

November 2017

# Dayton BOMA

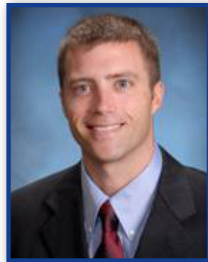
Building Owners & Managers Association



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## From The President



This is the last newsletter for 2017 and represents my last president's article as my position as president comes to an end. These

articles, especially at the end of the year or at the end of a tenure, often tend to be reflective. I plan to reflect some in the words to come, but will also look forward to what 2018 will bring.

Firstly, it's hard to believe that my time as president has come to an end. I joined BOMA back in 2010 and then the board in 2011. I've truly enjoyed working on the board and then most recently serving as president. My involvement has been truly rewarding. I've had opportunities to work with some really intelligent, dedicated and thoughtful people. I've been afforded the opportunity to network and meet with BOMA members from other locals in Ohio, across the country and around the globe through the BOMA Ohio meetings, Winter Business Meetings and BOMA International Conference and Expo. The Winter Business Meetings and our BOMA Ohio Advocacy Days have been very rewarding experiences for me to be able to sit down and have meaningful discussions with our elected officials about issues that affect our daily lives and businesses. The Conference and Expos have also been very worthwhile to take back best practices from other BOMA locals as well as all the educational opportunities.

Secondly, I would like to take this opportunity to say thank you. Thank you to our dedicated board members. This group meets every month and has exchanges in between meetings to ensure the success of our local. I also want to thank our principal and associate members, you are our lifeblood and for whom the board has the pleasure of serving. We have some very active members that may not sit on the board but are involved in a committee, volunteer their time, attend educational sessions, networking events and/or participate in our charitable efforts. I would like to especially thank Nancy Ferrara. As most of you know she does the heavy lifting that keeps Dayton BOMA operating. She is behind every aspect of BOMA, from budgets and by-laws to guest speakers and golf. You name a BOMA function and Nancy is behind it... she truly does an amazing job.

Finally, I look forward to the leadership Sheri Simpson will provide as your new Dayton BOMA president in 2018. Please make the new year one in which you become more involved in this organization. You will find your involvement most rewarding, be it a position on the board, committee, golf outing, networking opportunity or educational session. If you have a question on how you get involved, please see Nancy or one of the board members.

Again, thank you to ALL!

— Sean Turner

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## 2017 Committee Chairs

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### Emergency Preparedness Chair

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## Upcoming Events and Speakers

Reminder... our membership luncheons are held on the second Tuesday of each month from 11:30 until 1:00.

If you'd like to recommend a future speaker or topic, please contact Nancy Ferrara at [nancy.bae.boma@ameritech.net](mailto:nancy.bae.boma@ameritech.net) or by calling (937) 299-2662.

**November 14th** – Our November membership luncheon will be held at the Pentagon Tower Club (3500 Pentagon Boulevard) in Beavercreek. Our guest speaker this month will be Nancy Roberson with Roberson Law.

**November 16th** – This month's After Hours Event will be held from 5-7pm at The Old Bag of Nails Pub at Cross Pointe Shopping Center in Centerville. Our sponsors this month will be Kirk Barrett and Vectren Energy Delivery of Ohio.

**December 12th** – We will be meeting at the Presidential Banquet Center this month for our holiday luncheon. Our entertainment this year will be Fusion from Kettering Fairmont High School.

**January 9th** – We will be back at the Kohler Center this month. Terry Slaybaugh, Director of the Dayton International Airport, will be joining us as our guest speaker.

**January 17th** – Our January After Hours Event will be sponsored by Chandra Miller, Jeff Russell and ABM. Location TBA.

**February 13th** – We will be meeting at the Kohler Center this month. Our guest speaker will be Theresa Busher, Public Affairs Specialist with the Social Security Administration.

### BOMA'S MISSION

To enhance the human, intellectual and physical assets of the commercial real estate industry through advocacy, education, research, standards and information.



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## Member Highlight

Chandra Miller is celebrating her one year anniversary with ABM this month. She joined the local team as Business Development Manager with 18 years experience in sales, client relations, marketing and business management.



Originally from Denver, she moved to the tri-state area 4 years ago; she lives in Newport, Kentucky with her husband Jeff and her dog Mrs. Cookies. In her spare time, she loves to travel, give back to her community, entertain and explore new restaurants and entertainment venues.

