



Reminder: Annual HOA Fee Due January 15, 2011



Snow, Snow, Snow!

The Executive Board published a complete description of what is covered during snow removal in the October, 2010 newsletter. This is just a brief recap of that information.

What is covered for the town homes:

- Driveways – snow removed up to 12 inches of any vehicle parked in the driveway
- Sidewalks and ramps – up to the front porch
- Re-clearing ends of driveways if needed

What is not covered:

- Porches and steps
- Snow drifts in driveways may not be covered



What is covered for the common areas:

Sidewalks bordering common areas will be cleared but these are a secondary priority to clearing driveways and sidewalks of the town homes because of the time involved in clearing the snow for the town homes. Please refer to the article in the October newsletter regarding damage to personal property during snow removal.

Snow etiquette for all of us who live in Ashcombe Farms Dover HOA:

- Snow should not be pushed or shoveled into any road way.
- Snow should not be shoveled or blown onto any neighboring property.
- Helping elderly, ill, or disabled neighbors is encouraged. We should all be good neighbors.



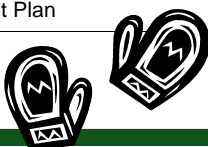
Executive Board Responsibilities

In May 2009, HOA attorney Duane Stone met with the Executive Board and some of the candidates who wanted to be elected to the Executive Board. The full article from that meeting is on the HOA website. The following is a synopsis of that information from Attorney Stone:

- *There are a lot of misconceptions about the powers and duties of the HOA. An HOA is a cross between a small township and a board made up of shareholders for a non-profit company. The powers and duties are very similar.*
- *It is important to understand that the HOA designation goes with the deed. Pennsylvania wanted it to be very clear that a lot owner has no way of saying they are not in a HOA. Each lot is bound to the HOA by its deed. This is how the law is applied. The Recorder of Deeds has this information regarding each lot, and the deed that goes with the lot.*

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HOA Executive Board Guidance to Lot Owners Regarding Regulations Prohibiting a Business

Current HOA Regulations:

Single Family Regulation:

(x). No business of any kind shall be conducted upon any Lot, single family detached dwelling (to include the attached garage and accessory building) or single family semi-detached dwelling (to include the attached garage and accessory building) constructed upon or within said Lot with the exception of the business of Declarant (to include any successor Declarant) developing any or all of the Lots or Property.

Town Home Regulation:

(x). No business of any kind shall be conducted upon any Lot, or single family attached dwelling (to include the attached garage and accessory building) constructed upon or within said Lot with the exception of the business of Declarant (to include any successor Declarant) developing any or all of the Lots or Property.

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#### **The Executive Board defines the term “business” in these regulations to include any or all of the following:**

1. A business must engage in some kind of transaction or exchanges something of value with another person or business. It is a practice that exchanges cash, goods, services, gifts in kind, and/or barter any of the above.
2. A business is an activity that increases vehicular traffic, both moving and unmoving, and the number of vehicles parked in driveways, parking areas, or on the street on a regular basis.
3. A business may, or may not, have employees working for a lot owner in the home of a lot owner, or resident.
4. A business may or may not have any hours; regular or semi-regular hours, or by appointment hour, when business is conducted.

#### **The Executive Board further states the following is not considered a “business” and is therefore not prohibited in Ashcombe Farms Dover HOA:**

1. Having a home office where or when a lot owner, or resident, is an employee of a business whose principle office is not located within Ashcombe Farms Dover HOA.
2. The home office does not increase vehicular traffic, both moving and unmoving, and the number of vehicles parked in driveways, parking areas, or on the street on a regular basis\*.
3. The home office does not have employees working for a lot owner, or resident, in the home office of the same said lot owner, or resident.
4. The home office(s) used for the work of the Executive Board and for Ashcombe Farms Dover HOA is not considered a business.
5. Fundraising conducted by or on-behalf of a child for school or child activity, such as sports or debate team.
6. Sporadic events such as Home Interior parties shall not be considered a business.
7. Garage Sales are not considered a business.
8. This regulation also does not prohibit lot owners or residents from hiring people as housekeepers or persons to do “handy man” work in their homes.

\*Regular basis is defined as a pattern or consistent schedule for conducting business.

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This explanation is not intended to be all-inclusive. The HOA Executive Board reserves the right to amend or modify the guidance provided with or without notice to the lot owners of Ashcombe Farms Dover HOA as it deems necessary.

Executive Board Actions



Actions of the Executive Board for the past quarter include:

Legal Actions:

The attorney for the HOA has been working on legal action for debt collection and to enforce compliance with the HOA regulations.

