

## **HOME OWNERS ASSOCIATION**

**Q:** What is the HOA?

**A:** Group of all property owners who became members by purchasing property legally tied to the association via their deeds and CC&Rs

**Q:** What is the purpose and mission of Spring Meadow HOA

**A:** To ensure our neighborhood remains one of the most desired areas of Albany to live.

**A:** To protect and increase everyone's property values by providing a neighborhood that is both beautiful and safe. This is accomplished by enforcing adherence to the By-Laws and the CC&R's (The Ruling Documents).

- These rules cover everything from the assessment procedures, construction materials, colors of homes, what kinds of structures can be placed on the properties and many other things.
- The Board of Directors interprets the Ruling Documents (seeking legal council as needed) and enforces the rules when necessary.

## **DUES ASSESSMENT**

**Q:** How much are the Spring Meadow HOA dues?

**A:** The annual dues assessment was \$100 for the 2010 calendar year. Dues are billed once annually at the start of each calendar year. The CC&Rs prohibit the dues assessment from being raised more than 5% over the previous year.

**Q:** What are the annual dues used for?

**A:** A large percentage of the dues are used to pay for legal, management, bookkeeping and enforcement services. A small percentage is used for maintenance of the common property and white vinyl fence along the bend of 53<sup>rd</sup> St and Chinook Dr. The balance is maintained in a bank account as reserve funds for future maintenance and legal expenses.

**Q:** The fine for late payment of annual dues seems excessive at \$50/day?

**A:** The fine was established by the developer of Spring Meadow and is stated in the Spring Meadow HOA Bylaws. The purpose of the fine is not as punishment, but as an incentive to encourage all members to

pay their dues on time. All members are mailed invoices/letters over several months requesting payment before any fine is ever assessed against their property.

## **TRAFFIC SAFETY**

**Q:** There are a lot of speeding cars on my street and people running stop signs. Why isn't the HOA doing anything about it?

**A:** These are legal issues that the Board does not have direct control over. The City of Albany offers a Neighborhood Traffic Calming Program to assist property owners in slowing traffic in their neighborhoods ([http://www.cityofalbany.net/publicworks/streets/traffic\\_calming.php](http://www.cityofalbany.net/publicworks/streets/traffic_calming.php))

## **BOARD OF DIRECTORS**

**Q:** Who serves on the Board of Directors?

**A:** The Board of Directors is a cross-section of up to 9 property owners from Spring Meadow. The first member-led Board of Directors was elected by members present at the Turnover Meeting on March 15, 2005.

**Q:** How long do Directors serve on the Board?

**A:** Directors are elected to serve 2 year terms of service. Directors may be re-elected for an unlimited number of terms.

**Q:** How much are Directors compensated?

**A:** Directors are volunteer positions that are not paid. They receive no form of compensation whatsoever for their time and effort and Directors pay the same assessment that the rest of the members do.

**Q:** How can I become a Director of the Board?

**A:** Four to five seats will be up for election each year at the Annual All Member Meeting. These seats will be filled by a vote of all members present at the meeting. There are also occasional vacancies on the Board. Vacant seats are filled by appointment of the remaining Directors. Appointed Directors serve for the remaining term of the person that they replaced. Those interested should contact the

Board by e-mail, voice mail, or postal mail to alert the Board to their interesting in serving their neighborhood community.

## **PROPERTIES**

**Q:** How many properties are in the Spring Meadow HOA?

**A:** 457

**Q:** The property behind mine is not part of Spring Meadow HOA. The property or owners are in violation of the Spring Meadow CC&Rs? What can the Spring Meadow Board do about it?

**A:** The Spring Meadow CC&Rs are not binding to properties that are not part of Spring Meadow. Thus, the HOA does not have any authority over these other property owners.

**Q:** Do all properties off the North side of 53rd Ave belong to Spring Meadow?

**A:** Absolutely not. There is another HOA that manages the Brookfield subdivision and there are a number of properties in between that do not appear to belong to any HOA. The streets of Antelope Cir/Ct, Elk Cir, Deer Run, Otter Ct, Black Bear Ct, or Beaver Ct and additionally the part of Elk Run North of 53rd and South of Cougar are not part of Spring Meadow. A map is available on the Spring Meadow website at <http://springmeadow-hoa.org/scripts/maps.asp>

## **ARCHITECTURAL CONTROL COMMITTEE**

**Q:** What is the Architectural Control Committee (ACC)?

**A:** The ACC has been established based on the requirements of the Bylaws and CC&Rs. As outlined in the CC&Rs, the ACC consists of 5 Association members that are appointed by the Board of Directors. The ACC's role is to ensure that the neighborhood is created and maintained in a manner in which structures, landscaping, and property are in harmony with one another and do not infringe on the rights of other property owners. The ACC performs this role by interpreting and enforcing the rules outlined in the CC&Rs.

**Q:** I want to build a structure in my back yard. Do I really need ACC approval?

**A:** Absolutely. In an effort to make it easy, the Board has published rules providing pre-approved for many types of smaller structures. These rules are available on the Spring Meadow website at <http://springmeadow-hoa.org/scripts/acc.asp>. Someone desiring to build a structure not covered by the pre-approval rules must obtain written approval from the ACC by submitting a Modification Request form with detailed design information including a plot plan (with dimensions) showing placement on the property. Note that the ACC does not have the authority to allow someone to violate the CC&Rs.

