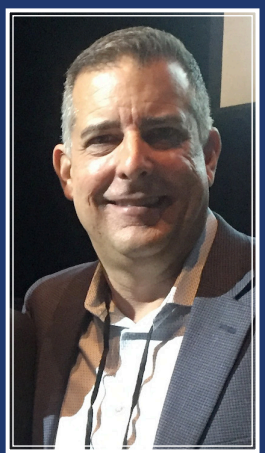
Fall 2017

CalRVDA

CALIFORNIA RECREATION VEHICLE DEALERS ASSOCIATION



STEVE RICHARDSON
PRESIDENT

"California is a great place to live, and it is a mixed bag as a place to do business. Twelve percent of the entire population of the country lives in our state. We have the most diverse group of people ever assembled, the most diverse geography and the most diverse economy that would be the sixth in the world if we were an independent country. We are in the eighth year of a recovery that has resulted in record sales for many of our members. This is happening at the same time that the Governor is warning us that a cooling period is forthcoming.

I am always concerned that the growing bureaucracy will create more problems than it solves. We provide a quality product and the good jobs that make that delivery possible, and our message to policymakers is give us room to help the economy grow.

All of you who participate in the California Recreation Vehicle Association make a difference in keeping our industry booming. The vitality with which we address policy issues rests within the robust activities of CalRVDA. I appreciate the opportunity of standing shoulder-to-shoulder with you."

Legislative Updates

SB 1
A gas tax that will add at least 12 cents to every gallon of gasoline sold in California. The good news is that the money will be spent modernizing our damaged roadways.

SB 159
Keeps in place the funding for outdoor recreation. The partnering with Parks ended up with a statement being made that in spite of the fact that 80% of the population identifies as urban, the importance of being in the outdoors remains a priority.

SB 249
Removes the sunset on the Off-Highway Vehicle program in California and establishes reasonable reforms that guarantee the health of one of the most important recreation programs in the state

Committing to California's green spaces and water quality: We're placing a $4 billion plan on the June 2018 ballot to address park access, water quality and flood protection to preserve California's environment.

Extending California's Cap-and-Trade Program: We renewed California's commitment to global leadership on climate change and protecting public health by improving air quality in communities throughout our state.

The California Recreation Vehicle Dealers Association (CalRVDA) represents RV dealerships throughout the Golden State. Dedicated to the RVing experience, these entrepreneurial member companies strive to provide the utmost customer service and employee satisfaction.

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Minimum Wage Laws

On April 4, 2016, the Governor of California signed legislation passed by the California Legislature (Senate Bill 3, D-Leno), raising the minimum wage for all industries.

Although there are some exceptions, almost all employees in California must be paid the minimum wage as required by state law according to SB 3. Effective January 1, 2017, the minimum wage for all industries will be increased yearly. From January 1, 2017, to January 1, 2022, the minimum wage will increase for employers employing 26 or more employees. This increase will be delayed one year for employers employing 25 or fewer employees, from January 1, 2018, to January 1, 2023. The scheduled increases may be temporarily suspended by the Governor, based on certain determinations. (Please see the chart below for the complete schedule of rate increases).

After the state minimum wage reaches $15 an hour for all employees, the rate will be adjusted annually for inflation based on the national consumer price index for urban wage earners and clerical workers (CPI-W). However, the minimum wage cannot be lowered, even if there is a negative CPI, and the highest raise allowed in any one year is 3.5 percent. Also, the Governor will no longer be able to pause a scheduled increase, and the first adjusted increases may be accelerated if the adjusted CPI-W exceeds seven percent in that first year.

Schedule for California Minimum Wage rate 2017-2023

Date	Minimum Wage for Employers with 25 Employees or Less	Minimum Wage for Employers with 26 Employees or More
January 1, 2017	$10.00/hour	$10.50/hour
January 1, 2018	$10.50/hour	$11.00/hour
January 1, 2019	$11.00/hour	$12.00/hour
January 1, 2020	$12.00/hour	$13.00/hour
January 1, 2021	$13.00/hour	$14.00/hour
January 1, 2022	$14.00/hour	$15.00/hour
January 1, 2023	$15.00/hour	

ASSEMBLYMEMBER

BRIAN DAHLE

New Republican Leader is an Outdoorsman

Brian Dahle, a third-generation farmer from the most northern part of California, is not only respected for his honest demeanor and pragmatic approach to solving problems, but is a noted outdoorsman.

