



MAHC Messenger

Security "A Valuable Tool For Your Arsenal"

Gregory Hill

LOOK FOR THESE NEW FEATURES:

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Unfortunately in today's fiscal climate we have to live with public safety budget cuts and staff reductions. Programs such as Community Policing, D.A.R.E. and G.R.E.A.T. are the first to go in addressing road patrol staffing and community response. In speaking with current and former law enforcement officers, they all express the same sentiment, "police response times suffer." Attempting to do more with less is a nightmare for the head of the agency and he or she hears about it at council or township board meetings.

Crimes that occur during this time, due to this staffing issue, are often not addressed in a timely manner and the perpetrator often gets away. Most officers complain that they cannot seek out and prevent crimes because they are always "chasing runs." In some cases the person responsible is caught later on but at what cost in the interim? The question becomes, what could have been done to prevent this? Keep in mind that these incidents are not neighborhood specific. The spillover can affect you.

So, "Why Do You Need Security?" Residents, members and visitors are not immune from crimes that occur and the major problem is that today's criminal has no problem in taking your property and they do not value human life. Their thought process during these crimes is that you are a witness or complainant and that makes you a threat to what is most valued to them: "FREEDOM." No one wants to go to jail or prison, and unfortunately that is the key element in the escalation of most criminal acts that end in serious injury or death.

Incidents that might occur on your property may not be as egregious as what we read and hear about, and I'm not saying that it is guaranteed that you will become a victim. However, it is to your advantage to take preventive steps to ensure the safety of your staff, members and tenants while at home or at work. It is beneficial for you and your community to be proactive instead of reactive. It makes no sense to close the barn door after the horse is gone. Keep in mind that good news travels fast, but bad news travels even faster!

You can be proactive by the enlistment of a professional team of security officers which enhances your properties value, provides a safe and secure environment and increases tenancy and retention rates. Assigned security officers address the internal challenges that make your members or tenants feel uncomfortable while at the same time letting the criminal element know that they should look elsewhere. These officers give your community peace of mind and a true sense of protection. A talented team also alleviates a significant amount of complaints at your next board or tenant meeting.

So when the topic of security comes up, give careful consideration to placing a trained security team at your site. You will experience immediate benefits from this decision!

■ To date,
■ MAHC is
■ headquartered
■ in Michigan
■ and enjoys
■ 108 active Co-
■ operatives as
■ well as 27 pro-
■ fessional
■ members.
■



*"Our lives begin to end
the day we become
silent about things
that matter"*

*Martin Luther
King Jr.*

MAHC - Perceived Reality vs. True Reality

Tom Percha

Why should you join MAHC? Why pay the annual dues? Does this organization even do anything for our coop? We have supported our Board Members going to a MAHC Conference, and they didn't even learn anything. Our management team says it costs too much – and they can teach us right here at home. In fact, Board Members go to conference for their annual free vacation.

You've all heard all of these justifications at one time or another, and while some of it may be true – is that really the fault of MAHC?

The above is what I refer to as perceived reality; now for the true reality.

MAHC has been serving cooperative housing for 50 years – that is 5 decades and still going strong. MAHC has held training conferences since its inception – knowing that education is the key for the future of cooperatives. In 1975, they extended training conferences outside of Detroit as a result of Cooperatives joining throughout the Midwest. The conferences are held to educate Board and Committee Members on what it takes to operate as a cooperative. This includes legal updates and the operational challenges we all face – from budgeting to maintenance programs. This training also extends to management companies that work with Cooperatives on a daily basis. MAHC's mission is to help and support all Cooperatives – and all of us who volunteer to serve.

During my first MAHC Board meeting we discussed at length how important it is that we educate our Members and our staff. MAHC offers a variety of educational classes that can be held at or near your location. So, take another look – MAHC offers great opportunity to learn and continue learning – perception is not always reality.

Another New MAHC Board Member's Viewpoint

Shirley Hardiman

I attended my first board meeting on July 19th – 21st, and as a new board member elected at the June, 2013 Conference, I was impressed with the passion and dedication demonstrated by the MAHC Board. It was a learning experience that highlighted the depth and breadth of MAHC's contribution to uplifting, educating and expanding the Cooperative Community.

I noted all the Officers and State Vice Presidents were aware of specific issues in their areas, and queried other Board Members about how best to solve problems that were not limited to their personal interests, but covered items of concern throughout the Cooperative arena.

President Magee stayed focused on the mission and purpose of the meeting, and inquired of each Board member of any new ideas, and/or ways and means that would move the organization forward. He stressed the importance of keeping up with our fast moving, ever changing information technology.

