enforce reasonable boundaries. Bullies love to push and invade boundaries so make sure that you clearly inform the bully of the boundaries established and make sure that they are strictly enforced.
 - *Example: Announce rules for meeting etiquette at the beginning of an annual or board meeting so the bully can't claim ignorance of the rules.*

- Be as calm as possible while still being forceful. A bully is looking to get a dramatic reaction when they create confrontation. Take a breath and try to remain level-headed; this will give you the upper hand in the exchange
- Try to make sure that you always interact with the bully around other people. Being around others may force the bully to tone down their behavior.
- Remember that if you feel that the bully may get physical or is placing you in a dangerous situation you need to remove yourself and others from the situation and call the police if necessary.
- If you feel that the bully is going to continue to present a physical threat avoid any conversations in person and have a security guard or police officer present at future meetings.
- Remember that it is okay to adjourn a meeting if the bully is taking over the meeting and won't let the board proceed with other business.
- Stay positive! Usually an Association only has one bully. Don't let that bully dampen your outlook on serving the Association. The homeowners appreciate what the board and managers do for them!

To access our very popular Cheat Sheet on this topic, please follow the link below:

[How to Effectively Deal with a Bully in a Community Association](#)

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