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THE FLORIDA APARTMENT ASSOCIATION

SPRING 2013



# Multifamily FLORIDA

## Spring Cleaning

How Greystar coordinates  
renovations and maintenance

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- Legislative Session Review
- Hey Mold ... Dry Up!
- To Tow or Not To Tow



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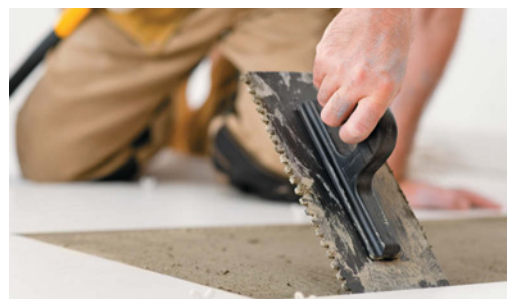
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**April 3-4, 2013**

**FAA's 2013 Legislative Days**  
Tallahassee, Florida

**April 15-17, 2013**

**NAA Green Conference**  
Baltimore, Maryland

**June 20-22, 2013**

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# Spring Cleaning

by **Linda Paolo**  
WRH Realty Services, Inc.

Our theme this issue is *Spring Cleaning*. When I think of spring cleaning, I think of “out with the old and in with the new”. Wikipedia defines spring cleaning as the practice of thoroughly cleaning a house in the springtime. It’s the traditional time to remove winter blues and get ready for the long days of summer.

I thought about how this definition relates to the Florida Apartment Association. My first thought relates to the fact that after 40 years of being managed by a management company, we are now a self-managed association. This is a fresh start, a spring cleaning so to speak. We now have four dedicated FAA staff members who are working hard in their new offices to make FAA the best

it can be. The Executive Committee and the Board of Directors of the Florida Apartment Association have a large stake in the success of this association. We all – FAA staff, Executive Committee and the Board of Directors – are a team and we need to be involved in making FAA a success. This is your time to be heard.

My second thought concerned how to proceed as an association. I see our association being self-managed as a time to change things up: the FAA membership represents the best and the brightest employees within the apartment industry within our state. It is our time to be inventive! Let’s try new things, let’s approach situations from a different angle, a different perspective. Just because we have always done something one way doesn’t mean that we can’t try a different way – out with the old and in with the new. Bring us your ideas.

Our first Board of Directors meeting of the year was held on Jan. 31, 2013. The local associations reported very active schedules of events that are planned over the next several months – training classes, maintenance mania events and fundraisers. It is wonderful to see how active and committed our locals are throughout the state.

The FAA Education Conference Committee is busy working to obtain the best speakers and education programs for our Annual Education Conference. This year, the Conference will be held on Oct. 16-18. Mark your calendars now and plan to attend this event in Orlando.

One item FAA is working to finalize is the Florida Legal Guide. This Guide will be available to our membership and will provide access to literally hundreds of articles, written by Florida attorneys, that relate to all aspects of multi-housing. The Guide will include links to various relevant Florida and Federal Statutes. It will have a comprehensive Fair Housing section. I would say that most any question a property manager could have, this Guide will answer.

By the time you read this, we will have had our legislative conferences and visits in Washington, D.C., and will be headed to Tallahassee. It is always exciting to see how involved our members are in representing our industry concerning the political process as we try to improve the laws regulating our operations. You will read more about this in the Legislative Update Section written by Laura Heiselman, the FAA Government Affairs Director.

I continue to look forward to the changes in FAA. The time is now for change. There is change in the air – a spring cleaning. I am looking forward to seeing everyone soon. ●







## Buddy, Can You Spare a Dime?

**by Cindy Fredlund**  
2013 APAC Chair,  
Camden Property Trust

2012 was a successful year for APAC. Glenn Evers' leadership was strong and the board was dedicated to their mission. We thank them sincerely for their service. 2013 will be

a great year for the Florida Apartment Association and APAC as well.

It is my honor to serve as APAC Chair. This year's APAC Board is fortunate to have Mark Ogier serving as our Secretary and Cynthia Haynes as our Treasurer. We are dependent upon our volunteers to do everything in their power to reach the APAC goals. Mark and Cynthia have been dedicated, experienced leaders in our industry and bring strength to this years' leadership. We are also excited that Rob Johansen and Tiffany Ferguson from ECAA have joined the board. They have already been contributing energy and ideas.

Mark, Cynthia, Laura and I, along with this years' APAC Board, will work diligently to inspire others to stay passionate about the important legislative work we do.

Our mission this year is to strengthen our foundation by working with those who have historically supported APAC, while opening our minds to raise the bar with our policies and standards and reaching out to new donors. The result **must** be that we raise more funds.

Our three major goals this year are:

- Educate our members on the importance of investing in APAC
- Implement a Tiered Giving Strategy (similar to NAA)
- Raise \$100,000 (or more)

**The biggest impact we can make is to reach our fundraising goals.**

There are many ways we can reach or exceed our \$100,000 goal.

The first is to just start asking for the money – **do it now, don't wait!** This year, APAC Board members have been asked to bring in **at least \$2,500 new**

**Our mission this year is to strengthen our foundation by working with those who have historically supported APAC, while opening our minds to raise the bar with our policies and standards and reaching out to new donors.**



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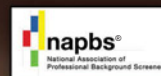
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**money.** Our Board meeting was two weeks ago (at the writing of this article) and I am at almost half my goal! Today when I went to lunch with friends from the corporate office we talked about APAC and the importance of what we do. One point of discussion was about our historical efforts and how they have positively affected our industry. After a mildly passionate conversation, both of my friends said they would give \$50. News bulletin, I had never asked them before – once they knew, they gave.

Another way we plan to be successful is that we are asking our entire membership (especially the APAC Board) to increase their giving by 25 percent. **Lead by example, increase your giving and then tell others that you did.**

Have you personally asked your company to support FAA APAC? Ask them to be a corporate member and if

**Fundraisers are great and they help bring a large audience to our cause. Keep them going! However, sometimes we get caught up in the planning and the production; or sometimes we get lost in the “giveaway”.**

they have given in the past, ask them to give more. In 2012, this was a strong way to raise funds.

Fundraisers are great and they help bring a large audience to our cause. Keep them going! However, sometimes we get caught up in the planning and the production; or sometimes we get lost in the “giveaway”. Remember to just attend your local association meeting and ask people to make a donation right then and there.

Yes, I am asking you to do this now and make a difference. Then let me hear about your success!

