



The Regenesi Report



Portland Edition

Innovative Homeowner Association Management Strategies

Priceless

Regenesi means making new beginnings using eternal principles in innovative ways.

Regenesi believes that the goal of every homeowner association board should be to promote harmony by effective planning, communication and compassion.

The Regenesi Report provides resources and management tools for just that purpose. Every month, articles of common interest to homeowner associations nationwide are offered along with innovative strategies for addressing common problems.

Managing an HOA can be a lonely and frustrating task. Take heart. Help is on the way.



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24 Carat Committees

Committees are an untapped gold mine available to the board. Besides benefitting the board by spreading the work around, committees are an excellent training ground for future board members. Members that are reluctant to step up to a board position often feel right at home on a committee with limited or focused responsibilities.

Committees come in all shapes, sizes and functions and may be temporary or long term, as the need dictates. They are only limited by the board's imagination. A committee can assume a variety of roles, such as:

Research & Development. Complex tasks can be assigned to a special committee which can research the task and advise various courses of action to the board. This includes large renovation projects, proposed amendments to the governing documents and local zoning or crime issues.

Task Execution. Committees like Rules Enforcement and Architectural Restriction can hand out citations and review appeals.

Oversight. Committees like Landscape/Grounds and Pool oversee the contractor's performance and help maintain a high quality of service.

Cost Control. The Maintenance Committee can prescreen requests to ensure they are indeed the HOA's responsibility and, if so, prioritize and group them for better cost efficiency. The Budget Committee studies past costs to better anticipate future expenses.

Socialization. An often overlooked function is planning social events to help neighbors meet neighbors. The events don't necessarily need to be party oriented. The Annual Meeting can become the Social Event of the Year with food and beverages. Spring Planting Parties don't have to be all work. Reward the volunteers with catered food, beverages and T-shirts. The Social Committee can help build real community and lasting friendships.

Security. Turn that nosey member into the Neighborhood Watch Chair who can monitor

suspicious activity or recommend better security techniques.

To facilitate committees, the board should provide the proper resources. Some need funding but most just need clear marching orders. The board should never abrogate its final authority over HOA matters to a committee. Committee power should usually be limited to an advisory role. If a committee is allowed greater authority, like rules enforcement, there should always be the right of appeal to the board.

Plan of Action. Part of a good plan of action includes reporting to the board at scheduled meetings. That report should include recommendations for board approval. These reports provide a good way for the board to assess the ongoing need or effectiveness of a committee. If little is being done, it might be time to retire a committee or find a new chair.

Committee Meetings. Some committees need to meet regularly and some as needed. It all has to do with the goals laid out by the board. The board should select the committee chair carefully as someone who has the time for the job and inclination for leadership.

Include Renters. Here's a novel idea: Allow renters to join committees. Many want to be good neighbors and to serve. At least ask. You might be surprised at the response and it might encourage owners to step up.

Praise and Recognition. Recognizing effort and superior performance is #1 on every Job Satisfaction Survey. It works the same way in an HOA. It is the currency of care in HOAs which brings a huge return. Thank you notes, newsletter accolades, plaques and Certificates of Merit go a long way.

Mining your committee options will

produce a wealth of riches for the community. Committees lead to better information, greater harmony, new friendships, enhanced trust, involved members and less work for the board. It's all good. This is the Mother Lode. Grab your picks and shovels and start digging!🔍

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Ask the HOA Expert

Q What is the most efficient way to count ballots at an Annual Meeting? Our group has a large membership and vote counting bogs down the meeting.

A With many ballots to count, preparation is essential. The ballots should be preprinted with names of all candidates and a checkbox next to each. A couple of blanks should be left for nominations from the floor at the meeting. After the ballots have been completed, they should be collected by the election tellers (none of whom should be running for election) and divided into equal parts.

Using several teams of two, one reading the results and the other tallying, ballots can be counted simultaneously by the teams and the final tallies from each team can then be

added together for the final results. A Head Teller should check the math, circle the name(s) of the winner(s) and hand the results to the president to announce. Using this technique should allow the process to be completed in 5-10 minutes during which other business can be handled. The counted ballots should then be batched and stapled to the tally sheets and retained in the annual meeting file should questions about the election arise.

Q Can the board cite a "long-standing policy" to prohibit construction of an enclosed patio beyond a side privacy wall in my own back yard, although there is no written rule or regulation in the documents which would prohibit that?

A In general, it is the HOA's right to dictate the exterior appearance of the homes. So, as a rule, an owner should always get approval of exterior modifications before proceeding. Even though the city may issue a permit, the HOA may have restrictions that override local zoning and building codes.