Unlike his predecessors, Dahle has taken an active role in educating his colleagues from both parties, on issues that are vital to the less populated areas of our state. He's invited urban legislators to join a recreational vehicle trek to his district where he has shared with them the recreational opportunities in a district where fishing, hunting and recreational vehicles are a way of life.

Brian is the past chair and is currently a member of the Regional Council of Rural Counties.

CalRVDA

DEVELOPMENTS

IN ASSOCIATION LAW, 2016 – 2017

There have been important legal developments at the federal and state levels for nonprofit organizations.

Takeaways

- Nonprofits continue to experience Federal government and private litigant antitrust enforcement.
- Nonprofits have litigated in other areas including governance, finances, intellectual property and records disclosure.
- Nonprofits can enhance their own compliance by learning from the legal outcomes of others.

"Antitrust Guidance for Human Resource Professionals," U.S. Dept. of Justice and Federal Trade Commission (October 2016)

The Department of Justice Antitrust Division and the Federal Trade Commission (FTC) jointly released guidance for Human Resource professionals to alert those involved in hiring and compensation decisions to potential violations of antitrust laws. The release instructs HR professionals to avoid entering into agreements with other employers not to recruit certain employees or not to compete on terms of compensation.

These agreements, which are per se illegal, often take the form of wage-fixing agreements, in which an individual agrees with a person at another company about employee salary or other terms of compensation, or "no poaching" agreements, in which an individual agrees not to solicit or hire another company's employees. The offending agreements can be formal or informal, written or unwritten, spoken or unspoken. Further, HR professionals should avoid sharing sensitive information about terms and conditions of employment with competitors as it could serve as evidence of an implicit illegal agreement. Nonprofits should be aware that, in the view of the DOJ and FTC, cutting costs is not a justification for entering an agreement with other organizations to cap wages, and such an agreement would likely violate the antitrust laws. Similarly, agreeing to hire the same consultant to communicate current pay scales to other nonprofit organizations would likely also violate antitrust laws.

Talone v. American Osteopathic Ass'n, 2017 WL 2539394 (D.N.J. June, 12 2017)

Plaintiffs, American Osteopathic Association (AOA) members, filed a class action alleging that the AOA engaged in unlawful tying arrangements through a rule adopted in 2012 requiring AOA-certified Doctors of Osteopathic Medicine (D.O.s) to purchase AOA memberships and pay annual membership dues in order to maintain their AOA professional specialty certification. The AOA is both a professional membership organization and a certification body. The plaintiff AOA members alleged that his requirement violated the Sherman Act and state antitrust laws as a "rule of reason" and per se tying violation.

AOA filed a motion to dismiss the class action claims, which was denied by the U.S. District Court for the District of New Jersey. The Court found that the plaintiffs had sufficiently stated claims for both rule of reason and per se antitrust violations. It ruled that, if the plaintiffs' allegations are taken as true, they show that the AOA ties two distinct products, that it has market power in the tying product market, and that it affects a substantial amount of interstate commerce. Finally, the court ruled that the allegations, if accepted as true, show that the AOA's tying arrangement substantially lessens competition so that other professional membership organizations are foreclosed from competing for AOA board-certified D.O.s' business. As this case proceeds, nonprofits may have at least one court's perspective on the limits on tying organizational membership to maintaining credentials.

In re Mushroom Direct Purchaser Antitrust Litig., No. 06-0620, 2017 U.S. Dist. LEXIS 31892 (E.D. Pa. Mar. 6, 2017)

The defendant, John Pia, was a fifty-percent co-owner of Kaolin Mushroom Farms, a member of the Eastern Mushroom Marketing Cooperative (EMMC), and president of the EMMC for a period after its formation. The plaintiffs, various mushroom consumers, contended that during Pia's tenure as president, EMMC implemented price-fixing agreements for mushrooms in violation of the Sherman Act, and that corporate agents like Pia may be individually liable for antitrust violations if they personally participate in, ratify, or otherwise authorize anti-competitive activity.

Pia moved for summary judgement, and argued that the plaintiffs must show that he knowingly participated in actions he knew to be anti-competitive and that, because unrebutted evidence shows that he relied on counsel who endorsed the creation of the EMMC and its operations, summary judgment should be granted as he lacked the requisite knowledge for individual liability under the Sherman Act. The court denied Pia's motion for summary judgement, holding that the plaintiffs did not need to prove that Pia specifically knew the EMMC's alleged efforts to fix mushroom prices or control supply were in violation of antitrust laws. Rather, civil antitrust claims could be established by either unlawful purpose or anti-competitive effect. The court further noted that even if a higher standard applies, there was a genuine issue of material fact about whether Pia's participation in various EMMC committees amounted to exerting his influence so as to shape the EMMC's intentions.

