



July 2013

SURFSIDE III e-NEWSLETTER

Daniel Kessner – Editor



FROM THE BOARD OF DIRECTORS

NEXT OPEN BOARD MEETING IS ON SATURDAY, AUGUST 10, 2013

Because of a lack of quorum, we are cancelling the Board meeting scheduled in July on the 13th. The next scheduled Open Board meeting and Executive Session will be held in the Clubhouse on Saturday, August 10, 2013. Any Architectural Modification forms can be handled between the meetings if they clearly meet our guidelines. Our Board member, Mike Madrigal, has been authorized to approve them by our President. The Board will review this authority at the next open meeting. In addition, if there are urgent Executive Session matters, a special Executive Session can be scheduled. At the next Board meeting, there will also be an agenda item considering a bi-monthly meeting. Please address your comments about a bi-monthly meeting to our President, Bill Betts, at bill.betts@surfsideiii.com.

CC&Rs

Terry Smith has volunteered to provide us with a list of homeowner questions about the CC&Rs. Please send Terry any questions you have by July 16th. Her e-mail is: smithannterry@yahoo.com. Our plan is to publish this list of questions in the August newsletter, along with the responses generated by our attorney. The Board will review the questions and make changes to the CC&Rs draft. We then hope to have a draft of the CC&Rs and By-laws out by August 1st that can be discussed at the August meeting.

FROM THE ON-SITE OFFICE

BBQ/SMOKING

With the weather getting warmer, residents are spending more time outdoors. Remember that open-flame barbeques/smokers are prohibited on patios and balconies for health and safety reasons. Only gas/propane barbeques are allowed.

As another reminder, smoking on patios and balconies is prohibited. Note: Courts have held that Associations can pass rules against smoking on balconies because they have a good reason to regulate smoking – it is a health hazard, a fire risk, and a nuisance. Restricting smoking is NOT a violation of a person's civil or constitutional rights. A complaint filed will result in a warning. If two or more complaints (even from the same person) have been filed with the on-site office, a fine of \$50 for each violation will be charged.

LEASING RESTRICTIONS

It has come to our attention that homeowners/tenants are advertising to rent a room in their townhome or condo unit. This violates the CC&Rs, Article VII, which addresses the use of a unit:

Section 1. **One Use. Business Usage is Prohibited.** All units in the project, above described, shall be used solely for single family

residences.

Under the use limitations of the CC&Rs, an owner's rental of rooms in his or her condominium violates the CC&Rs' limiting the home's use to single-family dwelling purposes. When the Association identifies that a room is rented, it will take the appropriate steps to enforce the CC&Rs. If necessary, the Association will initiate legal action to obtain a court order for injunctive relief prohibiting room rentals in the unit.

PETS

There continues to be negligence for immediate clean-up. PLEASE take personal responsibility for cleaning up after your pets on the common areas as well as on your patios/balconies. If you visit the dog run, before leaving check for any clean up needed. The maintenance staff is routinely cleaning this area. It is the responsibility of the dog owner. Anyone violating this rule will be subject to the initial fine without the benefit of a warning for special circumstances of \$100.

Just a reminder that all pets MUST be on a leash and accompanied at all times when outside the confines of the individual units, patios and balconies - \$25 fine.

No pet should be tethered by an owner in violation of the Health and Safety Code, Article 122335. Please do not fasten the dog to the patio areas outside the condo units. Thanks for your cooperation.

QUIET HOURS

Please be respectful of your neighbors during the quiet time hours. "**All excessive noise**, such as made by — but not limited to — stereos, musical instruments, TVs, loud voices, parties, barking dogs, car and motorcycle engines, construction, loud household appliances (use limited from 8 am to 9 pm) and any other noise which disturbs nearby neighbors—is prohibited. Construction and homeowner repairs are allowed Monday thru Saturday from 8 am to 8 pm and 10 am to 6 pm on Sundays. Several homeowners and tenants have reported that their neighboring unit residents slam their doors. Please be conscious of others because you do, after all, live in a close living environment and the sounds and noises pass on to others easily. Thank you.

