



January 2020

New Benefits in 2020 for MAHC Members

2019 was a year of accomplishment and new opportunities for MAHC members, professionals and staff. MAHC set new standards in cooperative education, training and certification. Cooperative boards, managers and professionals benefited from the training programs held at the Annual Conference and onsite at select locations. Here are a few examples of MAHC at work:

- MAHC trained over 100 certified cooperators, including Certified Cooperative Specialist (CCS) and new Board Members.
- The MAHC Annual Conference hosted over 250 registered co-op attendees.
- The Conference certified 17 new Board Members and 30 Certified Cooperative Specialists.
- Certified Cooperative Specialist classes held in Independence, MO, Taylor, MI and Chicago, IL.

In 2020 MAHC membership benefits will be upgraded for both cooperative and professional members.

The MAHC website at www.MAHC.coop will promote co-ops and professionals with new, innovative presentations.

Cooperatives will be listed both alphabetically and by location. Cooperatives are invited to send information and photos to set up their own page on the MAHC website. MAHC member professionals can place an ad on the MAHC website at no charge.

Cooperative housing education and training opportunities will be expanded by offering local and regional classes. MAHC regional vice presidents will be working with co-op board members to arrange onsite classes at selected locations throughout 2020.

MAHC members are urged to get the word out about the benefits of MAHC membership. MAHC now represents 29,250 member units nationwide. This means that we represent 89,742 people living in cooperatives. Co-op members should inform their professional service contractors about MAHC membership.

2020 MAHC Annual Conference Registration Now Open

Don't Be On the Outside Looking In!

The 2020 MAHC Annual Convention in Denver, May 17–20 is fast approaching. Co-op members and professionals should register and make hotel arrangements as soon as possible. Professional members should be aware of the available opportunities for exhibits, sponsorship and advertising. Look for more information on pages 4–6, and learn about the Big Blue Bear.

The January newsletter is chock full of news and information about MAHC members, co-ops and cooperative housing issues. Please check the Table of Contents on page 2 for details. We welcome your comments, criticism and ideas for news articles and content. Contact Associate Editor Ben Sanders at sanders@mach.coop.



**MAHC 2020
Program Guide**
Denver, Colorado

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A Word from Our President

The MAHC Annual Conference this spring in Denver will be our premier cooperative educational and networking event.

The three-day Conference will offer beginning and advanced workshops on a wide range of topics.

The expansion of the MAHC organization and the enhanced venue of upcoming conference are going to provide superior service to cooperative members and partners. For us, customer service is not a department, it is an attitude.

MAHC is the only organization to provide Cooperative Certification for board members. The Annual Conference early weekend session starts off on Saturday, May 16 with a 2-day Certified Cooperative Specialist (CCS) class. Sunday, May 17 features the New Board Members class, taught by the MAHC president and two vice presidents.

The full schedule of conference classes gets underway on Monday, May 18 with an impressive roster of sessions. Relevant topics include new technology, cooperative refinance, carrying charge collection, marketing, legal issues and board officer responsibilities. This wide-ranging line-up of classes continues Tuesday, May 19 and Wednesday, May 20.

The complete schedule of classes will be available in the next newsletter. An additional sampling includes social marketing, disaster preparedness, fair housing, co-op budgeting, parliamentary procedures, cooperative accounts, ethics and leadership, to name only a few. All the sessions are taught by qualified and experienced instructors, many with years of MAHC teaching experience.

MAHC continues to dedicate itself to ongoing education for the Cooperative Community. We recognize that in order to keep up with the changes in the industry that we all face daily; MAHC needs to continue to offer exciting, dynamic, and pertinent certification and education. The 2020 Annual Conference will take the MAHC educational program to a new level of excellence.



Rich Berendson

A MAHC Mentor You Should Know: Ralph Marcus

Ralph Marcus serves as President and CEO of Marcus Management, a family owned and operated company specializing in the management of Townhouse Cooperatives, Condominiums and Homeowners Associations. Ralph is a proud MAHC member and dedicated advocate for the Cooperative Housing Community.

Ralph has been instrumental in affecting legislation and has written the regulations that made it possible of Cooperative to qualify as homeowners under the Michigan Homestead Act. This has saved Michigan Cooperatives literally millions of dollars since 1993.