MAHC is uniquely positioned to play a pivotal part in the continued viability of Cooperatives through research and education of both Board Members as well as Cooperators. MAHC develops and provides continuing education to its members and lobbies for and keeps up with pro-Cooperative legislation. MAHC touts a 50 year history to support the above in building a resourceful organization that serves not just a few, but all housing Cooperatives. These are only a few of the reasons I wanted to become a part of the MAHC Board and offer my assistance in continuing the tradition of excellence in service and partnership and the improvement and growth of the Cooperative Community.

MAHC Board of Directors 2013-2014

<u>Position</u>	<u>Name</u>	<u>State</u>
President	William Magee	Chicago, IL
Vice President	David Rudicil	Riverview, MI
Secretary-St. V.P. IL	Richard Berendson	St. Charles, IL
Treasurer	Blaine Honeycutt	Taylor, MI
State Vice President-Michigan	Randall Pentiuk	Wyandotte, MI
State Vice President-Kansas	Brenda McElhaney	Lawrence, Kansas
State Vice President-IN-KY	Jennifer Rhodes	Indianapolis, IN
Board Member	Marlene Dau	Chicago, IL
Board Member	Tom Percha	Utica, MI
Board Member	Anne Howard	Park Forest, IL
Board Member	Thomas Hutch	North Chicago, IL
Board Member	Karen Mitchell	Indianapolis, IN
Board Member	Shirley Hardiman	Chicago, IL
Board Member	Cyndy Phillips	Ferndale, MI
Board Member	Esther Thomas	Bingham Farms, MI
MAHC Office Manager	Carolyn Jackson	Romulus, MI

Did You Know?



When interviewing a new member applicant, one basic rule is to never ask a question which can be answered with just "yes" or "no". Ask all questions in such a way to elicit complete verbal statements.

Dear Co-op Counselor; HELP!

Dear Counselor; If a cooperative gets sued can individual board members be liable?

Signed: Liable to be Liable

Dear Liable:

Generally speaking "no". Although it is uncommon, Board members can be sued individually. This happens for a variety of reasons such as; a member who is going through the eviction process may try to retaliate for a personal vendetta against a Board member. Or they may use the suit as bargaining leverage in a civil lawsuit. This does not mean you, as the Board Member will be liable. Normally, decisions made by the Board of directors are done in good faith and will not subject the Board Members to individual liability.

In the uncommon occurrence that a Board Member is listed as an individual party to a lawsuit, the insurance policy is likely to defend the Board Member unless there is evidence that the Board Member's actions disqualify him/her from coverage under the policy. Each case must be individually assessed. The likelihood that you will be individually sued is low, and the chance that you will held individually liable is even lower, providing you are mindful to act in the best interest of the cooperative when making Board decisions. The Corporate structure is intended to protect those who take on the noble task of running the cooperative. However, it is imperative that you consult your cooperative attorney when making decisions that you feel may result in legal action. Remember that law suits cannot always be prevented, however, it is a good practice to obtain advice from a knowledgeable and experienced cooperative attorney to ensure that you have a strong defense in the unlikely event that a law suit should occur against a individual board member. #



Disclaimer: While we hope this information is helpful in answering some of your questions, please be advised that the answers provided here are for "general" informational purposes only. This information should not be construed as "legal advice" either to the individual or the Co-operative that they represent, the use of this forum does not create an attorney-client relationship between the user/reader and Mr. Penttiuk or his law firm, Penttiuk, Couvreur and Kobiljak, P.C.

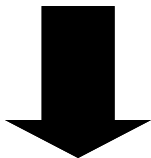
For specific legal advice and personalized assistance with regard to your particular issue or problem you should contact a professional cooperative attorney.

If you are interested in submitting a question (regarding legal policy and procedure) to the Co-op Counselor, please submit your question via email to MAHCeditor@gmail.com, insert the words "Co-op Counselor" in the subject line. If you would like to mail your question please send it to Penttiuk, Couvreur & Kobiljak, P.C., 2915 Biddle Suite 200, Wyandotte, MI 48192 Attention: "Co-op Counselor". While we will do our best to respond to your question please understand that submission of your question to this forum is no guarantee that you will get a published response.

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50th Conference Highlights



This years conference held in Las Vegas in June was uniquely special because it was MAHC's 50's Anniversary. Once again the annual conference was a huge success! Special thanks to all who participate in the education and training of members. As always the classes were enthusiastically received by board members eager for training.

Sunday evening's reception to celebrate the 50th anniversary was well attended. commemorative glassware was presented to all participants as well as a hardcover commemorative year book which included pictures spanning a half of century of MAHC service to the cooperative community.

