



MAHC Messenger

With Great Fondness And Admiration

Remembering our President, Mr. Bill Magee

Randall A. Pentiuik, Esq.

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Bill Magee

June 14, 1942– January 24, 2014

It's not often that you meet people that leave a lasting, profound effect on your life. It is certain that we all are impacted by people that are driven with a purpose to make a change. People that have a desire and willingness to serve for all the right reasons have a lasting effect on each of us. Bill Magee was in fact one of those people. Mr. Magee, or "Bill" as he liked to be called lived a life that modeled his heart of servitude. His service, which spanned a lifetime and included service to our country as well as service to his community, both on a state and local level are impressive; but it is without a doubt his service within our Cooperative community that has left the largest impact and is for certain his greatest legacy.

Bill had a great love and passion for the Housing Cooperative Movement. So much so that he served this community for over 35 years in various capacities. He started in Noble Square Cooperative in Chicago, Illinois where as one of the first members he served on their Board of Directors for over 25 years. He joined the National Association of Housing Cooperatives (NAHC) and served as both chairman and president for a time. Bill joined MAHC in 1982, and was elected to serve as President in 1990, a position he continued to hold until his recent death on January 24th, 2014. He once said he gained "strength and energy from the work, the dreaming, the give and take and teamwork which are all the essential elements in serving our membership". We know that he was a strong advocate for education and was instrumental in planning the classes for the MAHC conferences. He strongly encouraged board members to "steep themselves in the learning process", "Collect all the knowledge you can while in attendance and bring it back in the Cooperative spirit, to your fellow members".

His passion for the Cooperative Community was never more evident than when it was expressed through his tireless pursuit of helping to organize housing cooperatives "We must continue to outreach to those still in the dark to shed light on the acres of uninformed Cooperatives". He worked side by side with distressed Cooperatives to educate and lead them to go on and become successful efficient communities.

While it is true that we recognize his talents and accomplishments and value his profound contributions to this organization, many of us will fondly remember the qualities that he possessed as a true friend. Both faithful and loyal, he could always be counted on for encouragement or to do something only a true friend would do, tell it like it is. If you needed a balanced, direct perspective, you called Bill and that is exactly what you got.

(Continued on page 2)

With dedication and consistent leadership along with a strong teamwork concept, I could never just walk away and claim the dream is finished. The dream continues to evolve and develop"

Bill Magee

Remembering our President, Mr. Bill Magee

(Continued from page 1)

It is difficult to imagine MAHC without Bill Magee, most in our community can't remember what life was like before he was President, it is an understatement to suggest that the loss of his powerful presence here as leader of our organization has left us with a massive void.

We here at MAHC owe a huge debt of gratitude to Bill Magee for his life service to this organization. He served by example right up until the end, he recognized that we, here at MAHC had accomplished much but he felt like our best days were still ahead. His legacy to us through his dedication has been profound. Let us remember his legacy as we remember his outstanding example of service to this organization. Bill once said "Strong, effective, selfless leaders are what Cooperatives of today are in need of - to bring us into the future.", he was exactly that- our "strong, effective and selfless leader", a man who lead by example and a very tough act to follow.



BUT he would insist that we not skip a beat-the passion behind the housing Cooperative movement must continue. Let our repayment to Bill Magee be our example as we follow his directives, as he continues to speak to us let us hear him say; "there is still much to do", "stay the course", "find ways through difficult situations to develop strategies for moving forward". We here at MAHC and the Cooperative community as a whole will miss our leader. Thank you Bill Magee for your drive, passion, wisdom and influence and thank you for your service...



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If you would like to make a donation in Bill Magee's name, you may do so by submitting a contribution to an educational fund that has been set up by MAHC in Bill's name . Your donation will be used for Cooperative education for those Cooperatives and their members that need and want MAHC services that are not affordable to them. Additionally your donation will be used to help preserve through education affordable cooperative housing.

Donations can be sent to: MAHC 37140 Goddard Road, Romulus, MI 48174-Re: Bill Magee Fund.

Co-Op New Year's Resolutions

Creighton Gallup Esq.

Happy New Year! We hope the holiday season was enjoyable for all and that you are as excited as we are for 2014! As we all begin our efforts to work off those holidays pounds and create our own personal resolution lists for the coming year, we thought it was appropriate to come up with a list of a few helpful "resolutions" to start making your Cooperative more efficient in 2014!

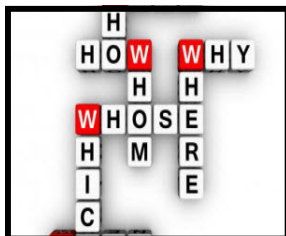
I. **Governing Document Review.** Use this coming year to review your governing documents to make sure your language is current. Consult your Cooperative attorney to assure you have adequate language to support enforcement of the governing documents and principles, such as assessing costs back against defaulting members. Remember: a few minor revisions to your governing documents could save thousands of dollars in the future. Also, make sure you have current copies of all of your gov-

(Continued on page 7)

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?



