

*San Elijo Hills #1 Homeowners Association  
Community Newsletter  
October 2010*



*Editor's Corner  
by Margot Berg*



Hello Everyone!

The Association Board extends a warm thanks to all who attended the Annual Meeting of the San Elijo Hills HOA held June 10<sup>th</sup>. Councilman Dave Roberts was our speaker and, as usual, he gave us the latest up-to-the-minute news about what is going on in our wonderful city of Solana Beach. In lieu of a drawing for a restaurant certificate for those homeowners who mailed in their ballots, this year the Board decided to send self-addressed stamped envelopes accompanying the ballots. The return rate was higher than past years, and a needed quorum was easily achieved. The door prize for a \$50 certificate for Jake's Del Mar was won by Steve Benedict.

We are pleased this year to have a full seven-member Board to start the fiscal year. We had two vacancies which were filled by Bob Coale, our SHAG representative, and Melissa Nickell, who will be our Slopes Crew Liaison. SHAG is an acronym for Solana Homeowners Association Group, which consists of 12 HOAs east of I-5. The rest of our Board members are Donna Mancuso, our astute Treasurer; Fred Dawn, who does a terrific job as our Covenants and Architectural Chair; Marlene Ettari, our Social Chair who plans our fun activities; Ellie Sullivan, our Membership Chair, who welcomes all newcomers to our beautiful neighborhood; and

Margot Berg, continuing as our Association Secretary. The Board's responsibilities include enforcing the PC&Rs and making our community a better place to live.

Sharon Costello is our Website Chair and has done a terrific job designing our website. Take a look at <http://sanelijohills1.org>. Our PC&Rs are included, as well as the Architectural Form you will need if you are planning to remodel. Click on the "Links" tab, and you will find a number of helpful links, including one to the City of Solana Beach's website.

If you would like to become involved in our beautiful community, we welcome volunteers, even if it is an occasional few hours to help pass out flyers, count ballots, etc. You may send an e-mail to [margotb@roadrunner.com](mailto:margotb@roadrunner.com), and let me know how you would like to get involved.

Any questions or concerns should be directed to Ron Watts at Landmark Business Services, 481-5809. And if you are planning to do any remodeling, landscaping, or any other project that will affect the outside of your home, remember to submit an architectural form. Download the form from our website: <http://sanelijohills1.org>

Enjoy our fall season!



*Edited by Margot Berg, Association Secretary*

## ■ FYI . . .

Per requirements of the Civil Code, we are providing the following information and/or disclosures:

*Meetings:* Association Board meetings are held the 4<sup>th</sup> Tuesday of each month in the evening. Members are welcome. Please contact Landmark Business Services if you desire to attend. Meeting minutes are usually available a week or two after the meetings and are available to members upon request and upon reimbursement of the Association's costs for making that distribution.

*Insurance Info:* The Association has a "package commercial policy" with State Farm Insurance. This policy includes \$2 million for general liability, with up to \$4 million in coverage for annual general aggregate. We also carry \$2 million in coverage for officers and directors. We are required to add the following language to the above summary of our insurance policies:

**"This summary of the Association's policies of insurance provides only certain information, as required by subdivision (e) of §1365 of the Civil Code, and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of insurance. Any Association member may, upon request and provision of reasonable notice, review the Association's insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the Association maintains the policies of insurance specified in this summary, the Association's policies of insurance may not cover your property, including personal property, or real property improvements to or around your dwelling, or personal injuries or other losses that occur within or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance broker or agent for appropriate additional coverage."**

*Collection Procedures:* If dues or other assessments remain unpaid for more than 30 days after the due date, the Association may recover the reasonable costs of collection, including but not limited to attorney fees; small claims court fees; administrative expenses; a late charge of \$30, and interest at an annual percentage rate of 12%. For accounts that become more than 60 days delinquent,

the Association has the option of imposing a \$50 administrative fee for additional collection efforts. The Association may exercise any other remedy authorized by law.

*Dispute Resolution:* The Association's protective covenants and restrictions may be enforced by any homeowner or by the Association, or by both, as detailed by California Civil Code §1354. In summary, this section says that prior to the filing of a civil action by either an Association or an owner related to the enforcement of the governing documents, the parties shall submit their dispute to a form of alternative dispute resolution such as mediation or arbitration. The form of alternative dispute resolution chosen may be binding or nonbinding at the option of the parties.

Any party to such a dispute may initiate this process by serving on another party to the dispute a Request for Resolution. The Request for Resolution shall include (1) a brief description of the dispute between the parties, (2) a request for alternative dispute resolution, and (3) a notice that the party receiving the Request for Resolution is required to respond thereto within 30 days of receipt, or it will be deemed rejected. Service of the request for Resolution shall be in the same manner as prescribed for service in a small claims action as provided in §116.340 of the Code of Civil Procedure.