The following special individuals were recognized for their talents and were presented with the following awards:

Dr. Herman E. Curtis Co-Oper of the year presented to Donna Cothron, Harvard Square Cooperative, Indianapolis , Indiana;

A. Morley Presidents Gavel Award presented to Tom Percha, Village Square Cooperative, Utica, Michigan. Solidarity Award was presented to Wellesley Townhouse Cooperative, Romulus, Michigan; Spirit Award was presented to Taylor Made Property Services Inc., Chicago, Illinois.

In addition to the above awards, several directors and managers received their CCD and CCM certification.

Special thanks to those who volunteered for this years special event; each individual is notably and grateful acknowledged by the board. We look forward to the next 50!



EVENTS

2013 NAHC Conference- Will be held in Seattle, WA October 30-Nov 2, 2013

2014 MAHC Conference— Will be held in New Orleans May 18-21 2014.

CCMM Training in Kansas City

The Midwest Association of Housing Cooperatives is pleased to offer the Certified Cooperative Maintenance Manager training in Kansas City, Missouri.

MAHC continues to dedicate itself to ongoing education for the Board of Directors and its members. The CCMM training is just one of the classes being offered this year in conjunction with our 50th anniversary celebration.

This is an excellent class not only for Maintenance personnel, but also on site Property Managers and Managing Agents. It will be held at the Kauffman Foundation Conference Center in Kansas City on Saturday October 5, 2013. The size is limited to 50 attendees and the last day to register is September 20, 2013.

We hope you will take the opportunity to come and further your education within your role of Cooperative housing. See You in Kansas City!

Sincerely, Brenda McElhaney

Vice President Kansas & Missouri



Ralph Marcus C.E.O Marcus Management (left) , Concord Board President, Lou Lakner (right)

Management Agent Recognized

On behalf of the members of Concord Consumer Housing Cooperative and the Board of Directors, Board President Mr. Lou Lakner presented a beautiful engraved plaque to Mr. Ralph J. Marcus C.E.O. and owner of Marcus Management Inc, for 35 years of dedication and service to Concord Cooperative.

Mr. Marcus's advocacy for the cooperative way of life is proven by his driving force in affecting state legislation and in writing regulations during 1993 that made it possible for Cooperative Housing Corporations to qualify as homeowners under Michigan's Homestead Act. He provides training to MAHC and NAHC Regional and National Conference attendees and serves as Chairman of the Board while serving and directing many committees of NAHC.

In addition to his many accolades, it is his warm, energetic, charismatic personality and willingness to educate and encourage others to achieve their goals that is appreciated by all of the people he comes in contact with, from members of the board, members, legal teams, management, staff and contractors.

Mr. Ralph Marcus took over the reins from his parents Mr. and Mrs. Marcus in 1992. We at Concord Consumers Housing Cooperative THANK YOU, Mr. Marcus, and your family for your dedication, guidance and support throughout the years!

On-Site Training Offered

MAHC— On-site board training is available. To arrange for a qualified instructor to sponsor a workshop at your location, simply contact Carolyn at the MAHC office (734) 955-9516 for more information



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Understanding Fair Housing and the Americans with Disabilities Act (ADA)

Randall A. Pentiuk, Esq.

Discussions about civil rights laws are almost commonplace now, and anti-discrimination concepts are familiar even to those who don't completely understand how the laws work. For example, due to an increase in education and the prevalence of media coverage of high-profile lawsuits, most people realize that it is illegal to discriminate against someone in the workplace because of:

- His or her gender
- Race National origin
- Religious preferences
- Sexual orientation
- Age
- The presence of a disability



Fewer people are aware, though, of the presence of fair housing laws designed to prevent discrimination against current or potential residents of eligible apartments, condominiums, multi-family dwellings (like townhomes), long-term hotel/motel suites and dormitories at state-sponsored educational institutions who are members of any of those same protected classes. Fair housing and the ADA A quickly evolving area of fair housing laws and regulations deals specifically with snuffing out discrimination due to a recognized disability. The ADA was passed in 1990, and it was designed to protect people already dealing with the rigors of a disability from facing further challenges when in the workplace, seeking housing, traveling, and visiting public building.

The ADA not only prohibited discrimination against the disabled, it also established the need for accessibility modifications to give the handicapped fair access. For multifamily housing structures – those with more than four units in a single building, whether for sale or for rent, and either publicly funded or privately owned – built after March 13, 1991, the federal Department of Housing and Urban Development (HUD) set forth accessibility guidelines to be followed by construction companies. HUD's "Fair Housing Accessibility FIRST" initiative established parameters for buildings to ensure that they can accommodate disabled persons, including:

- Handicap-accessible entryways into both the building and into individual units
- Accessible public areas (pathways, picnic areas, courtyards, laundry rooms, offices, pools, etc.)
- Doors wide enough to accommodate wheelchairs or persons using crutches, canes, braces or

Continued on next page...

