



October 2017



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A Meeting With MAHC Office Manager, Annette Dukes

By: MAHC Editor



We are pleased to introduce to you our new Office Manager, Annette Dukes. Dukes, who has extensive experience in ensuring that cooperatives run smoothly and effectively, has been coordinating MAHC's support to its cooperative members from its Romulus, Michigan Headquarters.

Ms. Dukes is from the Detroit area and has worked as an office manager for individual cooperatives as well as a property management office. From her time in these positions, she knows many of the details that makes a cooperative successful, and likewise the issues they can face.

Ms. Dukes first heard about MAHC from her time working with cooperative boards where she found that MAHC provided meaningful support and guidance for various issues. The board members especially enjoyed MAHC's Annual Conference, where they were able to get together with fellow cooperators and learn ways to further grow in success.

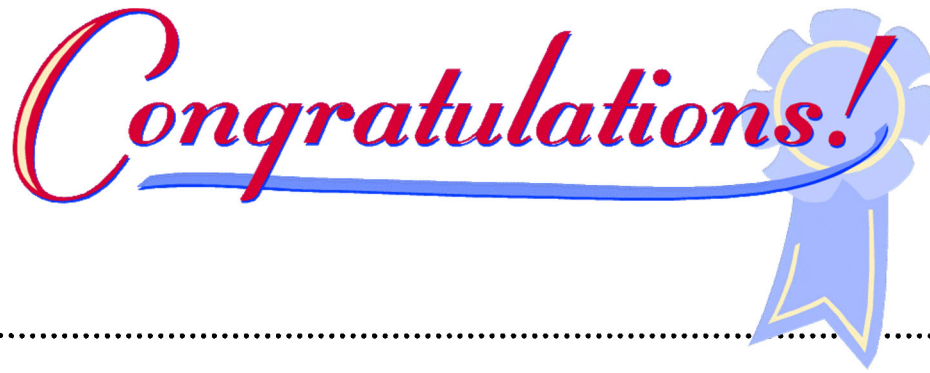
Currently, Ms. Dukes very much enjoys her work at MAHC. She finds the job challenging and exciting as she works to coordinate support for over 100 cooperative members. While working, she has found that MAHC does more work than she initially had guessed. "MAHC is moving forward in the direction of education, helping the community, cooperatives and individuals," she told the MAHC Editor.

And while in the past she watched cooperative boards attend the Annual Conference and return with rave reviews, she was able to attend last May's conference in Washington, D.C. "It was excellent, so much fun and very eye opening," Dukes explained. The classes were interesting and she very much enjoyed putting faces to the voices of cooperators with whom she has spoken with on the phone.

Continued on page 5...

OCTOBER

**RANDALL PENTIUK,
ESQ.
EDITOR-IN-CHIEF**



Certified Cooperative Director Class Certificate Earners

On August, 2017 at Georgetown Place Cooperative in Taylor, Michigan, over 20 cooperative members earned their Certified Cooperative Director (CCD) certification. This class provides the knowledge and insight an individual needs to more effectively run their cooperative. We at MAHC are incredibly proud of our members who have earned this distinction as we believe that education is an important first step to joining the continual advancement of the nationwide cooperative housing community. **Congratulations!**

- ◆ Vera Wojtylko - Georgetown Place
- ◆ David Wilson - Hanover Grove
- ◆ Sandy Alford - Town Park
- ◆ Lena Dooley -Town Park
- ◆ George Fleming - Town Park
- ◆ Russell White - Town Park
- ◆ Deidre Hunt - St. James
- ◆ Kimara Hughes - St. James
- ◆ Teresa Butler - St. James
- ◆ Benjamin Martin - St. James
- ◆ Marguerite Shelton - St. James
- ◆ Wanda Dawson – Marcus Management
- ◆ Julie Phillips – University Townhouses
- ◆ Sharon Heminger - University Townhouses
- ◆ Leanora Fisher - Lake Angela
- ◆ Diane Dzieczkowski - Lake Angela
- ◆ Lesley Lee - Winfield Village
- ◆ Melinda Murphy - Colonial Square
- ◆ Eric Pearson - Colonial Square
- ◆ Lisa Shore - Colonial Square
- ◆ Diane Green - Colonial Square
- ◆ Pauletta McKivens - Colonial Square
- ◆ Annette Dukes – Midwest Association of Housing Cooperatives



The Gentle Art of Persuasion

Submitted by Marlene Dau, MAHC Board Member

I have been reading a book called “Verbal Judo” and realize how this is practiced or the lack of it is practiced at every board meeting we all attend. So, I thought some of these Principals were so on point that they would be appreciated by our members.