If alternative dispute resolution is accepted by the party upon whom the Request for Resolution is served, the alternative dispute resolution shall be completed within 90 days of receipt of the acceptance by the party initiating the Request for Resolution, unless extended by written stipulation signed by both parties. The costs of the alternative dispute resolution shall be borne by the parties.

Note: "Failure by any member of the Association to comply with the pre-filing requirements of §1354 of the Civil Code may result in the loss of your rights to sue the Association or another member of the Association regarding enforcement of the governing documents."



**Have you visited our website?**

**<http://sanelijohills1.org>**

## Financial Report for Fiscal Year 2011

Good news for the coming year! Once again, there will be *no* increase. In light of current economic conditions, the Board wanted to do everything possible to hold the line on homeowners' fees.

The loss for fiscal year end 2010 was due primarily to increased tree trimming expense. We do not anticipate having to pay this increased expense on a recurring basis. The association is completing its first full inspection of all the trees on the slopes and removing those our certified arborist deems hazardous. We expect the number of trees requiring removal to drop each year as we complete inspection of all the Association's trees.

Please feel free to e-mail our Treasurer, Donna Mancuso (donnamancuso@yahoo.com), with any questions or comments you have on the Association's fiscal matters.

|                              | Budget 7/1/10-6/30/11 | Actual 7/1/09-6/30/10     |
|------------------------------|-----------------------|---------------------------|
| <b>Receipts:</b>             |                       |                           |
| Slope Assessment             | \$156,288             | \$156,288                 |
| Interest Income              | 700                   | 713                       |
| Bad Debt Offset              | <u>-2,500</u>         |                           |
| <b>Total Receipts</b>        | <b>\$154,488</b>      | <b>\$151,000 estimate</b> |
| <b>Expenses:</b>             |                       |                           |
| Electricity                  | \$ 1,000              | \$ 970                    |
| Water                        | 31,000                | 31,051                    |
| Water Consult                | 1,050                 |                           |
| Hauling and Dump Fees        | 5,000                 | 6,697                     |
| Landscape Contract           | 79,200                | 77,755                    |
| Tree Trimming                | 12,000                | 26,836                    |
| Arborist Tree Inspection     | 1,500                 | 1,568                     |
| Irrigation Parts             | 3,000                 | 1,962                     |
| Fertilizer & Flowers         | 1,500                 | 4,184                     |
| Topsoil                      | 0                     | 0                         |
| Backflow Testing and Repairs | 1,200                 | 468                       |
| Tree Planting                | 3,000                 | 5,401                     |
| Committee Events             | 500                   | 515                       |
| Office Expense               | 1,200                 | 1,197                     |
| Taxes/Permits                | 350                   | 2,752                     |
| Insurance                    | 4,306                 | 4,308                     |
| Audit/Tax Prep               | 325                   | 350                       |
| Legal                        | 1,500                 | 0                         |
| Management Fee               | 5,400                 | 4,750                     |
| Miscellaneous Expense        | 150                   | 315                       |
| <b>Total Expenses</b>        | <b>\$153,181</b>      | <b>171,077</b>            |
| <b>Receipts (Expenses)</b>   | <b>1,307</b>          | <b>-20,077</b>            |



**Please remember to keep your children's play equipment off the sidewalk,  
so our homeowners can have a safe place to walk.**



### *Getting Green with your “Doody”*

There are those of us blessed with a dog or cat, and they bring unconditional love to us each and every day. These living, breathing animals ask for so very little, yet live for some of our precious time to be spent together, perhaps walking in this beautiful neighborhood. Taking the time to walk your dog is not only good for humans, but it also can be a bonding time for the owner and animal. However, please be careful not to disturb anyone else’s yard or leave the “doody” on a slope or curb.

Yes, this is yet another courteous reminder for dog owners to carry a bag and pick up after your dog and cat owners to empty cat litter in your trash can, not outside on a slope for others to find. We have a lovely neighborhood filled with animal lovers, and everyone enjoys getting outside. Please be an example for others, and don’t be ashamed to take your dog “doody” home to your trash can.



### *Important Notice*

All homeowners should be aware that **our PC&Rs do not permit any decks on slopes.** It recently came to the Board’s attention that an existing, but unsafe, deck was being replaced. Apparently, the deck was built years ago without approval. The Board and the City of Solana Beach have agreed to grandfather this replacement deck only because it was part of the property when originally purchased. **No construction of any type is allowed on our slopes by the PC&Rs.**

**Landmark Business Services**  
140 Marine View Ave., #203  
Solana Beach, CA 92075-2123



Are you planning a remodel, redoing your landscaping, adding a fence, changing out windows or repainting? Remember to submit an Architectural Request Form to Signe Osteen at Cal West Management. The Request Form (and information on approved colors, etc.) can be found on our website: <http://www.sanelijohills1.org>