It is up to the Membership Committee to uphold the integrity of the cooperative by selecting those applicants who will be assets to their community. Cooperative membership should serve as "quality control" for their cooperative.

Dear Co-op Counselor; HELP!

Dear Counselor;

Our cooperative just learned that one of our best employees has a criminal record. The employee failed to disclose this in the application process. Because the criminal charge was "a long time ago" and no longer relevant. This person is an excellent worker and we hate to lose them as an employee. What can we do?

Signed: Not Bugged By Bugsy.

Dear Not:

Employers must consider the nature and severity of the offense and the amount of time elapsed since the offense or completion of the sentence and the nature of the job held. This has been a standard adopted by the Equal Employment Opportunity Commission (EEOC) for more than 20 years. If the employee's job requires interfacing with members and occupants and the conviction relates to assault or theft, he may not be suitable for employment with the cooperative. On the other hand, if the conviction was a drug or alcohol related offense and there is no evidence on the part of the employee, of current use or involvement the cooperative has much less risk and may wish to continue the employment relationship.

Employee situations such as this are risky matters and require close analysis of the facts and the law surrounding each individual case. It is imperative for cooperative boards to seek competent, professional legal advice to avoid liability and harm to their cooperative.



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 Cooperative that they represent, the use of this forum does not create an attorney-client relationship between the user/reader and Mr. Pentiuk or his law firm, Pentiuk, Couvreur and Kobiljak, P.C.

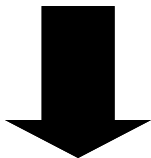
For specific legal advice and personalized assistance with regard to your particular issue or problem you should contact a professional cooperative attorney.

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 Pentiuk, 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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Announcements/Awards

ORIENTATION ONE ON ONE -Classes to be held

If you don't have an orientation process for your coop or want to improve on the one you have. I invite you to attend the orientation class in New Orleans. Listed below are just some of the advantages you will gain from attending this class;

- — — -> It will force you as a director to dig into and understand your by-laws and create rules & regulations
- — — — — -> Open up opportunities for others member to get involved
- — — --> Guidelines where there is no doubt as to what is being said to or heard by incoming member
- — — — -> You also have documentation that each person was given all the information they will need to be a good co-op member.

No one can say they were not given all the information.

The MetLife Foundation and the Local Initiatives Support Corporation (LISC), sponsor an Award program called The Community- Police Partnership Awards. This Award program recognizes “innovative” partnerships between both community groups and police organizations to encourage and promote neighborhood safety and revitalization. They have determined that five Neighborhood Revitalization Awards, ranging from \$20,000 to \$30,000, will be offered to honor exemplary collaboration between the community groups and police that prove to show a reduction in crime combined with economic development in areas such as: real estate development, business attraction and job growth. In addition five more awards of \$15,000 each will recognize exemplary collaboration between community and police, when significant public safety outcomes have been achieved in eight targeted categories. A preliminary application is required and due by March 9, 2014. Visit LISC Website and download the application along with the instructions.

http://www.lisc.org/csi/news_&_multimedia/community-police_partnership_awards/index.php

We are sure you have heard of Scotts Miracle-Gro but did you know that they offer a Grassroots Grant program that helps foster the development of gardens and green spaces? The grants titled Gro1000 Grassroots Grants, can be up to \$1,500 are awarded to local communities throughout the United States who help establish edible gardens, flower gardens as well as public green spaces in more neighborhoods around the country. Apparently their idea is to bring more garden and green space beautification projects that seek to incorporate and promote neighborhood resident engagement and involvement. They hope that these types of projects will establish and boost community spirit. Eligible applicants include nonprofit organizations, educational institutions, and government agencies. The application to engage in this program has a deadline of February 17, 2014. Visit Scotts Miracle-Gro's website at:

<http://www.grogood.com/GiveBackToGro/Gro1000Grassroots>



EVENTS

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

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 or to schedule classes.

Midwest Association of Housing Cooperatives Continues on its Educational Path...

Marlene Dau, Educational Committee

The Midwest Association of Housing Cooperatives has made it one of its priorities to offer quality education to its members, its associates, its partners, and anyone interested in Cooperative Living and Managing in today's market.

That alone brings a lot of challenges to try to deliver what product or products under the educational umbrella that work well and are well received. One of those ways is that we work to put classes "on the road" as needed to be able to geographically serve Cooperatives nation wide.