Clarkwestern Dietrich Bldg. Sys., LLC. v. Certified Steel Stud Ass'n, Inc., 2017 WL 1131928 (Ohio Ct. App. Mar. 27, 2017)

Steel Stud Manufacturing Association (SSMA), a trade association, created a building code compliance program to help members prove that their structural or nonstructural steel framing (NSSF) products were noncombustible. NSSF products are required to be certified noncombustible for use in commercial buildings by the International Building Code. The plaintiff, Clarkwestern Dietrich, manufactured NSSF products with a proprietary coating and was a member of SSMA. SSMA's compliance program adopted requirements that negatively impacted SSMA members that utilized the plaintiff's coating. The plaintiff alleged that SSMA adopted the requirements to benefit manufacturers that did not invest in the plaintiff's proprietary coating.

Clarkwestern Dietrich claimed that SSMA violated the Ohio Valentine Act and filed a restraint of trade claim. The Ohio legislature patterned the Valentine Act after the federal Sherman Antitrust Act; and the Ohio Supreme Court has held that it must be construed in harmony with the federal act. The Valentine Act prohibits agreements that unreasonably restrain trade and hurt competition, including price-fixing agreements, refusals to deal, and other such practices. The trial court granted SSMA's motion for summary judgment because the plaintiff failed to prove harm to competition or antitrust injury. On appeal, the court upheld the trial court's decision, ruling that, since SSMA did not set, adopt or enforce the industry standard, SSMA's compliance program was not the only way to show compliance; customers were not prevented from purchasing, and the plaintiff was not prevented from selling its products; and a claim does not exist under the Valentine Act simply because others refuse to promote, approve or buy products.

Governance

Bronner v. Duggan, No. CV 16-0740, 2017 WL 1208402 (D.D.C. Mar. 31, 2017)

The American Studies Association (ASA) boycotted Israeli academic institutions on the basis that Israel restricted academic activity in formerly Jordanian-occupied territory. Members of the ASA brought a derivative action that, among other things, sought to enjoin the ASA's adoption of a boycott resolution as an ultra vires act that the organization

did not have power to execute. The plaintiffs argued that that the boycott violated the express purposes of the ASA as well as a provision of the ASA's Articles of Incorporation that bans the carrying on of propaganda, and that the ASA's longstanding practice of not becoming involved with American political issues effectively created a bylaw of ASA, which was violated by the boycott.

The court dismissed the plaintiffs' ultra vires claim since they had not pled facts plausibly showing that defendants acted ultra vires. First, the boycott resolution was in furtherance of the ASA's stated purposes in its Articles of Incorporation, which provide that the ASA was organized exclusively for educational and academic purposes. The ASA's objectives were to promote American culture through encouraging research, teaching and publication, as well as to strengthen relations among persons and institutions in the U.S. and abroad devoted to such studies. Consistent with those objectives, the boycott resolution was aimed at promoting academic freedom abroad, solidarity with foreign institutions and scholars, and encouraging an array of studies at foreign institutions. Second, the boycott resolution did not violate an ASA bylaw because the bylaw only restricted the use of propaganda to influence legislation. Finally, although longstanding practice may give rise to a bylaw, ultra vires acts must be expressly prohibited by statute or the organization's governing documents. The plaintiffs did not show that an existing bylaw precluded the ASA's commentary on U.S. governmental policy.

Boomer Dev., LLC v. Nat'l Ass'n of Home Builders of United States, No. CV 16-2225, 2017 WL 2623804, at *14 (D.D.C. June 16, 2017)

The National Association of Home Builders of the United States (NAHB), a Nevada nonprofit corporation operating as a trade association, allegedly began promoting a loan program through North Star Finance to NAHB members and prospective members. The program offered non-recourse debt financing for building projects up to $10 million at attractive interest rates and with other favorable terms. The plaintiffs, who were members or prospective members of NAHB, alleged that they applied to the loan program and paid North Star application fees ranging from $30,000 to $190,000 in reliance on representations made by NAHB, which they claim suggested NAHB had reviewed and approved of North Star. North Star's financing never materialized because the program was a fraudulent investment scheme. In addition to losing application fees, the plaintiffs also claimed they lost expected profits and incurred development costs in connection with construction projects that they were unable to complete. The plaintiffs filed a lawsuit directly against NAHB for, among other things, breach of fiduciary duty.

