



AUTUMN WOOD At Hunter's Field Homeowners Association

First Quarter, 2014

January, February, March

New Governing Documents Voted In

California's Common Interest Development (Davis-Stirling) Act of 2010, required 67% of the homeowners to approve the proposed Governing Documents. At the November Directors meeting, a ballot quorum was achieved, the Association received ballots from 81% (118) of the homeowners.

The Inspector of Elections opened the ballot envelopes and tallied 114 "Approvals", three "For quorum only," and one "Not Approved."

The Board immediately acquired signatures for the 'new' Governing Documents and prepared the necessary submittals for the Ventura County Recorder's Office. After officially recording the documents as restated and amended, the Board will disseminate the certified documents to homeowners. The effective date is expected to be shortly after January 1st, 2014.

Your 'old' CC&Rs and Bylaws that are in those boxes in the garage finally can be thrown away!



Get on the HOA "flash message mailing list"; send a message to: Board@autumnwood.org

Another Bank(ing) Change

In October 2013, First Bank's Homeowner Association Services in Vallejo was officially acquired by Union Bank, N.A. in Oakland, CA. To the homeowners of Autumn Wood HOA that means, well, nothing really.

Union Bank Vice President of HOA Services, Judy Remley, wrote to the Association to offer assurances that the change would not be disruptive to homeowners.

Homeowners (or their banks) sending payments to the P.O. box in Vallejo can continue making payments to that address. The First Bank coupons can still be used, provided the owner information printed on them is still correct, and do not need to be replaced until fiscal year end. (The Association will then make those reprinting arrangements.) If homeowners need to send an overnight payment they can use this address: *Union Bank, N.A. Attn: HOA Lockbox MC N06-0012, 460 Hegenberger Rd. Oakland, Ca. 94621.*

For those few homeowners (or financial institutions) that need or use a bank routing number as a part of their electronic transfer, Union Bank's routing is 122000496.

The Board recognizes this change may cause some inconvenience and has directed the management company to avoid assessing any 'late fees' to accounts until February.

Holiday Wishes

The Board hopes your Holidays were filled with happiness and joy, and that you and your family members are healthy. 2014 marks our Association's 30th year of existence. With our new Governing Documents in place, your Directors look forward to many coming years of success and prosperity. Happy New Year!

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2013-2014 Board of Directors

Position	Director
President	Frank Boardman
Vice-President	Irene Allen
Treasurer	Sean Wolpin
Secretary	Monsef Sidrak
Member At Large	Joe Gibbons
Member At Large	Paul Hobbs
Member At Large	Lee Mainwal

Architectural Improvements: Requests, Approvals, and Timelines

The restated Codes Covenants and Restrictions (CC&Rs) Article VI, *Architectural Control*, describe in great detail the composition of the Architectural Committee (ARC), their duties and responsibilities and the scope of their review. The Article continues with timeline requirements for submitting improvement applications, commonly called, the “*Residence Improvement Application*,” or RIA. Although ‘restated’, most of the requirements were copied from the 1984 version of the CC&Rs and are **not** new to this community. However, the ‘Review Fee’ requirement (Section 9 of the ‘old’ document) was removed. Other requirements from the Common Interest Development (Davis-Stirling) Act imposed upon all HOAs are also included and make up the remainder of the Article.

More importantly, homeowners requesting approval for improvements should note the **new** clause in Section 6.11, “Any application submitted ... shall be deemed denied ... unless written approval ... [has] been provided ...” This statement may seem contrary to the established belief that ‘if there is no action on an application request for 30 days, it’s okay to proceed.’ Essentially, that option has been removed, thus it is very important that the requesting homeowner establish a line of communication with the ARC. Alternatively, to accommodate requests within acceptable timeframes and prevent confusion, the Article provides the Board an option when they are unable to act on the improvement request during monthly meetings.

Section 6.9, *Use of Precedent Not A Factor* is the same as Section 11, *Approval Not Waiver* in the ‘old CC&Rs’. Just because the ARC recommended approval for an improvement on one Lot does not mean the improvement can be enacted on any other Lot. Yet, Section 6.17, *Variations*, is established to provide a solution to the ‘one-rule-fits-all’ predicament, where circumstances, conditions, design or materials can be compelling.

Work and Inspection. Restated Sections in this Article provide the homeowner, the ARC and Board with actions for proceeding with the approved improvement, with timelines, limitations, and remedies during the progress of the work.

A new requirement for a *Notice of Completion* is established in Section 6.13(b). The Board envisioned this administrative requirement as the means to confirm that the improvement (or work) was in fact completed, and ready for final inspection - either by the City or the ARC.