We are busy planning an APAC Board Workshop for the spring. Our agenda will include strengthening

our policies and goals. We will send a notification to all APAC Board members, FAA BOD and local associations so you will know when it is scheduled. With that notification we will also be reaching out for others – not on the APAC Board – who may be interested in participating in the Workshop. There will be limited space available, but if you are forward-thinking and have experience in fundraising and policy building for a PAC, please let us know. As long as we have seats available, we will add other volunteers.

Thanks for taking the time to hear about APAC for 2013. Stay focused on our goal and ask your colleagues and industry friends to **support APAC!** ●

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## And So It Begins

by **Laura A. Heiselman**  
FAA Government Affairs Director

Though the Legislative Session officially begins on March 5, 2013, there has already been significant activity in our state's capital. While major areas of focus will include education, insurance reform and dealing with a budget *surplus*, the apartment industry can look forward to a session that includes issues related to: landlord/tenant law, licensing, swimming pool and spa contracting, expert witness testimony, fire safety and fair housing law.

For the first time, a legislative priority workshop was held during our January Board meeting. Kelly Mallette and I lead the discussion where we outlined the bills of interest that had already been filed and then encouraged the attendees to discuss what *they* deemed important. Legislative Committee members (and others who were interested in the process) broke up into small groups and discussed the issues at hand. After each group identified their top three industry priorities for 2013, a group leader explained their ideas. After all suggestions were reviewed, it was determined that we would have four top priority issues for this Legislative Session.

### FAA PRIORITIES FOR 2013

*\*\*Please note that at the time this article was written (mid-February) this is the most current information available. Legislation is subject to the amendatory process and may not reflect language referenced here once this edition goes to print.*

#### Landlord Tenant Law – HB77/SB490

##### Position: Support\*

The “Florida Residential Landlord and Tenant Act” governs the relationship

between landlords and tenants under a residential rental agreement. This bill modifies the Act to:

- Make it applicable to lease-purchase agreements for residential properties if the buyer has not paid at least one month's rent and paid a deposit of at least 5 percent of the purchase price of the property or at least 12 months' rent.
- Provide that attorney's fees may not be awarded for personal injury actions resulting from maintenance issues between landlord and tenant.
- Provide that certain statutory notice and attorney's fee provisions may not be waived in a lease.
- Modify the statutory disclosure regarding deposits to provide specific wording.
- Require landlords to pay regular assessments to an association.
- Clarify eviction notice requirements for a recurrent noncompliance event within 12 months.
- Allow a landlord to accept partial rent without waiving the right to evict.
- Require reciprocal notice by the landlord and tenant of an intent to not renew the lease at the end of the term.
- Provide that a sheriff's notice of eviction is not stayed by weekends or holidays.
- Prohibit a landlord from retaliating against a tenant who lawfully pays a landlord's association dues pursuant to a lawful demand, or a tenant who complains of a fair housing violation.
- Provide that a landlord and a mobile home park owner must be given an opportunity to cure a deficiency in any

notice or pleadings prior to dismissal of an eviction action.

- Provide technical and stylistic changes.

*\*Conditional – based on expectation of language change or removal that would not require litigation when a dispute exists regarding security deposit. We feel confident that we will get this change and are looking forward to supporting it.*

#### Swimming Pool and Spa Contracting – HB737/SB156

##### Position: Oppose

- Overturns the court case that limited who must be a swimming pool contractor. Under this bill, simply cleaning the pool or treating the water with equipment not permanently attached to the pool will require a contractor's license. Reduces the qualifications to be a pool contractor.

#### Licensing Requirements for Leasing Agents – HB481 (no Senate bill at this time)

##### Position: Oppose

- Provides definitions applicable to real estate brokers, sales associates and schools; revises exemptions from regulations of real estate profession; requires landlords & leasing agents to be licensed real estate sales associates.

**Felons' Rights** (No bill has been filed at this time but we expect that Representative Bracy will file in the coming weeks.)

##### Position: Oppose

At a recent meeting of the Florida Chamber of Commerce, we were asked





to support legislation that would require that Florida use federal standards to define who qualifies as an expert witness. After reviewing the request with our Government Affairs Council, we agreed to support this pro-business legislation as we had done last year. We find great value in working with like-minded associations and are committed to building and cultivating relationships with various industries with common goals.

#### Other issues we are monitoring:

- Foreclosure Notification
- Electrical Contracting
- Fair Housing
- Tort Reform
- Fire Safety

Your Florida Apartment Association Government Affairs department and our Tallahassee lobbying team are continually monitoring bills that would have an impact on our industry and are working closely with bill sponsors to protect our interests.

We encourage you to get involved and share your thoughts as we represent your

needs in the governmental arena. Nothing is more important than the participation of our members in the legislative process. Your stories are our most effective tools to get our message out!

A special “thank you” to the Lyceum candidates for their work and participation during the Advocacy Module held on Jan. 30. Participants were treated to a jam-packed day of “all things advocacy” and even had the opportunity to share our thoughts about pending legislation that would have a significant impact on the multifamily industry. Well done!

We were grateful to present a federal update from Alison Berry, NAA Manager, State & Local Government Affairs; an association advocacy review from Chip Tatum, EVP for the Apartment Association of Greater Orlando; a lesson in local advocacy from Ashley Ligas and Jeff Rogo, Government Affairs Directors for SEFAA and BAAA, and a rousing discussion about lobbying from Ron Book. In addition, we welcomed newly

elected House members: Representative Randolph Bracy (HD-45) and David Santiago (HD-27). We would also like to thank Representative Victor Torres (HD-48) for coming by our Open House that evening. Though he was unable to participate in the Lyceum module, he was able to visit with many candidates and other FAA members at the reception and we were glad to have him with us!

Keep an eye out for our weekly Legislative Update emails, where you will get the latest scoop on what is going on with our governmental affairs program.

During Session, there will be frequent updates to our website. Members will have the opportunity to log in and review important legislative news. Be sure to have your membership data up to date and be on the lookout for email alerts from the RSS feed.

Stay informed and involved in our advocacy efforts. Our collective message is created by the power of individual voices. Make your voice heard today! ●



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FEATURE

# Renovations and Maintenance:

## Managing the Many Moving Parts

by Bobby Davis

For an enormous management company like Greystar, managing both major renovations and annual maintenance across a portfolio owned by both large investment firms and several individual owners requires skillful planning. Ron Wenzel, Sr., Regional Property Manager for Greystar in Orlando, and Ray Mendez, Maintenance Supervisor at Bala Sands Apartments, discussed some of the issues they confront during “spring cleaning” each year.

