

# **Candlewood Ridge – Carriage Wood Homeowners’ Association**

**Minutes of the Meeting  
February 16, 2010**

The following is a summary of the meeting minutes and is not yet approved by the board.

**Board Members Present:** George McGill, Jerry Woolett, Sondra Woolett, Curt Whitaker, John Newcome, John Utz, Valerie Frazier

**Others Present:** 14 Homeowners, 3 children under 10, Elmira Utz – Recording Secretary, Officer Sam Shirley and Brian McGee Renton Fire Department

This monthly meeting was called to order at 7:09 pm. at the King County Sheriff’s Office – Fairwood Storefront.

**Fire Department Report:** Brian McGee reports that Renton has “Renton Heart Month” during the month of February and that checks on blood pressure and blood sugar would be conducted throughout the community.

**Police Report:** Burglaries are still occurring in the area. Suspects were caught in the last week in the process of robbing a residence-which may cause the overall rate to drop. Burglars are after electronics, jewelry, and cash. Be aware that you should change the default code on your garage door openers when you purchase them, as some thieves buy replacement openers and they will work if you have not updated the code.

**Approval of Last Month’s Minutes:** A motion was made to approve the January board meeting minutes as written. It was seconded and passed. A motion was made to approve the annual members meeting minutes as written. It was seconded and passed. Signing of both minutes took place by the board.

## **Homeowner Concerns:**

A Committee has been formed by some homeowners and HOA board members to look at the feasibility of changing the CC&R's in regards to home daycares. The committee is made up of Valerie Frazier, David Jenson, John Newcome, Karen Gates and Roger Hunter. They will have their first meeting on March 2<sup>nd</sup> 2010. This meeting is not open to the public but the committee is open to questions and comments. Just contact the Board with any input. The results will be reported in the minutes.

Statement by homeowner (HO) requested to be included in the minutes and are the words of the HO not the opinion or position of the HOA board nor have they been checked against the actual HOA documents:

“Let’s Rejuvenate our Neighborhood Together

It is obvious from last month's meeting that we have some very strong differences of opinion in our neighborhood. It is very good for everyone to be able to express their opinions. After all sides have been heard, it is important to find common ground that we can all agree on and from that point move forward together.

Our neighborhood is not immune from the current economic down turn. We have 8 empty storefronts in Fairwood, with Hollywood video soon to become number 9. We have vacant houses in our neighborhood in unprecedented numbers. The longer these houses stay vacant, the more it erodes our property values. The assessed value of our home has dropped significantly, and I am sure yours has too.

We need to focus on the reason our covenants were written: which is to protect the property values of our homes. This has never been a bigger challenge than it is today. I don't think that those who wrote the covenants could have foreseen this future. It is we who need to address the situation.

We would do well to see our neighborhood as being in competition with all those around us for the few home buyers that are out there. If we can attract them to buy in our neighborhood and fill our vacant houses, we will be shoring up property values for all our residents. This needs to be our focus.

I believe that it is something we can all agree on.

Who are these perspective home buyers and how can we convince them to buy here? The government is providing incentives for first time home owners and for those who have owned a home for more than five years and are ready to move up. The web advertisement for these incentives depicts these perspective home buyers as young families with children. I double checked the demographics with one of our local Realtors. I was told that because the values of our homes have fallen so dramatically, that both groups being incentivized would be able to purchase homes in our neighborhood. This includes young couples soon to be starting families as well as young families with children. Can you remember this time in your lives? For young families, their first priority is income, followed closely by the need for quality daycare. Often the two are intertwined and stressful. These buyers will not be attracted to a neighborhood that is closing down in-home daycares. The realtor I talked with believes that closing daycares is counter productive to selling homes in our neighborhood. In other words, it is eroding our home values in today's housing market.

With a change in perspective that we can make our neighborhood attractive to these perspective buyers by encouraging rather than discouraging neighborhood daycare and making sure our local realtors are aware of the change. We could put a flier in each home for sale, listing contacts for our neighborhood daycares, as well as local opportunities for children including scout troops, sports leagues, and fliers from our local schools. Showing that we are community that supports families could go a long way to filling our vacant houses. When homes turn quickly, all our property values go up. I will volunteer to generate and distribute the flier after we have all had a chance to review it here.

How can we make such a dramatic change? Consider this: we allow our teens-for-hire to advertise in the Fairwood flyer. These youthful endeavors are obviously being run out of their homes, and yet no one objects, because they provide a community service rather than causing a nuisance to the neighborhood.