Ralph's first experience with housing cooperative was as a small boy, about 7 years old, when his family moved into a cooperative in Clinton Township, there began the genesis of Marcus Management, Inc. Founded by Al and Estelle Marcus, Ralph, Kimberly, and Justin Marcus carry on the rich family tradition of serving housing cooperators

Ralph provides training to MAHC and NAHC Regional and National Annual Housing Conference Attendees and is a Consultant to the Michigan Federation of 213 Housing Cooperatives.

Ralph serves on the RCM Board of Governors, is a past Chairman of the Board of NAHC, and now serves at the NAHC Treasurer and Chair of the Finance Committee.

Ralph is also Chair of NAHC's Governance and Strategic Planning Committee and a member of NAHC's Executive Committee. He also serves on the Board of Volunteers of America, Michigan, previously as Chair, and also Vice Chair.

In 2017 Ralph was the recipient of the prestigious Jerry Voorhis Memorial Award at the NAHC 2017 Conference. The award reflects a long-term commitment to the basic Rochdale principles and practices as applied to housing cooperatives.

Ralph also was the recipient of MAHC's 2018 Almeda Ritter Award for devotion and contributions to the Cooperative Housing Community. Ralph has been, and continues to be, a significant leader in the theory and practice of cooperative housing.



Located in Farmington Hills, MI, Marcus Management was founded in 1971. The company provides management services to 34 residential communities encompassing 6,556 housing units in Metro Detroit and Chicago, including 17 cooperative housing communities.

Marcus Management communities are regularly presented with municipal beautification awards. Visit the Marcus Management website at marcusmanagement.com and see for yourself! All the Marcus Management cooperative communities also have websites, so spend a little time surfing the web and explore some fellow cooperators!

Most important of all, in addition to his warm, energetic, charismatic personality, is his willingness to educate and encourage others to achieve their goals, which is appreciated by anyone he comes in contact with, from members of the Board, cooperative members, legal teams, staff, and even contractors.

Ralph treats everyone as family, is a friend, a mentor, a colleague, and one of the most generous people you could wish to know. His love for life, his family, and all of you, is immeasurable

MAHC Annual Conference Information

The MAHC Annual Conference in Denver this spring will be the Cooperative Housing educational event of the year. Due to the dedication of our membership, MAHC is now recognized as the national leader in training, education and support services for Housing Cooperatives. The Annual Conference this year offers a strong selection of ongoing educational opportunities.

MAHC recognizes that keeping up with changes in the industry requires exciting, dynamic and timely new classes and conference workshops. This year's conference will address many of the complex issues related to cooperative living. Conference sessions will delve into topics covering finance, legality, business operations and other relevant issues.

A MAHC Annual Conference is never all work and no play! Downtown Denver and the metro area offer a world of dining, shopping and recreational attractions. The 16th Street Mall, located in downtown Denver, is a mile-long, pedestrian- friendly mall is packed with shopping, restaurants and interesting attractions.

Free shuttle buses travel up and down the 16th Street Mall, stopping on every corner.

In addition to the 16th Street Mall, there are plenty of fun things to do and interesting places to visit. Denver is rich in a variety of destination venues; it is truly a city with something for everyone. MAHC has arranged three fun tours in the scenic Denver area, including a quick sojourn to the local casino. Check out the chart in this newsletter or the website at www.mahc.coop for information about the scheduled tours.

Don't miss The Big Blue Bear; the most distinctive artistic attraction found in downtown Denver. The Bear is within walking distance of the Downtown Sheraton Hotel. Created by Denver artist Lawrence Argent, the Bear is 40 feet tall and weighs 10,000 pounds.

Besides being an iconic symbol of Denver, the Bear has made it to the cover of the MAHC 2020 Conference Book. Our designers loved the fact that the Bear is a little bit wild and crazy and makes us all feel like we are going to a fun place.



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Registration is Open Now!

The Big Blue Bear is almost a perfect match for our MAHC blue logo and publications design colors. The artist had intended to make the bear tan or sandstone color, like the Colorado mountains. But a sample drawing was accidentally colored blue, the artist liked the idea, and the Big Blue Bear was born.

The MAHC Annual Conference will feature over 50 outstanding cooperative education classes taught by dedicated industry professionals and co-op members. All areas of co-op operations are addressed in the 2020 schedule of classes.