Under Nevada law, a breach of fiduciary duty claim required the plaintiffs to prove that NAHB had a fiduciary duty to its members. The legal issue was whether a fiduciary relationship existed between the NAHB and the plaintiffs solely by virtue of the plaintiffs' membership in the organization. The court noted that the legal issue had not been addressed by the Nevada Supreme Court; and therefore the trial court's duty was to choose the rule it believed the Nevada Supreme Court would likely adopt in the future. The plaintiffs argued that since officers and Directors of a corporation owe a fiduciary duty to the corporation and its shareholders, by analogy that principle should apply to membership organizations. The court held that the Nevada Supreme Court would likely not recognize a fiduciary duty owed by nonprofit trade associations to their members, because, as held by numerous courts across the country, organizations themselves do not owe a fiduciary duty. Because the plaintiffs brought their claims against NAHB and not against its officers or Directors, the court found that there was no fiduciary relationship between the parties and dismissed plaintiffs' breach of fiduciary duty claims.

Intellectual Property

Moffat v. Acad. of Geriatric Physical Therapy, No. 15-cv-626-jdp, 2016 U.S. Dist. LEXIS 177209 (W.D. Wis. Dec. 22, 2016)

The defendant, the Academy of Geriatric Physical Therapy, is a nonprofit corporation with Section 501(c)(3) tax exemption operating as a professional membership organization of physical therapists who specialize in treating older adults. The plaintiffs, highly credentialed physical therapists and members of the Academy, taught parts of a certification class offered by the defendant to certify physical therapists in exercise for the aging. The plaintiffs claim to have written the materials for the course, for which they obtained copyright registrations in their own names. They then brought suit against the defendant for infringing their copyrights by using a version of the course materials. After both parties brought motions for summary judgment, the court concluded that the plaintiffs' copyright infringement claims failed because the course materials were prepared as works for hire. The defendant owned the course itself and had the right to control the course content. Further, the copyrighted course materials were based on earlier versions owned by the defendant. Additionally, by using the plaintiffs' materials in connection with the defendant's course, the plaintiffs granted an implied, non-exclusive license to the defendant, which caused plaintiffs' claim to fail.

Political Law

Independence Institute v. FEC, 216 F. Supp. 3d 176 (D.D.C. 2016)

The Bipartisan Campaign Reform Act (BRCA), passed in 2002 to address developments in the role of money in federal elections, requires disclosure of the names of donors that contribute at least $1,000 for any communication that falls under the Act's definition of "electioneering communication." The definition applies to "any broadcast, cable, or satellite communication" that references a candidate for federal office within a certain time period before the election. Prior to the 2014 general election, Independence Institute, a nonprofit with charitable organization tax exemption, sought to run a radio advertisement for the reelection of Sen. Mark Udall of Colorado but chose not to do so out of concern that it would be subject to the BRCA's disclosure provision. Instead, the Institute filed suit against the Federal Election Commission (FEC) seeking a declaratory judgment that the BRCA's disclosure provision was unconstitutional as applied to radio advertisements. The Institute argued that its radio advertisement was constitutionally different from prior advertisements which fell under the disclosure rule because it referenced more than one candidate and "a general category of executive power." It also argued that its status as a 501(c)(3) organization exempts it from the disclosure requirement because it is precluded from engaging in political activity. The court disagreed, and reasoned that the voting public's interest in information related to the election favored disclosure. In following McConnell v. FEC, 540 U.S. 93 (2003), a prior case in which the BRCA's disclosure rule was held to advance substantial and important governmental interests, the court concluded that the Institute's arguments against the BRCA's disclosure provision failed.

Citizens for Responsibility & Ethics in Washington v. FEC, 209 F. Supp. 3d 77 (D.D.C. 2016)

The plaintiff, a nonprofit watchdog organization, filed complaints with the Federal Election Commission against two tax-exempt organizations that produced sponsored election communications, claiming that they were unregistered political committees in violation of the Federal Elections Campaign Act. The FEC concluded that neither organization was required to register as a political committee and dismissed the claims. The plaintiff challenged the FEC's decision to dismiss complaints against the organizations.