**Q:** How long does the ACC have to respond to my request to build a structure on my property?

**A:** 30 days from postmark

**Q:** I want to repaint my house. Do I need ACC approval?

**A:** Yes, if you are changing the color.

**Q:** How long does the ACC have to respond to my request to change the color of my house?

**A:** 15 days from receipt of color samples

## **CC&RS**

**Q:** I just purchased a new boat or RV. Where am I allowed to park it?

**A:** The CC&Rs clearly state that

“All boats, trailers, recreational vehicles, equipment, campers and the like must be parked off the streets of Phase \_\_\_ in a garage or on a concrete pad (singular) beside a garage built specifically for that purpose.

## **CC&R ENFORCEMENT**

**Q:** There are violations of the CC&Rs on my street, what is the Board doing to fix this?

**A:** It is not the Boards desire to police the neighborhood, but based on the advice of legal council, the Board may perform proactive enforcement of publicly visible violations that are the cause of frequent complaints.

Ultimately, the neighborhood belongs to the members and the members should help take responsibility for it. The Board and the ACC has provided a process for members to report violations via a Complaint form. If you would like to report a violation, please use the form available on the Spring Meadow website at <http://springmeadow-hoa.org/scripts/acc.asp>.

**Q:** What are the most frequent complaints that the Board receives?

**A:**

- Inappropriately parked boats, trailers, RVs
- Visible trash and yard debris cans
- Basketball hoops in the streets
- Unfinished or poorly maintained landscaping
- Dogs and cats leaving unwanted surprises

**Q:** My neighbor says that he doesn't want to follow the CC&Rs and that the Board can't make him! Can the Board make him follow the CC&Rs?

**A:** True. The Board cannot make someone follow the CC&Rs but the Board can make them wish that they had.

As permitted by ORS 94.630, ORS 94.709, and the CC&Rs for Spring Meadow, failure to comply with the rules may subject a member to a fine previously established in the Spring Meadow HOA Fine Schedule, legal fees and other charges. A lien may be placed on the property in the amount of the assessed charges until such time as compliance is obtained.

**Q:** Over 30 days ago, I complained about a CC&R violation that my neighbor had. Why is the violation still present?

**A:** The Board always provides members with the opportunity to voluntarily resolve violation notices. If they don't, then enforcement begins. The Board cannot make someone follow the rules. Enforcement is a matter of applying enough pressure to obtain compliance. Thus, it can sometimes take a number of months to achieve results.

**Q:** Is there a faster way to achieve results for violations that my neighbors have?

**A:** In many cases, yes. If the CC&R violation is also a violation of City Code then contacting the City Code Enforcement team will likely yield the fastest results.

[http://www.cityofalbany.net/code\\_enforcement/index.php](http://www.cityofalbany.net/code_enforcement/index.php)

Call Team Administrator Marilyn Smith at (541) 917-7507

**Q:** What common CC&R violations are also violations of City Code?

**A:**

- Inappropriately parked boats, trailers, RVs (Any vehicle or combination of vehicles more than 23 feet long or 8 feet wide cannot be parked on a street, between 10:00 p.m. and 7:00 a.m. weekdays or all day Saturday, Sunday, and holidays. Vehicles must not block traffic signs or a driver's clear view at intersections.)
- Basketball hoops in the streets
- Dogs that bark for more than 10 nonconsecutive minutes within an hour
- Dogs that run loose
- Trash placed at the curb more than 24 hours before pick-up

## **MEETINGS**

**Q:** I cannot make it to the Board meetings. Are the meeting minutes available?

**A:** All meeting minutes are posted on the Meetings page of the website as soon as they are available. Upon reasonable notice, copies may also be obtained from the Board Secretary for a small copy fee.

**Q:** I'd like to attend the Board meetings but I never receive enough notice when the sign goes up. How else can I find the schedule of the Board meetings?

**A:** Once they are established, meeting dates are posted on the website's Meetings page. Meetings are typically held once a month.

**Q:** Are members allowed to participate in the Board meetings?

**A:** Board meetings are held to discuss and make decision about current issues before the Board. An agenda is followed and although the meetings are open to observation by any association member, only Directors are allowed to participate. The Board has set aside a period of time near the beginning of each Board meeting to hear member concerns or comments. Concerns raised can then be added to the agenda for the next month's meeting (if not already on the current agenda).

## **PETS**

**Q:** Are pets allowed to run loose in the neighborhood?

**A:** The CC&Rs specifically prohibit allowing pets to run loose.

“No animal of any kind, including dogs and cats, shall be allowed to interfere with the quiet enjoyment of the other residents in Phase \_\_, or permitted untended upon the streets or upon premises of other occupants of Phase \_\_”.

**Q:** Other people’s dogs and cats leave surprises in my yard. Is this really allowed?

**A:** The CC&Rs specifically prohibit allowing pets to leave these surprises.

“No animal of any kind, including dogs and cats, shall be allowed to interfere with the quiet enjoyment of the other residents in Phase \_\_, or permitted untended upon the streets or upon premises of other occupants of Phase \_\_”.

**Q:** My neighbor’s dog barks in the middle of the night for minutes/hours at a time. Is this allowable?

**A:** The CC&Rs specifically prohibit allowing pets to disturb the neighborhood.

“No animal of any kind, including dogs and cats, shall be allowed to interfere with the quiet enjoyment of the other residents in Phase \_\_, or permitted untended upon the streets or upon premises of other occupants of Phase \_\_”.

**Q:** The CC&Rs prohibit animals from disturbing the neighborhood and from leaving surprises. What can realistically be done about it?

**A:** With a written complaint and satisfactory evidence of whose animal is causing the issue, the Board can fine a member for violation of the CC&Rs. HOA enforcement can take a number of months to achieve results. The quickest resolution will likely be achieved by contacting the City of Albany Code enforcement team at 917-7507. For barking dogs, call the Albany Police Departments non-emergency number of 917-7680.