

# KAMAN & CUSIMANO, LLC

## Legal Report

### Responsibilities

#### **Board**

- *Not paid for serving on the Board or being an officer*
- *Study the governing documents*
- *Hold regular meetings*
- *Establish goals*
- *Establish the budget and amount of maintenance fees*
- *Establish reserves*
- *Determine maintenance priorities*
- *Be familiar with operational procedures and job descriptions*
- *Determine who will work for the association*
- *Periodically inspect the property, concern themselves with the image of the property*
- *Act in a manner to protect, preserve, and enhance the property*
- *Communicate with the owners*
- *Let the manager manage/oversee the performance of management*

#### **President**

- *Dual position of board member and chief executive officer*
- *Execute major legal documents/contracts*
- *Establish meeting dates*
- *Define agenda*
- *Chair board meetings/bring matters to a vote/limit discussion*

#### **Secretary**

- *Verify proper notice of meetings and a quorum*
- *Take minutes or directly supervise recording secretary*
- *Make certain minutes are duly approved*
- *Work with manager to:*
  1. *Oversee newsletter*
  2. *Oversee correspondence*
  3. *Oversee legal documents such as bids, contracts*
  4. *Oversee membership rolls*
  5. *Oversee retention of records*

#### **Treasurer**

- *Regularly compare amounts paid to invoices*
- *Regularly verify status of association funds*
- *Work with manager to:*
  1. *Oversee financial and accounting records*
  2. *Oversee investment of funds*
  3. *Collection of delinquent accounts*
  4. *Timely filing of all tax returns*



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**Over**

## Management Company/Manager

### Fiscal/Financial

1. Assessment collection
2. Bill approval
3. Check preparation and mailing
4. Monthly financial report preparation
5. Proposed budget preparation
6. Reserve analysis (Long range planning)
7. Assist accountant in preparation of tax returns

### Administrative/Clerical

1. Attendance at regular and special board of director meetings
2. Coordination of and attendance at annual meetings
3. Type agenda for meetings
4. Owner roster maintenance
5. Records and files maintenance
6. Resales: Preparation and processing of transfer information
7. Special mailings and photocopying
8. Special photocopying
9. Specification/bid preparation and coordination
10. Legal liaison—Court attendance
11. EMERGENCY 24 hour answering service
12. Service requests: recording, processing, and follow-up
13. Rules and regulations enforcement by follow-up
14. General correspondence
15. Insurance: Bid preparation, claim follow through, and coordination

## Building & Grounds Maintenance

1. Periodic inspection of outside contractor performance
2. Periodic building/amenity inspection report

## Owners

- Review governing documents
- Pay assessments
- Attend annual meeting
- Read the newsletter
- Follow the rules
- Get your own insurance
- Report on contractor non-performance and/or maintenance problems
- Serve on a committee or the board
- Vote on those matters requiring your input for you
- Be neighborly



The law firm of Kaman & Cusimano, LLC devotes its legal practice to the area of community association law. Developer related issues, construction defects, rule enforcement, construction, maintenance related matters, document interpretation, amendment preparation, collections, and annual meeting attendance are but a few of the issues addressed daily by Kaman & Cusimano, LLC.

We believe that open communication with your association's Board will assist in the success of your association. With no charge for telephone calls from Board members, newsletters, and seminar presentations, Kaman & Cusimano, LLC keeps in regular contact with your Board to achieve a smooth and legal administration of your community.

The material presented herein is intended to provide general information and is not regarded as rendering specific advice to your particular community association. Please be aware that legal principles referred to herein are subject to change from time to time. **Please reference your governing documents for specific information.**

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