If the board has enacted broader architectural design restrictions than are found in the governing documents, these need to be documented in writing. It is not reasonable to expect owners to know these things by ESP. Also, such restrictions need to be reasonable. If your proposed enclosure is not visible from the street, what difference should it make to the board or the neighbors? Based on your description, this restriction does not seem reasonable and unless the board can produce an Architectural Design Policy that specifically prohibits it and the reasons for it, you should not be restrained from moving forward.

Q Is it a problem if a board member charges the clubhouse remodeling materials to her personal credit card?

A As a rule, HOA expenses should be billed or charged directly to the HOA so the record is clear about what was bought and why. It will also keep the

record straight for warranties that are included with the purchases.

Q We are a seniors only (Over 55) homeowner association. A prospective buyer inquired about handicap access. All of our facilities are handicap ready except for our swimming pool. Is there any requirement that we have our pool accessible to the handicapped?

A Homeowner associations are not required to provide handicap access, however, must make "reasonable accommodations" for those residents that require such. That means if a resident requires a ramp to a unit entry, the board should approve the installation with the resident paying for it. The board can require reasonable aesthetic considerations be included with such installations. Reassigning HOA owned parking places to allow a disabled resident to be closer to their unit is another reasonable accommodation.

But considering that you are a seniors only community, it might make sense to install handicap access to the pool as it is likely that many of the members could benefit. Gather support from members who are in favor of spending the money. If the required majority endorse the idea, why not do it?

Q Our HOA is trying to get on track after years of self management and neglect. Lots of people were well intended but hadn't a clue of what being a board member really meant. Any advice on getting pointed in the right direction?

A Seriously consider hiring a management company that specializes in homeowner associations to handle your business. There is simply too much going for unpaid and untrained volunteers, even if they have the best of intentions. And no one should have to enforce rules on or collect money from their neighbors.

Above all, be patient but persistent. Change comes slowly to some. Years of management by neglect is a hard



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mind set to change. Encourage more flexible minds to run for the board.

Q We have a homeowner that has boxes and papers stacked against the patio door and windows. They are very unsightly from the outside and mildewed which is a health concern for the neighbors. It also poses a possible fire hazard. Can the board require the homeowner to clean up the inside of their unit?

A The board indeed can require clean up of a unit or home that is a health, fire or safety hazard. Ask the adjacent neighbors to first broach the subject with the offender. If this doesn't prompt action, ask them to write the board a letter describing the problem and what they tried to do about it.

With those letters, the board can turn up the heat by giving the offender a ten day deadline to clean up. After ten days, say "other legal remedies will be explored if necessary". This usually will do the trick. If all else fails, get the HOA's lawyer involved. One way or another, the easy or the hard way, the job will get done. 🗑️

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Minutes Essentials

Meeting minutes are the official record of actions taken at a meeting. For this reason, well-written minutes are essential. In the event of a dispute, minutes are the best proof of the precise wording of a motion or whether a proposal was adopted by the board.

The governing documents for homeowner associations (HOA) and condominiums generally don't address what must be in minutes. The 11th edition of Robert's Rules of Order was published in 2011 and gives excellent advice on minutes. The short version is this: Minutes are a record of what was done at a meeting, not what was said.

The Regenesiis Report

There is no need to summarize debate. Once a meeting ends, we really don't care what members said. We don't even need to know how each member felt about a specific motion. What we need is the exact wording of each proposal and whether it was adopted or rejected.

According to Robert's Rules, minutes generally include:

- A first paragraph stating the type of meeting, the name of the organization, the date, time and location of the meeting, whether the president and secretary were present (some groups list all members present), and whether the prior minutes were read and approved.
- A separate paragraph for each motion/proposal, including final wording and disposition (adopted, rejected or tabled).
- A final paragraph that states the time of adjournment.

Following this format, minutes tend to be pretty short. As I note in my book, "The Complete Idiot's Guide to Parliamentary Procedure Fast-Track," the minutes of a two-hour meeting may fit on a single page.

Can a board include other information in its minutes? Absolutely. Just recognize that a word-by-word re-enactment of a meeting really isn't minutes. Minutes are supposed to be a short, to-the-point account of business transacted so that readers can quickly determine what was done.

If you follow the Robert's Rules pattern for minutes, recognize that not every item on the agenda may be addressed in the minutes. If a board agenda includes a listing of "pool maintenance," but no action is needed and no motion is proposed, there would be nothing to include in the minutes. If a sentence is included about the subject being addressed, that's fine, but it's not necessary.