## After Hours Networking Events



We'd like to thank Alan Denny with Modern Entrance Systems and Dave Wallace with Reed Elsevier for sponsoring our After Hours Event in September. What a great time to get to know other members of BOMA!

If you weren't able to join us in September, be sure to mark your calendar for our next After Hours Event to be held on Thursday, November 16th at The Old Bag of Nails Pub at Cross Pointe Shopping Center in Centerville.

If you're interested in sponsoring an After Hours Event, please give Nancy a call at (937) 299-2662.

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# Safeguarding ENERGY STAR for Commercial Buildings

**The Issue:** Established in 1992, under the George H.W. Bush Administration, ENERGY STAR is a voluntary program that is currently used by over 450,000 commercial buildings, representing over 40 billion square feet of property, to track and improve a building's energy and water use. The program and its related tool, Portfolio Manager is engrained in today's real estate business models and operational practices. While ENERGY STAR typically receives widespread bipartisan support, President Trump has proposed eliminating the program in the FY18 budget.



**BOMA's Position:** BOMA, a nine-time ENERGY STAR Partner of the Year award winner, strongly supports the ENERGY STAR buildings program. We urge Congress to maintain the program's funding at its current levels in FY18. ENERGY STAR is the pre-eminent program to foster high performance in U.S. buildings, help create jobs in the energy efficiency field, improve the nation's energy security—and save money for families and businesses.

- EPA's data shows that 85% of consumers recognize ENERGY STAR as a trustworthy brand. More than 7,400 partner organizations—including 57% of the Fortune 100®—participate in the ENERGY STAR program.
- An estimated 2.2 million jobs are attributable to employment in the energy efficiency field. Manufacturing, construction, and retrofitting related to ENERGY STAR products and services account for a great majority of these jobs. The number of these jobs is growing as innovations rise related to energy efficient equipment and building technologies.
- In 2015 alone, U.S. businesses cumulatively saved \$3.4 billion on utility bills through the ENERGY STAR buildings program. Families and businesses have saved more than \$430 billion dollars in utility bills since the program's start.

For more information, please contact John Bryant, Vice President of Advocacy, Codes and Standards, BOMA International. (202) 326-6323 or [jbryant@boma.org](mailto:jbryant@boma.org).



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## ADA Notice & Compliance

**The Issue:** The Americans with Disabilities Act (ADA), signed into law in 1990, greatly increased the protection and advancement of the rights of Americans with disabilities. Because of this landmark law, accessibility has dramatically improved in buildings around the country over the past three decades. Unfortunately, some attorneys are undermining the spirit of the ADA by subverting the intent of the law for profits without improving accessibility. These attorneys file lawsuits over technical, easily correctable accessibility violations and pressure business owners into paying large settlements consisting principally of attorney's fees. They are more interested in quick financial settlements than removing any ADA barriers.

**BOMA's Position:** BOMA believes that Americans with disabilities should have access to our members' properties, and the obligation to ensure that buildings are fully compliant with ADA regulations is one we take seriously. To help our members with compliance issues, we authored the ADA Compliance Guidebook. We think that there should be safeguards built into the law to protect property owners from legal threats that do not allow them to first identify the ADA violation and then have a chance to remedy the problem before a financial settlement. This will ensure that disability access remains the primary driver of ADA lawsuits.

H.R. 620 is the ADA Education and Reform Act, introduced by Reps. Ted Poe and Scott Peters. This bipartisan legislation includes a notice and cure provision, which allows business owners 120 days to fix any ADA violations before having to pay legal fees. Plaintiffs retain all their rights guaranteed to them under the ADA, but small businesses are protected from expensive demand letters.

- ADA lawsuits ballooned by more than 37% in 2016 over 2015.
- Most of these lawsuits do not serve the interests of accessibility and are disruptive and costly to small businesses.
- BOMA believes that this legislation will lead to improved compliance with Title III of the ADA, as it directs resources towards compliance and not attorney's fees.
- While many states have passed state laws to curb ADA lawsuit abuse, a fix is needed in the federal statutes to remedy this growing nationwide problem.

For more information, please contact John Bryant, Vice President of Advocacy, Codes and Standards, BOMA International. (202) 326-6323 or [jbryant@boma.org](mailto:jbryant@boma.org).



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# BOMA International Releases New Office Measurement Standard

The Building Owners and Managers Association (BOMA) International has released the latest update to its floor measurement standard for office buildings, *BOMA 2017 For Office Buildings: Standard Methods of Measurement (ANSI/BOMA Z65.1—2017)*. This updated publication is designed to reflect changes within the commercial real estate industry since the release of the prior edition of the standard in 2010.