This article only touches on the year of 2013 what we have been able to do in the area of the Certification Classes that were written in 2009 and rewritten and updated continuously since that time. The following classes have been very successful since 2009 and the pool of trainers and material continually evolve to keep with the industry needs. Since the inception we continue to increase faculty trainers for these classes and have reached close to 300 students that have attended just these classes.

But back to 2013!

The Certified Cooperative Director is class that is devoted to a variety of subjects that are designed for members of a Cooperative, their committee members, and there Board Members. In 2013, the CCD class was offered three times. In May of this year in Michigan, we had 24 graduates; in June of this year in Las Vegas during our Conference we had 27 graduates and in November in Illinois we had 16 graduates.

The Certified Cooperative Manager which a class that is devoted to a variety of subjects, that are designed for employees that manage or assist in managing a Cooperative. That class was offered at our conference in June in Las Vegas this year and we had 16 graduates.

Lastly, our Certified Cooperative Maintenance Manager class is a 1 day class devoted to those personnel or members of the Cooperative that are directly involved in the day to day maintenance of a Cooperative. That class was held in Kansas City, MO in October with 17 people graduating.

So it has been a busy year with 100 people receiving the above classes at the various locations? It surely has! Has it been a satisfying year to meet, talk, share ideas, give information and see all of these people working toward maintaining and elevating Cooperatives? It surely has!

Co-Op New Year's Resolutions...

(Continued from page 3)

erning documents in a binder, readily available for staff, management and Board Members. These are essential for your operations.

2. Be diligent in keeping members current on their carrying charges. The cooperative budget is dependent on these funds for proper financial viability. Don't let slow paying members stay delinquent for months without full payment. We have seen recent cases where cooperatives have waited up to 6 months to issue non-payment notices! Of course we want to work with our members and are sympathetic to economic struggles that can befall them. But, they need to understand that their financial obligations to the cooperative are essential to assure the cooperative runs smoothly, and prevents an undue burden being put on the rest of the membership. Lax enforcement of this resolution will only encourage more delinquencies.

3. DO NOT ACCEPT CARRYING CHARGES AFTER TERMINATION NOTICES ARE SENT OUT!!! Please

(Continued on page 9)



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An Idea Whose Time Has Come

Randall A. Pentiuk, Esq.



One of the big problems we run into with Housing Cooperatives is that this form of home ownership is such a big mystery. Consequently, financial institutions miss a large business opportunity to provide loans to people interested in buying Cooperative units, or those already living in Cooperatives that want to finance improvements or draw some of their equity out.

Most banks and even credit unions (which is surprising since they are based upon cooperative principles themselves) do not have a clue that they can safely make secure loans to such borrowers, using the share itself as collateral, coupled with an agreement between it and the Cooperative that recognizes the loan to the member and provides remedies upon a default by the member, neither with the loan or the carrying charge payments.

There are a few exceptions. Down in Atlanta, Housing Cooperatives are working among themselves to make share loans on a limited basis. There is also one major lender in the field that makes share loans, but our experience thus far is that this bank is seriously deficient when it comes to servicing the loans, causing a terrible amount of frustration, not to mention legal problems, for those Cooperatives that have the misfortune of being saddled with this institution that does not respond to routine requests associated with these loan transactions.

We are working on changing this. At Pentiuk, Couvreur & Kobiljak, we are engaged in discussions with area credit unions to expose them to the opportunity. In addition, NAHC has formed a committee, and I have been appointed to serve on it. Our committee is laying plans for a pilot project to try a share loan program in the Detroit market. Finally, I have had preliminary discussions with some clients on starting a credit union comprised of Housing Cooperatives that will provide all types of financing for the needs of the Cooperatives and their members.

I believe that the time has come to fill this void in the financial realm. One way or another, it appears that share loans will soon become a common tool. Stay tuned for more...

Co-Op New Year's Resolutions...

(Continued from page 7)

