

**Neighborhood Watch Programs
Effective at Preventing Crime**



A recent article in the *Solana Beach Sun* reported on area Neighborhood Watch programs and their effectiveness. The Encinitas Sheriff's office, which holds jurisdiction for Solana Beach, can provide meetings by a Crime Prevention Specialist to help residents start to identify ways to deal with crime patterns in the neighborhood. The program offers several benefits to deter crime. Neighbors are the ones who really know what is going on in the community.

Neighbors work together with the Crime Prevention Unit for a partnership with the goal of keeping the neighborhood a safer, more desirable place to live and raise families. These meetings are provided to train Neighborhood Watch volunteers on what they should be looking for and how to respond to those activities. Involving community members in Neighborhood Watch programs decreases opportunities for criminals to commit crimes such as home or car burglaries rather than attempting to change their behavior or motivation. In addition, it provides citizens with new skills in observation and reporting which alerts law enforcement. If you are interested in volunteering for the Neighborhood Program please notify Melissa Nickell at mels5@roadrunner.com.

**October 22, 2011 - Neighborhood
Garage Sale**

The SEH's HOA has coordinated garage sales in the past (most recently by Marlene Ettari) which have been valued and appreciated by most members. The intention is to help facilitate members with the disposal of their unwanted household items. The HOA arranges the advertising, pick up by a charity truck, of unsold items at the end of the day and other opportunities such as shredding of documents. Volunteer Randi Sharman has volunteered to lead a garage sale this year on Saturday, October 22nd. Anyone that can help her with the details and coordination would be greatly appreciated. Please contact her at randi@opendoors.com.

**Financial Projections for Fiscal Year Ending
June 2012**

The budget for 2012 shows that projected expenses will exceed projected income by approximately \$6M. The shortfall is due primarily to one time estimated expenses of \$7M in legal fees. The bulk of those fees are attributable to the cost of rewriting our existing PCRs (see article). The remaining balance are expenses we will incur to collect delinquent accounts. We expect to recover those fees when the accounts are brought current. We will cover the projected deficit from our cash reserves which were in excess of \$100K at FYE 2011. We also budgeted an additional \$2,600 to cover the 9% increase in water costs. The Board is always considering ways to conserve our water usage. If you would like to contribute to this discussion, please feel free to email us or attend our monthly Board meeting. Your input is valued and appreciated.

BUDGET 7/1/11 - 6/30/12

RECEIPTS	
Slope Assessment	156,288
Interest, Fees, & Other Income	750
Bad Debt Offset	-2,442
TOTAL RECEIPTS	154,596
EXPENSES	
Electricity	1,000
Water	36,000
Water Consult	550
Hauling and Dump Fees	5,200
Landscape Maintenance	80,360
Tree Trimming	12,000
Arborist	600
Irrigation Parts	2,100
Fertilizer	750
Backflow Testing & Repairs	240
Tree Planting	1,000
Welcome Baskets	200
Annual Meeting	350
Office Expense	1,200
Taxes	250
Insurance	4,308
Tax Prep	350
Legal	7,000
Management Fee	4,950
Secretarial Service	2,500
TOTAL EXPENSES	160,908
RECEIPTS (EXPENSES)	-6,312

As submitted by Donna Mancuso

San Elijo Hills #1 Homeowners Association

Community Newsletter

September 2011



**New Directors and Volunteers donate
their time and efforts!**

The San Elijo Hills Home Owners Association had the annual membership vote in May, 2011 for volunteer Board Directors. The following members stepped forward and were approved as directors to donate their time and efforts to our neighborhood - benefiting all members: Fred Dawn, Bob Coale and Melissa Nickell. Donna Mancuso and LeAnn Auerbach recently agreed to also be directors and were approved by the board. (yes, there should be 7 Directors – in case anyone would like to jump in!)

Many, many thanks to the unnamed volunteers that are currently helping carry the load and that also signed up at the annual meeting in June, 2011 including Camille Ashcraft, Morey Rahimi, Ted Finkel, Randi Sharman, Sharon Costello (web wonder), Margot Berg (honorary director), Charlie Davis, Paul Davis, Adrianne Jones, Sandy Punch, Percy Zelnick, Don Vernon, Claude Penchina, and Kathy Thorden.

Finally, the Board said a grateful *Good Bye* to two very experienced Directors, *Margot Berg* and *Marlene Ettari* effective July, 2011. The two combined, had over 2 decades of board experience that helped to improve the overall functions and responsibilities of the Board.

Did we say "Thank You"?

**Restated Protected Covenants and
Restrictions (PC&R's)**

The developer of the 192 homes in the San Elijo Hills, Home Owners Association (*SEH1, HOA*) had the Protected Covenants and Restrictions (further referred to as *PC&R's*) approved in 1973. This document and amendments can be found on the web site, www.sanelijohills1.org in addition to other approved policies and manuals. The intent and purpose of it is to preserve the inherent natural beauty of the area and to foster in the community of Lomas Santa Fe, the blending of nature's attributes with the desire for a better place to live. The stated goal was and still is to make Lomas Santa Fe one of the finest residential communities in Southern California.

The quality of the development is dependent on the people and their attitudes toward the community in which they live. Since the origination and approval of the PC&R's, numerous amendments have been approved. As a result, the document itself is becoming awkward and difficult to read. There are also updates that are recommended to make it possible to keep property values at their peak.

Director Bob Coale has proposed and offered to work with the HOA selected legal firm to bring the document up to date and easier to read.

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Director Coale is currently working to prepare a final draft for the owners to review and vote on. Article VII states that the PC&R's may be amended at any time, by an instrument in writing signed by three-fourths (3/4) of the then owners of record of said property.

Volunteer members recently signed up at the annual HOA meeting, to help with this process and will be contacted to help plan for the distribution and vote on the restated document. If any other members are interested in volunteering your time please contact Bob Coale at bobcoale@sbcglobal.net by September 30, 2011.

Additional details will be posted on the web site – www.sanelijohills1.org.

Future homeowner correspondence will be available to everyone at the H.O.A. website:

www.sanelijohills.org. This is a great way to stay up to date, view policies and procedures, get forms and save money on postage and printing costs. If you don't have access to a computer, please notify Landmark Business @ 481-5809 to make arrangements for a copy of correspondence to be mailed to you. Thank You for your understanding.

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

Meetings: Association Board meetings are held the 2nd Wednesday of each month in the evening and are subject to change. Members are welcome and it is recommended to check the website (sanelijohills1.org) for any changes in dates. Please contact Landmark Business Services for location update 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

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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."

Please remember to keep large objects off the sidewalk so that homeowners can have a safe place to walk.