On a motion for summary judgment, the plaintiff argued that the FEC's definition of "political committee" was too narrow; further, by evaluating only the group's campaign-related spending and reviewing the group's activities over its entire existence instead of a calendar-year approach, the FEC improperly interpreted the requisite "major purpose" test. The court agreed with the plaintiff and concluded that the FEC's dismissals were contrary to law and remanded the case to the FEC.

Public Records Act

Fortgang v. Woodland Park Zoo, 187 Wash. 2d 509 (2017)

After the plaintiff requested records pertaining to some of the Woodland Park Zoo's animals, Woodland Park Zoo Society (WPZS), a nonprofit organization that operates the Zoo in Washington State, responded by delivering some records but not all of the requested information. WPZS argued that, as a private organization, it was not subject to a public disclosure request, but that it was willing to supply some documents. The plaintiff challenged WPZS's decision, alleging that it violated Washington's Public Records Act (PRA) by refusing to disclose the records she requested. The court ruled for WPZS and reasoned that, while a factors test from Telford v. Thurston County Board of Commissioners, 354 P.2d 886 (1999), should be utilized to determine whether WPZS was the functional equivalent of a government entity subject to the PRA, the factors as a whole weighed against PRA coverage. WPZS did not perform an inherently governmental function in operating the Zoo, and the government did not exercise sufficient control over the Zoo's daily operations to implicate the PRA. As such, WPZS was not the functional equivalent of a government agency, and was not subject to the disclosure requirements under the PRA.

Bankruptcy

In re Cent. Illinois Energy Coop., 561 B.R. 699 (Bankr. C.D. Ill. 2016)

The defendant Smith was one of the incorporators of a co-op, created by a group of farmers under the Illinois Agricultural Cooperative Act to construct and operate an ethanol facility; Smith served as the co-op's president and general manager. After an involuntary bankruptcy petition was filed against the co-op, the appointed bankruptcy trustee filed an adversary complaint against Smith, asserting claims totaling more than $4.5 million for Smith's alleged breaches of the fiduciary duties of loyalty, good faith and due care. In evaluating Smith's motion to dismiss, the court concluded that directors and officers of an agricultural cooperative association owe the same fiduciary duties to creditors upon insolvency that they owe to the association at all times without regard to solvency. Therefore, officers and directors of a nonprofit must take into consideration the interests of the creditors when making decisions on behalf of an insolvent or soon-to-be-insolvent nonprofit. Defendant Smith's motion to dismiss was denied.

Privacy

Private Action Provision in Canadian Commercial Email Law Suspended

Canada's anti-spam legislation (CASL) was passed on July 1, 2014. The law generally prohibits individuals and businesses from sending commercial e-mail to Canadians without their consent. CASL's private right of action provision allowed anyone that received an unsolicited commercial electronic message to pursue legal action against the sender. However, less than a month before the provision's effective date—July 1, 2017—the Canadian government suspended its implementation in response to concerns raised by businesses, charities and the nonprofit sector. The Canadian government noted that charities and nonprofit groups should not have to bear the burden of unnecessary red tape and costs to comply with the legislation, and that it supported eliminating any unintended consequences for organizations that have legitimate reasons for communicating electronically with Canadians. Note that the other provisions of the law remain in effect, with very serious potential penalties; only the private right of action provisions have been suspended.

Other

U.S. v. Kukla, 2017 WL 2266699; No. 16-cr-00168-JEB (D.D.C.; April 5, 2017)

Tamara Kukla was the Director of Membership for the American Association for Justice, a national membership organization for plaintiffs' legal counsel. As part of her position, she was issued a corporate credit card to assist her with her duties and responsibilities. After signing a cardholder agreement with her employer, Kukla used the credit card for personal purposes and expenses in violation of the agreement for over two years. Kukla pleaded guilty to a federal felony for embezzling nearly $250,000 from her employer and was sentenced to one year in prison.

Department of Justice Policy on Third-Party Donation Settlements (June 2017)

Attorney General Jeff Sessions issued a memorandum prohibiting U.S. Attorneys' offices from requiring defendants to make donations to unrelated third parties as a condition of settlements in federal cases. While the Obama administration often required settling parties to make donations to third-party groups, including nonprofit organizations that were not directly harmed by alleged wrongdoing, defendants will no longer be required to do so under the Trump administration. The policy, which became effective immediately when the memorandum was released in June, prohibits Department of Justice attorneys from entering into any settlement agreement for federal claims or charges that directs or provides for payment to any nongovernmental person or entity that is not a party to the dispute. The DOJ will still be allowed to enter agreements that provide for payments to directly offset harm from defendants' alleged wrongdoing or to cover legal or other costs directly related to the proceedings.