DRANO AND GARBAGE DISPOSALS

Drano: Using any chemical product in the plumbing is a 'NO-NO'. *NEVER...NEVER...NEVER* use Drano or Liquid Plumber to clear a slow draining sink or clogged sink. First, try your plunger...if that fails then call a plumber. Caustic substances can destroy our drain lines.

Garbage Disposals: This equipment is a convenience; limit your use and do not attempt to grind up excess food. *DO NOT* dispose of peels, pasta, rice, coffee grounds, grease of any kind, egg shells, lettuce, fruit cores, cereal, cheese or any solid food item in the garbage disposal.

PLEASE DON'T PICK THE FLOWERS

We've had repeated occurrences of flower heads being broken, tree climbing in common area and most recently fronds from palms broken down.

As a reminder, the flowers in the common areas are for everyone's pleasure and are **NOT** for personal picking or usage or as a toy or playground area. Repeated offenses will result in fines.

SKATEBOARDING/BICYCLE RIDING

It was previously reported that that we've had a few close calls with skateboards recently. Let's all remember that according to the Rules & Regulations, "Bicycle riding and skateboarding on sidewalks, common area walkways on the first, second and third floor condo buildings and landscaped areas are strictly prohibited at all times. For everyone's safety when entering and exiting the complex, please walk to/from your home rather than ride. It is sometimes difficult for someone parked in a carport to see you coming from behind them. Thank you for your cooperation.

BICYCLES

Some of the newcomers are not aware that we've got bike rooms available. If you have a bike on your patio/balcony, the on-site office can sell you a key for a one-time charge of \$20 for bike storage in one of the bike rooms that are available. There are a handful of bikes on the patio/balcony areas that need to be removed. Please stop by the office and pick up a key.

ARCHITECTURAL APPLICATIONS

When an owner/investor makes alterations, additions or modifications, an Application for Architectural Modification must be filled out. There are standards on the website under "Committees/Architectural/Architectural Standards" for the following items:

Satellite Dish installation

Condo Security Door and Screen Door Installation and Locks

Replacement Windows and Doors

Town Home Gate Locks

Patio Blinds

Plumbing Repairs following Ace Duraflo upgrades

Patio Fencing

Hard flooring/Tile

COMMITTEE BRIEFS

For more information visit: <http://www.surfsideiii.com/docs/committee/committee.htm>

Please contact the chair to volunteer.

Neighborhood Watch Committee: Val Lameka; 805-986-2855; v.lameka@yahoo.com

We had a good June meeting, with no serious problems remaining in the complex. Sr. Officer Bates and volunteer Dolores Dyer attended and said that, while Surfside III was no problem, the North End (Beat 1) continues to have multiple calls each night. The police responded to 733 service calls in all of Port Hueneme in May, and made 61 arrests.

All residents are invited to a "Meet the Chief" event at the newly remodeled Holiday Inn Express on Ventura Road & Hueneme Road. Our new chief is a hard-charging, nice guy who is carrying on the type of policing practiced by former Chief Sheehan. It will be on Wednesday, June 26, at 5:30 pm.

The next Neighborhood Watch meeting will be after the 4th of July. Come join us on Thursday, July 11 at 7:00 pm in the Clubhouse. Questions and reports to Val Lameka.

FROM THE EDITOR

Please send all newsletter submissions to me at dkessner@csun.edu. Please avoid any special formatting and use Arial 10-point font if you have it. The deadline is the 20th of each month for the following month's issue. Owners and renters should be aware that the Newsletter is always available on the website: www.surfsideiii.com. This includes back issues.

The **Owners' Corner** is a forum for all of you to voice your opinions on anything that might be of interest to everyone else. Please feel free to take advantage of this.

The City of Port Hueneme has a free electronic newsletter with information on various city-related matters and events. To sign up to receive it, visit the city website: <http://www.ci.port-hueneme.ca.us>, then in the column at the far left, click on "Sign Up for E-News."

CONTACT INFORMATION

MAINTENANCE/RESIDENT SUPPORT (PHONE NUMBERS AND E-MAILS BELOW):

Contact Lordon Management, Jennifer Critchfield; for e-mails always copy Donalea Bauer

Include your phone number(s) and/or e-mail for response before end of next business day. If you get her voice mail, but would like to speak with her directly, hit zero and talk to the operator.