Let's apply the same reasoning to our adult activities. Before taking action on a complaint, let's investigate it and determine if a legitimate nuisance with the potential for impacting our property values. Maintaining property values needs to be our common focus.

In reading the actual text of our No Business Use Covenant, it becomes apparent that it does not state that no business activity can exist in the neighborhood, but rather excludes business activity "which may be or may become an annoyance or nuisance to the neighborhood." This leaves the matter of what activity is, or is not, acceptable up to interpretation. Our current HOA board is taking a very strict approach to interpretation of this statement, while previous HOA boards have not. It is clear that we do not need to change the Covenant, it simply needs to be interpreted in a way that is agreeable to ALL. The interpretation should include our common focus of maintaining property values.

I would like to recommend that in light of our current economic crisis, and the challenges of today's home market, that that we make an emergency update to our enforcement policy (which requires only HOA board approval) to include the following procedure for defining the existence of nuisance properties.

If a complaint is received, a Nuisance Property Determination Questionnaire, along with a self addressed and stamped envelope, will be distributed to all home owners adjacent to all sides of the property in question, and directly across the street from the residence. (Neighbors in closest proximity to the residence in question have the most to lose, and therefore should have the most to say regarding the existence or non existence of a neighborhood nuisance.) If 50% of the homeowners receiving a questionnaire indicate that there is activity and/or maintenance issues deemed to be a nuisance which could result in loss of property value to homes in the neighborhood, the HOA board will take action to eliminate the nuisance. If however, less than 50% of the homeowners receiving a questionnaire indicate that there is activity and/or maintenance issues deemed to be a nuisance which could result in loss of property values, then it will be assumed that no nuisance exists, and the HOA board is absolved from any obligation to take action.

This nuisance determination criterion can be applied to all potential issues from businesses, to daycares, to yard maintenance, and even the sufficiency of garbage bin screening, all of which we heard controversy about last month.

Updating the enforcement policy to clearly define nuisance properties in this way allows the board to act on real problems, and not waste time and resources responding to insignificant complaints.

It permits well run, quiet day cares to operate; while providing a means of closing those which are not. It eliminates any need for the HOA board to regulate day cares in any other way. The State

is already set up to handle day care licensing and inspection.

It allows board members to share the responsibility of nuisance assessment, avoiding alienating themselves from neighbors, as decision making is put into the hands of the neighbors themselves who will be able to make an assessment based on a period of time, rather than a single visit.

It allows us to run our neighborhood with the end purpose in mind of protecting property values.

In conclusion I would like to point out that perspective homeowners are not attracted to neighborhoods with issues, so let's resolve ours and mend our fences. Let's together be the neighborhood who makes the most of this difficult economy, by maintaining the highest rate of residency possible through differentiating ourselves as being a neighborhood which supports families. Can we count on our HOA board to agree to focus on the important matter of maintaining property values, and in so doing move forward with rejuvenating our neighborhood?"

HO asked for clarification on procedure and how to change the HOA bylaws documents. If you read past minutes you will see that the change is read into them, a comment period follows for HO feedback and then it is voted on.

HO asserted the board could be voted out if quorum is established by state law, but it was explained that does not apply to us and we have specific requirements that are grandfathered in regarding replacement of board members.

Enforcement policy was not about identifying "nuisance" properties or businesses but to identify what kind of businesses can be practically detected in the neighborhood.

HO submitted suggested "Nuisance Questionnaire" to match her proposal. Board Agreed to pass it to committee to see if it's a viable option.

HO expressed frustration with email that another person forwarded to them from the president. She says she is not interested in personally attacking board members. She is interested in protecting her livelihood.

Some individual board members expressed that the process of expressing concern about daycare closures has been fraught with personal attacks.

HO asked why the media was barred from the members Annual Meeting. Explanation was given that it was a closed meeting with information only meant for members of the HOA. It was also disclosed that a lengthy interview was already granted the media by the HOA's representing attorney and only a few moments of it was used-indicating that the media was not interested in fairly portraying the issue.

HO says that the HOA board is punishing businesses because they feel they are personally being attacked. The HOA board members replied that they have a duty to act fairly and consistently regardless of the fact that they have been personally attacked by some members and the

media. Sharing the fact that they were personally attacked is simply disclosure meant to help stop further mistreatment.

HO asked why the HOA board doesn't issue an extension to daycare businesses until the changing of the CC&R's is addressed. It was suggested that perhaps there should be an extension until the end of the School year. The Board answered that it is too open ended but will consider appeals as they are presented.