The sessions will cover diverse topics including finance, marketing, new technology, carrying charge collection, conflict resolution, legal issues, disaster preparedness and many more.

MAHC co-op members will have an opportunity to acquire practical knowledge that they can directly apply to improving the operations of their cooperative.

MAHC professionals will have the opportunity to meet with co-op board members and decision-makers from across the country.

The MAHC Conference provides an opportunity to network with over 300 attendees, including many of the leading professionals in the cooperative movement. Over 15 vendors will be available to share information with MAHC members.

The Conference Book and on our website feature a MAHC Professional Directory which includes short descriptive summaries of the cooperative experience available from our professional members.

We have added more time for conference registration. Registration times have been greatly expanded so attendees can conveniently pick up tickets for the tours. Check the provided schedule for a complete listing of dates and times.

The reception on Sunday evening from 6:30pm–8:00pm offers a chance to meet-and-greet the MAHC membership in a fun-filled setting.

Conference information is updated often, so check the MAHC website at www.MAHC.coop for announcements and news.

Registration is now available online for the Annual Conference and the Denver Sheraton Hotel. Go directly to the www.mahc.coop landing page and follow the indicated red button links.

Be sure to explore all of the resources we have put at your disposal. Learn all about the venue, restaurants, luncheons and breaks. We do more for our conference attendees than anyone in the USA!

Conference Registration will be:

Saturday: May 16, 2020 8:00 AM—5:00 PM

Sunday: May 17, 2020 8:00 AM—6:00 PM

Monday: May 18, 2020 8:00 AM—5:00 PM

CCS Class — Tower D. Class has additional fee. Starts 8:00am sharp. Do not be late!

Saturday, May 16 2020 8:00AM - - 5:00 PM

Sunday, May 17, 2020 8:00 AM - Till done

New Board Member Class — Tower C

Sunday, May 17, 2020 1:00 PM—5:00PM

First Time Attendees — Tower C.

Conference information and orientation.

Sunday, May 17, 2020 5:30PM—6:00PM

Reception:

Sunday, May 17, 2020 6:30PAM—8:00PM

Opening Session:

Monday, May 18, 2020 9:30AM—10:00 AM

Awards Luncheon:

Monday, May 18, 2020 12:00 PM—2:00 PM

Annual Luncheon:

Wednesday, May 20, 2020 12:00 PM—1:30 PM

Annual Meeting:

Wednesday, May 20, 2020 1:30 PM—2:50 PM

Annual Conference Tours

	Foothills Excursion	Colorado Springs	Blackhawk Casino
			
Description	See the town of Golden, home of Coors Brewery, panoramic views from Lookout Mountain, the beautiful town of Evergreen and the iconic Red Rocks Amphitheatre.	Scenic Drive To Colorado Springs, Air Force Academy, Garden of the Gods, Manitou Springs and The Broadmoor Hotel	Enjoy a scenic ride up through the foothills to the town of Blackhawk, home of the award winning Ameristar Casino Resort and Spa!
Activity Level	Moderate	Moderate	Moderate
Length	4 Hours	5 Hours	5 Hours
Inclusions	Tour Guide Lunch During Tour Roundtrip Transportation Bottled Water	Tour Guide Lunch During Tour Roundtrip Transportation Bottled Water	Roundtrip Transportation
Date and Time	Saturday May 16, 2020 10AM to 2 PM	Sunday May 17, 2020 10AM to 3 PM	Monday May 18, 2020 6 PM to 11PM
Cost per Person	\$67	\$70	\$30

Reserve a Tour When You Register for the Conference Online
www.MAHC.coop

Tour Reservations End March 13, 2020

The MAHC Annual Report 2019 Coming Soon!

The MAHC Annual Report 2019 will be published and sent out to MAHC co-op and professional members in February. The Report will summarize the accomplishments of 2019 and outline the goals to be achieved in 2020. 2019 was a year of significant progress for the MAHC organization and associated members.

The MAHC Annual Conference 2019 in Seattle hosted over 315 registered attendees, certified 17 new board members and provided training for 30 Certified Cooperative Specialists.