### A RELATIONSHIP BUSINESS

As Regional Property Manager (RPM), Ron handles multiple clients, and his control over the maintenance process depends on the relationship with them. His diverse client base has different needs each year, and Ron must be flexible as he works with each one.

“Some trust me completely and empower me, some want to be very involved,” he said. “Most owners have great pride of ownership, and they want to be involved. At Greystar, RPMs are the operators of the asset, and we deal directly with the owner or the asset manager. With large institutional clients, they might want to see a pre-approved color palette of paint and flooring, specific countertops, ceiling fans, etc. They want a lot of consistency and want to be a part of





the process from A-Z. Small owners also want to participate in many instances.

“We like to keep the payback period for the upgrades under 36 months. If you did a unit upgrade program and invested \$3,600, you want to get payback by increasing the rent by \$100 per month. You have to do unit upgrades as they turn. There’s a greater liability to us to have carte blanche; some of those constraints are necessary. The client usually approves a budget and we work within those parameters. The more you communicate with them, the less liability you have, and the greater likelihood that everyone is happy in the end.”

## THE MAINTENANCE CALENDAR

Ron schedules maintenance and renovation according to an understanding of the annual leasing cycle. Ideally, maintenance is scheduled to avoid the summer rains (especially for exterior work) and the high-traffic period for leases beginning in June. With student properties, the heavy move-in and move-out months of August and May should be avoided. All projects, large and small, culminate a year-long process of evaluation.

“All year long, the property managers and I collect bids and proposals for routine maintenance and renovation that needs to be done or will be done,” Ron said. “In July or August, we prepare the 12-month operating budget and present it to the client in September or October for the following year. Some clients require a capital budget. Others request a five-year capital budget, which might include larger projects like reroofing, sealcoating, restriping or replacing the asphalt in the parking lot, interior renovations or exterior renovations. That’s unique and specific to each client, though we have a budget template that guides us through the process.

“We do routine repairs such as: plumbing, heaters, air conditioners, painting and other small projects throughout the year. If a community

manager or the maintenance person is solicited by a vendor for routine maintenance services or upcoming capital items that the RPM or the client identifies as necessary, we start asking for bids. We don’t just call someone and say, bid on painting our exterior buildings. Jim Holzschuh, our project manager, writes a specific scope of work, which provides an apples-to-apples comparison when RFPs are returned. It’s more of a fair way to request those services, and allows the contractors to present proposals that fit the scope of work.

“A lot of the projects are done in the spring, from March through May, and some will run through the third quarter. January typically isn’t a good month to start work unless an owner is trying to sell a property. Your highest volume of leases is in June and you don’t want to interfere with curb appeal. You want your curb appeal at its highest before the leasing traffic becomes heavy. School starts in August-September, our prime window for traffic and leasing. In a perfect world, we want the work done 75 days prior to lease time. We also don’t want to do a lot of exterior renovations during the holiday season.”

Ray Mendez has more than 17 years of experience in the industry and is often called upon to execute both spring maintenance and large renovations. He

takes bids from contractors to get them ready for the manager and regional manager and helps develop the scope of work.

“Usually, any big projects that I have, I have contractors that come out to give me proposals to make sure they’re within parameters.”

With regard to easing the burden on residents when maintenance must be done, “I make sure they have plenty of notice, explain in the letter that it’s a preventative maintenance program that saves the resident money,” Ray said. “In late February, we start the Hug-a-Building program. We tackle one building at a time. We go into every unit to check the AC coils, fan motors and change the filters. We also do a small inspection of the smoke detectors and toilets. Outside, we pressure-wash the buildings and clear the condensation lines.”

When the property must do a major renovation, Ray and his staff of three have to manage working with contractors with their ordinary duties. Sometimes, they will hire additional temporary staff to manage the work. Mostly, though, “It takes good time management and a lot of hard work.”

## SUPPLIER RELATIONS

Greystar works with a large number of suppliers providing every conceivable



service. With some companies, they have national contracts, while other supplier representatives have close professional relationships with Greystar executives and on-site staff through local and state association membership. How does Ron manage the competing bids of suppliers to best protect the assets he manages?

“Our clients can get volume discounts through Greystar’s size,” Ron said. “We look at whether they are certified and comply with regulations, have proper

general liability, and are active members of the apartment association. Quality and price are both very important, and the scope of the job affects who we choose. We want the supplier’s abilities to fit the scope of work.

“I like to spread it out and offer different suppliers opportunities to bid on jobs. You want to establish relationships so you have a backup in case something falls through. You also don’t want to get too comfortable with any company, or have conflicts of interest.”

Ron commented on a concern one sometimes hears from suppliers: that the FAA and other conferences occur after the budgets are set for next year.

“The FAA Conference does take place after we present our budgets, but they still have a valuable opportunity to meet our decision makers. And just because the budgets are submitted before October, it doesn’t mean a contractor has been selected. If the scope was written well and given to three or four contractors, we take the aggregate average to set an amount, but many times, we haven’t decided on a specific contractor. We often do the RFPs after the budget has been set.

“In addition, I may have gotten a bid from you in April for a project next March, and we may need to revisit the proposal. The rep may have changed companies. You may have bid in July for a sealcoat job, but if fuel costs go up, that price may need to be adjusted. We’ll revisit the bidders to see if there is a change in pricing. I might invite someone at the conference to submit a bid. If a contractor wants to bid on a job and I haven’t selected someone, they are welcome to bid. A contract isn’t signed until the decision is made.”

The marketing department is also involved in the annual budget process, looking at new advertising and the marketing process. “They review our websites, print ads, professional photography, and they provide input on curb appeal and interior design,” Ron said. “They assist us in marketing and advertising the asset, and they work with the community manager and regional manager to increase or cut advertising. We may do a rebranding, produce new marketing pieces and brochures, or do a campaign for a lease-up or new construction.”

Maintenance and renovation is a complex process that takes place with varying intensity all year long. It is also just one facet of the work apartment management companies and owners must manage successfully. The Greystar team has a structure and procedures that work for them. How does your company do it? ●

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# Hey Mold ... **DRY UP!**



**Moisture, and the mold born from it, can cause havoc and make life miserable for facility managers. Here are some tips for getting and staying dry.**

by Scott McCurdy

When it comes to structural integrity, mold is like a wet blanket. It is generally useless and always unwanted.