General Actions:

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|---|---|
| <ul style="list-style-type: none"> ➤ Publishing the quarterly newsletter ➤ Continued the process of researching management companies ➤ Drainage ditch repaired ➤ Repaired some areas of the walking trail ➤ Developed Definition or Guidelines to determine what a business is | <ul style="list-style-type: none"> ➤ Answered emails and letters to the HOA ➤ HOA Held the HOA annual meeting ➤ Repaired the sidewalk in order to reinstall the mail box stand on Deerfield Drive ➤ Repaired sidewalk on Ashcombe Drive ➤ Adopted a Code of Ethics for Executive Board members and HOA committee members |
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Compliance Issues:

As of this writing there are current non-compliance issues being dealt with. The following compliance issues have been dealt with: a small business being run in the HOA, and no lights at the front of a home. The CSC continues to be active.

As always, if any lot owner notices issues of non-compliance they are asked to notify the Executive Board of any issues they observe and the Board will investigate the situation. However, you must be specific to the complaint, and include the address with the compliance violation, and the complaint must be signed by the reporter before the Board can take action. Anonymous complaints will only be filed. Thank you for YOUR help!

The HOA Executive Board always works for the entire HOA community. The decisions the Board has to make are not always easy but they are always made for the benefit of the entire community. Executive Board decisions are unbiased, and the Board always strives for consistency in all of its decisions.



HOA Regulation Requirement

Please Keep An Outside Light On During Overnight Hours

Richard Farr - President
Karen Hetrick - Vice President
Judy Jackson - Secretary
Andrew Shaffer - Treasurer
Mel James - Board Member

Check us out on line at
 AshcombeFarmsHOA.com

Emergency (Fire, Ambulance, etc)	911
Poison Control	1.800-222-1222
NYCRPD (non-emergency only)	717.292.3647 www.nycrpd.org
Dover Township	717.292.3634 www.dovertownship.org dovertwp@dovertownship.org
York County	www.york-county.org
State Elected Officials	www.legis.state.pa.us
Ashcombe Farms HOA Use Drop box at Ashcombe and Deerfield	www.ashcombefarmshoa.com ashcombefarmshoa@yahoo.com

Wanted: Newsletter Editor
 Interested in helping? Contact the HOA at
 ashcombeFarmsHOA@yahoo.com

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- *Every Executive Board member has a responsibility to the shareholders who are also the lot owners. This responsibility is to do their very best to follow the By-laws and Regulations and to do what is best in general for the entire community and not just what they want as individuals.*
- *The duties of the Executive Board (and its members) are almost like being a non-profit organization's Board. The Executive Board has a fiduciary responsibility to the shareholders. If the Board does not exercise this responsibility appropriately then the Board could be sued. (A more detailed description of this fiduciary responsibility is on the HOA website.)*
- *The Executive Board must follow all of the HOA By-laws and Regulations. To do otherwise could cause the Board to be sued. Each member of the Board must understand their fiduciary responsibility to the community. The best business rule must be applied when rendering decisions.*
- *The Executive Board must also be consistent in its actions. The Board cannot enforce some of the Regulations and not others. If the Board is not consistent with enforcement of all of the Regulations then the Board will quite likely get sued.*
- *The Executive Board members are held to a higher standard when it comes to doing things to their property. No matter what they would like to do to their property, they should always submit a lot owner request – even if they don't think it is necessary.*
- *Board members may disagree in the Board meeting but once a policy or regulation has been properly passed each Board member needs to follow these rules and align themselves with those decisions, as long as the HOA attorney says the Board actions are legal.*
- *No Executive Board sanctioned committees have the final say on anything. Committee members are not protected under the HOA insurance. That is why the final voice has to be from the Executive Board. In particular, the Community Support Committee may only make suggestions to the Executive Board for resolution of any issue.*

No winter
lasts
forever; no
spring
skips its
turn.

- Hal Borland

Additional questions and comments may be read in their entirety in the full article which may be found on the HOA's website at www.ashcombefarmshoa.com.

New

Payment Plan for the HOA General (Annual) Fee

The Executive Board recognizes that for some lot owners paying the General fee right after Christmas can be difficult. Therefore, there will be two payment plans offered to lot owners on the bill for the General fee that is mailed out in late December. Lot owners may pay the entire General fee of \$175.00 in one payment on or before January 15, 2011; or they may make two payments. The first payment of \$87.50 *will be due by January 15*. The second payment of \$90.00 will be due *June 15, 2011*. If the first payment is paid by January 15, 2011 then no interest or penalties will be applied. Either payment in full or the 1st payment must be made by January 15, 2011– failure to do so will result in additional interest and fines.