California Nonprofit Administrative Dissolution

The 2015 Amendments to the California Nonprofit Corporation Law included provisions regarding involuntary administrative dissolution of a nonprofit corporation. Administrative dissolution can occur if corporate powers were suspended or forfeited by the California Franchise Tax Board for at least 48 consecutive months. The Tax Board's dissolution authority was effective January 1, 2016. At the time of adoption, the Tax Board estimated that there were around 60,000 nonprofits eligible for administrative dissolution. Administrative dissolution applies to nonprofit public benefit corporations, nonprofit mutual benefit corporations, nonprofit religious corporations, and foreign nonprofit corporations qualified to transact intrastate business.

To avoid administrative dissolution, a nonprofit corporation can pay all accrued taxes or fees and file a current statement of information with the California Secretary of State. Otherwise, upon receiving a notice of pending administrative dissolution, the organization can provide a written objection to the Tax Board to extend the process by 90 days. If no action is taken, a nonprofit corporation will be administratively dissolved 60 calendar days after notice is received or 60 days after notice is posted to the California Secretary of State's website.

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Infinitemediaresources.com/internet-marketing/5-things-rv-dealership-probably-getting-wrong-heres-fix/

5 THINGS YOUR RV DEALERSHIP IS DOING WRONG (HERE'S HOW TO FIX THEM)

In the digital age, your dealership should only care about one thing. Creating a digital sales strategy by optimizing your online brand, social media, and digital marketing.

A Digital Sales Strategy is the strategy your company uses to create more relevant leads for your dealership using your website, digital marketing, and social media.

In the digital age, your customers are becoming online shoppers, and because of this many dealerships are leaving money on the table. For the last 20 years RV dealers have been marketing to their customers using traditional marketing and has worked wonders

But...Not anymore. If you want to run a successful RV Dealership you have to focus on digital. Today you can't just have newspaper ads, billboards, and TV commercials if you want to sell RVs. Your dealership needs to get serious about your digital sales strategy. If not, you're making a huge mistake.

RV dealers across the nation are selling more RV's than ever because of their online brand and digital marketing. If this is not your RV dealership than use these tips to better your digital sales strategy and start selling more RV's.

Here are 5 tips any RV dealership can use to better your Digital Sales Strategy.

1 STOP GIVING AWAY YOUR PRICE FOR NOTHING

One of the biggest mistakes a dealership can make is giving away your price for nothing in return.

Now, think of this...If 1 Million people come to your website today, and none of them give you their contact information or come to your dealership, can you start the buying process with any of them?

Can a sale happen before a sales associates takes a lead through your buying process?

No...Every Sale Must Go Through the Buying Process

Therefore, it's a huge mistake to give your customer the price without taking their information (Name, Email, & Phone). Remember those 1 Million viewers you just had on your website? What if just 1% of them gave you their contact information?

Your RV Dealership would have 10,000 warm leads for your sales team. If you close 8% of those warm leads you would have sold 800 RV's! Not to shabby huh?

But, How Do You Get Customer's To Give You Their Information Without Giving Them Your Price?

In the RV industry people are shopping nationwide for the best value and for the right floor plans. Once a customer finds the RV and floor plan that will provide them with the most value, they next go online and search for the dealer with the best price.

You might be thinking, "This is exactly why I am showing my price, why are you saying it's wrong?"

This is wrong because customers will use your price as a negotiating tool to beat down closer dealers who have the same products as you without ever giving you an opportunity to earn their business -AND- prospects aren't curious about your price so they have no reason to inquire or give you their information.

For example, if your selling price is $25,000, you can cross out $25,500 as a sale price with a call to action button making them give you their information for the lowest price.

As you see in the example below one of our clients uses "Rock Bottom Pricing" as the call to action to get their customers information, because remember, if we never get their information we can't take them through the buying process.

Now, if a buyer is serious about a RV and they see that your price is competitive but they don't know the exact price, curiosity will take over and a call to action button will entice them to give you their info in exchange for your lowest price.

Once you get their info, your sales team now has a warm lead they can follow up with and hopefully they're good enough to convert the lead into a sale.

On top of creating more leads, and sales for your dealership this will also help because...

