



Ashcombe Farms Newsletter

Dover, Pennsylvania 17315

Publisher: Andrew Shaffer
Editor: Open

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What is a Home Owners' Association? and The Function and Benefits of Residential or Home Owner Management Companies

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Open

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A homeowners' association (HOA) is the legal entity created by a real estate developer for the purpose of developing, managing and selling a community of homes. It is given the authority to enforce the covenants, conditions, and restrictions and to manage the common amenities of the development. It allows the developer to legally exit responsibility of the community typically by transferring ownership of the association to the homeowners after selling off a predetermined number of lots. Most homeowners' associations are non-profit corporations, and are subject to state statutes that govern non-profit corporations and homeowners' associations.¹

The fastest growing form of housing in the United States today is common-interest developments, a category that includes planned-unit developments of single-family homes, condominiums, and cooperative apartments. Since 1964, homeowners' associations have become increasingly common in the USA. The Community Associations Institute trade association estimated that HOAs governed 23 million American homes and 57 million residents in 2006.¹



When you buy a home in a new subdivision, common interest development (CID), planned unit development (PUD), or co-op, chances are good that you also automatically become a member of an exclusive club -- the homeowners' association. The homeowners' association's members include all the people who own homes in the same development.⁴

The transfer deeds to houses in new developments almost always include limitations on how the property can be used. Usually these limitations -- called covenants, conditions, and restrictions (CC&Rs) -- put decision-making rights into the hands of the homeowners' association.⁴

A homeowners' association is incorporated by the developer prior to the initial sale of homes, and the Covenants, Conditions, and Restrictions (CC&Rs) are recorded when the property is subdivided. When a homeowner purchases a home governed by an HOA, the CC&Rs are included with the deed.¹

Like a city, associations provide services, regulate activities, levy assessments, and impose fines.

Unlike a municipal government, homeowner association governance is subject to corporation law, and sometimes specific legislation governing homeowners' associations. HOAs are considered private corporations and are not subject to all of the Constitutional constraints that public government must abide by.^[6] Some of the tasks which HOAs carry out would otherwise be performed by local governments. A homeowners' association can enforce its actions through private legal action under civil law.

Association boards appoint corporate officers, and may create subcommittees, such as "architectural control committees," "welcoming committees," and "non-compliance committees." Association boards are comprised of volunteers from the community who are elected by owners at the annual meeting to represent the association and make decisions for all homeowners.¹

Homeowner associations can compel homeowners to pay a share of common expenses, usually per-unit or based on square footage. These expenses generally arise from common property, which varies dramatically depending on the type of association. Some associations are, quite literally, towns, complete with private roads, services, utilities, amenities, community buildings, pools, and even schools.

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President's Corner

**Next Household Hazardous Waste
Collection Program:
Saturday, May 3, 2008
9AM to 1PM**

**Dover Township Municipal Building
Parking Lot
2480 W Canal Road
Dover, PA 17315**

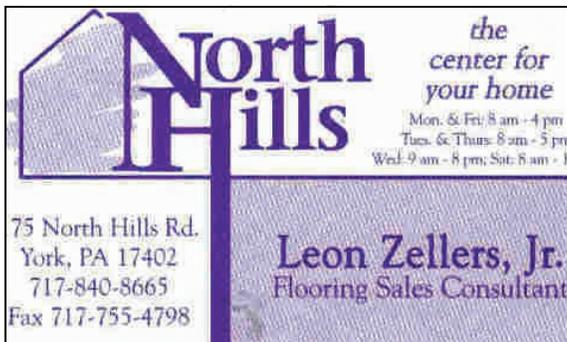
Household hazardous waste includes any products from the home which are corrosive (drain cleaners or bleach), flammable (gasoline), reactive (chemistry kits) or toxic (pesticides).