The MAHC Annual Report 2019 opens with an introduction from President Rich Berendson. The topics covered in the Report include:

- MAHC accomplishments in 2019
- The Annual Conference in Seattle
- MAHC goals and member benefits
- Education and Training

- Co-op members review of MAHC training
- Looking forward to 2020:
 - Legal legislative issues
- MAHC Annual Conference 2020 in Denver, CO
- MAHC Board of Directors

MAHC plans to publish a comprehensive Annual Report to keep our co-op and professional members informed of the current accomplishments and the path forward into the next year.

The Annual Report and the MAHC Messenger Newsletter provide information about MAHC to new co-op members, professionals and prospective partner organizations.

MAHC is a 501c(3) non-profit organization with a philosophy of openness, transparency, cooperation and shared information.



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It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness; it was April 1, 1973 when Robert & Patricia Kirkpatrick founded Kirkpatrick Management Company (KMC) on a hope and a prayer. It was the age of Gestetner



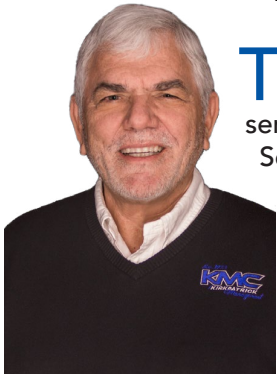
The Founders' Plaque

duplicating machines, not high speed Canon copiers; the age of rotary telephones, not iPhones. One could dial & answer ringing phones, but never dreamed of sending & receiving emails from all over the world, typing and reading text messages at any time of day, snapping pictures, and searching the Internet at the speed of light, all from the palm of one's hand. For those who can remember, 1973 was the golden age of typewriters. If your company was really state-of-



KMC Executive Team [L to R] Dan Quigley, Valerie Hall, Rob Kirkpatrick, Trish Hickerson and Nick Wiselogle

the-art, it had IBM's iconic Selectric typewriter, KMC had one that was shared by several secretaries. For the record, Bill Gates and Steve Jobs were mere seniors in high school in 1973 as the world anxiously awaited their incredible technological innovations.



Rob Kirkpatrick, President

The family business that Mr. & Mrs. Kirkpatrick created in 1973 on a "hope and prayer" has evolved into a modern day property management company that continues to proudly serve, after 46 years, its original three accounts: Three Fountains (East) Cooperative, Harvard Square Cooperative and Roxbury Arms Association; an amazing testimonial to the dedicated employees of KMC and to the enduring partnership the company has forged with its board members and member-owners. The founder's original guiding principles remain as relevant today as they did back in 1973.

So with due apologies to Charles Dickens, 1973 did turn out to be an opportune time to successfully start a property management company. Kirkpatrick Management has not only survived the ebbs and flows of the past five decades, it has flourished, and the company is confidently roaring into the new 20's! For KMC and our cooperative partners, 2020 and beyond is still looking to be **The Best of Times**.



New MAHC Professional Member: Interstate Restoration

MAHC is pleased to welcome Interstate Restoration to our family of professional service members. Interstate is a full-service emergency response restoration and reconstruction company with a long history of working with property owners and managers. With offices and equipment located throughout the country and one of the most experienced teams in the industry, Interstate can handle any emergency.

The comprehensive services offered by Interstate include; emergency response, drying, mold remediation, fire and water damage restoration and reconstruction. Interstate can be contacted at 800-622-6433 or www.interstaterestoration.com. Interstate's rapid and expert restoration response makes coping with a disaster more manageable by providing one source for all emergency response restoration and reconstruction needs.

With Interstate, there is no need to use multiple emergency restoration vendors. From the moment a disaster occurs, an Interstate restoration emergency services team will work to return property to its original condition or better. Here is a list of the emergency response restoration services offered by Interstate: emergency mitigation, drying and dehumidification, mold remediation, asbestos abatement, contents restoration, temporary power services, and temporary HVAC services.

Interstate clients can count on reduced business interruption, accurate budgets and timelines, quality workmanship, and abundant team and equipment resources, even during area-wide disasters. A fast restoration response helps reduce downtime, save money and ensures a quick return to full business operations. Up front communications provide accurate cost estimates and timelines. Interstate's emergency services team takes the time to understand your needs and help resolve complex issues and make informed decisions.

