



**Level News**

By: Ashley Livingston, CMCA, AMS, Vice President

Level Community Management is pleased to announce that long-time staff member Jeff Pope, CMCA, has been promoted to Director of Managers.

In his new executive role with the company, Jeff's focus will be on personally working with clients to offer an additional level of support.

Level has a stellar team and Jeff will assist in engaging its members to help the boards with any issue the association may be facing.

Additionally, Jeff will work with Level's managers to assist with issues, provide educational resources and to ensure Level's clients receive the quality services they expect from us.

"We look forward to him providing and being a support resource, both for our managers and more importantly to our board clients," said Level's president, Anne Calarco, CMCA, AMS, LSM, PCAM. "Jeff Pope has been a stellar example of a dedicated manager with Level; from his start as an administrative assistant over ten years ago now, to his growth, development, and experience as a community manager, and his ability to hone in on what each board client expects and work with them to keep boards moving forward to benefit the associations we serve."

Jeff looks forward to speaking with and meeting our valued board clients as we roll out this enhancement to services.

**Email Notification**

The Legislative Commission corrected an error in a law that would have required homeowner associations to send all communications by US mail and email.

Instead the law was changed to allow associations to notify residents by US mail or email.

Homeowners still need to designate an email address to the association and opt-out of receiving notices by mail, other than for notices in which statute specifies how they are to be delivered.

But this correction will save associations from unnecessary mailing costs and delays.

**Health, Safety & Welfare Changes**

Proposed changes to how boards charge for health, safety and welfare (HSW) violations would result in significant legal fees and cap fines on the worst behaviors.

Recently, the Nevada Real Estate Division (NRED) proposed new regulations for common interest communities that address fines for HSW violations, collection fee limitations and reserve study matters among other issues.

The topic that could cause the biggest impact on associations is requiring a court order to charge owners for HSW fines. The board would be required to seek a court order for any fine levied at more than \$500.00. Industry attorneys estimate legal fees could be \$10,000.00 or more, which boards would likely assess to the homeowner. So what could have been a \$1,000 fine costs the owner significantly more. The association would have to lay out that money initially, preventing smaller or cash-strapped associations from enforcing serious HSW issues like violent acts. All HSW fines would be capped at \$5,000.00 no matter how serious the violation.

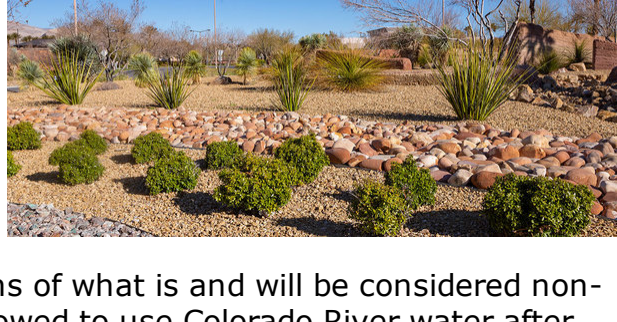
The proposed regulations also cap bullying violations, including using vulgar or abusive language, at \$100.00. This would stop an association for imposing a HSW fine against an owner for sexually harassing an association's staff or other residents, including children.

Industry professionals, including Level Community Management managers, filed comments with the Commission for Common-Interest Communities during a recent public hearing on the proposed changes. While we recognize the regulations need some revisions, the proposed changes would do more harm than good for all residents.

The CCIC's next meeting will be May 31-June 2. To view the proposed regulations and submit your own comments, visit: [https://red.nv.gov/Content/Meetings/CIC\\_Calendar/](https://red.nv.gov/Content/Meetings/CIC_Calendar/)

**How Green Isn't Our Valley**

By: Jeff Pope, CMCA, Director of Managers



We don't need John Ford to tell us the Las Vegas Valley isn't Wales. But The Southern Nevada Water Authority has told us, it's still too green.

The agency recently dropped it's definitions of what is and will be considered non-functional turf. These areas will not be allowed to use Colorado River water after Dec. 31, 2026, thus relegating them to the dustbin of landscaping history. The new regulations exempt individual homeowners with grass but not our homeowner associations' common areas. The SNWA estimates a need to remove about 4,000 acres of turf throughout Clark County.

A citizen's advisory committee compiled a report for the SNWA advising that, "by removing this nonfunctional turf, Southern Nevada can save about 9.5 billion gallons or 29,150 acre feet of water per year."

Since the legislation passed last year, the main question has been, so what is non-functional turf?

Simply put, non-functional turf is an irrigated grass area that provides aesthetics but not much else, such as:

- Grass along public or private streets, sidewalks, driveways and parking lots including medians, courtyards and roundabouts;
- Grass adjacent to a building or buildings that is not zoned as a single-family residence;
- Turf in HOAs that provides no recreational benefit to the community.