If you intend to add improvements to the **exterior** of your Lot, review Article VI, *Architectural Control*. The Article is easy to read and understand. It is presented in a logical order like a checklist of sorts.

Improvements within the residence fall outside of the scope of this CC&R Article.

Begin discussing your project with the management agent, the ARC Committee, or a Board member to prepare the Resident Improvement Application (RIA). Adequate advance notifications to all parties involved in the project - designers, contractors, workers, ARC, inspectors - will make for smooth approval and satisfactory installation.

Gift Card Winners

To underscore the importance of approving the proposed Governing Documents and to encourage homeowner participation in the voting process, the Board offered five \$20 Albertson’s Grocery Gift Cards to be selected in a random drawing from the coupons included in their ballots.

At the November 19 Board Meeting, an independent elections committee opened the ballots and withdrew any coupons. From a large box, Board members drew five names.

The winners of the Gift Cards are:

Sherry Decker - Hampton Av
Peter Capotosto - Oak Haven Av
Chris Hernandez - Oakdale Circle
Ma-Ana Marquez - Hampton Av
Casey Tom - Oakdale Circle

Congratulations to you! Thank you for being active HOA members.

Any Interest In facebook?

The Board would like the Association to establish a presence on **facebook** to enable community involvement. Interested homeowners are invited to send comments to the Board@autumnwood.org about the viability of this project.



Budget News

An increase in the HOA Assessments will not be necessary for the coming 2014 Fiscal Year. Homeowners will receive a copy of the budget as a part of the Annual Summary.

Items That May Need Your Attention

As the weather warms up and things dry out we need to look at our residences and yards for clean-up/touch-up after the harshness of our winter months. The following are some of the more common items noted as CC&R violations during the monthly inspection walkthrough by your Board of Directors and management company representatives:

- ✓ Foliage not cut back at least nine feet above sidewalks.
- ✓ Gardens and flowerbeds in need of weeding.
- ✓ Trash cans not stored properly after pick up.
- ✓ Rain run-off stains on stucco of houses.
- ✓ Disabled or non-operable vehicles stored in driveways.
- ✓ Lawn in need of maintenance or care.
- ✓ Utility doors delaminated, unlatched, or in need of paint.
- ✓ Basketball hoops not maintained or stored properly.
- ✓ Cables not fastened or improperly run down the side of the house.
- ✓ Conduits or cables not colored to match trim or stucco.
- ✓ Oil, debris, or discoloration on driveways.
- ✓ Undocumented or unapproved exterior Improvements.

Call a handyman, a landscaper, a painter, your relative, or whomever can to help you. If you do receive a violation letter, coordinate your plan with the management agent to avoid the same finding the next month.

Don't Forget To Take Down Your Christmas Decorations

The Magi arrive on January 6th, but your outside decorations for the Christmas Holidays should not remain installed after the last weekend in January.

While the Board has not yet established formal take-down periods for "Festive Lighting," use common sense to guide you.

Festive Lighting is a defined part of *Ancillary Lighting* (Article VII, Section 7.9(e)) that covers more than just Christmas lights. Certainly, you have recently noticed more brightly-colored light strings attached to the neighborhood houses, themed for the respective upcoming holidays: green for St Patrick's Day, red, white and blue for Independence Day, and orange or purple for Halloween.

The Board recognizes that while Festive Lighting is a form of celebration, certain time limits must be established to preserve the reverence of the occasion - and the value of the neighborhood.

A Job Well Done.

Commentary from Joe Gibbons, Documents Project Coordinator

"I want to take this time to thank everyone for their contribution in making the BYLAWs and CC&Rs meaningful governing documents. A lot of time was expended by all to ensure the outcome was positive. The HOA now has documents that are clear, understandable and enforceable.

"Special acknowledgement for outstanding work goes to our president, Frank! Without the yeoman effort by Frank, these governing documents would not have been completed nor approved by a large margin of homeowners. Frank spent an extraordinary number of hours communicating with the attorneys, management company, board members, and homeowners. Frank also made numerous telephone calls to HOA members, both on- and off-site, in addition to knocking on many doors to obtain ballots. His valuable input and production of the documents was outstanding.

"WELL DONE, Frank!!"

What Is A Good Homeowner?

As a homeowner and a dues-paying member of the Autumn Wood Homeowners Association (HOA) you are entitled to certain rights and, in return, have certain responsibilities.

We need all homeowners to have a strong sense of community pride and community involvement and participation in Association activities. Consider taking a committee position or a seat on the Board.