For more than a century, BOMA has been the leader in floor measurement standards, starting with the publication of the first "Standard Method of Floor Measurement" in 1915. BOMA's suite of measurement standards expanded over the years to include other property types: industrial, multi-unit residential, retail and mix-used properties, plus a standard for measuring gross areas of a building. These standards promote clear and transparent communication among all participants in real estate transactions, provide consistent calculation of rentable square footage and allow accurate comparisons through a clearly understood method of measurement.



They are regularly revised to ensure they address changing building design and use.

Notable changes found in the BOMA's 2017 Office Standard include the following:

- Balconies, covered galleries and finished rooftop terraces that are for exclusive use by a tenant may now be included in the rentable square footage calculation
- The public pedestrian thoroughfare boundary condition has been removed
- Major vertical penetrations at the lowest level are no longer excluded from the rentable area
- A new methodology to allocate amenity and service areas, such as conference rooms and loading docks, that are in use by a specific group of tenants
- Capped load factors may now be applied on a tenant-by-tenant basis.

"Tenants aren't using office space the same way they were when BOMA International released its last office standard, and amenities like rooftop gardens and balconies are becoming much more common," said BOMA International Chair Rob Brierley, BOMA Fellow, managing director of Real Estate Management Services and executive vice president of Colliers Boston. "The new office standard reflects these and many other changes, and it carries on BOMA's 100-year-legacy of setting the standard recognized and used around the world."

In addition to the substantive changes outlined above, the *BOMA 2017 for Office Buildings* was revised with more simplified language, helpful hints, detailed illustrations and an expanded Glossary of Terms to assist users in better understanding the methodologies. The publication also addresses any ambiguities present in the 2010 Office Standard with best practice guidance, and it is fully compatible with the *International Property Measurement Standard for Office Buildings*.

Offered in both print-on-demand and eBook formats, BOMA's new office standard will be available for purchase through [store.boma.org](http://store.boma.org).





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## Active Shooter Survival Tips

According to Department of Homeland Security (DHS) an active shooter uses firearms to kill or attempt to kill people in crowded or confined areas. There may or may not be a logical pattern in which an active shooter finds his victim, and the incident evolves very quickly. Such incidents are unpredictable and can happen anywhere, at any time. The triggers for such incidents could be personal anger, ideology, revenge, mental illness or many other reasons.

It was just another day at the office for Alex. It was noon as he stepped out of a meeting with his manager. It was time for lunch, and he walked towards the cafeteria. Suddenly, he heard a loud sound.

Before he could think clearly, he heard two similar sounds followed by painful cries



**RUN, HIDE, FIGHT**

of people whose voices he couldn't recognize. Then he realized what has happening. He was too shocked to move. Could he be the next target? What should he do now?

Active shooting has become a common cause of occupational fatalities in recent times, with instances occurring in schools, offices, shopping malls and other public places. It is essential to know how to react when you face such an incident. Being aware of safety strategies can help you not just stay safe, but also help save the lives of many. An untrained person is likely to react with fear, helplessness and panic. A trained person, on the other hand, can make a big difference to himself or herself, to the people around, and to the situation.

### How to respond to an active shooting incident

The Department of Homeland Security (DHS) recommends that when an active shooter is nearby, the best course of action would be to **RUN, HIDE** or **FIGHT**.

#### RUN

- Be aware of your environment.
- Know the nearest exits and leave the building if possible. Take others along while you exit. If others disagree, evacuate alone and run/walk to a safe location.
- Leave your bag and other belongings behind.
- Prevent people from entering the premise.
- Call 911 as soon as you think it is safe.

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## HIDE

- If the shooter is nearby, or if exiting is not an option, hide in a place where you are not visible. If you are in a hallway or lobby, run to a room.
- Secure your hiding place. If you are in a room, lock it from inside, switch off the lights and block the entrance with heavy furniture.
- Be silent! Put your cell phone on silent mode immediately. A ring or a vibration will give away your location.

## FIGHT

- This should only be done as the last resort. If running or hiding is not possible or if your life is in imminent danger and you have no other option, you can use physical force to try to take down the shooter.
- Try to incapacitate the active shooter.
- Yell at the attacker and throw things. Use any physical force available/possible to stop the shooter and defend yourself or others.

