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January 1, 2021

## **HAPPY NEW YEAR!!!**

We at Nagle & Zaller want to wish you a very happy and healthy New Year. We hope that your holidays were filled with good times, virtual celebrations, family and friends, and that 2021 will be a better year than 2020, during which your association will flourish and grow. 2020 presented many challenges to our everyday way of life and new and complex issues affecting how you govern and manage your associations. From holding virtual meetings and elections to deciding whether to open amenities to contracting with vendors and determining whether to proceed with construction, all while considering the very real threat of Covid-19 on your neighbors; it was without a doubt one of the most difficult years that we have had in a very long time, if not a lifetime. We want to let you know just how much Nagle & Zaller appreciates each of you as a client and we are thankful that you allowed us the privilege of helping you through these difficult and challenging times. Unfortunately, we are not out of the woods yet, but we are hopeful that 2021 will bring some much-needed relief from the challenges of dealing with the Covid-19 Pandemic. We look forward to continuing to work with board members and managers to resolve the issues that affect your association, and to help make your association a better place for all to live.

As most of you know, a few years ago we simplified the billing options that are available to the clients for whom we do collections work. Clients simply choose whether to: (1) pay legal fees as the work is completed, in which case *all* monies recovered from a delinquent owner would be reimbursed to your association; or (2) defer paying legal fees that your association would have to pay in the event those fees are not recovered directly from a delinquent owner. An association choosing Deferred Billing will not be billed for any attorneys' fees incurred for work done on its behalf if we are able to recover our fees through payments by the delinquent owner, which is often the case. If we are unable to resolve the matter with the debtor, prior to reaching a "trigger point", then any attorneys' fees incurred will be invoiced to your association. A "trigger point" includes, but is not limited to, when a judgment is entered against the delinquent homeowner, a bankruptcy is filed, or the subject property is sold or foreclosed upon. For more information on our billing options for collections work including, Deferred Billing, we invite you to review our Agreement for Legal Representation, which is enclosed.

No matter which billing option you choose for collections, we will strive to collect and return to your association all assessments, late fees, and interest due from your delinquent owners, plus the costs and attorney's fees that your governing documents authorize your association to recover. Further, we will continue to pass through the actual



out-of-pocket costs incurred on behalf of your association (filing fees, private process server fees, etc.), without mark-up or surcharge. If you have questions about any of the collection cases that we are handling on behalf of your association, or if you are interested in changing your association's chosen billing option for collections, please contact us.

Last year we made a change to the Retainer Packages that we offer for general representation work based upon feedback from our client's. We now only offer one "Retainer Package", which is described in the enclosed material. However, if you are currently signed up for one of our other retainer packages, that we no longer offer, we will honor that retainer package and rate, or, you could consider switching to our current Retainer Package. Although most of our clients prefer to be billed on a time and materials basis for work performed, we understand that some clients still prefer to be on a retainer; and, we are happy to discuss the Retainer Package, or a customized retainer, for your association. If you have any questions about how our Retainer Package may benefit your association, please contact us. Please also note that if your association has already signed up for the Retainer Package that you do not need to sign a new contract for the new year.

All of our hourly rates and flat fees for the new year, as well as a further description of our billing options and our Retainer Package are set forth in the enclosed materials.

We value and respect each of our clients. In that regard, as we have done each year in the past, we have included with the enclosed materials a copy of our Client Bill of Rights. These are your rights, and we want each of you, as our client, to read and understand them. The Client Bill of Rights is evidence of our commitment to provide you with the best, most professional and most courteous service possible.

We appreciate your trust and your business. In the coming year, we will endeavor to provide you with the best legal services available. Biographies of our attorneys, as well as many interesting articles and newsletters regarding community association law, are available on our website – [www.naglezaller.com](http://www.naglezaller.com), which we urge you to visit and explore. The varied talents and experiences of our attorneys enable us to serve the legal needs that may arise for community associations, individuals and businesses alike.

If you would like to speak with one of our experienced attorneys about any of your legal needs, please do not hesitate to contact us. In addition to community association law, our attorneys are also experienced in other disciplines, including domestic relations, personal injury, employment and labor law-related issues, business and utility matters. We also have access to a network of experienced, yet cost-effective lawyers to whom we can refer you with confidence if we are unable to assist you ourselves for whatever reason.



We are excited to continue representing your association in 2021 and are looking forward to celebrating your association's achievements in the upcoming year. We measure our success based on yours, so if there is anything that we can do to better serve your association in 2021, please let us know. Should you have any questions or concerns, please do not hesitate to contact me or any of the other attorneys here at Nagle & Zaller.

Happy New Year and cheers to a better 2021!

Sincerely,

A handwritten signature in black ink that reads 'Craig Zaller'. The signature is written in a cursive, flowing style.

Craig B. Zaller  
Managing Partner