



UNITED LAGUNA WOODS  
M U T U A L

**OPEN MEETING**

**REGULAR MEETING OF THE UNITED LAGUNA WOODS MUTUAL  
GOVERNING DOCUMENTS REVIEW COMMITTEE**

Monday, January 28, 2019 – 1:30 PM  
Laguna Woods Village Community Center, Sycamore Room  
24351 El Toro Road, Laguna Woods, CA 92637

**MEMBERS PRESENT:** Maggie Blackwell – Chair, Andre Torng, Juanita Skillman, Anthony Liberatore, Advisors Bevan Strom and Mary Stone

**MEMBERS ABSENT:**

**OTHERS PRESENT:** Dick Rader, Cash Achrekar, Manuel Amendariz, Attorney Jeff Beaumont via phone, Sherri Davis

**STAFF PRESENT:** Siobhan Foster, Tim Moy, Susan McInerney, Pamela Bashline, Eve Morton, Christine Spahr, Jeanne Chestnut

**REPORT**

**1. Call to Order**

Chair Blackwell called the meeting to order at 1:30 p.m.

**2. Acknowledgement of Press**

No press was present.

**3. Approval of the Agenda**

President Skillman moved to discuss agenda item #9 before #7 since several individuals from Staff were present to address that item. There were no objections. President Skillman then moved to approve the agenda, with this change. There were no objections.

**4. Approval of Report from the December 18, 2018, minutes**

Some Scribner's changes were discussed. Advisor Stone moved to approve the report, with the changes. There were no objections.

## 5. Chair's Remarks

None.

## 6. Member Comments (Items not on the agenda)

### Consent Calendar:

*All matters listed under the Consent Calendar are considered routine and will be enacted by the Committee by one motion. In the event that an item is removed from the Consent Calendar by members of the Committee, such item(s) shall be the subject of further discussion and action by the Committee.*

None.

### Reports:

None.

### Items for Discussion and Consideration:

## 7. Review and Discuss Community Property Issues

United Mutual attorney, Jeff Beaumont, stated that it is an estate planning issue in assessing whether the application process for Members should include community property issues. He recommended not including community property issues in the application process.

Discussion ensued.

The committee made some updates to the proposed resolution.

The committee was in unanimous support to move items #2 and #3 from the proposed resolution to the Financial Qualifications and to then move the amended resolution on to the Finance Committee.

*2. Regarding depreciation for rental properties, rental property depreciation should be consistently reported to the Corporation, as well as, to state and federal taxing entities. In general, Members are not required to recognize rental property depreciation during a given rental period. Members are required to "recapture" depreciation allowed or allowable when the property is sold. Accordingly, rental property depreciation is to be reported at the time of sale and, as such may be a taxable event, whether or not depreciation was claimed during the rental period.*

*3. Regarding capital gains, capital gains are not taken into consideration when considering whether an owner applicant meets the requisite income qualifications set forth in the Financial Qualifications Policy (rev. 5-23-18). Capital gains are profits from a sale of an asset,*

*or, otherwise the rise in value of an asset when it is sold, which triggers a taxable event. Capital gains are not considered for income qualifications because if an asset is not sold, then there is no realized capital gain.*

The committee was in unanimous support to amend the title of the resolution to "Community Property Consideration."

## **8. Review and Discuss Possibility of Allowing Guarantors**

The committee reviewed Mr. Beaumont's draft of an updated Agreement for guarantors in the event that the Board decided to again allow guarantors.

President Skillman moved to accept the amended Personal Unconditional Continuing Guaranty and Security Agreement (Agreement) with the following changes and to then send it to the Finance Committee for review:

- Change "guarantors" to "guarantor" throughout Agreement.
- Add a definition of a guarantor to the Agreement.
- Add that a guarantor may only guarantee one unit in the Village to the Agreement
- Add to an internal procedure that the guarantor contact information will be verified annually.
- Add to an internal procedure that a guarantor will receive any late payment notices.

The committee was in unanimous support.

Mr. Beaumont agreed to make the updates.

## **9. Review and Discuss Updating of the Caregivers Policy**

Ms. McInerney discussed some updates which were made to the Policy and passed out a flyer regarding "Types of Activities of Daily Living" (ADLs)

The committee discussed the updated Policy and requested some changes.

President Skillman made a motion to move this forward to the Board, with the changes requested by the committee. Director Achrekar seconded. The committee was in unanimous support.

### Concluding Business:

## **10. Committee Member Comments**

Several comments were made.

**11. Future Agenda Items**

Discuss and consider modifying the Co-Occupancy Agreement to allow renters.

**12. Date of next meeting is February 25, 2019**

**13. Adjournment at 3:45 p.m.**

**DRAFT**

---

Maggie Blackwell, Chair