



Mulcahy Memo – August, 2017

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 great summer. Time is flying by... school is starting again soon and cooler temperatures are on the horizon!

TODAY IS THE DAY! *Several important changes to the Arizona laws pertaining to community associations will become effective today.* For a quick and easy summary of the new laws, scroll down to the bottom of this email.

Our firm is excited to announce that we are teaching *16 free classes* around the valley on different topics pertaining to community association law between August and November, 2017. Please visit the homepage of our [website](#) to view our full class schedule. We look forward to seeing you at an upcoming class!

Does your association have an owner who refuses to pay assessments or other charges due? Our firm wants to help! Please email or call me for a free evaluation on how to get this pesky owner to pay. Our law firm prides itself on being able to help associations collect difficult debts.

On another note, it's that time of year again, budgets! Community association boards and association managers are buckling down and starting, if they have not already done so, to prepare the annual community budget. To assist your association in simplifying the budgeting process, please view our cheat sheet ([here](#)) on this topic.

Don't forget to check out our last two Virtual Summer Seminar Series (one is scheduled for today at noon) on [Facebook](#)! The upcoming schedule is listed below:

- August 9 - Board Member Roles and Responsibilities
- Aug. 16 - You Have Questions... We have Answers!

Finally, don't forget to follow us on [Facebook](#)! Our law firm has a very active page with free topics and legislative updates for board members, managers and owners that is updated weekly. Please consider "liking" and following us on Facebook so you don't miss any of our important updates on Arizona community association law.

Enjoy these last few weeks of summer and feel free to contact me any time for your community association law questions.



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

[A Quick \(and easy to understand\) Summary of the 2017 New Laws for Arizona Community Associations](#)

As you may know, there are several important new laws pertaining to Arizona community associations that go into effect today (August 9, 2017). There have been all sorts of confusing and lengthy articles written by the media and others about these new laws. One of Mulcahy Law Firm, P.C.'s goals is to simplify and make new laws easy to understand for our clients and those in the community association industry.

To that end, here is a quick summary of the most important things you need to know about the new laws:

1. The notice of any regular board meeting, annual meeting or special meeting of the unit owners must state the date, time and place of the meeting and the purpose for which the meeting is called. One way to comply with this law is to provide a detailed agenda with the notice of the meeting (with some open-ended topics such as "new business" or "old business" in case items need to be added to the meeting agenda at the last minute).

2. Before entering executive session, the board must now identify the section that authorized the board to close the meeting. To comply with this law, our firm suggests the following language be verbally announced prior to executive session and be included on the regular meeting agenda and in the regular meeting minutes:

"Pursuant to A.R.S. Sections 33-1804 (for planned communities) and 33-1248 (for condominiums), the Board will conduct an executive session to discuss (include whichever subjects are applicable - we list the most common subjects below): legal advice from an attorney for the board or the association, pending or contemplated litigation (delinquencies or violations) or job performance of an individual employee of the association or an individual employee of a contractor of the association who works under the direction of the association."

3. An emergency meeting of the board of directors may be called to discuss business or take action that cannot be delayed for the 48 hours required for notice. At any emergency meeting called by the board of directors, the board of directors may act only on emergency matters.

4. The requirement passed by last year's legislature (2016) to have the envelope used for returning an absentee or mail-in ballot contain the name, address and signature of the voter is repealed and no longer necessary (I'm so happy about this - most owners weren't filling out the envelope properly and lots of ballots had to be voided in the last year!).

Set forth below is a link to our firm's 2017 Legislative Update for those of you who would like more of a "deep dive" on the new laws: [2017 Legislative Update](#)

Our firm also has a YouTube video on the new legislation that you may want to watch: [here](#)

Finally, please feel free to contact our office any time during the month of August to have any questions you may have on the new laws answered at no charge.