other medical devices Anchoring “grab bars” into wall studs (or using another equally strong anchor method) so they can

- Provide the needed assistance to someone with a disability using the restroom or bathing
- Interior doors having enough space around them to fully open so that disabled or handicapped persons can use them
- Placement of doorknobs, light switches, outlets and thermostats in locations reachable by someone with a disability
- Adequate space in front of bathroom and kitchen faucets and countertops so that someone in a wheel-chair or using a necessary medical device can reach and use them

Of course, a single article couldn't begin to cover the numerous complex rules, regulations and guidelines set forth by HUD, other federal government agencies and state or municipal authorities, so you may still have many questions. Are you a builder looking for guidance about accessibility mandates you will need to follow? Do you work for or represent a housing provider or cooperative concerned about compliance with (or possible violations of) accessibility guidelines? If so, seek the advice of an experienced housing cooperative lawyer in your area to learn more about your legal rights and responsibilities. -

UPCOMING EVENT...

Dear Fellow Cooperator:

As the Midwest Association of Housing Cooperatives Illinois Vice President I am pleased to announce that we have been able to bring the Certified Cooperative Director certification training to Illinois.

No long waits in airport lines, no huge travel expenses. Our outstanding MAHC training is now available to you locally not only at our Annual Conferences.

On Saturday November 16, 2013 and Sunday November 17, 2013 the CCD Certification Training Course will be presented by the MAHC Education Committee Trainers at Noble Square Cooperative in Chicago, Illinois.

I have enclosed, along with this personal invitation, the formal brochure and registration form for this event. I am hoping to personally welcome you to Noble Square for this educational offering. I am also looking forward to not only seeing old friends but to meeting new ones as well.

MAHC's dedication to Cooperative Education is the cornerstone of our existence. I believe that by bringing these opportunities to locations close to you we can only enhance the strength of our cooperative housing movement. Looking forward to seeing you there!

In your service,

Richard Berendson, CCD

Illinois V.P. Midwest Association of Housing Cooperatives



ROBERT RULES!

He rules! Even if we don't have a clue who he is?...

No Peeps No Meets!

In order to conduct business you must meet or exceed your quorum requirement, if you do not have quorum no business can be transacted except to recess the meeting to another time.



I Can't Pay Because...

Here are the top ten results (from over four hundred responses) for paying your rent (carrying charges) late.

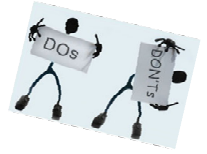


1. Got laid off, fired or my hours got cut.
2. The bank screwed up my account.
- 3.. My paycheck is late.

4. My car broke and it cost a lot to get it fixed.
5. I mailed it today.
6. I have not had time to get a money order.
7. I spent too much on Christmas/birthday presents and don't have all the rent.
8. My roommate has not given me their half of the rent.
- 9.. Spent the rent on medical bills.
10. My child support or government check is late.

<http://thelandlorddoctor.wordpress.com/2010/03/09/survey-results-top-ten-reasons-tenants-give-for-not-paying-rent/>

Cooperative



Dos & Don'ts

Do-Share with your membership what you learn at the conferences you attend. **Don't** –Don't allow your management agent to write your bylaw amendments without the assistance of your cooperative attorney.



MAHC Messenger

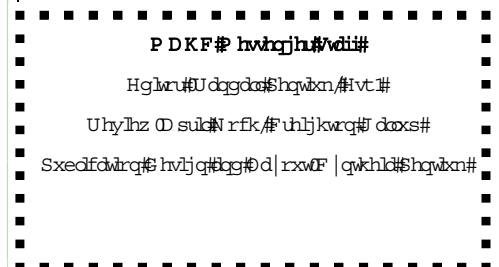
We welcome your article contributions of 500 words or less submitted in MS Word format. Please feel free to forward them to the editor at the address listed below. If you are a Management Company and would like to contribute to the "Cooperative Dos and Don'ts" section of the MAHC Messenger please submit your suggestions to MAHCeditor@gmail.com.

If you are interested in placing an ad in the MAHC Messenger, please contact the editor at MAHCeditor@gmail.com

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#

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MAHC Is Going **GREEN!!** (at least we're going to try)

But we need **YOUR** help to do this. If you currently receive the **MAHC Messenger** and you have an e-mail address, please **email** Cyntheia Pentiuk @ MAHCeditor.com:

First & Last Name
Address, City, State & Zip
Name of Cooperative or Business
Email Address

Thank you for your help in our endeavor to make the world a little **greener!**

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**Don't Forget that
next month the
NAHC conference will
meet in
Seattle, Washington...**

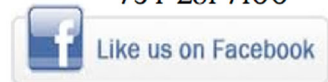
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