Examples of Accepted Items:

Thermometers containing mercury, liquid mercury, auto products (transmission and brake fluids, car batteries, antifreeze), rechargeable batteries--Nickel Cadmium (Ni-Cd), Nickel Metal Hydride (Ni-MH), Lithium Ion (Li-ion), and Small Sealed Lead (Pb), driveway sealant, fluorescent light bulbs, gasoline and kerosene, herbicides, pesticides and insecticides, household cleaners (oven, drain, etc.), photographic and pool chemicals.

Do Not Bring: Latex or oil-based paint. Paint can be placed in your regular garbage for pick-up. Seal the containers tightly to prevent spillage. The Resource Recovery Center uses an air pollution control system to ensure safe processing. Also, no Aerosol Cans, Alkaline Batteries (AA's, AAA's, C's, D's, etc.), Explosives, Ammunition, Propane Tanks, Radioactive Waste or Used Motor Oil.



North Hills the center for your home
Mon. & Fri: 8 am - 4 pm
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York, PA 17402
717-840-8665
Fax 717-755-4798
Leon Zellers, Jr.
Flooring Sales Consultant



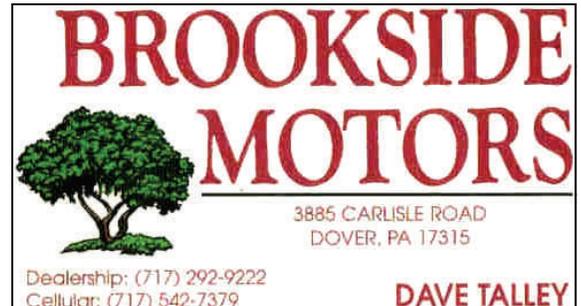
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Lawyer's Role in an HOA

Most Pennsylvania Home Owner's Associations (HOAs) are run by homeowners with limited legal knowledge and unfamiliarity with State and Federal policies and procedures of running a non-profit corporation. In the absence of a knowledgeable real estate or property management professional, attorney legal advice and support is a necessary prerequisite to the operation of an HOA. Even with a professional an attorney may be required from time to time to deal with litigation issues the HOA may face. The Legal Team of Duane Stone works at the pleasure of the Executive Board and provides assistance to the Executive Board in running their HOA in accordance with State and Federal Laws. At no time does the Legal Team solicit work from the Board. In fact the Legal Team always attempts to find practical and cost effective solutions to the HOA's problems, as they understand the budgetary restraints of the community. General legal responsibilities to the HOA include:

- Reviewing proposed bylaws and covenants,
- Consolidating and interpreting existing bylaws (not always to the liking of the Board or the Community, as it is their job to provide honest and unbiased analysis),
- Assisting the Executive Board by providing legal opinions from the governing documentation of the HOA in accordance with State and Federal Law,
- Attend all general meetings.
- Successfully enforce the HOA regulations against those that violate their contractual obligations. This enforcement is accomplished through fines and when necessary, through court intervention. When such litigation is necessary and after unsuccessful attempts to rectify the situation through negotiations, the Legal Team must go to court for assistance in enforcing the bylaws of the community, as is required of the Board.

Most Members of the HOA pay their dues and fees, however, a few do not, and out of fairness to



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the Members of the community who do pay and as a obligation of the Board, the Legal Team conducts debt collections as far as necessary to collect fees due the community. The Legal Team uses standard procedures, that any law firm would utilize to ensure delinquent dues and other monies owed to the HOA are collected. The Legal Team believes everyone should be treated equally in the community and everyone should honor their obligations (unless extenuating circumstances exist, such as medical emergencies, recent loss of job, or recent spousal death has occurred). Every attempt is made to settle the debt amicably, including payment plans. However, once the case proceeds to the Legal Team, attorney fees and costs become the responsibility of the non compliant Member. Costs for this process are initially paid for by the HOA (and reflected in the budget) until fees are collected from the delinquent residents by the Legal Team (in the past this amount was not accounted for as an offset in the HOA budget but now will be). The Legal Team has a variety of enforcement methods available for recovery of funds due to the HOA.