“Over time, mold will break down whatever medium it grows on,” says Matt Brewer, director of field operations for Coastal Reconstruction Group. “Very quickly, it will begin to rot through wood, drywall, and any number of standard building materials. Once this starts, it eventually leads to catastrophic structural failure.”

Not to mention that mold can adversely affect your health, Brewer adds. It can exacerbate many respiratory problems and other health issues such as allergies, asthma, sinus congestion, coughing and skin rashes, especially among the young and elderly.

So how do you deal with this insidious building and lung invader? In order to fight it, you must first understand how and where it grows.

Living organisms that thrive in damp places, molds stain or discolor surfaces and smell musty. There are hundreds of thousands of different types of mold, and they can grow almost anywhere: on walls, ceilings, carpets, or furniture. Humidity or wetness — caused by water leaks, spills from bathtubs or showers, or condensation — can cause molds to grow.

## PREVENTION

By ensuring that a structure is as moisture-proof as possible, you can avoid many of the headaches associated with the damage caused by microbial growth.

Follow these tips to prevent the infestation:

- Regularly inspect building interiors and exteriors for leaks and wetness.
- Fix serious water problems immediately. Wet basements, roof leaks, and leaking pipes or faucets represent perfect breeding grounds.
- Always use ventilation fans in bathrooms and kitchens.
- Keep humidity below 40 percent by using an air conditioner or dehumidifier.
- Make sure water from sprinklers and hoses is not in direct contact with the foundation.
- Pressure-wash building exteriors at least twice annually.
- Avoid using carpeting in kitchens, bathrooms and basements.
- Dry floor mats and other absorbent objects regularly.

## EXAMINATION

The most diligent of facility managers cannot prevent the growth of all molds, but successfully recognizing that you might have a moisture problem can go a long way in eliminating these culprits before they cause serious damage. One of the telltale ways of detecting mold growth is by its smell, which is typically a musty, stagnant odor that is both strong and unpleasant.

Another obvious sign is the appearance of black specks around plumbing fixtures, water-stained and swollen walls, and flooring. “It’s safe to say that if you have any type of leak in your



structure, whether it's from the roof or plumbing fixtures, there is a good chance you have some mold issues," cautions Brewer. "Anytime you introduce moisture into a building without proper ventilation, you create a breeding ground for these organisms.

Another factor to consider: there will always be more moisture below what you can see on the surface. Using the example of an iceberg, Brewer explains that you may only see the small peak on top, but a much larger base most certainly exists, hidden away below the outer boundary of the material object.

## ELIMINATION

Eradicating mold can be a tricky proposition. The only way to really prevent its growth is to control the amount of moisture exposure within a structure. "Before you attempt to get rid of

your problem, you must first remove the source of moisture that's causing the mold to activate," says Brewer. "Once you've stopped the incoming moisture source, you can begin the drying out process by using a contractor certified in mold remediation."

This procedure includes setting up dehumidifiers, filtered mass air movers and fans to start the drying process. Specific testing will determine whether or not you can clean the affected area or if you have to replace damaged materials. In most cases, says Brewer, drywall is removed and framing is cleaned. Cleaning involves special commercial cleansing agents designed to specifically exterminate mold, after which a sealant is applied to help prevent future growth.

Moisture meters and air quality testers are used to determine if a structure is dry and uncontaminated enough to continue reconstruction back to original condition. "The risk of mold and bacteria growth increases significantly after 48 to 72 hours," warns Brewer. "Given the persistent nature of water, getting and maintaining a handle on this requires constant diligence and should be a chief concern for builders and property managers." ●

*Scott McCurdy is the co-owner of Coastal Reconstruction Group. Coastal Reconstruction's Rapid Response services provide post-disaster reconstruction to residential and commercial structures throughout the Southeastern U.S. For more information, visit [www.coastalreconstruction.com](http://www.coastalreconstruction.com).*

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# Open for Business!

## Catching up at the Florida Apartment Association's Open House

by Reid Nichols

On Wednesday, Jan. 30, 2013, Marjorie Cook and her Florida Apartment Association (FAA) staff hosted an open house to show off their new office. The event served to reinforce the new independent direction the FAA has taken since parting with their third party management firm of more than 40 years. Members of the FAA's board and Leadership Lyceum program met to enjoy food, drinks and each other's company. Excitement was in the air as many people associated with the FAA took the opportunity to peruse the new office location; many mentioning how much of an improvement the new location is over the old. People were catching up with old friends and colleagues in every corner of the new office. I was able to meet and talk with a number of key attendees, each one with a unique, yet impressed, perspective of how far FAA has come.

### **LINDA PAOLO – WRH REALTY SERVICES INC. – CURRENT FAA PRESIDENT**

I first spoke with Linda Paolo who had begun her reign as FAA president in October of 2012. She told me that, as the first president during FAA's self-management, she is excited to take the federation of apartment associations to the next level. Linda believes that there will be more accountability and further growth going forward. She believes this to be true thanks to the new full time

staff that is dedicated to their cause. Specifically, we can expect the new staff will help to grow membership, increase status with a higher relevance and increase PAC presence. One of her underlining goals during her tenure as president is to communicate the importance of being an *active* member of the association. Being a member is valuable, but being an active member can take you to new heights. For example, one opportunity to be an active member that Linda is excited about is this April's trip to Capitol Days in Tallahassee.

### **LISA PORTER – APARTMENT ASSOCIATION OF GREATER ORLANDO**

I had a chance to speak with Lisa Porter who told me about a lot of exciting plans for her own association that should be coming to fruition this year. She explained that, while the Apartment Association of Greater Orlando has a lot on its plate for the coming year and she has been very busy, it is nice to see things progressing at FAA. Lisa was a big supporter of FAA's independence and believes that the federation will be able to do things without having their hands tied, which will lead to more flexibility. The independence coupled with the new setting, she believes, is an environment that will be nurturing to FAA's new beginning.

### **LORI TRAINER – SOUTHERN AFFORDABILITY SERVICES, INC. – VICE PRESIDENT, PUBLIC RELATIONS**

Lori co-chairs the Homeless Task Force Committee which works with management companies to find people who have fallen on hard times a place to stay. The program works to accommodate credit forgiveness, fee diminishing, and continuing case management for those who need a hand up- not a hand out. Lori finds the work rewarding and is happy to bring her perspective to FAA. In fact, she has been involved with FAA for the past 12 years. She admitted to feeling a little uneasiness with FAA leaving what she called the 'Mother Hen'. Now, she believes, the 'Mother Hen' was possibly preventing the full potential of what FAA could be. She is proud of the new direction and thinks that Linda Paolo will do great things as president.

