

CASITA COLONY RECREATION ASSOCIATION

SPECIAL MEETING of the BOARD OF DIRECTORS

February 26, 2024

CALL TO ORDER (6:02 PM)

A Special Meeting of the Board of Directors was called to order on Feb 26, 2024, at 6:02 PM, by Karen Fleming.

ROLL CALL

Directors in attendance: Karen Fleming, Ralph Whitney, Wayne Debus, Lynn Helferich, John Baughn

Alternate Directors in Attendance: Gus Meyers, Raina Sainz

PRESENTATION TO THE BOARD (6:05 to 6:35 PM)

Judy Rosenthal, President of Villa Monterey V, presented insights and answered questions about

- Board meeting protocol
- Handling of temporary occupancy
- Granting of hardship overrides
- Enforcement suggestions:
 - Be sure homeowners know the rules and precedence already set
 - Set a fine policy and schedule
 - Be patient while homeowners learn
 - Use personal touch whenever possible
 - Fines are not for revenue
 - Use multiple notices with increasing coercion
 - Use 'self-help' cleanup if needed
- Reserve account expenditures
 - Reserve fund expenditure is usually small - \$10K
 - Facing problem of low home sales to fund the reserve fund
 - Funded by \$400 transfer fee and a capital investment fee on sales

MINUTES (6:35 to 6:37 PM)

Minutes of the Feb 10, 2024, Regular Board Meeting were approved by the Board via affirmative voice vote.

FORMS REVIEW (6:37 to 7:00 PM)

Director Helferich presented a survey of forms and outstanding work/issues:

- **STOCK CERTIFICATE** – this form has been updated with names of the current HOA President and Secretary, and should name all owners in the case of multi-owner properties. There is current work to revise our HOA method of naming the “voting stockholder”, which is a single person, per our community documents, who is identified to the Secretary as the person who can cast the vote for a multi-owner property. Our community algorithm for doing this differs from the state default method, which allows multiple-owners to cast fractional parts of a vote if they wish (effectively sharing the vote).
- **LATE RENOVATION FEE** – the current form has language requiring a Developer Owner to complete work and “list” the property for sale within six months. The Board’s intent is to discourage long periods of development, by instituting a fine that penalizes developers who extend beyond a six months limit. The wording that included “listing” the property was found to be inadequate, and Director Helferich proposed new language that requires completion of renovation within six months.

- **BOARD ACTION:** The motion was made, seconded, and carried by unanimous voice vote to adopt Director Helferich new language for the **Late Renovation Fee** form. The modification will be added to the form and reported at a future Board meeting.
- **CHANGE OF OWNERSHIP AND OCCUPANCY** – this form is essential for documenting (and gaining Board approval for) incoming household residents during a property sale with change of ownership. It has not undergone changes.
- **CHANGE OF OCCUPANCY** – this form is used for documenting changes to the household without a sale transaction, an infrequent occurrence. It was discussed that the document has an ownership phrase embedded within it, which seems to imply an ownership change, which is not the intent of the document. Modifications are probably in order but were not discussed.

OCCUPANCY DISCUSSION WITH RESIDENTS (7:00 TO 8:00 PM) – an open discussion was held among the Board and the Homeowners attending, concerning cases and practices, and history of how occupancy rules have been interpreted by Board and Homeowners, passed down among Homeowners on same streets, leading to variance in treatment and in belief as to what our true rules and regulations are involving occupancy of a property.

While the discussion cannot be summarized in brief, the following points were observed:

- There are varying and conflicting beliefs as to what a rule requires of the homeowner
- Interpretation of rules varies by street, making for differing rules for different neighbors
- Community documents do not clearly deal with common occupancy situations
- Same terms mean different things to different residents
- Strong agreement that CCRA is a HUD 55+ age community
- Strong agreement that CCRA is a No Leasing community
- Strong agreement that the Board should recognize hardship cases
- Properties with indefinite absence of owner were most likely to have occupancy issues
- Properties with owners away for vacation are a case needing clear guidance by CCRA
- A 55+ daughter of an indefinitely away owner stated that she would ask for approval of temporary occupants if the Board wanted that

OCCUPANCY DISCUSSION WITHIN THE BOARD (8:00 TO 8:19 PM) – Board discussed

- Moving ahead on issues of occupancy and rules enforcement
- Minimizing legal expense by doing bedrock work ourselves and asking only legal review
- President tasked Directors Whitney and Helferich to take lead on occupancy

AGENDA ITEMS NOT ADDRESSED -

- Volunteer Outreach
- USPS Mail-related Matters
- 9-month Residency Rule for Board Members
- Board & Committee Communications

ADJOURNMENT (8:20 PM)

John Baughn
 Secretary
 Casita Colony Recreation Association