









2023 CAI HOUSTON TRADE SHOW

Weathering the Storm: Contingency Planning for Natural Disasters

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Scope

- All considerations for planning for severe weather events that cause significant damage and disruption for single-family associations and condominiums
 - Before, during, and after events
- Facts and Figures
- Finances
 - Operating and Reserve Accounts
 - Reserve Studies
 - Assessments
 - Insurance
- Outreach



Facts and Figures - Texas

- 2017-2021 \$58.3 billion in weather-related property damages in Texas, highest amount of any state!
 - Flash flooding was leading cause, contributed to \$44.8 billion

Year	Tornado/Hail/Thunderstorm/Wind Events	Flash Flood Events ²
2013	113	22
2014	61	27
2015	192	73
2016	105	33
2017	147	91
2018	114	27
2019	143	53



Facts and Figures – Southeast Texas

- From 1992-2019
 - Harris County: 206 Flash Flood Events, 988 Severe Weather Events
 - Galveston County: 99 Flash Flood Events, 325 Severe Weather Events³
- 2017 Hurricane Harvey 60.5 inches recorded in Jefferson County: predictions range from 1,000 to 50,000-year flood event
 - \$51.2 billion in damages (Texas)⁴
- 2019 Tropical Storm Imelda 44.3 inches recorded in Jefferson County: 1,000-year flood event
 - \$925 million in damages (Texas)⁵



Winter Storm Uri - 2021

- Costliest natural disaster in Texas history: \$195 billion in damage
- At peak: 4.5 million Texas residents left without powers



January 24, 2023 - Tornados

- Maximum EF-3 Tornado in Southeast Harris County
- Estimates
 - 18,600 single- and multifamily residential properties potentially affected
 - \$4.6 billion combined reconstruction value



Takeaways

- "Unprecedented"
- Planning in advance is critical
 - Hurricane Season: June 1 November 30
- Emergency Response Protocol



Maintenance Schedule & Reserve Study

- Maintenance Schedule
 - Preventive & Predictive
 - Frequency depends on types of improvements/amenities
- Reserve Study
 - Inspection of the community and improvements/amenities
 - Result: plan for funding reserves with eye toward anticipating major repair or replacement projects



Finances

- Supply chain issues & economic volatility
- Prices for lumber and other construction materials have spiked
- Insurance rates, utility costs, payroll, maintenance services all increasing⁸



Finances

- Operating Account
 - Checking Account
- Reserve Account
 - Savings Account, Credit Union Account, Money Market Account, Certificates of Deposit, Money Market Mutual Funds (conservative investments/growth)
 - All types (save Money Market Mutual Funds) offer federal insurance of up to \$250k9
- Increase Regular Assessments? Special Assessments?
 - Potential limits
 - Keep members updated and informed



Insurance

- Double-check policies and coverages
 - Property
 - Flood
 - General Liability
 - Are natural disasters/catastrophes covered under master policy? If so, which ones?
 - Other policies may be required per restrictions
- Account for premium increases ASAP



Response and Outreach

Before Event

- Disseminate weather updates, evacuation/shelter in place orders, and warnings to owners through Association website/email blasts
- Weather-proof common areas and amenities

During Event

- If possible, continue to provide updates and advisories through Association website/email blasts
- Information or referrals for humanitarian aid groups or nearby shelters for affected owners

After Event

- Document property damage
- Contact preferred vendor(s) and insurance carrier(s) ASAP
- Suspension of deed restriction enforcement?
 - Possible, but not for too long
- Allow for deferred payment of assessments with reduced or no penalty?
 - Possible, but no waiver



Conclusions

- "By failing to prepare, you are preparing to fail." Benjamin Franklin
- "Someone's sitting in the shade today because someone planted a tree a long time ago." – Warren Buffett
- Measured Compassion
 - Uniting events
 - Charity to affected owners could be problematic



References

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- 1. Maggie Davis, Estimated \$29.4 Billion in Property Damage from Severe Weather Not Covered by Insurance in past 5 Years, VALUEPENGUIN, July 11, 2022, https://www.valuepenguin.com/severe-weather-property-damages-study.
- 2. HGX Severe Weather Statistics: 1992-2019, NATIONAL WEATHER SERVICE, https://www.weather.gov/hgx/svrstats.

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- 3. Id.
- 4. Kimberly Amadeo, Hurricane Harvey Facts, Damage and Costs: What Made Harvey So Devastating, The Balance, January 20, 2019, https://www.lamar.edu/_files/documents/resilience-recovery/grant/recovery-and-resiliency/hurric2.pdf; Travis Herzog, Top 10 Weather Events of the Decade in Southeast Texas, KTRK-TV, December 30, 2019, https://abc13.com/hurricane-harvey-imelda-tropical-storm-tornados/5798403/; Storm Events Database, Events Reported Between 08/25/2017 and 08/31/2017, NATIONAL CENTERS FOR ENVIRONMENTAL INFORMATION, https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=08&beginDate_dd=25&beginDate_yyyy=2017&endDate_mm=08&endDate_dd=31&endDate_yyyy=2017&county=ALL&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton =Search&statefips=48%2CTEXAS
- 5. Storm Events Database, Events Reported Between 09/17/2019 and 09/19/2019, NATIONAL CENTERS FOR ENVIRONMENTAL INFORMATION, https://www.ncdc.noaa.gov/stormevents/listevents.jsp?eventType=ALL&beginDate_mm=09&beginDate_dd=17&beginDate_yyyy=2019&endDate_mm=09&endDate_d d=19&endDate_yyyy=2019&county=ALL&hailfilter=0.00&tornfilter=0&windfilter=000&sort=DT&submitbutton=Search&statefips=48%2CTEXAS; Tropical Storm Imelda, September 17-19, 2019, NATIONAL WEATHER SERVICE, https://www.weather.gov/lch/2019Imelda

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6. Erin Douglas, Gov. Greg Abbott wants power companies to "winterize." Texas' track record won't make that easy, The Texas Tribune, February 20, 2021, https://www.texastribune.org/2021/02/20/texas-power-grid-winterize/; Year in Review Winter Storm Uri, CITY OF AUSTIN, https://data.austintexas.gov/stories/s/Year-in-Review-Winter-Storm-Uri/hpvi-b8ze/#:~:text=In%20the%20State%20of%20Texas,natural%20disaster%20in%20Texas%20history.



References

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7. Hazard HQ Team, *January 24 EF-3 Tornado in Harris County, Texas*, CORELOGIC, January 31, 2023, https://www.corelogic.com/intelligence/blogs/hazard-hq/january-24-ef-3-tornado-in-harris-county-texas/

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8. Samantha Rosenbloom, *How Community Associations are Dealing with Inflation*, HOA RESOURCES/COMMUNITY ASSOCIATIONS INSTITUTE, https://hoaresources.caionline.org/how-community-associations-are-dealing-with-inflation/;

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9. Id.; Bruce Bent, Inflation: How to Manage Your HOA's Cash, HOA RESOURCES/COMMUNITY ASSOCIATIONS INSTITUTE, https://hoaresources.caionline.org/inflation-how-to-manage-your-hoas-cash/



Special Thanks

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Questions?



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