## What to say when you call 911

Dial 911 as soon as you think it is safe. Remain calm and give the following information:

- Location of the active shooting incident.
- Number of active shooters.
- Shooter's physical description.
- Type of arms used in the incident.
- Number of victims or potential victims present.

## What to do when law enforcement arrives

- Stay calm and follow the instructions given.
- Put down items that you are carrying.
- Raise your hands and spread your fingers.
- Keep your hands visible always.
- Do not make any quick movement towards officer for safety or other reasons.
- Do not shout or yell.

— Bill Mangus, Securitas Security Services



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# “Fire Marshal’s Minute” by Andrew Steel

If only everything in life was as predictable as the eclipse; it was a wonder to see the published details, charts and geography location and expectation, to the second, of this unusual event.

I watched most of the eclipse from the parking lot of a power equipment store here in Dayton. So much for a planned “eclipse” vacation day in the zone of totality; last minute I opted to remain in Dayton because of “heavy traffic” warnings. Such adaptability meant I spent a vacation day catching up on long deferred home maintenance projects (i.e. getting my chain saw sharpened).

You want your building’s fire protection to be just as predictable. Predictable that they will work when needed, with the hope that you never do. To that end, inspection, testing, service and maintenance of your fire protection systems is not only necessary, but required.

The Ohio Fire Code (OFC) says “Fire detection, alarm and extinguishing systems shall be maintained in an operative conditional at all times, and shall

be replaced or repaired where defective. Non-required fire protection system shall be inspected, tested and maintained or removed (with approval)”.

Because the OFC requires an annual updating of the “inspection tag” attached to your fire protection system(s), many people

think the minimum inspection frequency for all system is annually. This is a good “general” thought, but many systems require more specific attention. The OFC also specifies a three year retention period for the service/inspection records.

The Ohio Fire Code establishes the minimum inspection and service frequencies by adopting specific National Fire Protection Association (NFPA) Standards for each type of fire system. Some of the more common systems and their inspection/testing frequencies are:

## Portable Fire Extinguishers – per NFPA #10

- Monthly, verify they are present (any employee)
- Annual, inspect/service

## Halon Fire Extinguishing – per NFPA #12

- Found in older computer rooms
- Semiannual

## Wet Chemical (kitchens) – per NFPA 17A

- Semiannual for the fire suppression system
- Hood cleaning
  - High-volume (24-hr or charbroiling), quarterly or more
  - Low-volume (churches, etc.), annual
  - Wood burning, monthly
  - Other uses, semiannual



## Water Based Fire Protection Systems – per NFPA 25

- Wet sprinkler systems
  - Comprehensive review of entire system annually
  - Gauges and control valves, quarterly (visual)
  - Water flow devices, quarterly if mechanical, semiannual for vane and pressure switch types (operate)
  - Cold weather, weekly (walk affected control and service areas to verify minimum 40 degree F)
  - Dry sprinkler, low point drains before freezing weather, then weekly
- Fire Department Connection
  - Quarterly (more often if in a high pedestrian traffic area)
  - Verify FDC swivels rotate (not seized, caps on and pipe clear of debris)
- Standpipes and Fire Pumps
  - Annually
  - Valve status, monthly
  - Gauges, quarterly
- Fire Pumps
  - Annual comprehensive inspection/testing and full flow
  - Diesel, weekly run for 30 minutes
  - Electric, high-rise/high-value, weekly
  - Electric, other service, monthly

## Fire Alarms – per NFPA #72

- Annual
- Fire Alarm Control Panel, weekly visual look
- Duct detectors, semiannual (visual, clean if dirty)
- Water flow devices, quarterly
- Manual pull stations and detectors, semiannual (visual look)
- Interface equipment (elevators, door locks, etc.), semiannually

## Clean Agent (computer room) Systems – per NFPA 2001

There are exceptions to the list above, and nuances throughout the NFPA standards. Wouldn't it be so much easier if each of your existing systems came with an “owner’s manual”, including a schedule of inspection/service, just like every new vehicle? And note any new fire protection systems are supposed to have just that!) To that end, it is to your advantage to have a good relationship with your fire protection contractor (and Fire Marshal).

Speaking of predictability, our next eclipse is on April 8, 2024, where Dayton will be within the path of totality from 3:09:21 pm to 3:12:07pm. And don't forget adaptability for all of our plans and responses, because no one knows the weather seven years out.

— Andrew Steele, Fire Marshal, Dayton Fire Dept.



