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SCOTTSDALE COUNCIL OF HOMEOWNERS ASSOCIATIONS  
**SCOHA NEWSLETTER**

IN OUR 38th YEAR

FEBRUARY 2012

## **Annual Legal Seminar to Address Pertinent Legal Issues**

Attorney Curtis Ekmark, SCOHA's President, will discuss important legal issues facing homeowners associations. Most importantly, he will address your questions at SCOHA's annual legal seminar on Tuesday, February 21 at noon.

Curtis Ekmark has practiced in the area of homeowners association law for over 18 years. He frequently lectures and speaks on association issues and has won several significant cases in this area. Mr. Ekmark earned his undergraduate degree from Marquette University and received an academic scholarship to attend Pepperdine University School of Law. At Pepperdine, he was a member of the Law Review and the Phi Delta Phi legal honors fraternity and was named the Terry Giles Scholar and the Odell McConnell Scholar before graduating with honors. Prior to graduation, he served as a legal intern for Judge John L. Coffey on the United States Court of Appeals for the Seventh Circuit in Chicago. Mr. Ekmark frequently lectures on association issues, writes articles for local publications, and has appeared on various radio and television newscasts and programs.

This meeting fills up quickly each year, so please make your reservations as soon as possible. Call Nancy Fagan at 480-945-7098 by noon on Friday, February 17 or send an e-mail to [jeanne@ekmarklaw.com](mailto:jeanne@ekmarklaw.com) to make your reservation.

PLEASE NOTE: YOUR 2012 DUES MUST BE PAID BY FEBRUARY 21 IN ORDER TO ATTEND THIS MEETING. PLEASE CALL JEANNE MALYS AT 480-922-9292 IF YOU HAVE A QUESTION REGARDING YOUR DUES PAYMENT.

### **SCOHA ANNOUNCEMENTS**

#### **FUTURE MEETING DATES AND TOPICS:**

Feb. 21 Annual Legal Seminar

May 22 Legislative Update

#### **SCOHA's WEB SITE:**

Don't forget to check our web site!

SCOHA's web site address is  
[www.scottsdalehoa.com](http://www.scottsdalehoa.com).

You can enter the member section by typing hoamember for the password.

**SCOHA  
DATA TO  
REMEMBER:**

**Tuesday,  
February  
21st  
11:45 a.m.**

**Lakeview Room  
McCormick Ranch Golf  
Club  
7505 McCormick Pkwy**

**\$15.00  
Reservations  
Required**

**Call Nancy Fagan at  
480-945-7098 by  
Friday, February 17**

**480-922-9292**

**[jeanne@ekmarklaw.com](mailto:jeanne@ekmarklaw.com) • [www.scottsdalehoa.com](http://www.scottsdalehoa.com)**

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# Major Maintenance Issues

## Summary of the January 24, 2012 Meeting

SCOHA's panel of experts addressed some of the major maintenance items pertaining to homeowners associations: Kevin Wright with Indigo Paint and Contracting; Matt White, Caretaker Landscape and Tree Management; and Kelly Kinion, Southwest Roofing Consultants.

Kevin Wright began with reviewing common paint-related issues which include efflorescence and stucco pH burn, drywall damage from water, rusted wrought iron (stairs and fences), peeling paint in carports, stucco damage from sprinklers, and wood dry-rot.

When preparing to undertake a painting project, an association should draft the project specifications and scope of work. These documents should be given to each contractor bidding on the project.

The specifications-scope of work should include the following:

- Detailed list of paint items. For example: Condo Buildings #1-12; Clubhouse; Pool Building; Perimeter Block Walls and Wrought Iron; Pool Fence.
- Items on the buildings to be repaired and painted. For example: Stucco, Wood, Wrought Iron, Drywall.
- Will the project include or exclude repairs? For example, would the wood fascia be replaced?
- If the project includes repairs, ensure the contractor hired is licensed and bonded.

