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PRESIDENT'S MESSAGE



CAI-WI Members,

As we welcome the fall season, I would like to take this opportunity to express my gratitude for your continued support. The changing colors of the leaves remind of us of the beauty of nature and the importance of coming together. It is during this time that we can reflect on the year gone by and look forward to what is to come.

It was good to visit with everyone at the Fall Social. Please visit our website <https://cai-wi.org> to look for any educational sessions you might be interested in attending. There is a great line up through the end of the year.

Thank you to the Golf Committee and everyone who participated in the event. The weather was great and the event was a success.

Sincerely,

Erica Joyce

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Risk Insights

Provided by Mid-State Insurance

Claims Frequency, Severity and Your Insurance Premiums

Property insurance rates are based on several factors, frequency and severity of claims, repair costs, lawsuits and court judgments, insurance fraud, property type, and deductibles.

This means that while your association's inherent level of risk is a factor that affects the premium you will pay for property insurance, that amount is also affected by factors that are not directly controlled by the company.

Frequency vs. Severity

Both claim frequency and severity affect the portion of your premium that covers losses.

Frequency refers to how many losses occur and how often they occur. Logically, the higher the premium, the more insurers pay in claims. Severity, instead, is reflected in the amount paid per claim. The location, construction type, age, and updates can also affect your level of risk, and therefore your premiums.

Risk Management Techniques

One of the best things you can do to control your insurance premiums is implement risk management techniques for controlling the frequency of claims. Reviewing your deductible and setting it at a level that makes sense for the association as well as unit owners. Requiring unit owners to follow a repair and maintenance schedule can affect both frequency and severity of claims, ultimately lowering your premiums. Some steps to take include the following:

- Put rules in place for repairs and maintenance.
- Keep records of any updates to units.
- Review insurance coverages annually.
- Have system checks on HVAC, Roof, Electrical, and plumbing.

If you have questions about your condominium association's insurance coverage, contact Erica Joyce at Mid-State Insurance.

Ericaj@midstateis.com
262-241-0550
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Save The Date

CAI-WISCONSIN 2025 ANNUAL CONFERENCE & TRADE SHOW

March 13th, 2025

Brookfield Conference Center - 325 South Moorland Rd Suite 200, Brookfield WI 53005



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As spring breathes new life into the picturesque landscapes of Wisconsin, your Condominium Association deserves insurance coverage that blossoms with precision and thoroughness. In compliance with state regulations, Condominium Associations are required to safeguard their properties against loss, ensuring coverage at the full replacement value.

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Just as nature offers a diverse array of blooms, we recognize the multifaceted risks your association may face. Consider these additional coverages:

- Directors and Officers Coverage
- Hired and Non-Owned Auto Liability
- Ordinance or Law Coverages
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WHY ARE WE PAYING MORE TAXES ON INTEREST INCOME?

by Myles Philipp, CPA with Cantey Associates

With the rise of interest rates over the past couple of years, some Associations are starting to see interest income not seen since 2007. This increase in interest income has been a blessing to many reserve accounts but has also come as a surprise; the IRS knocking on the door for their share in the form of taxes. This has been a surprise for many Associations who have not paid tax as long as they can remember. So, let's take some time to answer some common questions board members have.

"We thought we were not-for-profit." While true, Associations are not in the business of making a profit, for tax purposes, Associations are considered corporations. IRC Section 528 applies to qualified electing condominium associations, homeowners' associations, and timeshare associations that elect to file Form 1120-H. IRC Section 277 applies to condominium associations, homeowners' associations, and timeshare associations that are not exempt and do not or cannot elect to file Form 1120-H and instead file Form 1120. Subchapter T applies to cooperative corporations that file Form 1120-C. In order to not be subject to tax, Associations would need to apply for recognition of tax-exempt Status. Associations would file for tax exemption under IRC Sections 501(c)(4). To qualify as a social welfare organization under Section 501(c)(4), Associations must primarily engage in promoting the common good and general welfare of the people of the community, as opposed to primarily for certain individuals.

"Why is the tax 30%?" If Associations file Form-1120-H, the tax rate is a flat 30% (or 32% for timeshare Associations). When Form-1120-H was introduced with the Tax Reform Act of 1976, the original tax rate was 46% on the first \$25,000 of taxable income and 48% on any taxable income more than \$25,000. It was a few years until the tax rate was reduced to 30%. Some Association's in order to reduce their tax, may consider filing Form 1120. Associations who file Form 1120 would be taxed at the corporate tax rate, which as of 2024 was a flat 21%. There are other considerations when filing Form 1120, and an Association should consult with their CPA when making the decision.

"Our Association didn't earn much interest but is still paying tax." Interest income is just one of many income items that are subject to tax when filing Form 1120-H. Income is either considered exempt function income or non-exempt function income. Exempt function income includes, but is not limited to, assessments, fees, and fines. Non-exempt function income includes, but is not limited to, interest income, laundry income, services provided to the owners and charged back, certain parking income, key fees, and boat and dock rentals. Associations should consult with their CPA on their specific income to define each as either exempt or non-exempt. For Associations that file form 1120, income is separated by membership income and non-membership income. Income is taxed separately based on its source. Another consideration for filers of Form 1120 is if the income is profit motivated or not. Filers of Form 1120 should consult with their CPA to make sure the right determination is made on all sources of income.

"We have a loss for the year, should we still be paying taxes?" When filing Form 1120-H, the Association is eligible for certain deductions. The only deductions allowed are expenses directly related to the specific taxable income. For example, an Association with laundry income would be able to take as a deduction certain utilities, cleaning services, and other direct repair and maintenance expenses to the laundry facilities. Deductions for certain sources of income can only be taken to the extent of that specific income item. For example, the Association would not be able to offset interest income with excess laundry facility repairs and maintenance. Associations should maintain documentation of deductions being taken on their tax return. Associations should consult with their CPA on what deductions would be allowable against certain income items. When filing Form 1120, membership profit or loss is considered. There are a lot of different considerations and complexities when filing Form 1120 for Associations that we recommend Associations consult with their CPA.