- Your competition will not know your exact pricing just by going to your website.
- Your prospects can't use your price as a negotiating chip at other RV dealerships that carry the same product but are closer.
- More of your traffic will convert into warm leads instead of wasted traffic.
- If you are giving away your pricing for nothing here are a few things that are happening to your dealership that you might not be able to see.
- You lose potential sales because you're not efficiently turning your traffic into leads and a lot of buyers never make it into your sales process
- Customers are using your price to get better deals at closer dealerships who have the same products so they don't have to talk to you or travel to your location
- Your competition has a pricing advantage over you because they know your numbers and can adjust their approach because of it.

Stop giving away your price for nothing and start converting more of your traffic into leads and sales!

2 NO ACTIVE SOCIAL MEDIA OR FACEBOOK AD CAMPAIGNS

One of the next HUGE mistakes a lot of RV dealers are making right now is they have no active Social Media presence and they're not using Facebook ads. If you ask

a business owner why they invest in TV commercials, ads, billboards and everything else, they will usually tell you something like, “It’s where my customers are.”

Your customers are on social media and as you can tell by this infographic, your customers want you to be on social media too! People spend around 5 hours a day on their cell phone which is the same amount of time people spend watching television. 1.28 Billion people will log into Facebook daily and the user rate is growing at an alarming rate.

Out of the 5 hours your customers are spending on their phone daily, 2 of those hours are spent just on social media. Beside the fact that your customers are on social media; your advertising dollar can go a lot further on a digital platform than any other, which will help lower your customer acquisition cost if done properly.

Why aren’t you marketing on Facebook again?

With more and more consumers moving in the way of an “internet shopper” the way people are buying has changed. Consumers are looking for companies online who are active and who have good reviews. They’re messaging companies on Facebook to ask questions before they will give you their business and some of them won’t even think about coming to your dealership if you’re not on social media (its a trust thing).

By implementing a daily social media marketing campaign for your dealership you will start to build online authority and trust. Your customers will have another channel for them to talk to you on and you will have another channel that will help your dealership capture a warm lead.

Some buyers prefer to walk into your dealership, some prefer to call your dealership, and others prefer to shop the internet before they will buy. If you’re not allowing your customers to buy from all of these different platforms then you’re leaving money on the table! If you start using social media the right way and start running Facebook ads for your dealership, you will be surprised at the results... and that surprise will probably be a good one.

3 NOT ENOUGH VIDEOS

People are getting spoiled with the amount of video they have access to and they are looking up videos on everything. YouTube is the 2nd largest search engine and you can go “live” directly from your dealership using just a cell phone but most dealerships aren’t using video to their advantage. These tools are FREE and will create new business for your dealership, yet a lot of dealers are ignoring video completely and it is costing them cashflow.

As a dealership, your goal should be to put a video up for every single RV that ever hits your lot. By adding videos of all your products you will start to get traffic from places you haven’t got it before. Customers who are searching the internet for good videos on the products they’re looking for might land on your dealerships videos and before you know it you have a warm internet lead all because you have high quality video of your products.

Not only is video strong for Facebook and YouTube but it is also really strong in your personal follow up as a sales associate. One of the strongest things you can do as a sales associate is texting your clients personalized video messages of the RV’s they’re looking at.

For example: If I was a RV sales associate and I just received an internet lead from a customer who is looking at the XYZ. I would go out to that RV, shoot a personalized video of RV XYZ and I would text it right over to them. I would also address them personally in the beginning and put my face in there so they can put a face to my name. As you start using this you will find it to be a strong follow up tool and it’ll help you sell more RV’s. Mediocre sales associates always want to send email after email but let me ask you this, how many emails are unread in your inbox right now? How many emails get sent directly into your spam that you never see?

How many of your emails are skipped over because we get hundreds of emails a day and its impossible to keep up with? A lot of them I am sure because I personally have 5,000+ unread emails on just my phone and I would guess your inbox is very similar.

Now ask yourself this question, how many unread text messages are sitting in your phone? The answer is probably zero because people always read their text messages and it will bug them if they don’t. Use this to your advantage and stop sending emails your customers aren’t going to read and start sending them text messages (Or preferably, send them an email and a text). Send them text videos of units they’re looking at or text them asking for an appointment. The more you start using videos and text to communicate with your customers the more RV’s you will sell!

One of our clients didn’t even have a YouTube channel before they started to use us for their marketing and it was costing them a lot sales. By creating a video for every RV that hits their lot and some informational videos, we have been able to upload close to 1,000 videos and they’re approaching 1,000 subscribers, and these numbers are growing every day.