MAHC co-op and professional members will have an opportunity to meet with Interstate Restoration representatives at the 2020 Annual Conference in Denver, May 17-20. Interstate will have a vendor booth and a coffee break. So be sure to stop by and chat with Chelsea Strudgeon, Interstate's Regional Account Manager.



A Beautiful Day, A Wonderful Co-op Colonial Square Townhomes, Kansas City, MO

by Leslie LaMarche, MAHC Director

Twenty-five years ago, I found myself needing to find a new place to live. After 13 years at my prior address, I had no idea how expensive moving had gotten. Needing a place big enough for three children and myself, I wondered how I would ever find a place or afford one when I did find it.

I had a friend that suggested I look at the Co-ops she lived in. She told me they were clean, a nice area and most important to me at the time, affordable. I had driven by a few times and

honestly didn't think much about them, but after looking for another month, decided I'd give it a try.

I made an appointment and was told there was at least a six month wait for either unit I qualified for or was interested in for all of us. I was told three or four bedrooms were hard to get as well as there was a waiting list for them. I was totally confused, as I thought I was just "renting" a place.

(continued on page 10)

The Georgetown Place Clubhouse Story

Georgetown Place Cooperative is a beautiful, fully occupied, cooperative conveniently located in Taylor, MI. The Cooperative membership decided that it will always have affordable membership equities and they had this memorialized with the By-Law change that took place in 2009. The equities to purchase a membership are very reasonable, and their equally reasonable carrying charges include water, sewer and heating costs.

Originally designed as a 194-unit townhouse style Cooperative, Georgetown was built in 3 phases, with the last phase was completed in 1967. The Cooperative was developed under a Section 221(d)(3) loan insured by FHA (the BMIR Program) that was to mature in 2007. While the Cooperative was well maintained over the years, it needed some upgrades and improvements.



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(continued from page 9)

A Beautiful Day, A Wonderful Co-op Colonial Square Townhomes Kansas City, MO

by Leslie LaMarche, MAHC Director

The office manager saw my look of confusion and started at the beginning explaining these were cooperatives, not apartments, and this is how much and what I would need to move in. Feeling discouraged at the huge time frame and what I thought was a down payment, but I put in an application anyway.

The office manager also suggested I ride thru the cooperative and look around. What I saw won me over in a heartbeat.

There were people outside! Some walking babies in strollers, kids playing on swing sets, riding bikes and other adults sitting together on their stoops talking to each other.

I now hoped I could live here. A short month later I got the call I was waiting for, something had opened up that I qualified for. I went to look at the unit and took it on the spot.

I have now been there for 25 years and though many things have changed, many friends have come and gone, it is still my home.



*A limited number of apartments are available in some locations for younger persons who are physically disabled and need the special features of a unit designed for the mobility impaired. Income limits apply. Most utilities are included.



Financing and Building a Clubhouse

The Cooperative was approved for a new Fannie Mae loan through Arbor Commercial Mortgage that was closed in August of 2003. Through a "Use Agreement" in lieu of the previous regulatory agreement the Cooperative agreed to remain affordable through September of 2007, the original maturity of its mortgage insured by FHA. This refinancing allowed the Cooperative to retire its current obligations and complete a renovation that included new roofs, siding, entrance gables & overhangs, bathrooms and the remaining kitchens that had not yet been renovated.

One of the things the Cooperative was missing was a clubhouse and office. It was using two units as its office and the upstairs as their meeting room. The problem with this approach is that there was not enough room to accommodate the membership for their annual meeting and it was not accessible to its handicapped members since there was no way upstairs except for the staircase.

In 2010, the Cooperative started planning for its refinancing in 2013, which would incorporate consolidating their two loans into one, provide new heating units and air conditioning for all of its units, replacing all of the asphalt, installing new playground equipment and building a new clubhouse that would meet all of their member's needs.

The original projected cost of this clubhouse was \$800,000 based on some rough estimates provide by the Architect. The Cooperative decided to have a series of annual increases (originally anticipated to be \$15 per unit per month for three years) to pay for the cost of this new clubhouse. Annually, they



built in Reserve Funding that would in the future be reduced to a normal funding level when a new loan was obtained.

This strategy worked out and the Cooperative successfully obtained a new Loan from Arbor Commercial Mortgage in the amount of \$4,500,000, which provided \$1,655,000 in renovation costs. However, the actual cost of the new clubhouse ending up costing \$1,100,000 since the previous number was only an estimate and the Cooperative wanted additional features added.