### **RONALD BOOK – LOBBYIST**

Ron was in attendance feeling especially optimistic about this year's legislative opportunities. Ron started working with FAA seven years ago. He had had spoken with the Lyceum students earlier in the day about his experiences. Much of what he had presented to the students was still on his mind. When Ron started with FAA, his goal was simply to bring relevance to the discussion of property and management issues on a

legislative level. FAA wanted to have their opinions and voices heard in Tallahassee when policy was being drafted. In short, they wanted fair and equal participation on issues affecting Florida properties. Ron feels that this mission has definitely been accomplished. However, challenges will continue to face the industry. For example, with a large amount of new representation in both the state Senate and House, re-education of new members is of paramount importance. It should be noted, Ron points out, that new legislation and ideas that are potentially harmful to multifamily housing management have already been stopped or redesigned this year. Speaking of the future, Ron said that FAA's independence is a night and day difference. He is excited to see this year's attendees come to Tallahassee for Capitol Days and believes that the increasing attendance in the event is an indication of excitement for the future and FAA's new direction.

**I was able to meet and talk with a number of key attendees, each one with a unique, yet impressed, perspective of how far FAA has come.**

#### GLENN EVERS – TREASURER

I spoke with Glenn about the day's Leadership Lyceum events at the Altamonte Springs Hilton. He explained that this was the Lyceum group's final meeting before completing their program. He was happy to see familiar faces and looking forward to the next day's board meeting. While the board is able to meet three to four times a year, he looks to make the most of each meeting.

#### TIFFANY FERGUSON – EMERALD COAST APARTMENT ASSOCIATION AND LYCEUM STUDENT

Tiffany had come directly from the Lyceum event nearby and spoke to me about how valuable she found the curriculum. One topic that she found particularly helpful during the program was communication techniques. She found an appreciation for the new

ideas and methods of communicating encouragement and motivation as a leader. Tiffany was thankful for the opportunity to participate in the program and considers FAA a valuable resource. While she really liked the office park of the new location as well as the building itself, above all, she thinks Marjorie and her team are what make the winning difference. This was a sentiment I heard echoed all night. ●

*Reid Nichols is a guest contributor to Multifamily Florida. He has a Bachelor's Degree in Communications from the University of Washington and a Master's Degree in Business Administration from Rollins College Crummer Graduate School of Business. He provides freelance writing and business consultation out of Central Florida. Email him at e.reid.nichols@gmail.com.*

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# Plan Ahead ... Weather, or Not

by Scott McCurdy

Natural disasters and household emergencies happen every day and cause billions of dollars in property damage annually. When destructive elements like rain, wind, lightning and hail strike, the result can be roof and structural damage, water intrusion, mold, electrical failures, plumbing problems ... the list goes on.

When a natural disaster occurs, repairing even one home is demanding, but coordinating restoration for an entire community is a much more daunting task. And more often than not, multi-family developments face two separate losses when severe weather strikes – both to individual homes and exterior damage to common areas. Thus, it is critical to plan ahead before reconstruction is needed.

## ORGANIZE AND COMMUNICATE

Most people are anything but calm when faced with severe weather, and once a threat is identified, those in harm's way work themselves into a panic – buying supplies and securing buildings. But, they often overlook one major precaution: forming a plan for remediation in the event damage occurs. While not all natural disasters come with advanced warning, creating a preparedness plan now will help to facilitate repairs – and get the community back to normal as efficiently as possible. Create an emergency plan to suit each type of disaster:

- **Hurricanes:** Though they can be deadly, hurricanes are one of the few weather threats that provide advance notice. Make sure your residents are well-informed – send out a list of supplies or organize community informational meetings. Also, find out if there are any elderly or disabled residents who need extra help to prepare.
- **Tornados, Thunderstorms and Flooding:** Wind and water damage from these storms can result in a litany of problems: fallen trees, broken windows, roof damage and mold. Since there is little time to plan ahead, make sure



you have established an emergency communication plan for residents to follow.

- **Fire:** A fire in one condominium unit can displace residents in an entire building. Unfortunately, the only remedy is to begin remediation immediately. Enlist a reputable general contractor to have on-call for emergencies.

## CREATE THE PLAN

When dealing with hundreds of homes, repairs must be completed promptly to both decrease resident displacement and to remediate general hazards associated with damage from water and wind. For that reason, disaster preparedness must begin well before the threat is imminent.

While you can't necessarily control the actions of each individual, you can provide easy-to-follow instructions for the quickest possible recovery. Ask the following questions to begin your community's plan:

- **Do you have a resident checklist?** The list, which should be updated annually, should include emergency phone numbers (e.g., local police, Red Cross and relatives), as well as any pertinent guidelines to follow during a severe weather situation. If applicable, identify a safe room in each home (or ask residents to identify their own) and designate a meeting spot where they can safely gather after a storm. If you have advanced warning, take the time to purchase essential supplies, like batteries, food and water; charge your cell phone and laptop computer; fill your car's gas tank; withdraw cash from the bank; and purchase prescription medication. In addition, install a landline telephone – and buy a model that does not require electricity.
- **Do you know your neighbors?** Encourage residents to communicate with one another. Find out who has specialized equipment and tools – like generators and chainsaws. Also, see if any neighbors have medical expertise which might be needed during an emergency.
- **Does our insurance cover that?** Find out now, before you need to make repairs. In most multi-family developments, both the individual owner and the community's association will have separate insurance policies. In severe weather situations, often both policies are utilized to cover the damaged areas. To ensure the fastest possible rebuild, ask all homeowners to review their policies – and in turn, share with them what is covered under the “master policy.” Familiarize yourself with insurance deductibles for all claims. Know in advance how much you will be responsible to pay – and what will be covered under the policy.
- **Is there anything else I can do?** Even with the best preparation, you can't prevent damage from occurring, but you can try to minimize its effects. Cover torn-off roofs and broken windows with tarps and plywood – and, if water is the issue, use large fans to “dry-out” the home faster. To ensure the quickest recovery, establish a relationship with a disaster contractor – and encourage residents to do the same.

## CHOOSING A DISASTER CONTRACTOR

Searching for a reputable contractor after a natural disaster occurs increases the chances for fraud and price gouging – especially if the destruction is widespread. Establishing a relationship in advance reduces that risk and takes the decision-making out of an already chaotic time.