1. Always maintain your professional face. Your personal face is ego on your sleeve, your expression of irritation, anger, and bias.
2. Always treat the other person as you would want to be treated under identical circumstances. This is really the Golden Rule, isn't it?
3. Be careful to distinguish between reasonable and severe resistance. Reasonable resistance is any kind of verbal resistance you encounter that does not interfere with your ability to complete your job. Let it go!
4. Every verbal encounter is unique. To each the question and the answer is important. Make that forty-first caller feel as if he were your first or only call of the day. Empathize!
5. As a contact professional, you alone have the responsibility to create and maintain continuous rapport with people. Don't expect others to become pleasant, malleable, or compliant.
6. Always check your own assumptions. Your assumptions may be wrong. Be aware of your influence.
7. Control encounters; do not become a victim of them. Don't let people foot-sweep you by getting you upset.
8. Use adrenaline; never be ruled by it. As people hassle you and put pressure on you, take pride in your role. The more others pour it on, the better you should play.
9. Flexibility equals strength; rigidity equals weakness. Take pride in your ability to bend and flex, looking for voluntary compliance, working toward better communication.
10. Use positive feedback when you least feel like it. Its easy to be positive with someone you feel good about. There is real skill in being positive when what you feel is negative.
11. Never violate the equity principle. Treat people equally, regardless of their age, race, appearance, or apparent value to you.
12. Cultivate your constituency; don't try to run people's lives. Every time you touch somebody with words you have an opportunity to make them feel better about their relationship with you. That gives you ultimate power.



Lastly: **LEAPS: Listen, empathize, ask, paraphrase, summarize-----the five great tools of communication!!!!**

Board Nominations: They *Don't* Have to be Scary!



The election of Board Members, who will end up running the Cooperative on behalf of its Members, is an essential part of what makes housing cooperatives a unique and successful form of home and community ownership. But for many Cooperatives, the ordeal of organizing and executing nominations and elections can be incredibly tiresome and even stressful due to their long-term importance. However, this guide breaks down the process and provides a clear and easy to follow narrative:

- Brush up on your Cooperative's bylaws and other election rules. Every cooperative is different with its own history and procedures, and it is important to follow what has been codified by the Membership.
- In accordance with knowing the rules, be aware of the specific functions of how and when nominations are to be named and at what specific meetings they are to take place.
- Ensure you have time for the election on the day it is to take place. Fit it into the agenda at a time where it can surely be completed.
- Once the nomination process has been completed, each nominee is allowed to speak about them-

selves, the position, and their vision of themselves in the position. It is advisable to prescribe a time limit for this process, and such a limit may be in your bylaws or other rules.

- The election can now begin. Your cooperative bylaws or rules may dictate how the vote is to be counted, whether it is by voice or, more commonly, through a ballot.
- In prior preparation, the chair of the election should have tasked an individual(s) with being in charge of making, distributing, and counting the ballots. A space for write-ins is necessary.
- The ballots must be distributed in accordance with the bylaws, and great care must be taken to know how many voters are present to ensure a proper necessary margin of victory for the candidates.
- Proper direction should be given as to how to correctly mark the ballots. Members should not share their ballots with anyone nor should they write their name on it.
- When the voting is concluded and the ballots have been collected by the designated individuals, the Chair formally concludes the election process after asking one last time if there are any other ballots to count. From here, the ballots are securely taken and counted by the designated committee.

(Continued on Page 5)

(Elections continued)

- The bylaws may state what threshold is necessary for a nominee to win an election. Often, it is likely a simple plurality, others may require a majority (that is, over half).
- The Chair announces the winners of each positions.
- Take time to examine your own nomination and election process. Are there ways that it can be improved or expedited? Do some of the rules seem outdated? You as a member can contribute to editing the election rules to make the next election better.
- Proxies and absentee ballots are sometimes confused, and require a clear understanding of how they are to be used. Your attorney should be involved in assisting the Board in this matter.
- Your Cooperative Attorney ought to be involved in preparing for and overseeing the election process. Since questions sometimes arise and are time sensitive, the Attorney should be present at the meeting.

Although it can be time consuming, nominating and electing these individuals is important because they run many of the operations of your community. We hope this simple guide may be of use to you in the future as you navigate this process.

As with anything else, if you have any questions or concerns about nominations and elections, both in how they are run or how to change them in the future, do not hesitate to contact your legal counsel.

*Dukes continued...*

Ms. Dukes greatly enjoys MAHC and recommends that other cooperatives join. "Cooperatives should join because it helps board members understand their role on the board and what needs to be done," said Dukes. This degree of understanding allows board members to be more effective at their jobs, which allows better governance overall for the cooperative.

