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Directors Choice, LLC Newsletter February Tip of the Month

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Issue: #6

February/2011

Dear Janet,

Happy Valentines Day!

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This is the sixth in our series of monthly tips for Association Directors and members. If you missed any of our previous newsletters, please feel free to visit our web site where we have copies of each mailing. You can click on the "Previous Tips" link in the "Quick Links" box to the left to go directly to that section of our web site.

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We would like to thank Dorothy Demarest, with DD Parliamentary Services, PRP for submitting yet another informative article regarding parliamentary procedure. Her advice truly can make meetings shorter and more productive!

Social Networks

As always, if you have a topic you would like to know more

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about, please contact us! We are always happy to find new subjects to discuss in our newsletters. We hope you continue to find them informative!

TIP OF THE MONTH

Collections 401

Last month we discussed the need to stay informed about the foreclosures going on in your community.

We should note in this section that we are not attorneys nor would we ever give legal advice. Though, we are happy to relay the information given to us by attorneys we trust!



Banks have a responsibility to notify all parties when a foreclosure action is initiated. As such they are required to add second mortgages as well as any tenants in the residence in addition to the owner as named parties to the foreclosure suit. They are also required to add the Condominium and/or Homeowners' Association as a named party (aka "defendant").

In the event you find a foreclosure suit has been filed against a homeowner in your Association and the Association has not been named as a party to the case (aka "defendant")... shh...don't say anything! Chances are, when the case comes to completion, if the Association has not been named, the Association will be entitled to ALL past due fees- not just the statutory cap of 12 months or 1% of the original mortgage amount.

If you feel your Association is entitled to all past due fees based on a lack of proper notification, as always, consult with your Association's attorney.



VENDOR SPOTLIGHT

CONDO MEETING PROCEDURE MYTHS AND MISTAKES ©

Here are the Three Myths we will be addressing this month:

Myth #1 - During the



meeting, every special committee should be asked if they have a report so as not to leave anything off the agenda.

Myth #2 - When a committee wants to make a motion after it reports they have to wait until New Business.

Myth #3 - The correct way to offer an item of business is, "I make a motion that _____"

Before we begin discussing these Myths and Mistakes let's remember that the parliamentary manual being used as a reference is *Robert's Rules of Order, Newly Revised* 2010 edition, hereafter referred to as RONR.

This is the second month in our series covering the **ORDER OF BUSINESS** for condo association meetings and the mistakes that are commonly made in reference to what is also often called the agenda. We have covered the Call to Order, the Certification of Notice, the Reading and Approval of the Minutes and the Report of the Officers and Standing Committees.

The next item on the agenda is the **REPORTS OF SPECIAL COMMITTEES** also known as "ad hoc committees". Many presidents believe that every special committee should be asked during the meeting if they have a report. Instead, that information should be made available to the chair of the meeting beforehand. Superfluous questions and replies such as these are meeting time wasters and should be avoided whenever possible. RONR page 345 states "the special committees that are to report are called on in the order in which they were appointed. Only those special committees that are prepared, or were instructed, to report on matters referred to them should be called on." Notice that special committees are called on in the order in which they were appointed as opposed to standing committees which are recognized in the order in which they appear in the bylaws.

If a special committee has a motion to make it should be made by the committee chairman or other committee member if the chairman is not present. It is not correct to wait for New Business if the item of business is relevant to an existing committee. RONR pp. 345-346 states, "In the case of a committee report, on the other hand, the chairman or other reporting member should make any motion(s) necessary to bring the committee's recommendations before the assembly for consideration. A motion arising out of an officer's, a board's, or a committee's report is taken up immediately, since the object of the order of business is to give priority to the classes of business in the order listed."

Motions made by a reporting member of a committee are properly made like this:

- "Mister/Madam chairman, on behalf of the _____ committee, I move that _____" or,

- "Mister/Madam chairman, on behalf of the _____ committee, I move the adoption of _____."

Try to remember the words "I move" as opposed to the incorrect but often heard: "I make a motion that _____". Learning proper parliamentary terminology is not a requirement for a good meeting but those members who "know their stuff" will generally be treated with more respect and wield more authority because of that knowledge.

Next month we will continue with more Myths and Mistakes relevant to the **ORDER OF BUSINESS**.

Dorothy Demarest, PRP
Professional Registered
Parliamentarian*

*Ms. Demarest currently serves as the parliamentarian for the Florida State Association of Parliamentarians, president of the Florida Unit of Registered Parliamentarians, and the vice-president/education chairman of the NY based Lee Demeter Registered Parliamentarians Unit. She is also the bylaws chairman/parliamentarian for the Naples Area League of Professional Services. She can be contacted via email at ParliDDR@aol.com or visit her website @ parliamentaryexpert.org for more information.



UPCOMING EVENTS

35th Annual Community Association Leadership Conference

Board members: There's still time to register!



The 35th Annual Community Association Leadership Conference will be put on Saturday, the 26th of February at the Naples Grande Hotel (formerly the Registry), by Becker & Poliakoff.

The attorneys from Becker & Poliakoff will discuss the 2010 Legislative session as well as answer legal questions from the audience.

Click on the logo above to register for the event. It's free and Directors Choice, LLC will certainly be there.

Directors Choice, LLC is a Naples, Florida based Community Association Management company working with Condominium and Homeowner's Associations. We provide a full range of management, financial, and consulting services to our clients.

If you feel we can be of service to your Association in any way, please contact us.

Sincerely,

Janet Howard
Directors Choice, LLC

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