Board member shared that if you see a Board member in the area with a clipboard it is because they are following up on complaints, not making them.

HO spoke regarding an old complaint regarding a wall that her neighbor built. She accused the ACC of changing the rules to suit them. ACC replied that this assertion is not true-that the case in point was a property line dispute, not an ACC approval concern, which the HOA cannot weigh in on.

HO thanked the board for creating the Daycare CC&R committee.

A final explanation of the appeal process was shared. An appeal is to either identify that there is a problem or not, it cannot overturn the rules. It is not possible to appeal for the HOA board to ignore the CC&R's, for example. Asking for more time to correct the problem is possible.

### **Committee Reports:**

#### **Treasurer's Report:**

##### 1. January 2010 Financial Statement Summary Facts:

\* We have started the year in a normal fashion. Nothing unusual to report.

#### **Architectural Report:**

1. Three ACC requests were submitted since the last meeting. Two were for landscaping projects and one was for repair/replacement of part of the siding.

2. Reminder - Our CC&Rs and Rules and Regulations clearly state that exterior projects such as roofs, painting, fencing, decks, driveways, major landscaping and patios require the submission and approval of an ACC request before commencing the project. The ACC has up to 30 days to respond to an ACC request but tries to respond much sooner than that. It is recommended that if a response to an ACC request has not been received within two weeks, the homeowner should contact the ACC Chairman via email at [architecture@crwhoa.org](mailto:architecture@crwhoa.org) or by leaving a voice message at 425-738-8611. For emergency type repairs notify the ACC Chairman as indicated above and mention that it is an emergency type situation. Please do not contact the ACC chairman via a home phone number.

3. Please remember we do not accept ACC request forms via email. Please mail them to CR/CW HOA, PO Box 58397, Renton, WA 98058.

#### **Common Areas Maintenance Report:**

1: Reminder to all Homeowners – It is our responsibility (Not King County's) to keep the Street drains clear. Please clear the debris and leaves from the drains by your house and at the ends of your street.

2: We continue to have branches fall onto the paths at CR Park. Please contact me at [president@crcwhoa.org](mailto:president@crcwhoa.org) or call 425-738-8611 and leave a message if you notice any trees or branches at either park or any of the Common areas or entrances.

3: Graffiti on fence in CR Park and on Basketball Court in CW-board member attempted to Remove the spray paint from the BB court with no luck so I purchased some gray Acrylic latex primer designed to cover cement and painted over the spray painting. Also painted over the graffiti on both fences at CR Park.

4: Center island at CR Entrance- a car ran up and damaged tree and hit light Pole – Canber had to remove tree as it was broken and PSE came out and Examined light pole. Wiring is OK and they changed the bulb – tried to straighten The pole, but couldn't get it perfect because of the extensive roots at the base.

5: In response to a written request we have had the trees in CW Park that border Houses inspected by an arborist. He also looked at several in CR Park for Evaluation if they are in danger of falling in a windstorm. They will get back to Us with a quote for recommended work.

6. Mutt Mitt Pole in Candlewood Ridge knocked down and melted. Sign has been bent and destroyed.

Reminder: Our parks are private parks which exist for the use and enjoyment of HOA residents, their families and guests. They are not public parks. Our park Usage rules apply to everyone. Following are some of the rules that have been established to maximize safety, and minimize liability and maintenance cost:

A. Park Hours: 9:00 am to dusk.

B. No Smoking, alcohol, drugs, loud music, golfing, motorized vehicles or Fireworks are allowed.

C. Animals must be leashed and owners are responsible for cleaning up after their animals.

Please report any suspicious activity in our parks by calling 911. Reference case #09-179682 when calling.

### **Complaints Negotiations Report:**

1. There are currently 15 open active complaints
  - a. 5 are in the fines stage – Two have been turned over to attorney & 1 of these is in Chapter 13 bankruptcy
  - b. 5 have received their 1st non-compliance letter
  - c. 4 have received their 2nd certified non-compliance letters
  - d. 1 has received the 3rd and final certified non-compliance letters, meaning fines are eminent.