The ultimate decision maker of what should be in minutes is the board. Draft minutes don't become official minutes until voted on or amended by the board

members at the next board meeting.

If you are the keeper of the minutes, here are two suggestions. Minutes are fairly formulaic. For a specific organization, the minutes will look pretty similar from meeting to meeting. You can prepare a template that you can use to record the minutes, which will save time.

In fact, why wait until the meeting to prepare the minutes? Skeletal minutes may be prepared in advance based on the agenda. Go ahead and fill out all the information in the minutes in advance, and then at the meeting simply note what happens to each motion and add any unexpected items. I've seen secretaries use this technique to complete the minutes of a meeting within seconds of the meeting ending.

By Mike Hunter - Community Associations Practice Group 🗳️

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Mind Bending

Money. There is never enough of it. Homeowner association boards often struggle to get the membership to ante up enough of it to take care of common assets which may include the members' own homes in the case of common wall HOAs.

You'd think protecting one's own property would be natural. But in HOAs where the board controls member assets, it can be a point of contention. Tight fisted members challenge efforts to raise fees thinking the board should do more with less. Consequently, the common elements deteriorate and the members experience declining market values and livability. Illogical you say?

There are several reasons members resist what is in their own best interest. These reasons often underlie other areas in their lives so don't take it personally. Just recognize that facts

and logic are secondary with some people. Consider:

Mistrust. This feeling often runs deep. For this person, a board that communicates poorly or dictatorially invites challenge. If there is a long history of this, resistance to money proposals, rules and policies is almost automatic.

Inflexibility. If the HOA has historically maintained low reserves, getting the members to pay more is difficult. Recognize the natural resistance to change and plot a gradual course of correction to gradually woo support.

Peter Pan Thinking. HOAs are marketed as a way to reduce cost and maintenance called “carefree living” by developers and real estate agents. But carefree doesn’t come free. It just means that someone else handles it for you. That “someone” is often the board which apparently is supposed to do all the work. Peter Pan Thinking can be summed up, “The HOA can’t afford (fill in the blank: reserves, a manager, a lawyer, collection service, landscape contractor, pool contractor, etc.) but I personally don’t want to do any of the work myself or pay for it.”

Intractability. Even the most successful board lobbying effort battles some opposition to the bitter end. Some just refuse to cooperate. That’s human nature. As long as the majority support the board’s recommendations, the board has succeeded. In time, the biggest critics often become the board’s staunchest supporters once the recommendations have proven successful.

Fear & Trust. Some fear what tomorrow will bring and need reassurance. These folks make decisions reluctantly or not at all for fear of making the wrong one. They rely heavily on those they trust. This is a great responsibility for those that accept it. For the HOA board, this means making informed decisions and treating seriously the trust that has been given to it.

Even though these mind sets are largely

emotional, they are very real and don’t go away. They must be overcome for the board to move business along. These people are the HOA’s customers and if they aren’t buying what the board is selling, business comes to a standstill. Change attitudes through patience and prodding. It’s a mind bending experience.☹

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HOA Leader Skills

Homeowner associations need competent leaders to thrive. While a congenial board is helpful, it’s important that the board have a strong leader to coordinate, plan and, well, lead.

So what defines a good leader in the first place? Leadership is not just about accumulation of knowledge and information. It’s about achieving as many of these life skills as possible:

- ✓ Honesty. Sincerity, transparency and candor in all actions.
- ✓ Competency. Actions are based on reasoned thinking.
- ✓ Ethics & Integrity. Practices sound moral principles.
- ✓ Forward-Looking. Envision what they want and how to get it.
- ✓ Humility. Acts like a servant by elevating others.
- ✓ Inspiring. Displays confidence by showing mental, physical and spiritual strength.
- ✓ Informed. Reads and studies to gain better understanding.
- ✓ Seeks Challenges. Not content to simply react, a leader seeks out challenging assignments.
- ✓ Compassionate. Displays empathy to the feelings, values, interests and well-being of others.

- ✓ Perseverance. Sticks to a goal regardless of obstacles.
- ✓ Confidence. Calm under pressure.
- ✓ Decisive. Not afraid to make a decision and stick to it.
- ✓ Flexibility. Be willing to change course when facts dictate.
- ✓ Imaginative. Shows creativity when faced with complex problems.
- ✓ Communicator. Communication is both strategic and inspirational. Clear and frequent communication keeps the board goal focused.

