



*Homeowner's Association
Newsletter
October - December 2017*

President's Corner. The Board of Directors (BOD), as did you, took a summer break to spend time with our families and friends. Some of us planned BBQs, local trips to the amusement parks, and traveled across the states and abroad for business or pleasure. While on vacation, the BOD monitored the Community's situations ensuring request of Architectural changes were responded to in a timely manner, bills were paid, and grounds keeping remained active. We also prepared ourselves for Tropical Storm Emily and most recently Hurricane Irma. With respect to Hurricane Irma, we hope everyone remained safe and minimal damage had. I drove around the community the day after and noted one home with tree damage, neighbors working together to share electric power, and many neighbors collaborating to clean the yards and move debris to the streets for County pickup. My contact with the yard waste company revealed it will pick up the yard waste once the emergency contract comes through. Please be advised, you will not be asked to remove the debris buildup in front of your home waiting to be picked up, however the County will not sweep the remaining leaves once they pick up the branches...this will be the homeowner's responsibility. It is important to note that debris piles should not be in the way of traffic, sidewalks, utilities and fire hydrants.

The BOD will continue to offer all the homeowners the opportunity to participate in our monthly meetings through Google Zoom services. To prevent any toll charges that may be of concern you can always login to the website and participate online. An email will be sent to homeowners providing the telephone, website, and conference ID#. We urge you to participate in our monthly meetings and let us know if you have any problems connecting; we will continue this practice until the BOD can identify an alternative "no cost" solution, however those options are limited without costing the HOA a monthly fee and with the lack of participation and feedback it is not a monthly cost the BOD feels necessary to absorb

The VP and I have taken the opportunity to work closely with our Attorney to conduct a comprehensive review to update the Declaration of Covenants, Conditions and Restrictions (our "Governing Document") paying close attention to aligning documentation with Florida Statue Chapter 720 Homeowner's Associations. This revised draft document will be distributed to all in a format easy to read and understand. Eventually, we will need your approval to accept these changes as future BOD will need to rely on this new content to achieve compliance with FL Chapter 720.

Importance of Future Elections: The annual HOA election is scheduled for Dec. 5th from 7-9 PM at the Limona Village Chapel. All the BOD (President, VP, Treasurer, and Secretary) and Architectural Chairperson, and staff positions will be open for election to allow new membership to continue the sustainment of the HOA business. Most of the current board has served a minimum of two consecutive years. Many of you may not fully understand the importance of having a HOA. I have included two URLs that can explain the importance of the HOA as a corporation that protects the BOD from unjust legal actions and keeps the annual fees within reason to pay for ongoing operating costs. One article affects California HOAs, and the other is specific to Florida HOAs and Condominiums' HOAs. As you

read them, the similarity between state laws will become apparent. Therefore, what does it mean to not have a HOA? First of all it means annual assessments/fees don't get collected, and bills don't get paid. This leads the HOA's corporate status to be suspended; this also constitutes failure to fulfill state reporting obligations, which puts the HOA in a downhill trend. Without the "corporate shield" status, the outgoing BOD and each owner is at risk personally for the debts and liabilities of the association. Moreover the circuit court will assign initiate a "receivership" program whereby they appoint a "Receiver" (Custodian) that accesses new fees to collect his full salary in addition to the fees to pay the bills. The Receiver reports directly to the court and homeowner's rights are excerpted to the Receivers' best judgment and not the HOA's interest.

Florida Statue Chapter 720.305 (4) Homeowner's Associations outlines the Receivership process in detail if you are interested in reading more. We need to prevent this from ever happening to our community. I urge you to seriously consider participating in the HOA elections and forming part of this worthy organization.

References.

Grimm, Beth, What Happens if No One Is Willing to Serve on the HOA Board? February 20, 2015.
<http://communityassociations.net/cacondoguru/what-happens-if-no-one-is-willing-to-serve-on-the-hoa-board/>

2017 Florida Statue Chapter 720 Homeowner's Associations.

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0720/0720.html

Samouce, Rob, What happens if nobody will serve on association's board of directors? May 2, 2009.
http://sandglawfirm.com/article_detail.php?detail_id=90

Friendly Reminders

Remember we need to take responsibility for our property and safeguard our belongings from juvenile thrill seekers.

Speed limit within the neighborhood is a maximum of 25 MPH. Consider the children on the streets and the fact that you will be reported for speeding. Please be sure to pass this message along to ALL those driving in your home.

All pet owners are required to pick up after their animals and dispose of the waste in a trash can.

Upcoming Events:

- **Annual HOA Meeting, Tuesday, Dec 5th 7pm – 9pm Limona Village Chapel**
- **Annual Holiday Lights Contest – Details will be emailed out closer to December**

Homeowner's Knowledge Corner.

- Timber Pond III Waste/Garbage Pick Up Schedule:

Wednesday Morning Pick Up

1. Blue Sanitary Container - Recyclable Garbage Only
2. Gray Sanitary Container - Regular Household Garbage

Saturday Morning Pick Up

1. Yard Waste (owner/renters' trash containers) – Tree Branches/Grass Clippings/Leaves
2. Gray Sanitary Container – Regular Household Garbage

*After collections, garbage containers should be removed from the curb/in front of the home, and they should be stored in an area away from the front of the home, preferably out of view from the road. The Architectural Committee recommends placing them directly behind the chimney as an immediate solution. You can also use a small portable fence to hide your containers if you have to store them in a visible location on the side of your home. Portable items do not require Architectural Committee approval. Visit this link for more information: [Outdoor Screen Enclosure](#)

- Follow county watering day restrictions – two days a week depending on your home number.
- Car washing is permitted if you use a controlled sprayer that stops water from running when not in use.
- Modifications/planned changes to the exterior of your property require approval from the Architectural Committee. Getting approval for new/old fences, outbuildings/sheds, or painting one's house are some examples of potential requests for approval. Please email timberpond3@gmail.com with your request or use the website (www.timberpond3.com) "Contact HOA" submission to request approval.
- If a homeowner plans to sell or rent their home, we kindly ask that you notify the BOD in order to keep our records current. Please provide a contact name, email and phone number. We would like to include everyone in community events, announcements, and especially when emergencies occur and we need to notify all residents. Additionally, homeowners should provide the renters with the Association's website so they too can read the Declaration of Covenants, Conditions and Deed Restrictions of Timber Pond III.

Dr. Felipe A. Cuesta
President
Timber Pond III Homeowner's Association