2. Nine non-compliance issues were closed since the last meeting.
3. All the alleged in home businesses but three identified by the recent lawsuit have been resolved.
4. One appeal hearing was conducted in January concerning an unapproved driveway.
5. Another appeal hearing is scheduled this month concerning an in home daycare.
6. Reminder:

All complaints must be submitted in writing and signed by the author. We do not typically react to anonymous complaints submitted by letter, email or phone. We also want to remind everyone that neither the Board of Directors nor the complaint committee patrols the neighborhood looking for violations. We are all volunteers and we don't have the resources to hire someone to do it for us. We only react to the written signed complaints of homeowners. Therefore just because a violation has not been detected or reported for a long period of time, does not mean it is no longer a violation.

### **Legal and Insurance Report:**

Nothing new at this time to report.

### **Rental Home / Change of Address Committee**

Changes of Address and Rentals

- Reminder – When HOA correspondence needs to be delivered to an address other than the HOA street address, your HOA needs to be notified in writing of the correct address to send the correspondence. This applies to absentee homeowners who are renting or leasing their homes, homes that are vacant, and homeowners who choose to receive their correspondence at a PO Box or alternate address. In addition homeowners who are renting or leasing are required to comply the provisions of the Leasing/Rental of Homes/Tenants Rules and Regulations.

### **Capital Improvement Committee:**

Let us know of any other suggestions for Capital Improvements.

### **Old Business:**

Suggestion at annual meeting to give a discount to those who pay their dues in full will be revisited in 2011 with the book keeper.

Suggestion for next year to have place cards in front of board members at the Annual Meeting will be done.

Suggestion to have more help with check in will also be followed through on provided we can get the volunteers.

### **New Business:**

The following Association officers were elected by the Board-Curt Whitaker appointed President, Valerie Frazier appointed Vice President, Jerry Woolett Treasurer.

Motion to remove trees identified by Arborist as “Priority 1” not to exceed \$5000.00. Passed.

Lot by Ridgewood is attracting teens. It is owned by the Bratton Construction company.

Easter Event will be April 3<sup>rd</sup> at Carriagewood Park. Volunteers may contact the board if they would like to become involved.

Alisa Follette indicated an interest in volunteering for the welcoming committee and was asked to follow up with the board.

**Welcoming Committee** – If you are new to the neighborhood and would like an HOA information packet, call the HOA phone number at 425-738-8611 and leave a voice message or send an email request to [info@crcwhoa.org](mailto:info@crcwhoa.org).

**Special Topics:** Visit our Website and contact the HOA via Email at:

Web – [www.crcwhoa.org](http://www.crcwhoa.org)

Email – [info@crcwhoa.org](mailto:info@crcwhoa.org)

A motion was made to adjourn the meeting at 8:45 pm.

**Next Board Meetings:**

- March 16<sup>th</sup>
- April 20<sup>th</sup>
- May 18<sup>th</sup>

Meetings are usually held at **7:00 pm.** at the Sheriff’s Office, Albertson’s Shopping Center. All Homeowners are welcome to attend.

**Candlewood Ridge / Carriage Wood Announcements & Reminders**

**\*ACC Requests** - The HOA CC&Rs and Rules and Regulations documents clearly state that exterior projects such as roofs, painting, fencing, decks and patios require the submission and approval of an ACC request before commencing the project. The ACC has up to 30 days to respond to an ACC request but tries to respond much sooner. It is recommended that if a response to an ACC request has not been received within two weeks, the homeowner contact the ACC Chairperson via email at [architecture@crcwhoa.org](mailto:architecture@crcwhoa.org) or by leaving a voice message at 425-227-4227. ACC request forms can be found in the Fairwood Flyer or on the HOA website at [www.crcwhoa.org](http://www.crcwhoa.org). *Please do not contact the ACC Chairperson via a home phone number.*

**\*Carriage Wood and Candlewood Ridge Parks** – A policy has been established to maximum safety, minimize liability and maintenance costs, while allowing homeowners of the association to enjoy our parks. Rules to accomplish this include:



- Park hours: 9:00 am until dusk
- No smoking, alcohol, drugs, loud music, golf, motorized vehicles or fireworks are allowed
- Animals must be leashed and owners are responsible for cleaning up after their animals

Please report suspicious activity in the parks by calling 911. Reference case number 09-179682 when calling.

**\*HOA Website** - Visit the CR/CW HOA website at [www.crcwhoa.org](http://www.crcwhoa.org) to read messages on our Bulletin Board, monthly meeting Minutes, Rules and Regulations documents and much more!

**\*Trash and Recycle Receptacles** – A friendly reminder to homeowners that Garbage Cans, Recycle and Yard Waste Receptacles are to be properly stored behind a fence or inside the garage where they are not visible from the street.