With all of the videos we have created, this dealership has approximately 2 million minutes watched on their YouTube channel all from videos that you can create and upload for FREE.

These videos build a lot of trust with their customers because they get to see the exact RV they’re looking at before they come to the dealership and these videos have been the difference in a lot of their sales. Videos have also been a big part of the reason why people come from all over the nation to purchase from this dealership and if you’re not using video then you’re wrong!

What are your videos and YouTube channel doing for your dealership?

4 NO ENGAGING OR VALUABLE CONTENT CREATION

In today’s digital age it is important to create ENGAGING and VALUABLE content.

> *“If all you’re doing is advertising without providing your customers with valuable and engaging content then you’re wasting your time and energy.”*

Think about the websites that you come to and use everyday. To name a few, Google, Facebook and YouTube. The reason you use these websites daily is because they provide you with a ton of value and new things are added daily that we’re interested in and want to engage with.

There are a couple key takeaways from this. They provide you with value, they’re doing it daily, and you want to engage with them.

You have to turn your RV dealerships website into a resources that your customers can use on a daily basis. What does that mean? You can’t always advertise sales, products, and services to your customers!!!

You have to provide your customers with valuable and engaging content that will make them WANT to interact with your dealership. You can do this by building an awesome blog and by adding new articles weekly or by running social media campaigns that are designed to add value to your customers while engaging them. There are a lot of ways to do it but the main thing you need to understand is you have to provide value and engage.

We all see 90% of dealerships Facebook pages that are all about showing you the sales they have going on, the new products that hit the lot, and the “just purchased” picture with their customers, but they never seem to provide you with any engaging or quality content. This is a huge mistake!

Most of the dealerships Facebook pages out there are boring and people unfollow them quick. Nobody comes to Facebook to be advertised to 24/7. Think about it, we use TIVO now because we want to fast forward the commercials. We use apps like Netflix and Hulu because we want to watch our shows with no ads. The same thing is true about your dealerships Facebook business page. If all you’re doing is advertising without providing your customers with valuable and engaging content then you’re wasting your time and energy.

Use a rule of 80% social and 20% advertising. This means that for every 10 pieces of content we share, 8 of them will be geared towards our ideal customer simply for fun and engagement while 2 pieces of content will be promoting sales or products. When you start to build a Facebook business page or marketing campaign this way you will start to see more interaction from your followers, you will see more new likes on a daily basis and you will see more leads coming from your social media and digital marketing.

5 YOUR SALES TEAM IS NOT USING LIVE VIDEO

There are very few dealerships out there who are using live video to promote their products and I don’t understand why. By adding your sales team to your Facebook Business Page they can go live at your dealership directly from their cell phone at any given minute.

This is HUGE because consumers want to see more social media posts and videos and Facebook Live checks both of these boxes.

Instead of letting your sales members sit at their desk and scroll Facebook (like a lot of them are guilty of) make them go out on the lot and start shooting live video. You can go live from your dealerships page and ask customers which RV’s they want to see and use live video to bring in qualified leads.

You can use live video to get your face out there as a sales associate so people know who to ask for when they come to the lot and it will bring you leads you never had before. By simply going live for an hour and asking your Facebook fans what RV’s they want to see you will start to build trust with your customers. They will see you’re willing to provide them value and show them RV’s they’re interested in before they come to your dealership and it’s a good way to get leads. A lot of the people watching your live stream will even start to ask you buying questions like

- Do you guys take trade ins?
- Do you guys finance?
- What is a monthly payment on an RV like that?
- Where are you located?

As you start getting buying questions and qualified leads directly through Facebook Live you can then DM them to get their cell phone and email for proper follow up and boom you have a warm lead.

The other benefit of this is, IT’S FREE FOR YOUR DEALERSHIP!!!

It has never been easier to make your marketing dollars stretch in business. By using social media and all of the free tools we have at our exposure, dealerships can really ramp up their marketing and save money at the same time. One of our clients we implemented a digital marketing campaign for spent 80k less on their marketing than the previous year while selling more RV’s then they have in the 45+ years they’ve been in business.

By simply switching your marketing budget from old techniques and traditional marketing into a digital marketing and social media campaign you will see double the results for typically less money than you’re used to spending.

Start taking advantage of live video and see how it helps your dealership and sales team sell more RV’s. You will thank me for it later.

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