

## **Fairmont Hill Happenings**

### **October 2016**



### **WHY NEW CC&R'S AND BY LAWS?**

We need to clarify this question again as it came up at our last Board meeting incorrectly and caused confusion in spite of our attorney's presentation and response to questions at Our Town Hall Meeting. **BALLOTS ARE GOING OUT THE WEEK OF OCTOBER 17. PLEASE VOTE OR SIGN TO LET YOUR BALLOT BE USED AS A PROXY SO WE CAN REACH OUR 75%.**

**BALLOTS ARE DUE BACK WEDNESDAY FEBRUARY 8.**

1. Our current documents are 40 years old, outdated and need updating to coincide with new existing laws. They have items that are no longer legal. We follow the law regardless but it can be confusing for owners.
2. Pamela Moore wrote these documents based on her experience with over 400 HOA's taking the best from all that pertain to our community. Some of our old documents statements remain the same such as "Quiet Enjoyment" of your condo for example. Some are re worded to be more clear and specific leaving less for the Board to interpret.
3. The current CC&R's require a 75% approval to replace the old. If 50% approve we can go to court to have the 75% number reduced. If approval fails, our old outdated CC&R's rule indefinitely and we lose the money it cost to do this. Not passing them leaves the existing documents the same, cumbersome and vague in many places. Most HOA's have either been through this process already, are going through it now or are preparing to do so if their documents are 20 years or more old.
4. To clarify, the CC&R's is the document that deals with the running of the community and the By-Laws deal with elections, qualifications of Board members and duties. They are intended to protect your investment and property values as well as the enjoyment of your home. There is a lower requirement for quorum to pass the By -Laws.
5. Contrary to two statements made at the last Board meeting this is not illegal or substituting Federal Law for State Law or that our Attorney doesn't know what she is doing. Neither is it a power grab by the Board. A second town hall meeting with our attorney can and will be scheduled if enough people will attend, not just the 18 that came to the last one.

### **GOOD NEWS !!!**

The Budget Committee voted to recommend no dues increase after studying the last 12 month financials at several special meetings. The Board approved the recommendation so the dues will remain unchanged for 2017 at \$335/month. We are still lower than our neighbors, Woodgate and Fairgreen when you factor in that our dues include cable TV with extras and trash.

### **HOMEOWNER UPDATES DUE**

Your budget packet you will receive in November will additionally contain the updates form on residents and tenants. This is mandatory to be returned to Stonecastle for the safety of all. There is a fine for not doing so. The packet also includes our reserve study, insurance certificate, collection and fine policy, holiday lighting rules, architectural rules and ADR/IDR disclosure.

## **GARAGE DOOR REPLACEMENT...ONLY 4 OLD ONES LEFT....ACTION HAS BEEN TAKEN**

### **VACATION CHECKS**

You can call YL Sheriff to check your home when you are gone. OC Patrol will also.

### **BOARD MEETING ACTIONS**

Proposals were approved for the annual Audit, tree maintenance ( we have 1286 trees) roof maintenance, rain gutter cleaning, FHA certification, and holiday lighting. Also approved was the replacement of the wood siding at the club house with a termite and wood rot proof material.

### **PATIO UMBRELLAS**

Per the agenda a discussion and vote was taken regarding umbrellas. In keeping with the architectural rules, umbrellas need to be a neutral color, and able to be put down when not in use. The size should not fill the entire area. The restriction for no pagodas, EZ ups, pop ups or the like remains as it has.

### **SMALL CLAIMS COURT**

Did you know our dues could be lower if everyone paid their share? We are all absorbing the costs that some people are not contributing to. Our delinquencies are in the six figures. Many of these accounts are turned over to the attorney for collection and a few are awaiting the beginning of foreclosure.

It is recommended by most professionals in the industry that small claims be used on smaller balance accounts before they get so large that the owner gives up paying. We will be taking that advice and starting small claims court actions with our attorney when an owner becomes two months delinquent in dues or owes \$670. Fines can be any amount left unpaid. Small claims awards fees to the Association which would be \$375 on top of the amount owed plus filing fees. It pays to keep your mortgage and Association fees up to date.

### **SUSPICIOUS PERSONS REPORT**

There have been a couple of incidents recently of a young male approaching and knocking on doors late night or early morning. Please call the Sheriff immediately while they can come out and talk to the person before they get away.

### **MOTORIZED CHILDREN'S VEHICLES, SCOOTERS ETC**

They are not allowed as it is a liability and a danger to the child and others. Someone on Waverly Glen has them so let us know who before there is a serious accident.

Board of Directors  
Sharlene Dunn, President  
Ricardo Perea, Vice President  
Shelley Fajardo, Secretary  
Ken Carlfeldt, Treasurer  
Bob Paulhus, Director at Large

Management Contact Information  
Stonekastle Community Management  
TARYN MARTIN, CCAM Community Manager  
E-Mail: TARYN@StoneKastle.com  
Facsimile # (714) 455-7064  
Please call us at (714) 395-5245 for any questions  
Customer Service related issues, we are here to help!

### **Emergency Numbers**

Emergency Services – 911	Y.L. Police Services Non-emergency Dispatch 714 647-7000
Y.L. Sheriff Sub Station office	714 779-7098
Fire Department Non- emergency	714 744-0400
O.C. Patrol 800 525-1626	Yorba Linda Disposal 714 238-3300
<u>Next Board Mtg. 6:30 pm Wed. Nov.9, 2016, e-newsletter fairmontcable@aol.com</u>	