Therefore, one of the most important preemptive measures a company can make is to establish a relationship with a disaster contractor. These experts specialize in repairing damage caused by natural occurrences like fire, wind, water, mold and termites. Damaged roofs and walls, broken windows, flooding and mold require contractors with different expertise. Disaster contractors can bundle all these services – even coordinating multiple sub-contractors for their clients, if needed – thereby eliminating extra hassle for the client. Beyond being equipped to handle building repairs and complications from water

intrusion, (like mold, for example), these companies are well-versed in working with insurance agencies to settle claims efficiently. In addition, many stockpile basic supplies like lumber and tarps – crucial elements to responding promptly and beginning the recovery process. Also, early enrollment allows the contractor to survey the property ahead of time and note emergency electricity and water shut-offs for each building, among other preparatory measures.

And remember: Disaster contractors will provide different types of reconstruction services – it is a matter of doing your research and selecting the best company to complement your community's needs.

## FINAL STEPS TO SECURE THE COMMUNITY

In addition to forming a relationship with a disaster contractor, other steps should be taken before any damage occurs. If you have adequate warning:

- Remember to check vacant units prior to the storm and shut off their power and water.
- Keep an updated list of disabled residents and where they live in the community.
- Make sure shrubs and trees are trimmed in advance of storms to reduce debris.
- If a swimming pool is on the property, make sure pool furniture is placed in the pool.

Secure windows and doors – do not use tape! Taping does not work and is difficult to remove. Remember that restoration can take anywhere from a couple weeks to a few months to finish. Because the hired contractor is going to become part of the property's daily operations throughout the duration of repairs, make sure it's a company you are comfortable working with – and working around. Begin researching now, enroll for appropriate services and ride out any storm season with confidence. ●

*Scott McCurdy is the co-owner of Coastal Reconstruction Group. Coastal Reconstruction's Rapid Response services provide post-disaster reconstruction to residential and commercial structures throughout the South and Eastern United States. For more information, visit [www.coastalreconstruction.com](http://www.coastalreconstruction.com).*







# To Tow ... or Not To Tow?

## Seven tips to keep that from being the question

by Nick Frantz

I don't know a property manager who doesn't grapple with parking issues. At best, they're a hassle. At worst, they threaten resident safety, satisfaction and retention. They can even send you to court.

Towing may alienate a resident ... but failure to act on a parking problem could alienate *many* residents. The best solution is a proactive approach that maximizes compliance and minimizes your need to have to make the tough decision. Here are six tips to help ease parking woes on your property.

**1. Understand the parking and towing laws and ordinances in your state and in your municipality.** If you don't already know the laws, an Internet search should yield results. Illegal towing can do more than damage resident relationships. It can be costly. Some states allow the court to award loss of use damages for the illegally towed vehicle. Residents have to prove their case. But win or lose, it's going to cost you time and money.

**2. Have proper legal signage.** Posting parking permit and restriction signs on your property is one of the most important actions you can take to ensure and enforce compliance. With effective signage, residents, visitors, staff and vendors should never have *any* question about where to park.

**3. Clearly mark the parking lots and curbs.** Sometimes signs disappear, but parking lot stripes and curb paint is permanent. Mark restricted parking areas as clearly as possible; leave nothing to question.

**4. Create, publish and distribute a clear, well-defined parking policy.** Your policy should spell out—and itemize—exactly:

- Where residents, visitors, staff and vendors may park
- Where residents, visitors, staff and vendors may NOT park
- Your step-by-step procedure for handling vehicles that violate the parking policy:
  - It's a good idea to try to notify the owner, whenever possible, before a vehicle is towed.
  - Document your attempts to notify; it will payoff
- Actions to take if someone finds that their car has been towed and how much it will cost

If there are seasonal issues in your area, such as snow or flooding, send timely reminders that reiterate the parking policies and procedures.

### 5. Personally address parking issues with problem residents.

Some parking infractions aren't as defiant as they may seem to you or to other residents. When parking issues arise, one-on-one notices are far more effective than blanket reminders. It doesn't have to be a nasty confrontation. Stay calm, refer to your parking policies and rules, and make sure the resident has a copy. Keep a record of your resident contact with the date, time and content.

### 6. Communicate regularly and always document.

Managing your property is your job. But your residents have their own jobs, busy — often hectic — lives, and lots on their minds. Make sure your parking rules don't slip their minds. Proper signage, marked parking spaces and curbs, a published policy, personal reminders and community-wide announcements all work together to minimize slippage.

**It's important to document all your parking compliance efforts.** Take photos of your signage, parking lot, curb markings and any instances of policy violations. Keep a record of all your communications to your residents, whether community-wide or one-on-one. Your documentation should show dates, times, and message content. It should also confirm that your residents received your communications. If a conflict or legal issue arises, all of these will work in your favor.

The name of the game here is to maximize parking compliance and minimize towing instances. It takes a proactive approach, vigilance and a commitment to regular communications with your residents.



*Nick Frantz is the National Sales Manager for Property Management Solutions at One Call Now, where he has worked since March 2011. He specializes in Property Management solutions – commercial and residential – assisting in communications between property managers and staff/residents. Nick holds a Bachelor of Science degree from Miami University.*

For more information regarding resident communication solutions please visit [www.onecallnow.com](http://www.onecallnow.com), or call (877) 698-3262 to find out how our text, email and voice messages can work for your community.

# Crucial Conversations for Flawless Execution

by Joseph Grenny

Project managers today are two to three times more likely to become scapegoats than successes.

This point was dramatically emphasized by our recent study of projects and project managers. The study, called *Silence Fails: Five Crucial Conversations for Flawless Execution*, involved more than 1000 project professionals from some 40 multinational organizations and included analysis of 2200 projects from small IT projects to billion dollar capital investments.

The case of Bob Kelley, a seasoned project leader, illustrates the importance of the central findings of the study.

Kelley led an effort to in-source the billing system of a major business services company. The billing system was the lifeblood of the company — responsible for drawing hundreds of millions of dollars into the company on a monthly basis by issuing timely and accurate bills to over twenty million customers. For 20 years the billing system had been handled by a vendor. For three years Kelley led a sometimes unruly and loose confederation of over 1,000+ professionals drawn from various functions in his company to change over to a company-owned system. Since he was a project manager and not their line manager, getting things done was often challenging.

