



KEOUGH & MOODY WEBINAR



HOW TO ENSURE YOUR ASSOCIATION MEETINGS ARE NOT AS ENTERTAINING AS A TELEVISION SITCOM

May 3, 2023, at 12:00 p.m.

**Pending approval for continuing education*

Join Gabby and Dawn on Wednesday, May 3, 2023, 12:00 p.m.-1:30 p.m., for our next webinar, “How to Ensure Your Association Meetings are not as Entertaining as a Television Sitcom.” In this webinar, Gabby and Dawn will tackle how out of control association meetings have gotten and can get. Many boards and managers are facing confrontations and animosity within their communities that they have never seen. These issues can create frustration, stall productivity and business from being conducted, create burnout, and instill fear. They also can leave those in attendance shocked that this is happening within their community and that they are not watching a reality show. Often, there are signs that the community meetings are headed in this direction before they spiral out of control. In this webinar, Dawn and Gabby will identify those red flags that may be waving in front of the board and management, signaling the path ahead. They will also discuss what to do to keep things in control and what to do to resume control. The presentation will also include real-life examples that will likely make you laugh, but help you to learn how to not be so entertaining during a meeting!

Registration is required. Please register in advance for this webinar below.

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MAINTAINING SAFETY IN YOUR COMMUNITY



S Search for Hazards
A Analyse the risk
F Find the cause
E Eliminate the cause
T Tell others
Y You are safe

Every day when we turn on the news, we hear about crime. Whether you live in the City of Chicago, in the suburbs, or outside of Illinois, there is crime. What is particularly startling is the crime that is committed in areas where people believe they are safe—at work, at school, even in their homes. This makes one managing a multi-family community stop and ask, “Are we safe?” “Are we doing enough to prevent a crime?” A board of directors is charged to administer and manage the property within the association. It is only empowered to enforce the restrictions within the community instruments. That is, neither management nor the board of directors is intended to replace the police or other authorities who are responsible for preventing and detecting crime and maintaining public order. Yet, there are steps that can be taken by management and the board of directors to help minimize the risk of crime.

Many communities have an on-site management office or designated area within the community where a manager or staff works on a regular basis. The following are some steps that can be taken to ensure these offices are safe:

1. Have an entry door that is locked at all times so as to require people to be buzzed into the office.
2. Install a camera and intercom to allow the office staff to see who is buzzing to gain entry and to allow him to speak to the person without requiring them to enter the office.
3. Install a locked mailbox outside of the entry door to allow people to drop payments or documents within the mailbox so as not to require entry into the management office.
4. Require members (including the board members) to schedule time in advance with management so as to avoid unexpected guests.
5. Have more than one person within the office.
6. Install security cameras within the office.
7. Install a panic button.

Many buildings have a lobby or front desk. Steps should be taken to also ensure that these persons are safe. The above tips can be followed when addressing safety in those areas too. In addition, steps should be taken to ensure that guests are only allowed entry when an owner specifically authorizes it. Some owners will find this cumbersome and maybe even offensive. Yet, it is better to deal with a disgruntled owner than a person who has been injured. To help avoid this, the board and management can communicate with owners about what steps are being taken to promote safety in the building. In addition, the owners’ cooperation should be sought.

The more discussion there is about the topic, the more support will likely be garnered by the community. After all, cultivating awareness may also help protect against violence. Training and education are also important tools in the fight against crime. On-site staff should be provided training on how to identify and handle a violent situation. That is, the staff should be educated about what are signs of concern, what they should do if they feel unsafe, what they

should do if they feel threatened, etc.

In addition to the above, the board of directors' commitment to safety is ongoing. It should adopt policies and procedures that exemplify this commitment. For example, a policy should be adopted related to how one gains entry to the building and/or on-site office and this policy should make it clear when entry will be denied. (The board then needs to support the staff when the policy is followed, entry is denied and an owner is upset.) The board needs to adopt a policy as to how it will maintain security footage and when it will be given to third parties. The board should adopt a policy on training on a regular basis for staff. Further, the board must take safety concerns and complaints seriously, keeping in mind that the policies related to prevention will change with time.

Finally, an easy, inexpensive way to avoid a threat to all within the community is to conduct virtual meetings. Over the years, we regularly address the advantages of conducting virtual meetings. Yet, hands down, the number one reason to conduct virtual meetings is safety.

The purpose of this article is NOT to tell you what you must do, but instead to encourage all to think about whether your community is safe and whether all is being done to maintain that safety. Every community is different and the threats to each community may differ. The best way to ensure that your community is safe is to have a crime risk assessment completed. Seek the assistance and advice of professionals to determine how best to keep your community safe.

But we've always done it this way...

Many people believe that one only needs to contact a lawyer when there is a problem. For our association clients, we see that mindset frequently as it relates to contracts entered into by the board. "Why ask the association's attorney to review a contract before signing? It is only going to delay the process and all contracts are



standard and have a thirty (30) day termination provision, right? Plus, we've always just signed contracts as presented and never had an issue." While we always hope that things will go as planned, that contractors will perform as agreed, and that there will be no issues, the last several years have shown us that things do not always go according to plan. We've seen issues with contract performance, price, termination, and situations where associations have been forced into litigation either by necessity or by the vendor. When presented, these issues have often been very costly for the association to address.

Attorneys are not just here to help address problems when they arise, but also to help **prevent** them. One of the easiest ways to prevent problems (and help keep an association's legal fees and other costs in check) is to review contracts before they are executed by the board of directors. Contracts are normally drafted by a vendor to outline the terms of the agreement (i.e., we will perform this work in exchange for this price) and to include terms which protect the vendor. Vendor contracts are not drafted to protect the association and despite urban legends to the contrary, there is no default law or rule that all contracts may be terminated with a thirty

(30) day notice. By having association contracts reviewed, the board can ensure that the contract also protects the rights of the association.

While association attorneys would love to review all contracts prior to execution, we understand that is not feasible. We recommend that multi-year contracts always be reviewed. If the association is potentially locking itself into a two- or three-year relationship, we want to ensure that the association has the ability to exit the relationship if it sours (among other things). For maintenance and other similar one-off contracts, whether a contract should be reviewed depends upon whether the dollar sum is such that the association would be comfortable walking away if the relationship went south (or the vendor went belly-up) or expending out-of-pocket legal fees. By having these contracts reviewed, we help ensure that the association is in the best possible position to ward against potential issues. Avoiding those potential issues on the front end is much more cost-effective (in terms of time, energy, and money) than addressing the issue (if and once) one arises.

COME SEE DAWN & GABBY AT CAI ILLINOIS' VIRTUAL LEGAL FORUM



Once again, the Illinois Chapter of the Community Associations Institute (“CAI”) is hosting a virtual Legal Forum. Dawn and Gabby will be speaking on April 27, 2023, at 9:30 a.m., on “Basic Training for Survival of the Fittest for Board Members & Managers.” Come hear us talk about how to survive managing your community in 2023.

Registration is required.

[Register Now](#)

Thank you for your continued support. If you have any questions, please let us know.

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