If more urgent, call Donalea Bauer.

Surfside III On-site Property Manager's Office: 600 Sunfish Way, Port Hueneme, CA 93041

Phone: 805-488-8484

OFFICE OPEN:

Mondays & Fridays – 8 am-12 noon

Wednesdays – 1-5 pm

THERE WILL BE NO ON-SITE TELEPHONE SERVICE WHEN THE OFFICE IS CLOSED.

Please note that calls regarding maintenance or billing should be directed to Lordon Management.

Surfside III Direct Contact:

Surfside III COA
600 Sunfish Way
Port Hueneme, CA 93041
<http://www.surfsideiii.com>
manager@surfsideiii.com
Phone: 805-488-8484

Carol Short, On-site Property Manager

Management Company:

Lordon Property Management
1275 Center Court Drive
Covina, CA 91724
Phone: 800-729-5673
For after-hours emergencies, dial 5 or
626-771-1075

Donalea Bauer, Vice President, community manager

Email: donalea@lordonmanagement.com

Phone: 800-729-5673 x 3342

Jennifer M. Critchfield, assistant community manager

Email: jcritchfield@lordonmanagement.com

Phone: 800-729-5673 x 3380

Our Board:

Bill Betts - President bill.betts@surfsideiii.com

Ira Green - Vice-president ira.green@surfsideiii.com

Alexander Urmersbach - Treasurer alex.urmrsbach@surfsideiii.com

Anthony Truex - Secretary tony.truex@surfsideiii.com

Michael Madrigal - Director michael.madrigal@surfsideiii.com

LORDON MANAGEMENT: OTHER DEPARTMENT EXTENSIONS

All escrow matters: Nicole Castillo, ext. 3339; nicole@lordonmanagement.com

All insurance and collections: Emily Polchow, ext. 3337; epolchow@lordonmanagement.com

Your account, billing address, etc: Liz Lopez, ext. 3319; llopez@lordonmanagement.com

Liens, legal issues: Donalea Bauer (see above)

Owners' Resource Center

The section herein is provided as a courtesy for owners only to afford an opportunity to advertise their business (es). All advertisements will be subject to Board approval. Nothing contained herein should be construed as an endorsement by the Surfside III Condominium Owners Association of any business, product or service. Owners utilize the services offered herein at their own risk. The Association expressly disclaims any responsibility and/or liability for use of the advertised business, product or service and makes no representations regarding its accuracy, quality or suitability.

IF YOU THINK HIRING A PROFESSIONAL IS EXPENSIVE, DON'T HIRE AN AMATEUR



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oaktreeconst@gmail.com www.oaktree-construction.com

Davis-Stirling.com
Newsletter

by **AK** Adams Kessler

Serving California's Community Associations – June 02, 09, 2013

SMART HOA ANNOUNCEMENT

I am proud to announce the launch of "Smart HOA," a cost effective, cloud-based management program for associations of all shapes and sizes, whether they be 2 units or 20,000 units.

Information Management. I designed Smart HOA to give boards and managers the tools they need to effortlessly manage their communities and the enormous amounts of information they generate, such as:



- Member/Tenant Information: Names, addresses, phones, emails, and emergency contacts, pets, vehicles, storage spaces, etc. (and easily print up-to-date mailing labels).
- Rules Violations: Warning letters, hearing notices, incident reports, photos and hearing results.
- Work Orders: Generate and track work orders, materials and labor costs and notes about repairs.
- Parking: Vehicle and parking space information.
- Guest Access: Track guest lists, guest and vendor entries, and print parking passes on the fly.
- Moving and Deliveries: Authorized move-ins and outs, deliveries, damage deposits and special instructions.
- Package Tracking: Track packages being received and picked up (also compatible with barcode readers).
- Architectural Applications: Checklists, date stamping, deposits, etc.

Green Technology. Because Smart HOA is "green" it allows communities to go paperless. Governing documents, minutes, work orders, violation letters, photographs and the like can be stored in the program and viewed by the board and management at the touch of a screen.

