

## Evening of Excellence dinner returns to Montgomery Inn CoTY and chapter service awards will be presented at annual holiday event

What do Presidents Ford, Reagan, Bush I, and Clinton; entertainers Elizabeth Taylor, Tom Selleck, Elton John, Bill Cosby, Britney Spears, and the late Bob Hope; sports greats Pete Rose, George "Sparky" Anderson, Johnny Bench, Andre Agassi, Arnold Palmer, and Mark McGwire, as well as John Glenn and Neil Armstrong have in common with Ohio Valley NARI members? They all are fans of the world-famous food at Cincinnati's Montgomery Inn restaurants.

It may be a while before any of the politicians, entertainers, jocks, or astronauts get back to one of the Montgomery Inn locations, but a large party of OVNARI members are expected at the original location in Montgomery on December 11 for the 2008 Evening of

Excellence dinner.

This annual event will feature presentation of the 2009 Contractor of the Year Awards, recognition of elected and appointed OVNARI leaders with chapter service awards, and, of course Montgomery Inn ribs and other great menu items.



There will also be a very special guest at the dinner. Renée Rewiski, national president of NARI, is coming all the way from New Jersey to

attend the party. Renée sent word she needed a good excuse to come to Cincinnati to eat at her favorite restaurant, which just happens to be Montgomery Inn. The OVNARI board replied: "What a coincidence!"

The party starts at 6:30 pm, Thursday, December 11, at 9440 Montgomery Road. In the unlikely event this will be your first visit to the inn you should know that the main entrance and valet parking are actually in the back of the building, away from Montgomery Road.

The cost of the dinner is just \$65 per person, which includes two beverages of your choice. Make your dinner reservations by calling the Ohio Valley NARI office at 800-498-6274, send e-mail to [info@naricincinnati.org](mailto:info@naricincinnati.org), or mail or FAX the RSVP form to 937-222-5794. Because OVNARI must pay the Montgomery Inn at the end of the evening members who attend the event are expected to pay by cash, check, or credit card (Visa or MasterCard) when they make their dinner reservations with NARI or upon arrival at the dinner.

### Evening of Excellence

**What:** Dinner Party

**Program:** Fun, food & awards

**When:** Thursday, December 11

**Where:** Montgomery Inn  
9440 Montgomery Road

**Time:** 6:30 p.m.

**Cost:** \$65 for NARI members

**RSVP:** Ohio Valley NARI at 800-498-6274



At Gardner, Frank Gates Service Company, standing, brought the bad news that worker's comp costs are bound to increase.

## Members get law, accounting and workers comp briefings in November

Ohio Valley NARI members were briefed on three important business subjects at the November membership meeting, when three outside experts, Al Gardner, Frank Gates Service Company, Attorney Patrick M. O'Neil, and Jeff Bauer, CPA, discussed their areas of expertise in an informal round table forum.

Each guest gave a brief presentation, then they moved to separate tables for personal interactive discussions. A number of members took advantage of the opportunity to ask general questions about law, accounting, and worker's compensation matters.

### THE NARI RENOVATOR A Publication of Ohio Valley NARI

The NARI Renovator is produced by Ohio Valley NARI as a service and benefit to its members. The organization's office is located at 136 South Keowee Street, Dayton, Ohio 45402; (800) 498-NARI or fax (937) 222-5794.

#### Ohio Valley NARI Board of Directors

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## Ohio Valley NARI events calendar for 2009 is already starting to take shape

The full calendar of NARI activities for 2009 is far from complete, but some information about events early in the year is now available.

In January Pella will host a NARI membership meeting. The date, place, and subject are TBD, but anyone who has attended past meetings at Pella knows the event will not disappoint.

In February Patricia Nunan, CKBR, CKD, CAPS, Lifestyles Design, Perkiomenville, PA, a member of the Bucks-Mont Chapter of NARI, and a nationally-known practitioner and presenter in the field of aging-in-place design and universal design, will conduct a mini-seminar/workshop on, logically enough, aging-in-place design and universal design.

The date of this very significant educational program is Thursday, February 12. The time and place are TBD, but the date is set. Block it out in your time management program.

Additional educational and social events on the NARI calendar for 2009 will be announced after the Board Orientation and Planning Meeting to be held early in December.

You can reserve your place at these and all Ohio Valley NARI events by calling the NARI office at 800-498-6274 at least three days before the event.

## Such a deal!

### Discounts available to Ohio Valley NARI Members

Cincinnati Business Courier advertising contact Wende Powell (513) 337-9454

Frank Gates Service Co. NARI Workers Compensation Group Rating Program contact Al Gardner (800) 777-4283 ext 757

Kinker-Eveleigh Agency NARI property and casualty business insurance program contact Don Ebding (513) 936-1284

# Court ruling puts worker's comp group programs in limbo

Al Gardner, from Frank Gates Service Company, reports that a recent court decision in Cuyahoga County has put into question whether group rating in workers' compensation will continue for the policy year that begins July 1, 2009.