- Products:
  - Specify the product for EACH surface painted.
  - Allow for equal or crossover project from multiple paint manufacturers.
  - Desired warranty for materials (five or ten years) and workmanship.
  - All paint manufacturers offer consultation.
  - Are the colors to match the existing color scheme or will a new color scheme be created?
  - Application and surface preparation requirements.
- Will you want a maintenance program established and if so, what will that include?
- Contractors should be licensed and in good standing with the Registrar of Contractors.
- An association should consider hiring a paint contractor with HOA experience, who has trained, in-house, and on-site supervision and communicates well.
- Obtain references from community managers, suppliers and other HOA board members.

After the painting project is completed, the association needs to determine when to re-

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paint. Inspect the buildings regularly. Some surfaces may need to be repainted every five years – especially wood and wrought iron. In the Phoenix area, it’s okay to paint any time of the year. However, Mr. Wright recommends avoiding the holidays for your paint project.

Matt White began his presentation by explaining the importance of setting a board vision for its landscaping needs. For instance, a sustainable landscape is desert adapted, has low water use and requires minimal maintenance.

An appealing landscape is different from person to person and very subjective. It’s important to define the specific elements of an appealing landscape:

- Flowering shrubs – Lantana, Bougainvillea, Honeysuckle, Red Bird of Paradise; Yellow Bells.
- Grasses – Deer Grass, Sedge Grass.
- Perennials – Daisy, Iris, Primrose, Verbena.
- Succulents and Accents – Agave, Aloe, Saguaro, Golden Barrel.
- Vines – Bougainvillea, Pink Trumpet, Primrose, Jasmine.
- Turf.

There are several elements to consider for a cost-effective landscape:

- Lower water use.

- Minimal maintenance.
- Preventative maintenance:
  - Pre-emergent.
  - Proper pruning.
  - Reduce infections and disease.

An association’s landscape maintenance should be created around the association’s vision for the landscape:

- Establish maintenance guidelines.
- Properly train staff.
- Customize the maintenance standards to fit your community.

Associations should consider selective beautification projects to make their communities more appealing to current and prospective homeowners. These projects include updating monument signs or updating high visibility areas.

Periodic reviews should be undertaken to note areas of concern. Mr. White recommends monthly community walk-throughs with the landscape contractor or employee. Landscape projects should also be reviewed with the homeowners at the annual meeting.

It’s very important to find the right landscape contractor. The contractor should be educated in landscaping requirements, be passionate about

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the work, and able to communicate well with the association's representatives to implement the board's vision for the community's landscaping.

Kelly Kinion began by explaining that Southwest Roofing Consultants operates as an independent roofing consultant to protect the association's best interests.

The initial phase of a roofing project should be the evaluation. It's important to know what you have, what to do with the roofs in the long and short term, and how much the project is going to cost. This is a very important stage.

The second phase of a roofing project is developing the bid documents. These documents will give the association the better ability to compare bids and contractors. It's important to try to select a roofing contractor that's been in business for a while and will be around in the future. Therefore, an association needs to

make sure that the contractor's license is up to date and that there are no complaints against the contractor. That contractor should also maintain an adequate amount of insurance.

The third phase of a roofing project is the construction. Monitoring during this phase is very important. The benefits of working with a roofing consultant become quite clear during this phase. The consultant works as the association's representative and inspects the materials before the project begins, conducts spot inspections during the construction process and ensures things are completed properly. The consultant will provide documentation to the association at the completion of the project and will usually come back to inspect the roofs once a year.

The final phase of a roofing project is to develop an annual maintenance plan. This includes cleaning the roofs and minor roof repairs when needed.

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### **2012 DUES PAYMENTS:**

Please note that your 2012 dues must be paid by the February 21 legal seminar in order to vote for the SCOHA Board of Directors and to attend the legal seminar. If you have not received your dues packet, please call Jeanne Malys at 480-922-9292 or e-mail her at [jeanne@ekmarklaw.com](mailto:jeanne@ekmarklaw.com).

### **MEMBER UPDATES:**

Included with your dues packets are member update forms. Please be sure to send us your updates so we can ensure that the right people are receiving the newsletters and e-mail notifications.

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