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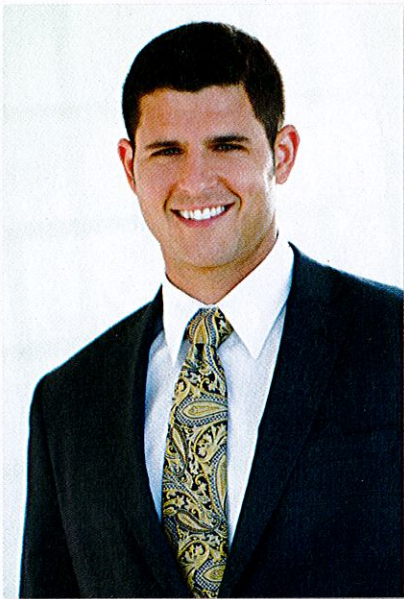
ADAM TRENK  
ROSE LAW GROUP  
6613 N SCOTTSDALE RD STE 200  
SCOTTSDALE AZ 85250-7804  
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## SUCCESS IN THE YEAR OF THE HORSE!

BY ADAM M. TRENK, ESQ.

I AM NOT AN ASTROLOGY BUFF, NOR A FOLLOWER OF THE ZODIAC BY ANY MEASURE, and personally I have never given much credence to horoscopes. But as a person whose hobbies, personal life, and professional life all seem to revolve around horses, I was interested in learning more about the Year of the Horse and what it could mean for those who share my interests. Moreover, I want to help make sure that every participant in Arizona's Horse Industry is successful in pursuit of their passion for the equine in 2014.



According to the Chinese Zodiac Calendar, the Year of the Horse begins on January 31, 2014 and will run through February 18th of next year. In an effort to understand the implications and significance of this, I read through dozens of articles posted online about the Year of the Horse. It seemed to me that each article contradicted the next to some degree. Adding to my confusion, the bulk of the information was comprised of vaguely positive adjectives for the characteristics of people born under the sign, together with even more vague predictions for the fortunes of those born under other signs in the year ahead. Having set my skepticism aside and approached this endeavor with an open mind, I was a little disappointed in the lack of detail I found. But, if you so desire, I hope that looking to the alignment of the stars and astrological prophecy from the far corners of the globe helps you realize your goals in the coming year.

For those who prefer a more conventional approach, I would like to share a few pointers for success in your all equestrian dealings this year. It does not matter what your business is, if you participate in the horse industry, the following tips will help ensure your success:

### CHECK & COMPLY WITH APPLICABLE REGULATIONS

Depending on where you live and the nature of your business, there are undoubtedly a number of overseeing authorities and applicable regulations that apply to you. If you keep horses on your property, land use and zoning ordinances must be abided by in order to avoid costly and time consuming interactions with government officials. The construction of barns, corrals, and other facilities will also be overseen by local codes. The need to understand local law is particularly important if you plan to practice mounted shooting at your property. If you breed horse, show or compete, you must understand and abide by rules promulgated by various organizations such as Mounted Shooters of America, United States Equestrian Federation, American Quarter Horse Association, and others. Failure to adhere to their rules could spoil your fun, result in a forfeited opportunity, or cost you money.

# YEAR OF THE HORSE

## PUT IT IN WRITING

Document every deal with a written contract and every transaction with an accurate invoice. When selling a horse, make sure all parties execute a bill of sale, detailing what if any warranties or representations are being made. If you board or train horses, be sure to have a well drafted agreement in place, clearly defining the rights and obligations of all parties, and bill your clients monthly. If you are a farrier, or hay supplier, documenting your business is just as important. Having documents in place will not only help in keeping track of your clients, but it will help you avoid disputes, and ensure tax and regulatory compliance.

## UTILIZE LIABILITY WAIVERS

Every horse owner should have a liability waiver in their filing cabinet. This document should be signed by every person you allow to come in contact with your horses. Under Arizona law, failure to have a participant in equine activities execute a properly drafted liability waiver could leave you exposed to liability in the event you allow them to use your horse and they become injured.

To maximize your success in the Year of the Horse, ensure you are in compliance with all applicable laws and regulations governing your operations, effectively document all transactions, and protect yourself from liability using a comprehensive waiver. If you are not sure that you are in compliance with local zoning ordinances or need help navigating through the rules and regulations of an association, a licensed attorney with an understanding of the horse industry can help assess the situation and ensure the legality of your operations.

Having access to a lawyer well versed in the equestrian industry will also make documenting business transactions less daunting. In many cases your attorney can help you draft a document one time that can be used over and over again. Boarding and training contracts, bills of sale, leases, breeding contracts, and more can be crafted to allow you the flexibility to use them repeatedly. If using the right forms helps you avoid even a single dispute, then it will more than have paid for itself.

“THE YEAR OF THE HORSE PRESENTS THE PERFECT OPPORTUNITY TO SET YOURSELF UP TO BE MAXIMALLY PRODUCTIVE GOING FORWARD.”



The Year of the Horse presents the perfect opportunity to set yourself up to be maximally productive going forward. In my practice, I find that most of my clients wait to engage my services until after a problem arises. In most cases those problems could be avoided and money and time would have been saved if these steps had been followed from the outset. I hope you found my pointers for success in the horse business helpful and wish you the best in all of your pursuits! 🐾

*Adam Trenk, of the Rose Law Group pc, ([www.roselawgroup.com](http://www.roselawgroup.com)) practices in the areas of Equine Law, Land Use, Public Policy, Government Relations, and Real Estate Law. He is an Avid Horseman and is the Executive Director of Canter Arizona, a 501c3 Non-Profit that Helps Rehabilitate and Find Homes for Ex-Racehorses. Mr. Trenk served as an Elected Member of the Cave Creek Town Council from 2009 to 2011 and today serves as the Community's Vice Mayor after being re-elected in 2013. Trenk is a champion of the Local Equine Community and supported by the Arizona Horse Council. He can be contacted by email at [atrenk@roselawgroup.com](mailto:atrenk@roselawgroup.com) or by phone at (602) 402-3335.*