

Plantation Lakes Newsletter

Fall, 2017

2017 Annual Meeting – 9/17/2017

The annual meeting was Sunday, September 17, 2017 at 2pm held at Redeemer Lutheran church. Garret Humes, Esq. of Kaman & Cusimano law firm led the meeting. Steve McCullum was reelected for a five year term and Maria Alexander was elected for a four year term to the Board of Managers.

Matt Kennedy of the Bray Company presented the financial report:

Finances:

Income from dues	\$197,825.00
Expenses (normal upkeep)	<u>\$190,073.00</u>
Current Operating Account Balance	\$ 16,355.00
Current Reserve Balance	\$153,290.00

Collections:

Income through efforts of law firm	\$ 23,809.00
Fees incurred for legal services	<u>\$ 12,623.00</u>
Net Income to Association for 2017	\$ 11,186.00
Net Income to fees from 1/16 - 8/16	<u>\$ 15,391.00</u>
Income through legal efforts	\$ 26,577.00

Capital improvements planned for the rest of 2017 include concrete repair to sidewalks throughout the community.

We as a board appreciate all the concerns that were presented at the annual meeting. We will

do all we can to address these concerns in a timely manner.

Homeowners Association Fees:

Again, this year the HOA fees will remain at \$115/month. The fees are due by the 15th of each month. There is a \$25/month late fee.

Delinquent owners pay Association's legal fees.

In considering what bills to pay and what bills to put off, think twice before falling to pay the Association's fee.

In the Ohio Supreme Court case of Nottingdale Homeowners Association vs. Darby, an owner contested the document provisions of the Association allowing the assessing of the legal fees back against the delinquent owners' account.

The Ohio Supreme court upheld and award of \$12,268.89 in legal fees incurred by the Nottingdale HOA as a result of owner Darby's \$2,464.20 delinquent balance. In its review of the matter, the Ohio Supreme Court stated that:

“[Darby asks] us to disregard the explicit terms of the Declaration and Bylaws by which [he] agreed to be bound.

[When Darby] purchased a unit in Nottingdale, [he] freely agreed to be bound by the terms of the Declaration.

Accordingly, we hold that provisions contained within a Declaration and Bylaws requiring that a defaulting owner be responsible for the payment of attorney fees incurred by the owner's Association in either collection action or a foreclosure action against the defaulting owner for unpaid common fees are enforceable and not void as against public policy.

Clearly, you should think twice before failing to pay the Association's fees.

Winter Hazards, i.e., Snow and Ice:

Plantation Lakes Association arranges for snow to be plowed and removed from the walks after 3 inches of snow has fallen.

In spite of the Association's efforts to keep the property reasonably free of snow and ice, the Association does

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not guarantee or promise protection against these hazards. Residents, therefore, must proceed cautiously as dangerous conditions may lurk anywhere and everywhere on the property. There may be shaded sidewalk areas where the sun does not melt the ice. We suggest residents have on hand a supply of salt for their walks to keep themselves safe.

Trash Pickup:

- **Bulk pickup number is 614/245-3111 or 311**
- The cost of bulk trash that has to be removed by the Association will be charged back to the owner leaving it out. If you are a renter that means your landlord will get the bill.
- This bulk trash that owners/renters have left out not picked up by **BULK PICKUP** has cost the association **\$3,314.99** so far this year. That is money that could have been used more beneficially for the upkeep of the community.
- **Reminder – All trash/recycle bins must be returned to the garage by the end of the pick-up day. Fines will be issued for failure to abide by this rule.**
- **Refuse pickup day changes to Friday after the 9th of October (Columbus Day).**

Leasing/Rentals/Transient Uses of Units:

Rules and Regulations Handbook, Pg. 5 VIII.

“No additional investment units or units used as rental are permitted in Plantation Lakes Condominium Association. A unit used for rental as of February 8, 2016 may continue to be used for rental until it is sold. When sold, it must be sold as an Owner Occupied unit.”

Violations of the above rule may result in legal action, e.g., eviction, an injunction, etc.

Declaration of Condominium Ownership,

§14 B: Hotel and Transient Uses:

“No Unit or any part thereof shall be rented or used for transient or hotel purposes (which shall be defined as rental for any period less than 30 consecutive days) or for any rental in connection with which the occupants of the Unit are provided customary hotel services, such as room service for food and beverages, maid services, the furnishing of laundry and linen, busboy service or similar services.”

Unfortunately, violations of these and/or any other rules COST your association in legal fees. Please be sure you know and follow your Association rules so that condo fees do not have to be increased in the future to pay for the legal costs involved to fight any violation.

Bray Management can be contacted by calling (614) 839-3900 extension 25 and leaving a message for Matt Kennedy or by emailing him at: mkennedy@brayco.org.

Parking Concerns

Owners & Residents, please continue to be mindful of where you park and that of where your guests park. Lately, owners, residents and/or visitors have been parking directly behind the garage of someone else's condo. If you do this, **your vehicle will be towed without notice!**

In addition, no commercial vehicles or vehicles that hold ladders are permitted on the property.