No one is born with these traits. All are learned through life experiences. Often the best teacher is failure. Failure helps develop humility which opens the doors to learning many of the other life skills. Having some of them is great. Having them all is a lifetime achievement. Look for those that have lived life and learned its lessons without being crushed in spirit.☹

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Manager Issues
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Saving Face

People involved in a conflict often know they are wrong but don’t want to admit they made a mistake. They continue the conflict just to avoid the embarrassment of looking bad. This face saving is often more important than the issue that began the fight in the first place.

From time to time, disputes arise between HOA members or between a member and the HOA. If left unchecked, these disputes can escalate into dueling lawyers duking it out in a pitched courtroom battle. However, there is never a satisfactory end to this war. The time, emotional and financial cost of legal jousting is tremendous.

Judges are rarely schooled in how

homeowner associations work so the verdicts are highly unpredictable. Both defendant and plaintiff are often disappointed with the outcome. After all is said and done, the parties are still neighbors who must figure out a way to get along. But now, there is the additional barrier of a lawsuit which proves too high to hurdle. Someone ends up moving.

Alternative Dispute Resolution (ADR) is gaining rapid acceptance in resolving homeowner association conflicts. It is now required in some states before lawsuits can be filed. The basic premise of ADR is that neither party is 100% right or wrong. A trained mediator can usually sort out the issues and forge a compromise that allow both parties to save face.

Mediation and arbitration are not the same. In mediation, a neutral third-party facilitator helps parties discuss issues and negotiate an agreement. The process includes gathering information, framing the issues, developing options, negotiating, and formalizing agreements. Parties in mediation create their own solutions and the mediator does not have any decision-making power over the outcome.

With arbitration, a third-party neutral, after reviewing evidence and listening to arguments from both sides, issues a decision to settle the case. Arbitration is often used in commercial and labor/management disputes.

Mediation-Arbitration is a hybrid that combines both processes. Prior to beginning, the disputing parties agree to try mediation first, but give the neutral third party the authority to make a decision if mediation is not successful.

There are a few things that are certain in this world: death, taxes and neighbors not getting along. It's only a matter of time before there is conflict. But HOAs have the advantage of a framework to deal with neighbor issues. Conflict resolution can be planned for just like preventive maintenance on the buildings. It's extremely important to have such a mechanism in place. Once conflict erupts without one, it's very difficult to

get the parties repointed to an amicable settlement. Adopting an **Alternative Dispute Resolution Policy** is a quicker, cheaper and effective resolution. All ADR Policies should conform with applicable state statutes and existing provisions, if any, in your governing documents.

Saving face in an HOA is just as important as with battling warlords of old. With an ADR policy in place, neighbors are much more likely to remain neighbors instead of the Hatfields and McCoys. The beauty of mediation is that disputing parties can put the conflict in its proper perspective. That way, conflicts end up being a mere bump in the road and not a forever burned bridge.

A sample ADR Policy is available to Gold Subscribers of www.Regensis.net

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Cornucopia of Options

Procrastinating is long cultivated habit. Some have accepted it as unchangeable while others yearn for change. Those that have accepted their fate need read no further. It will only add one more task to your Never To Do List. Why do some procrastinate and others not? Procrastinators view tasks as insurmountable, mountains too high to climb. Just the thought of the hike makes them pause and lapse into mental gridlock. Some of the excuses include:

≈ **Complexity.** The mind boggling aspect of some tasks can keep some from starting because of uncertainty of *where* to start.

≈ **Prioritization.** All things have importance but some are more

important than others. Being able to choose requires the ability to forecast outcomes. This requires the ability to prioritize a course of action that leads to that outcome.

≈ **Cornucopia of Options.** Life continually spews out opportunities. Picking and choosing is difficult.

≈ **Nasty Business.** Some tasks are necessary but no fun. Avoidance is a natural response.

≈ **Indecision.** Trying to forecast every possible outcome, analysis leads to paralysis.

≈ **Loner Mentality.** "I'll do it myself" is fine for small jobs but stalls the big ones. Few have the expertise to carry big projects start to finish.

≈ **Fear of Failure and Success.** Ever climb the Ladder of Success only to find it was leaning against the wrong wall? Some are afraid of climbing the ladder at all.

≈ **Uninspiring.** Not every job is captivating. Do I *have* to?

≈ **Perfectionism.** Perfectionists obsess over minutiae. A job is never quite finished.

≈ **Distractions.** The cacophony of life makes it difficult to focus.

So there are many reasons for procrastination but it ultimately leads to stalemate. But life has a way of leaving procrastinators in the dust. Life dictates "lead, follow or get out of the way". So, consider: "How do you eat an elephant? Answer: One bite at a time."