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National Night Out

What is National Night Out? National Night Out is "America's Night Out Against Drugs and Crime." National Night Out includes the traditional "lights on," front porch vigils, and over the years, has expanded considerably to include a variety of events and activities such as block parties with cookouts, visits from local law enforcement agencies (the Northern York Regional Police Department will visit ours) and visits by local government officials. It is a wonderful opportunity for communities nationwide to promote police/community partnerships, crime prevention, and neighborhood camaraderie. National Night Out represents the kind of spirit, energy, and determination that communities use



to make their neighborhoods safer places throughout the year. It is a night to celebrate crime prevention successes and to expand and strengthen programs for the coming year. The executive board has approved reimbursing residents of the community up to \$75.00 who volunteer to host a cookout point in front of their homes for all residents to stop by, converse, and enjoy a hot dog or burger. Others are encouraged to drop off a bag of chips and/or a jug of iced tea for everyone to enjoy. These "host" residents are requested to notify the board at least two weeks in advance of their intent to host, and to submit their receipts to the board for reimbursement. Starting times should be about 7:00 PM and go to about 10pm. Your participation will help make this a memorable event and give us something to look forward to in future years.

National Night Out
Tuesday, August 5, 2008
7:00 PM - Until?

Board Member Needed

Any person who would be willing to be on the HOA Executive Board should do so before May 3. Nominations may be placed in the HOA drop box or via the email address listed throughout this newsletter. Current board members are: Mike Feldblum (President), Judy Jackson (Secretary), Andrew Shaffer (Treasurer) and Duane Wuorinen. There are openings for two board members. Each board member serves a term of three years so the newly elected board member's term will end in 2011. The election will take place through a general mailing after the June board meeting.



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These methods include but are not limited too, sheriff sale of real estate and personal property, liens against property, freezing individual accounts and withholding of resale certificates until the debts are paid.

Much of the litigation performed by the Legal Team is under the umbrella of attorney client privilege and specific instances are not being mentioned here; be assured, however, the Legal Team is working to successfully bring to conclusion all non compliance issues and debt collections in a zealous manner. Currently the amount payable (cases won) to the HOA from residents who are in violation of their contractual obligation currently exceeds \$15,000, which the Legal Team already has judgments in place. The Legal Team is currently pursuing more than 9 debt collections thru litigations for debts exceeding \$5000, as other attempts have failed to collect the debt.

When HOA residents work together, obey the regulations and pay their dues, the HOA does not need to engage the Legal Team, which is a cost savings to us all. The Board continually strives for harmony in the community, cost savings and proper oversight of the community's affairs. If there are concerns or questions, please contact the Board and if it is an issue that should go to the Attorney we will forward the message to the Legal Team.

Moving up? Buying or Selling? Call Chuck!



Chuck Sennett
 REALTOR®



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 York, Pennsylvania 17404
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Each Office is Independently Owned And Operated

Community Garage Sale

Clean out that basement, garage, or shed—it's time to sell, sell, sell! The next community garage sale for the Ashcombe Farms HOA will be Saturday, May 17th. A second 2008 garage sale is tentatively scheduled for August 23rd. Check out the next edition of the newsletter for details.



Saturday
May 17, 2008

&

Saturday
August 23, 2008

Touch Of Life

Therapeutic Center

(717) 292-6888

Dee Hornock
 Certified Massage Therapist

3701 Carlisle Rd.
 Dover, Pa. 17315

(continued from Page 1)

Many condominium associations consider the roofs and exteriors of the structures as the responsibility of the association. (Ashcombe Farms Dover HOA is a HOA with two types of dwellings - single family homes and town homes. With town homes, each home owner is responsible for all outside maintenance of their own unit. Thus, in our HOA, each lot owner is responsible for their own property maintenance and also to have adequate insurance on their property. Ashcombe Farms Dover HOA does not carry insurance on any building nor are any dues/fees paid to cover future maintenance of the exterior of any building unit.) Other associations have no common property, but may charge for services or other matters. Assessments paid to homeowner associations in the United States amount to billions of dollars a year.¹

Residential property management is in a state of evolution. Between the popularization of the cooperative and condominium life-style over the past several decades and the constantly changing laws impacting residential areas, this industry once basically responsible for collecting rents and making sure that the common areas were cared for, has emerged as a respected white-collar profession in which practitioners must perform with expertise in such areas as finance, law, technology, and communications.