The stakes couldn't have been higher. And the project's status could not have been worse. By the time we met Kelley the project was already 100 percent overdue and 300 percent over the original budget — an investment of well over \$250 million to that point with no end in sight. Kelley believed, however, that there was light at the end of the tunnel. The first cutover date

for a small contingent of customers was two weeks away. As he walked out of a "release review," he believed that all was in order and the chance of success was high.

A month later, Kelley was handed his head. The release was a disaster. The vendor managing the legacy system failed to transfer data when required. Once they did, the new bills were pocked with errors and the system suffered from multiple "Severity 1" glitches — causing it to crash uncontrollably during the billing cycle. When he was dismissed, Kelley was escorted to his desk by a security guard who then walked him out of the building.

While we could spend an entire article discussing the disgraceful way a 15-year company veteran was dispatched, the more important story was how shockingly predictable Kelley's demise was. And more importantly, how terribly common it is. If Kelley had access to the data we've recently compiled, he would have realized the light at the end of his tunnel was in fact a very slow moving train headed directly his way. The slow-motion train wreck had been in progress for two years and was entirely avoidable.

These days, fewer than 30 percent of projects come in on time, on budget and on spec. Seventy percent either fail outright or are significant disappointments.<sup>1</sup> While a tremendous amount has been done to improve project management competence in the past 20 years, there is surprisingly little progress to show

<sup>1</sup>"CHAOS Chronicles," Standish Group, 2004 and Kaplan and Norton in "The Strategy Focused Organization"



for it. New processes, new tools, new techniques and new governance concepts have not improved the odds of success by much.

Our research suggests a common contributor to 85 percent of project failures is *silence*. Project execution failures are almost always preceded by conversation failures. A failure in any of five very crucial conversations causes almost certain damage to projects and contributes substantially to ultimate disappointment — or in Kelley's case, outright failure. A year after Kelley's departure, the company admitted failure and returned to the original vendor. The ultimate cost of the failure exceeded \$350 million — not to mention the colossal waste of management attention.

The flip side was true in our study as well: organizations that develop substantial competence at these crucial conversations suffer 50-70 percent fewer failures than their peers.

The five crucial conversations address five problems familiar to most every project manager. In fact, we found that 90 percent of project managers regularly face one or more of these problems. The key contribution of this study is not just an identification of these problems. Two findings are seminal and promise relief to leaders who take action to address them:

1. The surprising frequency of these problems. They are so common they've become an expected part of the project-management landscape. In fact, they're so common they've become invisible to many leaders.
2. The embarrassing rarity with which these problems are thoroughly discussed and resolved. Very few are discussed at all, and dramatically fewer are ever resolved during the life of the project.

We share here a brief description of these five crucial conversations, and a set of best practices for building competence at addressing them.

## THE FIVE CRUCIAL CONVERSATIONS

1. **AWOL Sponsors.** Many project leaders work regularly with sponsors who fail to give them leadership and political support. As a result, their projects become stranded and exposed. In Bob Kelley's case, the sponsor who should have fought the political battles required to get the old vendor to cooperate rarely returned calls, seldom followed up with commitments and ultimately left Kelley to fend for himself. When Kelley took on the project he made a fatal mistake. He was told through the grapevine that his sponsor was a bit of a deadbeat. Rather than directly address this issue, he began working around it—he called on other executives for help and in other ways enabled the problem by absolving his sponsor of responsibility. Our study shows that 65 percent of project managers regularly face this problem. And fewer than one in five is

able to effectively discuss and resolve this concern. As a result more than three-fourths of projects afflicted with this problem come in substantially over budget, behind schedule and below specifications.

2. **Fishing, Check-kiting and sandbagging.** When Kelley took over the billing project he was given one year to complete it and a budget of \$45 million. Rather than ask what time or budget was required, his executive leaders played a common game in project execution—they “fished” for the best answer they could get. They gave him an outrageous goal and hoped the performance pressure it created would motivate him to find the best answer possible. Instead, Kelley was a good soldier and tried to make it work. It didn't. Unrealistic constraints also get placed on projects through “check-kiting.” An executive or customer will make commitments to another stakeholder without the project team's consent and then present it to them as a done deal. Over time, teams who suffer from these mindless demands begin to “sandbag” when they are asked for project estimates. They pad budgets and timelines anticipating this arbitrary scope creep and resource withdrawal. This problem afflicts the work of 85 percent of project managers, and is effectively discussed by only 19 percent of those who are affected. As a result, more than 80 percent of these projects turn into disappointments and failures.
3. **Skirting.** Eighty-three percent of project leaders say their effectiveness is undermined by powerful stakeholders and managers who attempt to skirt decision-making, planning and prioritization processes. Sometimes it's because of a need for immediate gratification—they need what they need and don't want to be burdened with practical considerations. So they work around the process. More than four out of five managers fail to effectively confront these violations of project management discipline. For example, the VP of Marketing in Kelley's company repeatedly injected additional requirements into the project with no consideration for budget or schedule impact. He did so through direct intervention and deal-cutting with sponsors and executives, which left Kelley and his team to deal with the fallout. Once again—the problem was not only that the Marketing VP “skirted” the process—the problem was that no one confronted his violations in a way that stopped them. As a result, the violations continued—adding momentum to the oncoming train wreck.
4. **Project Chicken.** Once a project gets underway, it can derail when various sub-teams or team members fail to honestly report project risks. Almost every organization we studied reported some form of “project chicken” and over half of project managers say they face it regularly. This costly game resembles the lunatic practice of driving cars head-on as a test of nerves to see who swerves out of the way first—or who is more “chicken.” The corporate version is played when project participants fail to admit they may fall short on deliverables

and need more time. Instead, they hope some other group that has problems will speak up first, causing a delay in the master schedule—which gives everyone else relief. When project participants play chicken, the status and review process becomes a joke. The team loses opportunities to gracefully respond to problems by revising goals, shifting resources, reorganizing plans, etc. Instead, the project hurtles forward on a collision course with failure while everyone watches—nervous but silent. The enormous pressure to give good news set Kelley up for failure by making it difficult to discuss risks. It made it hard to admit that a single problem vendor could pose a risk to the entire project, even though the problems with the vendor were longstanding and many. It made it hard to admit that shortcuts during testing could pose a risk to the entire project, even though testing had been seriously limited to meet the aggressive release schedule. The problem was that none of these risks were addressed either in Kelley's final project review or in prior sessions. Project participants had seen these trains coming for months, but no one had spoken up in an effective way. Fewer than one in four project leaders is able to effectively address project chicken. And when they fail, 86 percent of their projects miss schedule commitments, 78 percent go over budget and 74 percent deliver less than they were required.