The project was complicated by the need to remove tons and tons of poor soil that were not discovered until testing was completed prior to construction. In fact, the areas that was designated for the clubhouse was found out to be a dumping ground for all kinds of items including old tires. To make up the difference in the original construction projection and the actual cost, the Cooperative obtained a secondary loan again from the Bank of Birmingham for \$250,000.

The clubhouse is now an ideal meeting place for family and co-op activities. MAHC conducted Certified Cooperative Specialist (CCS) training at the clubhouse in October of 2019. MAHC Vice President Blaine Honeycutt, who is also the president of Georgetown, points out that the clubhouse has additional practical value to cooperative operations. The clubhouse building also hosts the co-op offices, a work area and three vehicle/utility bays. The clubhouse has a natural gas electrical generator so the facility can be used as a warming or cooling shelter or emergency center.



Socks for Denver: MAHC & the Denver Rescue Mission

WHEN: May 18, 2020 WHERE: MAHC Annual Conference in Denver, CO

We visit some great cities for our MAHC Annual Conference. Wouldn't it be great if we could make a meaningful contribution to remind those cities of our visit? Rescue shelters across our nation have many needs. One of the most pressing is socks for the people who come into the shelters.

Yes, SOCKS are an important need for the folks in the shelters. Lisette Williams of the Denver Rescue Mission confirms that providing new socks for guests is a top priority. Clean dry socks make people feel good. We could help fill that need by having a sock drive for the Denver Rescue Mission. This would be a great annual tradition for us to start.

What the shelter needs are men's size white crew socks. White, not black or other colors. No tube socks, no ankle socks. Many manufacturers offer bundles of crew socks, for examples: Hanes has a bundle of 12 pair plus 1 free pair. The bundles typically sell for \$14 to \$16, depending on the store.

If we would each bring a bundle of socks to Denver it would make a very nice donation to the Denver Rescue Mission. The would be the start of an outstanding tradition for the MAHC Annual Conference.

You could bring the sock bundles with you. We will collect them and get them to the Mission. You could save room in your suitcase by ordering by phone or online and ship directly to the Mission.



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Lisette Williams
Lisette@denrescue.org

November CCS Class in Chicago

by Marlene Dau, MAHC Educational Director

MAHC conducted a Certified Cooperative Specialist training class in Chicago, Illinois on November 2-3, 2019. The Noble Square Cooperative graciously offered their community room for the two-day training event.

The class was attended by cooperative board members, managers and assistant managers and maintenance supervisors. The composition of the class made for lively, in depth conversations on several topics.

The class covered the history and formation of cooperatives, and moved on to hot topics such as finances, refinancing, fair housing, and deferred maintenance. These are the hard topics that we deal with every day in the business of managing cooperatives and their assets.

This is the picture depicting the great class we had on that Saturday and Sunday in November. So, hats off to our students for staying abreast of what is going on and looking ahead to what is coming up in the cooperative industry.

Melanie Phillips and Marlene Dau taught the class, and as usual the well-prepared participants sailed right through the test!

New Board Member Training

MAHC Vice President Blaine Honeycutt presented a New Board Member Training class at the University Townhouses Cooperative in Ann Arbor, MI on Saturday, November 16, 2019.

The board members requested the onsite training and MAHC was pleased to oblige. The University Townhouses is a 609-unit cooperative located in the southeastern corner of Ann Arbor.

The board members were eager to learn the fundamentals of cooperative management directly from a MAHC officer with nearly 30 years' experience in the industry.

MAHC is taking the initiative to organize additional onsite training classes on request for co-op board members. This is part of a larger effort by MAHC directors to network with co-ops in their areas and to make training available year-round outside of the annual conference.



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Hermitage Manor Cooperative 50th Year Celebration!

Hermitage Manor Cooperative of Chicago celebrated its 50th year anniversary on September 19, 2019. The Board of Directors, led by the President, Mrs. Gwendolyn Warren, hosted a grand affair which celebrated both the legacy and history of the Cooperative. The board honored the Members of the Cooperative based on years of membership.