As with all evolutionary paradigms, those management companies unable to keep pace have disappeared, either going out of business or being swallowed by more advanced companies. By contrast, those forward thinking organizations that have made the necessary investments in technology and personnel have survived. And those few companies have risen to the top of the class are setting the new standard within the industry and are being rewarded with the patronage of a discerning client base.² The everyday property management of a residential or homeowner's association would include the following responsibilities:

1. Daily or weekly functions

- a) Collect lot owner's dues and fees
 - i) collect dues/fees
 - ii) send late notices
 - iii) send notices of intent to file legal action against lot owners who are delinquent in payment of fees
 - iv) file liens on delinquent lots
 - v) coordinate sheriff sales of personal property or freeze bank accounts of delinquent lots
- b) Receive calls - answer lot owner questions and concerns
- c) Fill out resale certificates
- d) Enforce By-laws and regulations adopted by the Home Owner's Association therefore protecting residential property values
- e) Write letters regarding non-compliance issues, apply fines as needed
- f) Investigate and resolve homeowner complaints
- g) 24 hour Emergency Answering Service
- h) Maintain all files pertaining to the HOA

2. Weekly or Monthly functions

- a) Pay bills - service contractors, insurance, legal representation
- b) Keep tabs on lots or homes listed for sale
- c) Provide By-laws/Regulations and other pertinent financial information to realtors for prospective buyers
- d) Deposit checks made payable to the HOA
- e) Provide Executive Board financial reports including roster of lot owners who are delinquent in fees/dues
- f) Attend all HOA Executive Board meetings

3. Monthly, Quarterly, or Annual Functions

- a) Prepare lot owner statements for dues/fees
- b) Preparation of annual operating budget and costs projections by professionals
- c) Work to reduce budget and costs projections
- d) Prepare financial books for annual financial review by an independent company
- e) Prepare general mailings to lot owners concerning annual or other general meetings
- f) Obtain bids to review with HOA Executive Board for:
 - i) Snow removal
 - ii) Lawn care
 - iii) And other needs
 - iv) Interview contractors for above items
 - v) Follow up on contractors work
 - vi) Fire contractors as needed
- g) Attend all General and Annual meeting of the association²



An HOA provides people with shared neighborhood values and an opportunity to enforce regulations, consistent with overriding statutory constraints. In so doing, an HOA inherently restricts the freedoms that would otherwise exist for its members based on municipal codes. For instance, a degree of conformity is often required in exterior appearance of homes. There are pre-existing rules in the form of CC&Rs and bylaws that a buyer has a right and an obligation to view before entering such a community. Prospective buyers are to be given these CC&Rs and by laws at the time of a purchase offer. Prospective buyers may also opt out of a contract at this point if they do not accept these CC&Rs and by laws. These bylaws are largely limited in various degrees by state laws, with some overriding federal judicial or statutory limits. HOAs do have authority to prohibit the display of commercial and/or political signs, both on community property and private property. In every association, board members and officers are chosen by election from its property owner-members, with the ability in some states for the membership to remove board members even during term.



Each member of a homeowners' association pays assessments that are used to cover the expenses of the community at large. Some examples are landscaping for the common areas, maintenance and upkeep of community amenities, insurance for commonly-owned structures and areas, mailing costs for newsletters and other correspondence, employment of a management company or on-site manager, security personnel and gate maintenance, and any other item delineated in the governing documents or agreed to by the Board of Directors.

