



December 2011

SURFSIDE III e-NEWSLETTER

Daniel Kessner – Editor



FROM THE BOARD OF DIRECTORS

Board Passes A Special Assessment, But Does Not Raise The Monthly Dues

Effective with the January operational monthly dues payment, payments for a \$2000 special assessment over 12 months will also be due. \$166.67, effective January 1, 2012 should be added to the dues of \$449, so that the payment for the 12 months of 2012 will be \$615.67.

In a lively discussion among the Board, which surprised some homeowners who thought we were a rubber stamp group, we narrowly left the dues at \$449 by a three to two vote. Then the \$2000 special assessment passed, which is to be paid over the calendar year. We are experiencing over-budget conditions in our building envelope work. Improperly installed and badly rusted gas lines had to be replaced. There are far more rotted posts and structural wood than we expected and budgeted for. Our overruns per building are averaging about \$120,000. In addition, the under-building lateral lines, which are extremely expensive to replace, but were estimated to have another five years of life, are now resulting in expensive backups that are causing over-budget conditions in our operating funds, which caused us to drop behind another five months of reserve fund checks from our operating fund, and we are now nine months behind.

While we are replacing lateral lines that are actually broken, we are extending the life of the system by cleaning all lines on an annual basis. Replacing the lateral lines is a multimillion dollar project and a project that cannot be taken lightly. Unfortunately, we are not flush, even with this special assessment and the Board must take some steps, which in some cases may be to extend the project completion date to halt what we know is a serious financial burden on all of us.

REPRINTED FROM THE DAVIS-STIRLING.COM NEWSLETTER PUBLISHED NOVEMBER 20, 2011

Legal News

Earlier this week, the Court of Appeal in *Salehi v Surfside III Condominium Owners Association* decided in favor of the association, where an owner filed a lawsuit containing ten claims against the association, and on the eve of the trial dismissed eight of those claims.

\$250,000 in Legal Fees

Ms. Salehi sued her association, alleging it had failed to maintain the common areas, failed to maintain an adequate reserve fund, and failed to disclose maintenance and financial problems. The association spent approximately \$250,000 defending against her claims. Three days before trial, Salehi dismissed eight of her ten claims. The association subsequently sought recovery of the legal fees it incurred defending against Salehi's dismissed causes of action.

Before Litigating

The trial court denied the association's request but the court of appeal reversed this decision. The appellate court found that the association was entitled to recover attorney's fees from Salehi, reasoning that a party suing to enforce the CC&Rs must get their "ducks in a row," both procedurally and substantively, before filing suit. Since Salehi had done neither, she did not prevail on a "practical level" and the matter was sent back to the trial court for a determination and award of reasonable attorney fees to the association. To read the case in its entirety, see [Salehi v Surfside III](#).

FROM THE ON-SITE OFFICE

**This notice was mailed to off-site homeowners on Friday, Nov 11, 2011 and distributed to on-site owners/tenants on Mon, Nov. 14, 2011:
Buildings 6 and 7**

With the holiday season coming up, a decision was made to begin the Exterior Repair work in January (January 2) rather than November and December. If your unit is in Building 6 or 7, you will be receiving a notice in advance when the scaffolding will be going up. At that time, you will be asked to remove all items from the balconies and patio along with anything you may have at the front door. That includes your favorite front mat which will be in the way for the common area walkway work that will ultimately be done.

Here is a reminder of everything that will be done.

- Ø Set up scaffolding around the entire building
- Ø Remove and replace siding
- Ø Remove and replace fascia board
- Ø Prepare for paint
- Ø Prepare for stucco work
- Ø Replace railings on patios/balconies
- Ø Common area stairways and walkways will be repaired and refinished including the railings, as well as rotted posts and beams

We expect each building to take between 6 and 8 weeks.

No carport parking spaces will be affected.

Although the contractors will have numerous signs posted on the scaffolding, **it is each parent's responsibility to advise their children not to climb on it, and to keep from harm's way.** Needless to say, there can be serious injuries incurred.

Because the patios/balconies and front entry ways will be affected, **now** is the time to plan out everything. Although the Association makes every effort to maintain the appearance of these areas, Rules & Regulations will be strictly enforced once the project is completed. We recommend that everyone who has a bicycle on the patio/balcony either move it indoors or rent a bike room for a one-time fee of \$20. Stop by the on-site office for details

In the meantime, if you have any questions, please don't hesitate to call the on-site office at [\(805\) 488-8484](tel:8054888484) and ask for Carol Short.

Sweeping and Raking

It has been reported to the on-site office that some residents are sweeping off their balcony debris, which ultimately lands on the downstairs units. Please be considerate (and let your tenants know): if the outside area is being cleaned up, put the debris in a pan and dispose of it in a bag. For the townhomes, there are lots of leaves that are being raked and left outside on the common area. Please take the time to collect and dispose of the leaves, etc., in the appropriate dumpsters. You are encouraged to consult the Rules and Regulations for additional details.

Dryer Vents

Recently, we had an incident where there was build-up of condensation on the stucco in a condo building. Because of our concern, we immediately investigated it and learned that a dryer vent was causing the problem. Please keep the dryer vent in your dryer clean and free of lint and build-up. This is a fire and safety issue.

If you are a homeowner who has a tenant living in your townhome or condo, please pass along this information.

Holiday Meals

With the holiday season coming up, please minimize the use of the kitchen disposals when cleaning plates and leftovers from your meal. If you have guests, make them aware that the disposals should be used only to clean up excess food from the plates. This will minimize the amount of build-up in the drain lines and prevent back-ups. We sincerely appreciate your cooperation!

Carol Short

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

There was very little police activity in our complex last month, even though in all of Port Hueneme the police responded to 831 calls and made 71 arrests. We like that! So, since Sr. Officer Bates and Delores Dyer (volunteer) both attended, your Watch members used the opportunity to discuss many topics of general interest. We are all getting educated in police procedures!

The next Neighborhood Watch meeting will be Thursday, December 1 at 7pm in the clubhouse. Christmas cookies are optional.

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: www.ci.port-hueneme.ca.us, then in the column at the far left, click on "Sign Up for E-News."

Dan Kessner

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

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: donaleabauer@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@surfsidediii.com
Skip Perry - Treasurer skip.perry@surfsideiii.com
Michael Madrigal - Secretary michael.madrigal@surfsideiii.com
Bob Banfill - Director bob.banfill@surfsideiii.com

LORDON MANAGEMENT: OTHER DEPARTMENT EXTENSIONS

All escrow matters: Nicole Castillo, ext. 3339; nicole@lordonmanagement.com
All insurance and collections: Mia Preciado, ext. 3337; mpreciado@lordonmanagement.com
Your account, billing address, etc: Liz Lopez, ext. 3319; llopez@lordonmanagement.com
Liens, legal issues: Donalea Bauer (see above)