Owner Portal. I included a homeowners portal in the program so homeowners can (i) opt in and out of receiving notices by email, (ii) opt in and out of the membership list, (iii) add and remove guests for immediate viewing by the front desk and gate guards, (iv) receive notice of package deliveries and (v) view all of the association's governing documents online.

Cloud Based. Because the management system is cloud-based, it can be accessed from any device with access to the internet--desktop computers, laptops, tablets and smart phones from anywhere in the world. That means there is no need to purchase expensive software or expensive equipment for running it, or hiring IT people to load and configure the program. We handle everything on our end on high-speed, [secure servers](#).

Pricing. Instead of expensive front-end costs and costly updates, Smart HOA is provided at a [low monthly fee](#) with no long-term commitments.



Webinar. To see what it looks like, watch a [short video](#) describing Smart HOA. Any board or manager who wants to try the program can have a 30-day free trial. If you have questions, contact us at info@SmartHOA.com.

WASPS

QUESTION: We have wasps in the common areas but management refuses to do anything about them. What can we do?

ANSWER: Wasps are almost as bad as a swarm of IRS agents. Both are safety hazards that should be avoided. The association needs to call pest control. If management refuses to take action, you and your neighbors need to show up *en masse* at a board meeting to demand that something be done. The board has a duty to reasonably protect the safety of residents. The cost of eliminating wasps is considerably less expensive than litigation.



CONFLICT OF INTEREST

QUESTION: The president of our board wants to install a window facing a side wall of our building. He proposes to do this at his personal expense. Any changes to the outside of our building require board approval. Can he vote on his own request?

ANSWER: No he cannot vote on his request. He has a conflict of interest and must [recuse](#) himself from the vote. This principle has been codified in the Davis-Stirling rewrite in [Civil Code §5350\(b\)\(5\)](#) which takes effect January 1, 2014.



KNOWING YOUR FANNIE FROM YOUR FREDDIE



The Federal National Mortgage Association (Fannie Mae) is the nation's largest player in the secondary mortgage market. To ensure a steady flow of monies into banks, Fannie Mae buys FHA insured loans from lenders.

Because many condominium developments have CC&Rs that prohibit units from being leased for less than 30 days (to avoid transient rentals), Fannie Mae and Freddie Mac previously required that CC&Rs exempt lenders from the restriction so foreclosed units could be rented short-term. In the past thirty days, the FHA has abruptly adopted a "no-tolerance" stance on transient housing--including any exception for lenders.

Now, if a development's CC&Rs contain any exceptions for transient housing, the FHA will refuse to certify the development until the CC&Rs have been amended to remove the language. That means a significant source of financing will dry up for the condo market in California. It will also impact retirees who need a reverse mortgage to stay in their units since most are FHA insured.

RECOMMENDATION: If your association wants [FHA certification](#) and your CC&Rs contain an exception for mortgagee transient housing, you have two options. The first is to amend your CC&Rs--a difficult and sometimes costly process. The second is to wait to see if the FHA adopts a more rational approach to the issue. I would not count on the latter.

The Community Associations Institute is conducting a survey to see how many developments are affected by the FHA's erratic policy shifts. To take the survey go to [CAI Survey](#).

Thank you to Anne Gutierrez of [Project Approval Services](#) for providing valuable background information on this issue.

OPEN FORUM

QUESTION: There is a notice on our bulletin board stating: "General Session - homeowner forum is 7 pm sharp. All owners are welcome to address the board until all owners are heard. Once Open Forum is closed the Board meeting will NOT allow commentary during their session as it is a corporate meeting of the directors only." Can the Board do this? If something is being discussed, homeowners are not allowed to ask questions for clarity???

ANSWER: Restricting homeowner comments to the [Open Forum](#) is legal and a common industry practice. It is the same procedure used by city councils. Your board is elected to conduct the association's business. As volunteers, they need to get through the agenda so they can get home to their families. Large associations tend to be more formal with their proceedings whereas small ones are less formal and often allow audience participation. The degree of participation is entirely discretionary with the board. Also, by statute the board's ability to answer questions is [limited](#).