While many criticisms of HOAs are made, everyone living under the jurisdiction of such a governing body has made a decision to do so by accepting the CC&Rs and by laws (which any lot owner has done by purchasing a home within an HOA), and many are happy to have the governing body in place to enforce shared values and community standards. A survey by Zogby International showed that for every one owner-member who rated the overall experience of living in a community association as negative, seven rated the experience as positive.¹

Foot notes:

1. Wikipedia
2. Real Estate Weekly, may 13, 1998
3. website - www.allpropertymanagement.com
4. website - <http://www.nolo.com/article> about



PET OWNER'S RESPONSIBILITIES

All pets, regardless of how well they are disciplined, shall be controlled by their owner at all times when out in the public; dogs and cats (if necessary) shall be on a leash. There are residents who allow their pets to run free. Animal lovers don't always like to see their pets under strict control. But, at the same time, we need to consider our neighbors and respect their property. On occasion these pets can become a nuisance because of their potty visits to the common areas, resident's flower gardens, and/or lawns. It does happen! We hope that, out of common courtesy to our neighbors, any mess or destruction to any property caused by these animals is taken care of by the pet owner. We are a small community!



We ask that all of us, as residents within our community, help contribute to making this a friendly community in which to live. One way to do that is to be sure and clean up your pet's mess immediately. Please understand our concerns.

Onesies, Twosies

Trash Removal—Pick-up is one day a week - Thursdays. If the weather turns windy, please do what is necessary to prevent trash from blowing around the neighborhood.



Vehicle Storage—Vehicles left parked on the street (in the same spot) for more than three days are deemed abandoned. If you notice that a vehicle is in violation please contact Northern Regional Police Department.

Palomino Entrance— A committee is currently working to improve the entrance from Palomino Road. Stay tuned for more details in upcoming newsletters.



NEWSLETTER PRINTING BY:



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HOA Fee Collection

Ashcombe Farms HOA bills its town home residents during the month that begins each quarter (January, April, July and October). These fees are due the 15th of that month. For all HOA lot owners, the annual general fee is sent in late December for early January delivery, and is due on January 15th of every year (*See Page 6 for a Sample Bill*). Failure to receive a bill does not exempt a resident from the obligation.

Fees (initiation fees, annual fees, and monthly fees) that are owed the association and not paid on time by the lot owner will receive a letter from the bookkeeper indicating the tardiness and include a late fee of \$15 plus interest at the rate of 1% per month until paid in full. Payment plans are available with full approval of the Executive Board. As with non-compliance issues and after a second letter regarding a delinquent account is sent, the delinquent accounts are turned over to the HOA lawyer. Each lot owner may appeal if they believe the late fees are in error. The late fees and interest, however, will accumulate each day the debt owed to the HOA is not paid.

What happens if the debt is not paid? State law provides that the HOA can put a lien on the home, and or conduct a sheriff's sale of the property. In order to sell the property, the homeowner must present a resale certificate to the title company which carries a fee of \$25. This certificate is generated by the HOA bookkeeper and if a debt is owed to the HOA, the resale certificate will reflect the amount due. This debt must be paid in full in order to transact the sale of a property in the HOA community.

Geocaching

By: Andrew Shaffer

Geowhating?? For any who does not know or never even heard, Geocaching (pronounced Geo-cashing, like cashing a check) is a great outdoor adventure for families and people of all ages using a GPS (Global Positioning System). The basic idea is to have individuals and organizations set up caches all over the world and share the locations of these caches on the internet. GPS users can then use the location coordinates to find the caches. Once found, a cache may provide the visitor with a wide variety of rewards. All the visitor is asked to do is if they get something they should try to leave something for the cache.

Geocaching is a relatively new phenomenon. Therefore, the rules are very simple:

1. Take something from the cache
2. Leave something in the cache
3. Write about it in the logbook



Where you place a cache is up to you.

For more information or to sign up for an account visit www.geocaching.com

Fantastic Recipes!