Or, if you're a lake-is-half-full positive thinker, functional grass is defined as:

- An irrigated grass area that provides recreational benefit and is at least 10 feet from a street, slopes less than 25 percent and not in a median, along streetscapes or the entryways to parks, commercial sites or the community;
- Also spared are athletic fields, golf courses, dog parks and playground turf.

Associations that don't want to remove the grass can apply for a waiver but must demonstrate that the area meets certain criteria.

The turf conversion rebate remains at \$3.00 per square foot of grass removed on the first 10,000 square feet. For many communities, this accounts for at least 75 percent of the conversion costs, according to the agency.

The full report can be found at <https://www.snwa.com/importance-of-conservation/restricting-outdoor-water-use/index.html>.

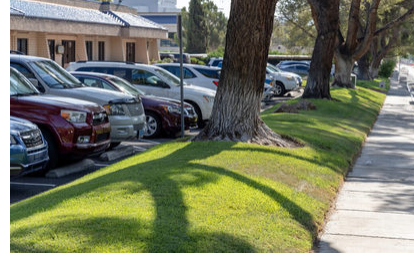
**EXCLUSIVE TO LEVEL CLIENTS**

Join us to have every remaining question on turf conversion answered as we welcome

JC Davis, from the Southern Nevada Water Authority, for a board member seminar

on

Thursday, April 28th at 4pm



**Nonfunctional Turf**

An irrigated grass area not providing functional use. Areas of nonfunctional turf include, but are not limited to:

**Streetscape turf**

Grass located along public or private streets, streetscape sidewalks, driveways and parking lots, including turf within a community, park and business streetscape frontage areas, medians, and roundabouts.

**Frontage, courtyard, interior and building-adjacent turf**

Grass in front of, between, behind or otherwise adjacent to a building or buildings located on a property not zoned exclusively for single-family residence, including maintenance and common areas.

**Certain HOA-managed landscape areas**

Turf managed by a homeowner association that does not provide a recreational benefit to the community or that otherwise does not qualify as functional turf, regardless of property zoning.

**Functional Turf**

An irrigated grass area that provides a recreational benefit to the community and is:



-Located at least 10 feet from a street, installed on slopes less than 25 percent and not installed within street medians, along streetscapes or at the front of entryways to parks, commercial sites, neighborhoods, or subdivisions.

-Active/programmed recreation turf, athletic fields, designated-use-area turf, golf course play areas, some pet relief turf, playground turf or resident area turf.

**Active/programmed recreation turf**

Grass used for recreation that is 1,500 contiguous square feet or greater; co-located with facilities; and located at least 30 feet from a street or interior-facing parking lot unless the turf area is at least 30 feet in all dimensions or immediately adjacent to an athletic field.

**Athletic field turf**

Grass used for sports or physical education that is 1,500 contiguous square feet or greater; not less than 30 feet in any dimension; and located at a school, daycare, religious, recreation center, senior center, park or water park. Athletic field turf may be located less than 10 feet from a street or interior-facing parking lot if the contiguous turf area is at least 30 feet in all dimensions.

**Designated use area**

Grass designated for special use at cemeteries and mortuaries.

**Golf course play area**

Grass in driving ranges, chipping and putting greens, tee boxes, greens, fairways and rough.

**Pet relief area**

Grass at a property providing commercial and retail services for pets, such as veterinarian and boarding facilities. The area must not exceed 200 square feet.

**Playground turf**

Grass in designated play areas with playground amenities, including but not limited to slides, swings and climbing structures on homeowner association owned/managed property or at a public park, water park, school, daycare, recreation center, senior center or religious institution. Playground turf may be located less than 10 feet from a street if fenced.

**Resident area turf**

Grass up to 150 square feet per dwelling unit at multi-family residential properties, multi-family mixed use properties, or assisted living and rehabilitation centers used by tenants for recreation or leisure. May not be located in parking lots, streetscapes or other non-accessible areas.

**SNWA Waiver Requests**

Any establishment may apply for a waiver for functional turf that provides a recreational benefit to the community and meets the functional definition.

Waiver applications must demonstrate that the turf substantially complies with the functional turf definition as indicated by:

- Activity type
- Activity-appropriate dimensions
- Number of persons served and frequency of use
- Location in proximity to similar turf areas
- Public access and proximity to roadways
- Presence of facilities and/or other recreational amenities Irrigation efficiency

Waiver requests must be submitted using an online form. To request the form, or if you have questions about functional vs. nonfunctional grass, please call

702-862-3740.



**The Roaring 20's in Style!**

Level's Manager's Enjoy

CAI's 'Great Gatsby' Gala

2022

To learn how we can take your community to the next [Level](#), please contact [Anne Calarco](#) for a free proposal at 702-433-0149.