She remains very busy at the MAHC Headquarters, where she is working on arranging the logistics for next year's Annual Conference in Las Vegas. In addition, she plans to attend the National Association of Housing Cooperatives Annual Conference in San Antonio, Texas.

Overall, she enjoys her work and the community in which she supports. "The MAHC Board is excellent how they come together and brainstorm. They have great ideas," said Dukes. "It's an amazing environment to work in, I feel very honored and blessed to be a part of it."

Did You Know?



History Lesson

MAHC was established in Detroit, Michigan in 1963 as the Michigan Association of Housing Cooperatives for cooperatives to group together to share knowledge and resources. At our beginning, there were only 11 cooperative members.

It was not until 1973, when Eden Green Cooperative of Chicago joined the organization, that the name was changed to our current Midwest Association of Housing Cooperatives.

Today, MAHC has over 100 cooperative members in nine states—several of them from outside the Midwest!

Dear Co-op Counselor; HELP!

Dear Co-op Counselor:

We just discovered that our site manager was embezzling money. What should we do? Please advise.

Signed,
Inquiring Member

Dear Inquiring Member:

Your first call should be to your Cooperative Attorney to spearhead coordination of the effort. They will work with you and your other professionals to take immediate action to assure the thief no longer has access to accounts and no further exposure exists. The second call will be to the police to begin the criminal process. Having a police report is often beneficial or necessary to get the insurance carrier involved. Police also routinely use their own powers to start gathering information and documents from third parties such as banks which will assist you in verifying preliminary losses from the theft, prior to an audit. In some circumstances, the Inspector General may need to get involved if federal funds may have been taken as well.

The insurance carrier should also be contacted that same day. Your management agent should have secured the appropriate policy pursuant to their management contract. This policy is absolutely invaluable, particularly in circumstances where the employee/site manager may be otherwise uncollectible.

Quantifying the total loss often requires an independent audit. Sometimes the losses are easy to calculate by Management and your Cooperative Attorney. However, since your insurance carrier often will cover the costs, in part or in full, of the audit, don't hesitate to incur this expense as this tool may find not easily detected stolen items.

The process is not often quick or simple, but working in tandem with your professionals is essential. Your Cooperative Attorney will work with you to coordinate this process and will also be able to advise when or if it is appropriate to file a contemporaneous civil action to recoup monies. Often, law enforcement may not prosecute if you immediately file a civil action, or if you recoup your money in part or in whole. So working with your Cooperative Attorney is important to avoid prejudicing your claims or leverage on the thief. Most states have some form of treble (triple) damages for this type of theft. There are also ethical issues involved in this process during the negotiation process that your Cooperative Attorney can advise you about.

The goal first and foremost is to make the Cooperative whole. A good game plan and proper coordination will make this difficult process easier. Your members are counting on you to get their money back, and these tips will help!

Signed: Creighton D. Gallup, Esq.

Signed: Creighton D. Gallup, Esq.

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.



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. 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.



ROBERT RULES!

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

What exactly is quorum?

Answer:

A Quorum of an assembly is such a number as must be present in order that business can be legally transacted. The quorum refers to the number present, not to the number voting. The quorum of a mass meeting is the number present at the time, as they constitute the membership at that time. The quorum of a body of delegates, unless the by-laws provide for a smaller quorum, is a majority of the number enrolled as attending the convention, not those appointed. The quorum of any other deliberative assembly with an enrolled membership (unless the by-laws provide for a smaller quorum) is a majority of all the members. In the case, however, of a society, like many religious ones, where there are no annual dues, and where membership is for life (unless it is transferred or the names are struck from the roll by a vote of the society) the register of members is not reliable as a list of the bona fide members of the society, and in many such societies it would be impossible to have present at a business meeting a majority of those enrolled as members. Where such societies have no by-law establishing a quorum, the quorum consists of those who attend the meeting, provided it is either a stated meeting or one that has been properly called.. <http://www.robertsrules.com>



MAHC is Going **GREEN!**

(at least we're going to try)

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

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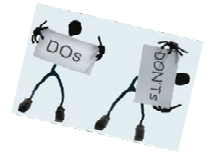
Thank you for your help in our endeavor to make the

world a little **greener!**



Cooperative

Dos & Don'ts



To maintain a friendly community atmosphere at your cooperative...

Do— Attend cooperative meetings and get involved!

Don't — Isolate yourself from your fellow cooperators.



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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MAHC Messenger Staff

Editor -Randall Pentiuk, Esq.

Review-April Knoch, Creighton Gallup

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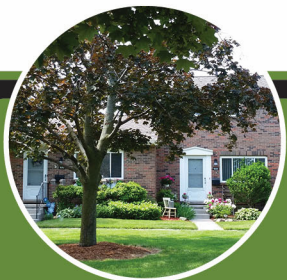


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