Egg Brunch Bake

- 4 cups seasoned croutons
- 2 cups grated sharp cheddar cheese
- 8 eggs
- 4 cups milk
- ½ teaspoon salt
- ½ teaspoon dry mustard powder
- dash - a shake or two - onion powder, not onion salt
- 1 pound crisply fried bacon

In a greased 9x13 pan pour croutons over bottom. Sprinkle grated cheese evenly over croutons. Beat eggs well, add milk and seasonings. Beat well and pour slowly over croutons and cheese, so as to not make a hole in the croutons. Sprinkle crisply fried bacon crumbles over the top. Cover and refrigerate overnight. Remove from refrigerator and let sit on counter for about one hour. Bake uncovered at 325° to 350° for 40 - 45 or till knife in center comes out clean. Let stand a few minutes before cutting into 15 - 20 squares.



Remove from refrigerator and let sit on counter for about one hour. Bake uncovered at 325° to 350° for 40 - 45 or till knife in center comes out clean. Let stand a few minutes before cutting into 15 - 20 squares.

Spicy Potato Wedges

- 8 large baking potatoes, scrubbed well
- 1/2 cup oil
- 1/2 teaspoon salt
- 2 Tablespoons parmesan cheese
- 1/2 teaspoon paprika
- 1/2 teaspoon garlic powder
- 2 teaspoons Worcestershire sauce
- dash or two red hot sauce



Cut potatoes long ways to form 8 long wedges. Place skin side down in baking dish. Brush potatoes with lavishly with oil mixture. Bake at 375° for about 45 minutes, brushing a couple of times with remaining oil.

Chicken Salad

- 1 large can of cooked chicken -- about 1 cup or so
- 1 large Cortland apple (they stay whiter longer and re a little tart)
- 2 stalks celery sliced
- about 1 cup red grapes sliced in half
- about 1/2 - 3/4 cup chopped dates
- 1/2 cup coarsely chopped pecans
- 1/2 cup or so of Miracle Whip or Mayo
- 1 teaspoon sugar
- enough orange juice to thin the mayo and make a creamy dressing -- perhaps 1/4 cup



Mix fruits, celery, nuts and chicken together in large bowl. Mix mayo, juice and sugar in small bowl. Pour over salad mixture until all is moistened. Serve with a fresh slice of bread or roll or crackers. Makes 3- 4 servings.

INVOICE

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ASHCOMBE FARMS DOVER HOA

% GINA ROHLER
1837 DEERFIELD DR
DOVER, PA 17315
717-292-6867

BILL TO:
Town Home Owners

A late fee of \$15.00 will be added if not paid by the 30th of same month.

A late fee of 1% will be added per month after 45 days of due date.

Description	Amount
1st Quarter due on January 15th, late if not paid by 30th of January	\$75.00
2nd Quarter due on April 15th, late if not paid by 30th of April	
3rd Quarter due on July 15th, late if not paid by 30th of July	
4th Quarter due on October 15th, late if not paid by 30th of October	
Subtotal	\$75.00
Shipping	\$0.00
Tax Rate	\$0.00
Total Tax	\$0.00
TOTAL	\$75.00

Comments / Notes

MAKE CHECKS PAYABLE TO:
ASHCOMBE FARMS DOVER HOA

MAIL TO ABOVE ADDRESS OR PUT IN
DROP BOX ON ASHCOMBE DRIVE

THANK YOU FOR YOUR PROMPT PAYMENT.

INVOICE

A

ASHCOMBE FARMS DOVER HOA

% GINA ROHLER
1837 DEERFIELD DR
DOVER, PA 17315
717-292-6867

BILL TO:
All Home Owners

A late fee of \$15.00 will be added if not paid by the 30th of same month.

A late fee of 1% will be added per month after 45 days of due date.

Description	Amount
2008 Annual Homeowners Fee	\$130.00
This bill is always due on January 15th and late if not paid by 30th of January	
Subtotal	\$130.00
Shipping	\$0.00
Tax Rate	\$0.00
Total Tax	\$0.00
TOTAL	\$130.00

Comments / Notes

MAKE CHECKS PAYABLE TO:
ASHCOMBE FARMS DOVER HOA

MAIL TO ABOVE ADDRESS OR PUT IN
DROP BOX ON ASHCOMBE DRIVE

THANK YOU FOR YOUR PROMPT PAYMENT.