The following eight members celebrated 50 years of membership; Rose Kenebrew, Mary Scott, Andy Simpson, Beatrice Cammon, Norna Stephens, Eloise Chatman, Robert Williams and Julius Phelps. In addition, six members celebrated 40+ years; and eighteen members celebrate 25-40 years as members of the cooperative. All were presented with certificates and corsages or boutonnieres to honor their longevity. The board also presented Pamela Eldridge, their long time Property Manager with a beautiful gift that brought her to tears.



Hermitage Manor Cooperative is a 108-unit cooperative located on the Westside of Chicago, Illinois and is professionally managed by Legacy of Illinois, LLC. The community where the property is located – an area called the West Loop – has seen a great deal of change. However, one thing has remained constant, and that is Hermitage Manor and its loyal and committed members.

The festivities included entertainment, great food, fellowship, and, of course, great give aways which were donated by the numerous vendors. The grand prize giveaways, which were donated by Legacy of Illinois, LLC, were two 50-inch Smart televisions. A great time was had by all!!!



Profile: Tailor Made Property Services

Tailor Made Property Services, Inc. (TMPS) was formed in 2002. The players in this firm are an experienced team; with several of the associates having been in property management for over 40 years. For the members of our team, Cooperative Management is a unique, special operation that we call home.

TMPS manages other types of property, from commercial to residential. A large part of our portfolio consists of Cooperatives of all types, including limited equity, subsidized, and market. TMPS also manages townhomes, apartments, mid-rises, high-rises and historical buildings.

We have been fortunate to form professional relationships with Cooperatives that have remained long time clients. Each one is special and together we have seen ongoing renovations, refinancing, building and property additions, improvements and much more.

Tailor Made Property Services strongly believes in education for all and promotes those organizations that offer training to allow everyone to do their job with greater ease and efficiency. The Midwest Association of Housing Cooperatives (MAHC) is one of the key players in the industry. We support MAHC and participate in their educational programs and conferences as active participants.

TMPS has offices in Chicago, IL, Battle Creek, MI, and Kansas City, MO. There is a pattern or rhythm to management that varies from property to property. When we work with Cooperatives we know, and the clients know, that each property is unique in character and operations.

At TMPS, we try to master and understand the individuality of each client. Our name and our logo represent



“out of the box management.” We never put any one property in a box; for each has its own special set of by-laws, rules, members, and operations.

We hope to continue to serve and thrive as a stand-out service provider in property management for many years to come.

Written by Marlene Dau, TMPS President



Cooperative Housing Legal Issues

The Rogue Board Member and the Confidentiality Agreement

Randall A. Pentiuk, Esq.

The fundamental organizational structure of Cooperative living is founded on the tenets of self-communal governance. As the membership depends on its elected Board Members to effectively oversee the conduct and affairs of the Cooperative as fiduciaries, and to act in the best interest of all, it is becoming more common to hear about a Board Member going "rogue."

What do we mean when we say that a Board Member has gone "rogue?" It happens when a Board Member unilaterally and without Board approval, makes decisions that negatively affect the Cooperative and its Members; or engages in self-dealing, unilaterally binds the Cooperative to a contract not approved by the others, or discloses confidential information about the Cooperative or members. It also encompasses embezzlement, fraud and conversion of Cooperative property.

How does the Cooperative protect against a "rogue" Board Member? One important tool is the requirement that all Board Members execute a confidentiality agreement.

The confidentiality agreement works to protect the Cooperative and the Membership from the unauthorized disclosure of confidential information and documentation regarding the affairs of the Cooperative and its Members.

Board Members have a fiduciary duty to not only protect the Cooperative, but also protect the sensitive information of its Members. In the event that a Board Member violates or continues to breach his/her confidentiality agreement, then the Cooperative is afforded a legal right to enforce the default terms of the confidentiality agreement against the offending Board Member.

As annual meeting season is quickly approaching with the possibility of new board members being elected, it is wise for Boards to work with their Cooperative Attorneys to ensure that the Cooperative has a confidentiality agreement in place and meets all the

bases. In addition to keeping sensitive information under wraps, these agreements are often expanded to include other elements of the Directors' fiduciary and ethical obligations.

It is also wise to require the execution of these agreements at the reorganization meeting. The Cooperative Attorney's attendance at this meeting can be helpful to answer questions and explain the legal duties and responsibilities of the Directors.

