



CAI Chapter Confers Annual Awards

Fort Myers The News-Press, January 8, 2012

By Joe Adams

jadams@becker-poliakoff.com

TEL (239) 433-7707

FAX (239) 433-5933

The South Gulf Coast Chapter of Community Associations Institute recently held its Awards Night and honored the following members and associations.

Chapter Association Board Member of the Year Award was presented to Mr. Duane Hunt of Oaks III Condo Association, Port Charlotte, in recognition of outstanding service to his board and community.

The Volunteer of the Year Award was presented to Tammy LoVecchio, of Gulfshore Insurance, Fort Myers, Naples, and Marco Island.

The chapters Partner of the Year Award was presented to Cindy D'Artagnan, Cindy D'Artagnan, CPA.

The On-Site Manager of the Year Award was awarded to William D. White of Professional Community Services of Naples for displaying a consistently high level of professionalism, diplomacy and work ethic as a qualified communicator of management concepts. When asked his key to success, White gave all the credit to his wife, Cynthia Desmond-White, who is his partner in the business.

The Portfolio Manager of the Year Award was presented to Ms. Verna Lutz of Sandcastle

Management, Naples. When I asked her the secret to success, Lutz said: "This is a service business, and not always a glamorous one. It is not for those with big egos. It is really a good fit for people who like to serve. We want our clients to not only be satisfied with our management, but thrilled." Sounds like good advice to me.

The Rose Ann Podvin Memorial Scholarship Award for Community Association Managers was given to Sandra Lewis-Foley of Associa Gulf Coast.

Conference

The Law Firm of Becker & Poliakoff, P.A. will hold its 36th Annual Community Association Leadership Conference on Tuesday, January 24, 2012. The conference is free, and the public is welcome. The event will take place at the Barbara B. Mann Center, 8099 College Parkway, Fort Myers.

Check-in begins at 8:30 a.m. The program starts at 9:00 a.m. and runs to 12:30 p.m. This conference has been approved by the Florida Department of Business and Professional Regulation for two continuing education credit hours (Legal Update) for Community Association Managers. A separate pre-seminar breakfast program, open only to Firm clients, will start at 8:00 a.m., with guest speaker

Ken Wilkinson, the Lee County Property Appraiser.

Attendees at the half-day program will learn about statutory changes made during the 2011 Legislative Session in Tallahassee, and how these changes affect communities and their daily operations. Topics will include board meetings and elections, official record-keeping, hurricane protection, attachment of rents, fines and suspensions, management fees, and fire safety. Also featured will be a panel of attorneys discussing “How to Maintain Smooth Operations at Your Community”, which will include rule enforcement issues, followed by a Q&A session.

Please register in advance at www.becker-poliakoff.com/events/ca/ or by e-mailing Franklin Scott at fscott@becker-poliakoff.com.

Q&A

Q: Our condominium association sent out a notice that there are two openings on the board. Three people put in their names, and we just

received our ballots. However, there is no indication of where you vote for a specific officer, such as the President. Is this correct? **D.O. (via e-mail)**

A: Yes.

In nearly all cases, and absent a contrary provision in the articles of incorporation or bylaws (which I have only seen in a few instances), the members of the association (called unit owners in condominiums, called unit owners in cooperatives, and called parcel owners in homeowners’ associations) elect the “board of directors” often simply referred to as “the board.”

The board then elects the board’s officers. In most cases, the officers of the board are the president, the vice-president, the secretary, the treasurer, and assistant officers if so appointed. Officers serve at the pleasure of the board and may be removed, with or without cause, by the board at any time and replaced with whomever the board so chooses. Conversely, directors can only be removed from office by vote of the unit/parcel owners.

Joe Adams has focused his practice on the representation of community associations since 1987, and has provided legal counsel to well over one thousand community associations throughout the state. Joe has served as Chairman of the State Advisory Council on Condominiums and has written this column since 1995.

Send questions to Joe Adams by e-mail to jadams@becker-poliakoff.com. This column is not a substitute for consultation with legal counsel. Past editions of this column may be viewed at www.becker-poliakoff.com.