



# DC Cooperative Housing Coalition News

Representing the interests of the cooperative community in the District of Columbia since 1984

January – April | 2016

Serving the District's cooperative housing community for 32 years

## Best CAI Expo To-Date!

Once again, the Coalition was pleased to have participated in the Community Associations Institute's largest conference and expo in the country! Held on March 12 in the Washington Convention Center, this year's event was the biggest (largest number of attendees and exhibitors) and best organized (admission was easy and painless and lunch was included and well planned).



Russ Rader, Coalition President, with Shuo Zhang and Sarah Young from River Park Mutual Homes Cooperative

In addition to being able to meet and talk with many vendors, seminars (1-1 ½ hours long) covered several topics of interest, including, among others, rental restrictions in the age of Airbnb, and cooperative ownership and management.

We thank CAI for inviting us and we look forward to participating in next year's Expo (**Mark your calendar: February 25, 2017!**)

## Coalition Members Valued at \$1.8 Billion

*Coalition Members account for 73% of the value of all DC Co-ops*

The Coalition's 69 market-rate cooperatives have a cumulative value of \$1,767,238,680 (\$1,731,483,700 in 2016 with 73 co-ops) according to the DC Office of Tax Revenue's (OTR) proposed valuation for 2017—a 2 percent increase over the 2016 valuation. Individual valuations ranged from a low of \$1,895,560 in Ward 3 to a high of \$158,122,430 in Ward 2. The median valuation was \$9,311,450; the average was \$25,093,967.

### 2017 Proposed Valuations by Ward

Ward	# of Coalition Member Co-ops	2017 Proposed Assessed Valuation
1	16	\$281,097,500
2	20	\$691,294,510
3	23	\$378,311,200
4	3	\$15,140,120
5	1	\$1,902,350
6	6	\$366,195,880
7	1	\$33,297,120
8	0	NA
Total	69	\$1,767,238,680

Based on OTR's assessment database ([https://www.taxpayerservicecenter.com/RP\\_Search.jsp?search\\_type=Assessment](https://www.taxpayerservicecenter.com/RP_Search.jsp?search_type=Assessment)), the Coalition's 69 member cooperatives represent 73 percent of the \$2.4 billion total value of the

estimated 193 cooperatives in the District.

## So You Want to Use Your New iPad for Association Business? Implications of Technology for Community Associations

*By: Steven F. Dunn, Esq. Whiteford Taylor & Preston  
Community Associations Update*

**Takeaway:** The use of technology by community associations is a great way to efficiently manage association business and records; however, there are recommended practices that should be followed in order to minimize liability exposure.

From smart phones, tablets, smart watches, better and smaller computers, the Cloud, to social media, new technology is increasingly present in our homes, our workplaces, and, also, in the news and courtrooms. Associations, their Boards of Directors or executive organs, and their managers should use available technology to make it easier to conduct community association business. Technology makes information more accessible, and helps Boards and association members communicate with each other. While technology does make managing community association affairs easier,

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## Technology Implications

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it also raises some issues and potential problems.

Associations should know the risks associated with using technology and establish policies on how to use technology in order to maximize efficiency and minimize problems that could be caused by unchecked use of technology. To do this, associations should examine the goals and risks associated with using technology in connection with association business. Associations should then craft rules to ensure responsible integration of technology into association affairs.

### Board member communications and Association

**communications.** For Board members, technology is not a substitute for meeting and discussing association business. Debating the merits of a certain decision or how to handle different issues is best done in meetings themselves and should not be discussed online. Board members limit liability exposure by using email only for important association business. Email is best used for scheduling meetings and proposing a topic to be discussed at meetings, rather than as a forum to actually discuss those topics. The law in almost every jurisdiction requires that all association meetings and meetings of the executive organ be open to all association members. Boards cannot use "informal gatherings" to get around these open meeting requirements, including by way of electronic communications. Board members should discuss the merits of a potential decision or debate topics in meetings themselves. If there is a lawsuit, an association may have to produce any communication in writing between Board members to the opposing side, including emails or other electronic communications.

Board members should also avoid any casual or off-topic conversation in electronic communications relating to association business. Casual emails

between Board members may also be subject to discovery if there is a lawsuit. Even if not all Board members are included on the email, Board members should treat their email communications with other Board members as if those emails are public information. The content of these emails could be construed to be a violation of the open meeting requirements or lead to other potential legal problems.