Those that get things done tend to approach big tasks in small bites. So, pick a task long delayed, any one that piques your interest, for starters. Initially, it's more important to get engaged in the process than worry about the quality of the task. Map out a timetable: Day One, Day Two or Week One, Week Two etc. Setting deadlines for each part of the task will help focus on the parts. Now...begin, and procrastinate no more.🌱

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With Blinders On

A man once found a friend searching for something under a streetlight. "What did you lose, my friend?" he asked. His friend replied, "I lost a coin across the street." "Why are you looking for it here then?" "It's dark across the street: I decided it would be easier to look for it here under the streetlight."

Each of us searches for meaning to existence. We look here, we look there. We try one thing, then another in the vain hope that each attempt gets us closer to "happiness". Satisfaction is fleeting. Yet what we search for is right before our very eyes.

We are taught that creation shouts the existence of a creator. It is simply not logical for the world and, indeed, the universe to exist by random chance. Conditions on our home planet are perfectly suited for life, yet life cannot spring from nothing. And life requires surgically precise conditions to remain viable. It all takes the thoughtful planning and sustaining of an intelligence far beyond our comprehension.

Each of us has a choice. Do we live our life with blinders on and bounce about life like a pinball? Or should we reflect on the marvelous opportunity we've been offered? If the former, read no further, your destiny is assured. Party hearty and serve yourself.

If the latter, consider that you were designed with a much higher purpose. The creator made each of us for his pleasure. But that doesn't mean we are his puppets or slaves. He gives us free will to choose how we live our lives. On the other hand, he promises if we follow his direction...if we mirror the traits that he deems noblest and best...he will give each of us an abundant life. What is that "abundant" life? That's the fun part. It's unknown

until you live it. But he promises an absolutely unique and fulfilling life here and forever. We only need put our trust in him.

So, can you let go of the meaningless and unrewarding activities you've crammed your life with and let God show you the promised prize? Lay your blinders down and follow him. Forever is a terrible thing to waste. 🗿

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Stain Removal Guide

Here's a handy guide to getting out those pesky fabric stains:

- ☉ Blood. Spill more blood around stain so it won't stand out as much.
- ☉ Ink. Fall to knees and plead, "Why, God, why? Why do you test me so?"
- ☉ Grass. Write the name of your liquid detergent on the stain using the product. Wash item. Hold up to camera and show off the unbelievable results.
- ☉ Mud. Place large iron-on NASCAR patch over stain. Apply heat for 60 seconds.
- ☉ Grape Juice. Rub stain vigorously with wet paper towel while saying "Oh, s**t..."
- ☉ Coffee. Rub cream and sugar into stain. Apply oral suction. Enjoy rich, robust, coffee stain flavor.
- ☉ Tomato Sauce. Take out the person responsible in Mafia style execution.
- ☉ Wine. Apply mixture of ½ rum and ½ cola to self until you no longer care.
- ☉ Chewing Gum. Using permanent marker, draw dotted line around stain. Cut carefully on dotted line.

☉ Nail Polish. Nail polish stains are actually quite lovely. Why not leave them in for a pleasing "homecrafted" look?

☉ Bleach. Insoluble. Burn down house. *From The Onion.* 🗿

DIY Projects

If you're like most homeowners, you're afraid that many repairs around your home are too difficult to tackle. So, when your furnace explodes, you call in a so-called "professional" to fix it. The "professional" arrives in a truck with lettering on the sides and deposits a large quantity of tools and two assistants who spend the better part of the week in your basement whacking objects at random with heavy wrenches, after which the "professional" returns and gives you a bill for slightly more money than it would cost you to run a campaign for the U.S. Senate.

And that's why you've decided to start doing things yourself. You figure, "If those guys can fix my furnace, then so can I. How difficult can it be?" Very difficult. In fact, most home projects are impossible, which is why you should do them yourself. There is no point in paying other people to screw things up when you can easily screw them up yourself for far less money.

Plumbing is one of the easier of do-it-yourself activities, requiring only a few simple tools and a willingness to stick your arm into a clogged toilet. You can solve many home plumbing problems, such as annoying faucet drip, merely by turning up the radio. But before we get into specific techniques, let's look at how plumbing works.

A plumbing system is very much like your electrical system, except that instead of electricity, it has water, and instead of wires, it has pipes, and instead of radios and waffle irons, it has faucets and toilets. So the truth is that your plumbing systems is nothing at all like your electrical system, which is good, because electricity can kill you.

Dave Barry, "The Taming of the Screw" 🗿

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