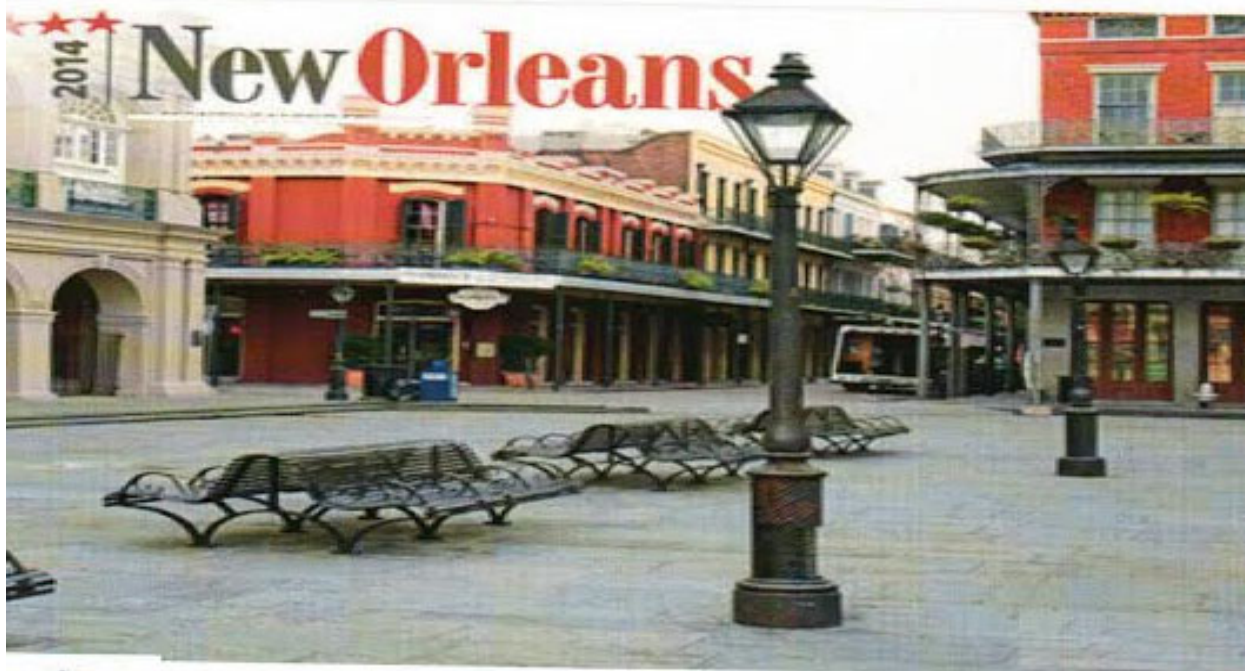
make sure all office staff is trained so that once notice has been issued, you DO NOT take carrying charges from the member you are terminating. If there is even a question, call your attorney. Ignoring this can result in dismissals and the unnecessary protracting of cases which will inevitably cost you more money in the litigation process.

4. Start including your Cooperative attorney in meetings and emails to preserve confidentiality. All too frequently, the exclusion of the attorney has resulted in something adverse or embarrassing to the Board. Including your cooperative attorney will usually provide a privilege that should prevent having to produce or disclose private discussions and information at Board meetings that was not intended to be heard by anyone else other than the Board, management and the Cooperative attorney. When litigation occurs (and it will), nothing can ruin a solid plan of action more than having strategies revealed in the discovery process.

5. Attend training seminars. Although not every cooperative budget can afford to send all staff and every board member to every conference, try and find a way to get at least one representative to at least one conference every year. The information is invaluable and will keep the rest of the Board up to speed on the latest changes in the law, and provide helpful tips to run the cooperative effectively. Occasionally, smaller regional training sessions are available which are also beneficial. These tend to be less expensive than annual conferences; however, MAHC and NAHC conferences allow unique opportunities to get extensive in-depth training which is difficult to replicate.

While this list could easily be 100, incorporating these few resolutions will be a positive addition to your cooperative and its operations. Best Wishes for the coming year!!

Don't Miss It!



MAHC ANNUAL CONFERENCE

May 16—May 22, 2014

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

Actions Speak Louder Than Words...

You do not need to summarize matters discussed at the meeting in the minutes to complete them. It's not only NOT necessary, it is improper to do so. Minutes are a record of what was done at a meeting, not a record of what was said.

[RONR (11th ed.), p. 468, ll. 16-18; see also p. 146 of RONR.]



TOP 10 GRIEVANCES

- 1 Being noisy early in the morning or late at night **28%** (of people surveyed)
- 2 Playing loud music or learning musical instruments **23%**
- 3 Stealing parking place on road **20%**
- 4 Being nosey/interfering **19%**
- 5 Poor upkeep on their gardens/house exterior **18%**
- 6 Being noisy in their garden **18%**
- 7 Having parties **16%**
- 8 Noisy children/trampolines/balls coming over fence **15%**
- 9 Pets **14%**
- 10 Always wanting to speak **11%**



MAHC is Going **GREEN!**

(at least we're going to try)

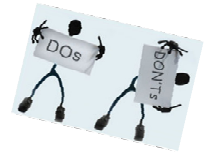
But we need **YOUR** help to do this.

If you currently receive the MAHC Messenger and you have an e-mail address, please email Cynthia Pentiuik @MAHCeditor@gmail.com

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



Cooperative



Dos & Don'ts

Do-Prepare for your board

meetings in advance... Example;

set agenda, include previous meeting minutes, provide background information and suggested motions, put issues in writing etc... **Don't** — Allow conflicts to be disruptive by being too closed-minded. to

compromise.



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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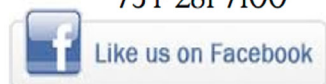
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(see details inside)



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