Occasionally, some Directors will balk at signing the agreement. For that reason, many Cooperatives are adding provisions in their bylaws to mandate it as a condition of eligibility to serve on the Board.

If a Director refuses to sign the agreement where there is not such a bylaw requirement in effect, the Cooperative's Attorney should be consulted for legal strategies to deal with that contingency and for measures to protect the corporation from the rogue Board Member.

Regulating Conduct with House Rules

Randall A. Pentiuk, Esq.

How far can a Cooperative Board go when it comes to regulating conduct on the cooperative premises? Turns out, quite far so long as the rules do not conflict with the governing documents and are not essentially an amendment of the Cooperative's governing documents requiring the membership vote.

This means that Boards are permitted to make whatever rules are necessary to regulate conduct, including your basic regulations such as pets, alterations, parking and noise, etc.

It also means you can make adaptive changes to your rules when it impacts the health and safety of your members, but, before doing so, you should not only get a thumbs up from your cooperative attorney, you also need to make sure that there are no conflicts with your other governing documents including your Bylaws and Proprietary Lease/Occupancy Agreement.

Your authority to make rules governing the use and occupancy of the cooperative premises generally arises out of a Board's delegated responsibilities under the Bylaws and applicable statutory authority.

Cooperative Housing Legal Issues

Regulating Conduct with House Rules (continued)

When Boards make such rules and regulations governing use and occupancy in good faith and based upon the sound guidance of your cooperative attorney, a court is more likely to reject a challenge to the rule(s) under scrutiny. Any conduct that impacts the use and occupancy of the premises is fair game for regulation by the Board of Directors so long as the proper authority is granted under the Bylaws and applicable statutory law.

Rules enacted under this authority in good faith by the Board, and not for some discriminatory purpose, are in an excellent position to see challenges to alleged defaults legally carried in favor of the Cooperative. If you do not have that authority however, you may run into a difficult legal position if you go to amend your house rules.

Before you endeavor to make any amendments to your house rules, Boards are strongly encouraged to seek the advice of an experienced cooperative law attorney. He or she will know to look for certain language in all of your governing documents to ensure (1) you have the necessary authority; and (2) the change you are seeking to make will not conflict with your other governing documents. Alternatively, he or she will be able to provide an opinion on how to get you the authority you need in the absence of any specific grants of authority in your current governing documents.



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Stand Up & Be Counted on Census Day, April 1, 2020

The 2020 Census is Underway

The Census Bureau is already counting the population in remote areas of Alaska and will soon start counting in your neighborhood! Census Day April 1, 2020 is observed nationwide as the official start date for counting the population of the USA.

By April 1, 2020 every home in the country will have received an invitation to participate in the 2020 Census. When the invitation arrives, you can respond online, by phone or by mail. In May, census takers will begin visiting homes that haven't responded to make sure that the count is complete.

The 2020 Census is the basis for the apportionment of congressional districts and the allocation of federal funding to local governments and initiatives, so failure to be counted can be costly to municipal budgets, services and programs.

For this reason, co-op board members should be aware and take steps to inform their communities of the importance of the census.

Everyone can respond to the 2020 Census with the confidence that their privacy will be protected. The Census Bureau will never share information with law or immigration enforcement agencies or use the

information to determine eligibility for government benefits.

A network of volunteer Complete Count Committees (CCC) has been established to increase awareness about the census and motivate residents to respond.

Information about area 2020 Complete Count Committees is available online by visiting the Partners section at www.census.gov.

An interactive visualization map will help locate the CCC in your neighborhood.

The 2020 Census will determine the allocation of \$675 billion in local funding for food stamps, the National School Lunch Program and the Children's Health Insurance Program (CHIP).

Counting all the young children in your neighborhood is vital to their health and welfare, so don't let them down through negligence. The

2020 Census form only takes about 10 minutes to fill out, and your participation really makes a difference.

Special credit goes to Cindy Philips, our MAHC Board Secretary, for bring the importance of the 2020 Census to our attention. v



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The **MAHC** *Messenger*

Contact: Karlynn Wilburne via email at: MAHCeditor@gmail.com.

Co-op and professional members are invited to submit articles, items of interest or suggestions for topics to Ben Sanders, Associate Editor at: sanders@mahc.coop.

A faded background image of a residential street with two-story houses and a sidewalk.

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