5. Team Failures. From the beginning, Kelley suffered from the common lot of all project managers — he had far more responsibility than authority. He “led” a group of 3,000

professionals — only seven of whom reported to him. All had other masters — and it showed.

Eighty percent of project managers are hobbled by people assigned to them who don't show up to meetings, fail to meet schedules or lack the horsepower to meet ambitious goals. As a result, project managers frequently feel powerless in the selection and coaching of the people they have to count on to meet their deliverables.

Worse yet, project leaders must negotiate with functional managers to staff their projects. These functional managers often have many other priorities and are far less responsive than the project manager needs. When project leaders can't hold functional managers who don't deliver — or team members who fall short — accountable, four out of five projects come up short or not at all.

## THE LIGHT AT THE END OF THE TUNNEL

Our research and consulting experience also demonstrates that the light at the end of the tunnel doesn't have to be a train. Instead, it can be a successful conclusion to any or all of these five crucial issues. And, when these issues are resolved, the project's outcomes improve between 50 and 70 percent.

Because of the pervasiveness of silence and failure around these five crucial conversations, we've paid special attention to those few project managers who skillfully address them. In addition, we've found ways to help organizations effectively



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discuss and resolved these issues before they cause damage. One organization was able to increase the likelihood these crucial conversations would be raised and resolved by 150 percent within just a year, and saw dramatic improvements in quality, productivity schedule and employee satisfaction metrics as a direct result.

Following are some best practices project managers and leaders can follow to both address these crucial conversations when they face them, and to build system-wide organizational competence at resolving them.

## WHAT LEADERS CAN DO

1. Bang the drum. The crucial issues we are addressing are so common that most leaders have stopped seeing them. Leaders should not expect to improve their organization's competence at these five crucial conversations without focusing the organization's attention — making them visible. The best way leaders can begin focusing attention is to draw attention to the crucial nature of these issues. Sharing the data in this article is a great way to get conversations started and escalate the importance of addressing these issues.
2. Baseline and measure regularly. Leaders who are serious about improving how their people address these concerns regularly survey how well people across various projects are doing at addressing them. A survey is available at [www.silencefails.com](http://www.silencefails.com) for this purpose. These surveys can either be

administered organization-wide on a recurring basis or at key intervals in project teams. The survey helps draw attention to a) the existence of the crucial issues; and b) whether they are being adequately discussed and addressed.

3. Invest in skills. Most project managers and participants lack the confidence to address these politically sensitive issues because they don't know how to lead such risky discussions. Leaders who train their people to deal with these specific crucial conversations see substantial improvement in whether and how the issues get resolved.
4. Hold senior management accountable. Investing in project participant competence is necessary but insufficient. Holding sponsors, managers and executives accountable for responding to and welcoming these crucial conversations is the other half of the formula.
5. Reward. Finally, executives should highlight and reward people who take a risk and raise these crucial conversations. The key to getting 100 people to speak up is to publicly reward the first one who does.

## WHAT PROJECT MANAGERS CAN DO

In our research we have found many project managers who successfully address these crucial conversations even in unwelcoming environments. They possess remarkable skills for pressing politically sensitive points in a way that does not provoke defensiveness. We've spent thousands of hours studying how these



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people succeed in these crucial moments and offer some selected advice here:

1. Recognize the crucial conversation.

First, these project managers are more likely to speak up because they understand not just how risky the conversation is (everyone knows that), but how crucial it is. They don't just consider the risks of speaking up, they are very thoughtful about the risks of not speaking up—so they make the attempt more often than their less skillful peers.

2. Hold the right conversation. Too many project managers report that they attempt to bring up tough topics but when we watch them in action we discover they aren't actually bringing up the real problem. For example, their sponsor is AWOL—consistently missing meetings or failing to keep commitments. And the project manager approaches them saying, “We missed you at the last meeting.” This is the wrong conversation. The problem to discuss is not the recent absence, but the pattern of missed commitments. When you hold the wrong conversation, you leave the real problem unsolved. Skilled project managers hold the right conversation—even when it's challenging.

3. Lead with facts. Don't start a risky conversation with vague conclusions, judgments or accusations. For example, don't begin with, “This project is in the red because you haven't gotten all the stakeholders on board.” While this statement might be true, it lacks facts. It lacks the evidence that leads you to believe the sponsor hasn't gotten stakeholders on board. Conclusions like this one are inflammatory and provoke defensiveness. Skillful project managers are far more likely to start by laying out the factual basis of their concerns before sharing the riskier conclusions. For example, “Our Asia office is now six months behind in getting us the data we need to proceed. We have made over a dozen requests for the data. In the past three months I've brought this up with you in each of our reviews. At that time you said you would make contact with the Asia VP ...” This data helps the AWOL Sponsor see more clearly what your concern is in a way that is less controversial and accusatory.

4. Maintain safety. Finally, the skillful project managers *never* approach someone about a crucial conversation in a way that sounds like they are

simply pursuing their narrow agenda. Senior leaders are much less defensive when you hold them accountable if they know you care about what they care about. Be sure to demonstrate sensitivity for their concerns—this creates an atmosphere of safety within which they are far more likely to respond favorably to your concerns. For example, in approaching the AWOL Sponsor you might say, “As I share these concerns about areas where we need more support from you, I want you to know you can trust me to require the absolute minimum of your time and attention that ensures the project succeeds. If I ever appear to be frivolous with your time I hope you will point that out so I can be more efficient.”

We called our study *Silence Fails*, because it demonstrates that the pervasive failure to hold these five crucial conversations contributes profoundly to widespread disappointment and disaster in critical project execution. The most important result we hope comes from this study is that it will draw attention to these five conversations so that leaders and project managers can begin to address them with the intensity they deserve. The data suggest that doing so will allow the talents of project participants to more consistently lead to flawless execution and stellar results. ●



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*Joseph Grenny is the co-author of the New York Times bestsellers Crucial Conversations and Crucial Confrontations. He is a co-founder of VitalSmarts, where he leads a series of consulting and research projects on the role crucial conversations play in project execution, medical errors, employee retention and other bottom-line metrics. He has assisted more than 300 of the Fortune 500 on corporate change initiatives over the past 30 years. Grenny can be reached through his company's website at [www.vitalsmarts.com](http://www.vitalsmarts.com).*





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