Continued on page 10

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WHY ARE WE PAYING MORE TAXES ON INTEREST INCOME? CONTINUED...

“What are the filing requirements for a Wisconsin Homeowners Association?” Per the Wisconsin department of revenue website, for State tax purposes, a homeowner’s association is either exempt from taxation under Sec. 71.26(1)(a), Wis. Stats., or taxed as a regular corporation. A homeowner’s association exempt from taxation under Sec. 71.26(1)(a), Wis. Stats., (1) is not organized or conducted for pecuniary profit except for the unrelated business income as defined in Sec. 512, IRC (2) does not have a filing requirement if UBTI is less than \$1,000 (3) files form 4T if UBTI is \$1,000 or greater. A homeowner’s association is taxed as a regular corporation (1) is organized or operated for pecuniary profit except for UBTI as defined in Sec. 512, IRC (2) is required to file a Wisconsin Form 4. As discussed previously, most Associations are still required to file their federal income tax, however, they should discuss with their CPA if they are exempt from State tax filing.

Hopefully, with these common tax questions answered, your association is more prepared for the tax bill that may be coming. Interest rates are starting to come down, so we may start to see less Associations owing tax going forward, but for now Associations should continue to try and take advantage of the strong interest rates and expect to pay a portion of tax on the newfound income. Don’t forget to include in a line item in your budget for income tax expense. As always, every Association’s tax situation may be different so it is important to discuss your specific Association’s tax situation with your CPA.

MYLES PHILIPP, CPA with Cantey Associates provides accounting and tax services to Associations. She may be reached at 855.301.9400.



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LEGISLATIVE ACTION COMMITTEE UPDATE

FALL 2024

by Amy K. Peterselli, Attorney with Kaman & Cusimano, LLC

The Legislative Action Committee (LAC) is excited to announce it will be working with Lobbyist, Kathi Kilgore of Swandby/Kilgore Associations Inc. This is the first time the LAC Committee of Wisconsin has partnered with a Lobbyist or at least the first time in recent years. We are encouraged by Kathi's experience and believe this to be a phenomenal step forward in enacting legislative change in Wisconsin for community associations. Our first order of business is to use this upcoming legislative session to establish connections at the Capitol with the help of Kathi and educate our representatives on the various issues our industry is facing. Proposed legislative change LAC is focused on the following: requiring mandatory reserve studies, lien priority for putting Association's ahead of mortgagees, expansion on HOA related legislation, changes to the percentage ownership required for removal of property from an association, clarification on amendment process, and exclusion of economic loss doctrine from applicability to community associations. We are looking forward to increasing our presence and influence and could not do it without the generous support of CAI membership. Please consider donating to help with our efforts.

Contribute to Your State Legislative Action Committee or the Issues Advancement Fund - CAI Advocacy Blog (caionline.org):
<https://advocacy.caionline.org/lac-donation-form/>



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Fall Social Recap

2024

We had a great turnout for our CAI Annual Social! Hosted at the Thirsty Duck, members enjoyed an afternoon of fun and connection. Duck pin bowling and a friendly game of bags brought out everyone's competitive spirit, while casual conversations filled the air. The event provided a relaxed atmosphere for community association members, managers, and business partners to unwind and network. Many new connections were made, and old friends reconnected, making it a successful and engaging event for all attendees!



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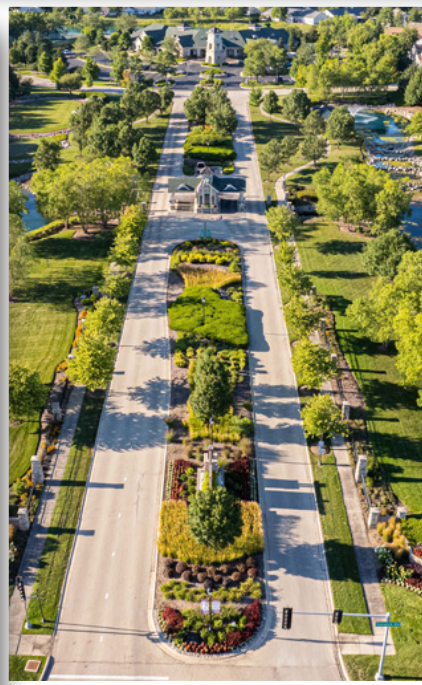
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RUNNING FOR THE BOARD – DO YOU HAVE WHAT IT TAKES?



If you're considering running for the board, take a few moments to ask yourself the following three questions:

Do I have the time? As a board member, you will need to devote at least several hours of your time each month to association business. In addition to regular monthly board meetings, you will need to be active in email discussions and occasional special meetings. During special projects, you may need to spend a little extra time on association business. Some board members may also spend a little more time than others if they work with a committee

Can I make tough decisions when it's required? The primary role of the board is to conduct the business of the association. This doesn't just mean approving the budget, but also developing and enforcing policies. Board members are required to step outside their immediate circle of family and neighbors and make decisions based on the greater good of the community.

Can I do all this and have fun, too?

It isn't all about policies and tough decisions. Your community is only as good as you make it, and establishing and maintaining a sense of community is a part of a board member's responsibility. Planning and attending functions such as picnics and being a presence in the community are as important as any policy decisions you may make.

Being a board member can be frustrating at times, but it may also be one of the most rewarding ways you'll find to volunteer your time. If you're interested in running for the board or would like more details about board's responsibilities, please contact your community manager or a current board member.

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