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# National Preparedness

The Federal Emergency Management Agency (FEMA) designates September as National Preparedness Month (NPM.) Although it doesn't need to be September to make sure everyone takes steps to be prepared for all kinds of emergencies. Here are 10 ways to get your friends, coworkers and family more prepared for the unexpected.



- Access alerts and warnings — sign up for local alerts and warnings, download apps, and/or check access for wireless emergency alerts.
- Test communication plans — before an emergency happens, have a discussion to determine who would be your out-of-state point of contact and where you would meet away from your home.
- Assemble or update supplies — create and assemble hazard-specific supplies you would need if you had to evacuate or be home without water or electricity.
- Conduct an exercise, drill or practice emergency response — conduct a drill to practice a disaster scenario to review and improve your emergency plan.
- Plan with neighbors — plan with neighbors to help each other and share resources.
- Participate in a class, training or discussion — contact your local emergency management agency to find training that may be available in your community.
- Make property safer — make property improvements to reduce potential injury and property damage.
- Document and insure property — document property and obtain appropriate insurance for relevant hazards.
- Safeguard documents — collect and safeguard financial documentation, legal documentation, medical information and household identification you may need following a disaster.

For more information or materials, visit FEMA's website at [ready.gov/prepare](http://ready.gov/prepare)

— Becky Edgren, PuroClean Emergency Services

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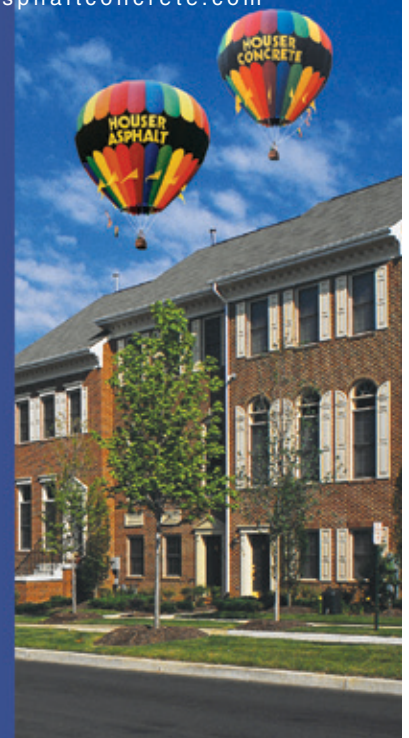
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## BOMA International Tax Reform

**The Issue:** Our current tax system is cumbersome and in desperate need of updating. Current depreciation models do not accurately reflect the market reality for commercial building owners. In order to advance our industry and our economy, the tax code must be simplified and aligned with actual commercial asset and lease longevity.

**BOMA's Position:** Comprehensive tax reform policies must encourage capital investment in commercial real estate and provide long-term certainty and stability to the marketplace. BOMA members need the tax code to be remedied and the economic models that the tax codes relies upon to be updated. However, we are concerned that sweeping change could have unintended economic effects on both real estate transactions and current holdings. As Congress drafts legislation, lawmakers need to consider important transition rules, data-proven depreciation schedules and partnership and rent taxing rules. They also must preserve both 1031 "like-kind" exchanges and the carried interest provision for general partners in real estate ventures.

Tax blueprint concerns:

- Commercial real estate contributes \$235 billion to U.S. GDP, but the exclusion of certain provisions that currently encourage real estate as an investment, such as 1031 "like-kind" exchanges and carried interest, could curtail further growth.
- The House GOP Blueprint is an incomplete picture of tax reform and does not offer incredibly important details on transition rules, partnerships rules, rules for REITS and how rents would be taxed.
- One provision in the Blueprint, full expensing, is both unviable and economically destabilizing. Often referred to as "churning," this provision would encourage transactions for the sake of creating potential tax shelters not economic growth.

For more information, please contact Emily Naden, Director of Federal Affairs, BOMA International. (202) 326-6326 or [enaden@boma.org](mailto:enaden@boma.org).

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## Make Budget Season a Breeze

Budget season has arrived, making now the perfect time to subscribe to BOMA's 2017 Office EER and Industrial EER, the most comprehensive and accurate benchmarking resources in the commercial real estate industry for the office and industrial sectors. Whether you oversee a multi-tenant office building, an industrial warehouse or anything in between, these interactive online reports have the data you need to validate your budget assumptions, justify your operating expenses and even demonstrate why you might need to increase spending next year.



Visit [eer.boma.org](http://eer.boma.org) to find out how you can put this data to work for your 2018 budgeting.

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