Board members should also avoid emailing or communicating with each other electronically during meetings. Courts have found that electronic communications that occur simultaneously with a live meeting are part of that meeting and subject to open meeting requirements. Therefore, boards may violate open meeting requirements by communicating electronically during meeting among themselves and not later disclosing those communications. If the communication cannot wait and cannot be said out loud in the meeting, the association should have a procedure in place to add the communication to meeting minutes.

As we all are aware, association members are happier when they feel that their boards and managers are being transparent with them. Heavily relying on technology such that less is discussed and less information is provided in meetings hurts transparency and could lead to membership discontent. This practical consideration underscores the need to conduct association business through meetings themselves, and not primarily online.

Like any person or company, associations should also be concerned about keeping their records and information secure. Security concerns arise primarily from who has access to what information. Most associations will not provide their own computers or electronic devices to board members to use during their terms. Instead, board members will use their own personal devices as they engage in association business. We recommend

the following rules on use of personal devices:

1. Board members must use their own personal devices; if they share that device with family members, association records must be stored on that Board member's password protected account.
2. Board members should avoid using employer-distributed devices for association business, as users of such a device usually do not have a right to privacy of information stored on that device.
3. Board members should be required to set up a separate email address to be used solely for association business.
4. Board members must agree to delete association records from their personal devices when their terms end.

**Best Practices.** The two most important things for associations to remember when it comes to technology are that technology is not a substitute for association meetings, and association records must be kept secure. Laws and regulations for technology are always evolving, so associations should contact legal counsel to discuss potential issues and for advice on navigating this changing legal landscape.

## e-Mail surveys

The following surveys were conducted at the request of Coalition members January through April:

- Older & Disabled Services (Jan)
- Term Limits (Feb)
- Owners' Insurance Responsibility (March)
- Electric Vehicle (March)
- Move-in/Move-out fees (April)
- All-cash Financial Reviews (April)

## The ABCs of CHC— Who We Are

[This updated article appeared in the fourth quarter, 2005, issue of the *Coalition News*. Because many of the Coalition's members may be new to co-op living, we thought it might be helpful to share our history.]

The D.C. Cooperative Housing Coalition (CHC) exists to advance the common interests of cooperative housing associations in the District of Columbia and promote cooperative housing as a desirable form of home ownership. It is therefore both an advocacy organization that articulates the interests of members before government officials and regulatory agencies and a service organization that provides information and education to members.

Membership is open to all District housing cooperatives, regardless of size. A volunteer board of directors, elected by member coops, governs the Coalition. At least three seats on the board must be filled by representatives of small (50 or fewer units) cooperatives. Activities are financed through annual dues determined by the members at the annual meeting.

The Coalition grew out of an ad hoc group of District cooperatives that formed in response to a judicial ruling that had cast a cloud over many cooperatives by banning proportionate voting. By marshaling the forces of more than 3,000 units, the ad hoc group persuaded the D.C. City Council to resolve the matter. Recognizing the importance to the cooperative housing community of speaking in a single voice and maintaining the ability to respond quickly and knowledgeably to matters affecting cooperative housing, the ad hoc group decided to form a permanent organization.

The Coalition was established in 1984 and was incorporated as the

DC/CHC, Inc., a nonprofit, IRS Code Section 501(c)(6), organization in the District of Columbia, in 1993.

Among the Coalition's most important accomplishments was its work in the passage of the Cooperative Housing Procedure Act of 1988 (D.C. Law 7-205), a law that provides for uniform procedure and an equitable formula to assess real property owned by cooperatives. Up until that time, the District did not have a prescribed method to estimate fair market value, and, as a result, the assessments were arbitrary and unpredictable.



### The Coalition: *The cooperative housing community speaking in a single voice.*

The Coalition successfully opposed a move being developed by a councilmember of the City Council to charge each cooperative association \$3.00 per unit to fund a new government agency to oversee cooperatives and condominiums. Members of the Coalition Board of Directors also testified before the City Council in support of a recycling tax credit in lieu of the city collecting recyclables and successfully opposed a 50 percent reduction in the trash collection tax credit, which co-ops and condominiums receive in lieu of the city collecting their trash.

At the heart of these efforts has been the defense of cooperatives before the City Council to maintain parity between cooperative homeowners and single-family and condominium homeowners rather than to be treated as rental complexes.

