

MEMO FOR RECORD

23 September 2021

I had a meeting today with HOA lawyer Mr. R. Rawlinson to discuss and clarify the following issues.

1. Discussed the procedures for collection that was presented to the Board at the meeting on 20 September 2021. Lawyer agrees that the word "few" should have a numerical value assigned. The number 3 was agreed on. The lawyer felt that not only should the provisions be entered in the minutes, but that they should be provided to all the homeowners. Whether in a newsletter, separate mail, welcome letter, et cetera, homeowners should know the process.
2. Still working the procedures, concern was raised about the "in-person" (by posting a notice on their front door). They don't use the front door, or the wind blows it away. Mr. Rawlinson pointed out the HOA has used all reasonable means of communication up to this point. Posting it on the front door is standard procedure for posting notices, and if you're afraid it will blow away, take a picture of it on the door. As a matter of fact, take a picture anyway.
3. I pointed out under Rules and Regulations #8 that in-person can be conducted by posting the notice on the front door was left out. Mr. Rawlinson said it was explained in the procedures and it's not necessary to change the R&R.
4. If a homeowner is notified they have violated a rule, then the next time they do it again — after they corrected it, whether its a day, week or months later — it should be considered a second violation and the countdown continues; no need to go back and start the process at the beginning.
5. Enforcement of the clubhouse parking lots: Mr. Rawlinson stated that we are well within our rights to tow a vehicle if we post a sign stating that. He doesn't feel any judge would rule against us when it's so obviously stated that vehicles will be towed. Mr. Rawlinson figures you tow one and you'll never have the problem again.
6. Collection and liens: Make sure we keep and provide him with all the documentation we used to communicate with the homeowner. His office will do the necessary paperwork to enforce and collect fines and dues. No need for HOA to involve itself after we have done our due diligence.
7. CC&R pg.16 (i) requesting lease/rental contracts: Well within our duties to enforce.
8. CC&R pg.16(j) This gives the Board the right to come on a lot to conduct HOA business.

Jim Montague's notes