In late 2007, a group of employers not participating in group rating sued the Ohio Bureau of Workers' Compensation claiming that group rating was requiring their companies to pay too much in premium. There were three grounds for their lawsuit:

- The statute authorizing group rating requires an entirely different methodology in allowing companies to group rate. Their contention was that the BWC is required to assess groups on the basis of premiums, but then must also assess the groups at a later date on the basis of losses they create. This is referred to as retrospective rather than prospective rating;
- The current group rating plan is inequitable and in violation of Ohio law. The companies claimed that group rating makes the employers not in group rating pay more than their fair share of the costs;
- The group rating plan violates the equal protection clause and is therefore unconstitutional.

On November 18 the judge assigned to this case issued a preliminary injunction against the BWC from continuing group rating, as it is currently structured, past the end of June 2009. A preliminary injunction is a court order made in the early stages of a lawsuit that prohibits the parties from doing an act which is in dispute. This order does not mean the plaintiffs have prevailed. Rather, it means that the judge feels there may be grounds for them to prevail and wants the ability to make changes in group rating, including potentially eliminating the program should the plaintiffs win their case.

In support of its finding, the Court cited Ohio Revised Code §4123.29 which allows for the creation of group rating pools in workers'

compensation. In reviewing the statutory language, the Court pointed out it mandates "retrospective" rating rather than prospective.

Since current group rating pools are prospective and since the legislature required plans to be retrospective, "...Plaintiffs have established a probability of success that the group prospective rating plan violates Ohio Revised Code §4123.29(A)."

It is almost certain that an appeal will be filed to have this injunction lifted. So many companies/associations and the BWC have an interest in this program an appeal is almost certain.

The legislature could act in its current lame duck session or after the first of the year, to change the law.

While it is likely the court decision will be modified or overturned, it is all but certain that group rating programs will change in the coming years. The change may be more gradual than dramatic, but it will change. In the future premiums will be much more sensitive to claims costs. Employers will have to put more emphasis on controlling claims to control Worker's Compensation costs.

#### **The mission of Ohio Valley NARI is:**

- ✓ To establish and maintain the association's firm commitment to developing and sustaining programs that expand and unite the remodeling industry as well as to ensure the industry's growth and security.
- ✓ To encourage ethical conduct, sound business practices, and professionalism in the remodeling industry.
- ✓ To present NARI as the recognized authority in the remodeling industry.

#### **These missions are carried out by:**

- ✓ Promoting the common business interests of those engaged in the industry.
- ✓ Sponsoring educational programs and activities for members.
- ✓ Enlightening consumers to the needs and advantages of home remodeling and maintenance, thereby improving the nation's housing inventory.
- ✓ Recommending legislative and regulatory action that safeguards and preserves the remodeling industry, and stimulates the marketplace.

#### **Goals of chapter to accomplish mission:**

- ✓ To provide education to enhance professional and personal competencies.
- ✓ To create and encourage networking.
- ✓ To develop and promote the profession.
- ✓ To serve as a resource center.
- ✓ To provide quality publications to members.
- ✓ To improve membership and membership participation.
- ✓ To improve consumer awareness.
- ✓ To remain proactive on current and pending legislation.



## Ohio Valley NARI

*Serving the Cincinnati Metropolitan Area*

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## 2009 OVNARI baseball outing in Redlegs Landing is set for July 18

You can't order your tickets yet. We'll let you know when it's time and we'll send an order form too. We can, however, give you all the essential details of next summer's Ohio Valley NARI Reds Baseball Party in Redlegs Landing so you can block out the date in your time management program and not make the mistake of scheduling a conflicting event. (A couple years ago one member scheduled a family vacation in conflict with the NARI baseball outing and one family member reportedly tried to opt out of the vacation so she could go to the ball game with NARI!)

The date for OVNARI's 2009 group outing in the Redlegs Landing party area at Great American Ball Park is Saturday, July 18, when the Milwaukee Brewers will be in town. The Reds have raised their ticket prices—possibly due to their excellent performance on the field during the 2008 season—so tickets will be moderately higher than last year. The cost of the outing will be \$67.50. That's \$2.50 more than the game last July. There will, however, be a shipping and handling fee currently estimated to be \$7.50 per order. You can avoid this fee by picking up your tickets at the NARI office, if you happen to be in Dayton, or by arranging to have them delivered to you at a NARI meeting.

Everyone agrees the baseball outing is one of the most enjoyable NARI social events of the year. Plan now to get your family, friends, and crew members together and join other NARI members from all over southwest Ohio at the ball park on July 18.



### Coming Events

#### **Evening of Excellence Dinner**

6:30 pm, Thursday, December 11  
Montgomery Inn  
Montgomery

#### **January Meeting**

Hosted by Pella  
Date, location, and subject TBD

#### **February Meeting**

Thursday, February 12  
"Aging-in-Place / University Design"  
A mini-workshop/seminar  
by Patricia Nunan, CKBR, CKD, CAPS  
Place & time TBD