Equally important, the Coalition successfully defended the newly implemented assessment system it had worked so hard to put in place when it warded off proposals to change the system.

The Coalition has co-hosted mayoral candidate forums and recognized Council members who work on behalf of the interests of housing cooperatives. It has also promoted public awareness and interest in cooperative ownership by sponsoring events, most notably two tours arranged with the Smithsonian Association of several D.C. housing cooperatives in 1995 to mark the 75th anniversary of the first housing cooperative in the District and again in 2006.

In 2012, with the generous support of the National Cooperative Bank (NCB), the Coalition created and printed *Co-ops 101, Cooperative Housing Ownership in Washington, DC*, a booklet that explains the differences and similarities between cooperatives and condominiums to help Realtors as well as buyers and sellers of the District's housing cooperatives.

One of the most important benefits Coalition members receive is timely information. The Coalition has conducted seminars on a range of topics including solar energy, dealing with difficult residents, aging in place, Homestead Exemption, energy bench-marking, and investing funds.

The Coalition also issues newsletters three times a year that cover topics as diverse as elevators, rentals, taxes and oil and gas bulk purchasing agreements, among others. As a consequence, members receive information that enables them to anticipate and address changes affecting their operations.

Since 1984, the Coalition has remained dedicated to serving the cooperative housing community. The Coalition is the *only* organization whose sole purpose is devoted to advancing and protecting the interests of the owners of the approximately 15,000 cooperative units in the District of Columbia and assisting and educating their boards of directors.

## Board of Directors

### President

Russ Rader  
The Westmoreland, 60 units

### Vice President

Lynn Ohman  
Shoreham West, 60 units

### Secretary

Art Leabman  
1870 Wyoming Avenue, 28 units

### Treasurer

Dottie Moskowitz  
Tiber Island, 389 units

### Directors

Fred Dyda  
Tilden Gardens, 170 units

Stephen McKeivitt  
Beverly Court, 39 units

Michael O'Dell  
Harbour Square, 447 units

Ray Olson  
River Park Mutual Homes, 518 units

Nancy Skinkle  
The Broadmoor, 194 units

Janet Sten  
3020 Tilden Street, 20 units

John Thornburg  
The Cathedral Avenue Cooperative, 145 units

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DC Cooperative  
Housing Coalition  
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## About DC/CHC, the Coalition

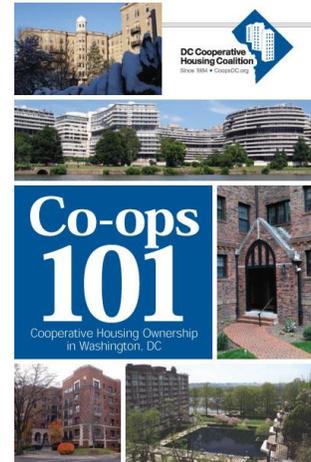
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Membership is open to all District housing cooperatives, regardless of size. A volunteer board of directors, elected by member co-ops, governs the Coalition. Activities are financed through annual dues, \$1.50 per unit per year (12.5 cents per month)

The Coalition grew out of an ad-hoc group of District cooperatives that formed in response to a judicial ruling that had cast a cloud over many cooperatives by banning proportionate voting. By marshaling the forces of more than 3,000 housing cooperative units, the ad-hoc group persuaded the District's City Council to resolve the matter.

Recognizing the importance to the cooperative housing community of speaking in a single voice and maintaining the ability to respond quickly and knowledgeably to matters affecting cooperative housing, the ad-hoc group decided to form a permanent organization.

The Coalition was established in 1984 and was incorporated as DC/CHC, inc., a nonprofit, IRS Code Section 501(c)(6) organization in the District of



### Co-ops 101 Free download:

<http://coopsdc.org/wp-content/uploads/2014/07/Co-ops101-PDF.pdf>

### Reproducing DC|CHC News Articles

Special permission is not required to reproduce articles. However, each reproduced item should contain proper acknowledgement of the DC Cooperative Housing Coalition and note the **DC|CHC News** as the source.

## Member Profile Page

Does your cooperative have its own dedicated page on the Coalition's web site? It's free and it is one of the Coalition membership benefits. See what your co-op is missing at <http://coopsdc.org/members/> and click on members with names in bold. **Don't let your co-op miss out on this members-only benefit**

[www.CoopsDC.org](http://www.CoopsDC.org)

*The first place to look for a service provider*