Attend any of the monthly HOA meetings held on the 3rd Tuesday of the month. A notice which provides the date, time, and location of the meeting is posted on the homepage of our website, as well as on the marquee in the pool area.

Get involved with your Association and you could be surprised how satisfying it can be.

Outside Pool Bench Gone

Recent incidents reported to have occurred in or around our pool area, led the Board to suspend some homeowners key access and to remove the green 'park bench' from outside the pool gate.

Some of the more serious incidents were reported to police who recorded names and addresses.

Reducing or eliminating vandalism is an important action to keep our Association Assessments low and within our control every year.

ABM Property Management

4322 Eileen Street
Simi Valley, CA 93063

Raven Stefanelli, Assistant Manager
Phone: 805-522-0292, ext 105
E-mail: ahf@abmpropertymgmt.com
Or: raven@abmpropertymgmt.com

The HOA Website:
<http://autumnwood.org>

Scheduled Directors' Meetings

When:	JAN 21	FEB 18	MAR 18
Where:	Vintage	Vintage	Vintage

Where do I mail my HOA Assessments (dues)?

Mail your check along with the current coupon to:

**Autumn Wood HOA
c/o Union Bank
P.O. Box 15028
Vallejo, CA 94591-1928**

In the memo block of the check, **be sure that you precede your LOT number with, "237-AHF-AW__"**. (For example, 237-AHF-AW058, for lot number 058)

What about e-banking?

If you are paying via auto-pay or electronically, be very sure your 'account number' includes your Lot number as in the example noted above!

Should you need a contact phone number, use 800-836-5184, Lock-box Services.

Advice From Adrian Adams, ESQ

QUESTION: I am unhappy with a recent board decision. What can I do? What are my rights?

ANSWER: Members who are unhappy with board decisions or indecision can do the following:

1. **Remain Silent.** Be part of the silent majority... say nothing and do nothing and hope the problem resolves itself. Things run in cycles, so sometimes it works-you just have to be patient.
2. **Open Forum.** Address the board in open forum. Be respectful and clear in describing your position. The board may not be aware of the problem and your bringing it to their attention should get results. If you are hostile, rambling and make unreasonable demands or threats, the board will label you as a "crazy" and reject your request. A letter from the association's attorney might accompany the rejection.
3. **Write Letters.** If the board does not respond to your open forum request, follow-up with a couple of letters. Do this for two reasons: (i) the squeaky wheel gets the grease and (ii) boards don't like paper trails that create potential liability for the association. Keep your letters respectful and business-like. Do not engage in personal attacks or hyperbole. If your letter sounds like you have squirrels running laps in your head, imagine how a jury (and your neighbors) will view you when your letter is read in open court. Remember, you are trying to persuade board members not alienate them.
4. **IDR.** If the open forum and follow-up letters don't resolve the problem, try Internal Dispute Resolution. I've never seen IDR work but you never know. It keeps the issue in front of the board and it exhausts your friendly attempts to resolve the problem.
5. **Election.** If the above actions don't resolve the issue, run for the board or support responsible members willing to run. First, however, examine your motives. If the reason you want on the board is to get something for yourself at the expense of the community, that would be a breach of fiduciary duties. Make sure you and those you support want to serve the community, not your own agendas.
6. **Recall the Board.** You can launch a recall of the board. This is a drastic measure and very disruptive to the community. It will permanently damage relationships between neighbors and create life-long enemies. Hence, the issue better be sufficiently serious that it can't wait for the next annual election.
7. **Litigate.** If none of the above works or you're in a hurry to lose money and make enemies, you could always file a lawsuit. Rarely is a lawsuit justified--they are lengthy, expensive, emotionally draining and unpredictable. So carefully weigh the cost of litigation against the hoped-for benefit... and then weigh it again. If you're suing to punish the board because of a perceived sleight or to prove a point, you're one of the crazies.
8. **Move.** If you live in a dysfunctional association, sell your property and get out before they cause you financial and emotional damage. Look for a single-family home not in an association or look for a good association. There are lots of them out there and one will be a good fit for you.

Adrian Adams, ESQ

Editor, Davis-Stirling Newsletter

(<http://www.davis-stirling.com/Newsletters/tabid/795/Default.aspx>)

Stay Informed

Keep your homeowner data sheet up-to-date with the management agent. Include available phone numbers so that our management can reach you for administrative coordinations or during a significant event.

Provide an email address to avail yourself of the latest happenings in our community. The Board periodically sends important informational messages to all homeowners as 'undisclosed-recipients' to avoid exposure to spam.

Opt-in or opt-out of specific administrative or other special mailings.