

BROADMOORE ESTATES HOMEOWNERS' ASSOCIATION INC.

BROADMOORE ESTATES NEWSLETTER

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CC&R Enforcement

in Broadmoore Estates

What are CC&R's?

CC&R's, or "Covenants, Rules & Restrictions", is a legally binding document that is officially recorded and filed with the county where the property is located. CC&Rs cover the rights and obligations of the homeowners association to its members and vice versa. Simply put, they are the rules of the neighborhood and are intended to protect, preserve and enhance property values in the community. A homeowner signs a document agreeing to abide by them in the Title documentation when the home is purchased.

History

Many HOA's in North Idaho provided little or no warning to a homeowner before penalizing them with a special assessment for violating HOA rules.

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Annual Meeting



The Annual Meeting will held on Tuesday, October 1st at 6:30pm in the Atlas Elementary cafeteria. If you will be unable to attend, please return the enclosed proxy (owners only).

***All residents, owners and renters alike,
are welcome to attend.***

Please consider serving on the Board or one of several committees, including Enforcement, Neighborhood or Architectural.

We are on the web at
www.broadmoorehoa.com
 Check us out...
 be informed!



Call the HOA at 208-765-5600 if you have a topic you would like to address.

CC&R Enforcement in Broadmoore Estates, continued

The Board of Directors of Broadmoore Estates did not want the HOA to be viewed in the same negative light as other HOAs, yet are legally obligated with the difficult task to enforce the CC&R's. So, in 2010, a process was developed that would be transparent, fair, and well-documented. After review by the law firm retained by Broadmoore Estates HOA for compliance with applicable state laws concerning property rights and CC&R enforcement this "CC&R Remedy" process was presented for discussion at the Annual Homeowner's Meeting in 2011. The proposal included three letters to be sent to a homeowner. The first was a friendly notice for the observed infraction and a reminder of the applicable CC&R section. The second violation letter, a reminder that adherence to the CC&R's is required and that further violations, of the same sort, will result in a special assessment, is sent if the infraction reoccurs. The third violation triggers a third letter which is notice that a special assessment has been levied against the property. After some debate, and adjustments to the letters, the assembled HOA approved the process and implementation began the following month. This process covers a twelve month period. Therefore, a trash can left outside several days after pickup will trigger the first letter. Doing so again two years later will again trigger a first letter. The *same* violation observed three different times, in a twelve month period, would trigger a third letter. A boat or trailer left outside a privacy fence, at the same home, would trigger a first letter for violation of a *different* CC&R section.

Idaho Law (I.C. § 55-115)

Effective July 1st, 2014, a set of rules to curtail HOA power went into effect in the state of Idaho. Thankfully, the process approved in 2011 was substantially compliant. Sadly, the requirement by the state (and lawyers) to place stronger words, and reference of the law, into the letters led many homeowners to become angry or offended. The process is basically the same though: You would have to knowingly violate the CC&R's a third time, within a twelve month period, to incur a special assessment. These assessments are now voted on at the next scheduled Board Meeting (rather than being automatic).

Enforcement Committee

Many HOA's make use of a company to assist in the administration of the business of the HOA. This includes printing and mailing dues notices, collecting bids for landscaping or legal services, bank account reconciliation, and conducting drive-arounds to observe CC&R violations. The last service often incurs additional charges based on the size of the community and has non-resident employees driving around the neighborhood. Broadmoore Estates is blessed to have a committee of resident volunteers that conduct these drive-arounds and help reduce the costs associated with properly and fairly enforcing CC&R rules.

Photography

A few years ago, several homeowners challenged their violations. Although we had committee witnesses, the decision was made to void the violations and consult the law. Based on our findings, a digital camera (and now merely a smart phone) is used to take a picture of the violation for HOA records. Once a letter has been sent to a homeowner and the violation recorded in HOA records without dispute, the photo is deleted. The intent of the photo, taken from a public space (the street) is to capture a record of the CC&R violation and are never shared with any outside entities.

Participation

The Board of Directors of Broadmoore Estates is made up of volunteers that are owners, or renters that have a minimum one-year lease. The Board welcomes and encourages comments and suggestions that are constructive and based on knowledge of the CC&R's, Bylaws and applicable laws. All residents are encouraged to attend the annual meeting next month to voice their satisfaction or concerns.



Upcoming Events

Broadmoore HOA Annual Meeting: October 1st
All residents are welcome to attend



Fall Fest: Sept 28th

Place: Kootenai County Farmers' Market
7905 N Meadowlark Way



Hope 4.5K Fun Run: Oct 5th

Place: Finucane Park

Registration starts at 8am. Race begins at 9am.

Hayden Lake Marathon & 10K: Oct 19th

Place: Begins at Honeysuckle Beach. Race begins at 7am.



Veterans Day Distinguished Veteran Ceremony: Nov 11th

Place: McIntyre Park at 11:00am

Hayden Lights & Parade: Dec 7th

Place: Parade at 5:00pm

Lighting at McIntyre Park immediately afterwards



Items in bold are city events. See www.cityofhaydenid.us for more details.



HALLOWEEN

Broadmoore is known as a great place to trick-or-treat. Decorations add to the fun, but please ensure the path to your doorway is well lit. And drive carefully!



Volunteers Needed!

“Burdens become light when cheerfully borne.”

The Board and various committees need your help! The Board meets every other month, for about an hour, at the Hayden library. The Neighborhood committee plans fun and exciting events for the entire neighborhood, which take place only three times a year. The Architectural committee reviews plans for remodels or fencing on an “as needed” basis. Please call or email to volunteer and help make Broadmoore a better place to call home.

Tips & Reminders

Trash cans are required to be in your garage or behind a privacy fence, even in the winter.

Snow removal - This winter, please remember that it is your responsibility to keep the snow cleared off the sidewalks that border your property.

Drive the correct direction in round-a-bouts. *It is the law.*

Wrong way in round-a-bout is a \$75 fine. If you are talking on the phone and/or speeding (limit is posted at 15mph) while you do it, may increase it to \$150.

If you have a street light outage, each light has a number on it. Get the number off the side of the pole, call Kootenai Electric and they will replace the light bulb.

A full copy of Broadmoore Estates CC&R's, bylaws, past newsletters, upcoming events and more, is available at www.broadmoorehoa.com.

Bi-Monthly BOARD MEETINGS

Regular meetings of the Board of Directors are held on the first Tuesday of each even numbered month at 6:30pm at the Hayden Public Library. The next regular meeting will be Tuesday, December 3, 2019. Approved meeting minutes are posted on the website www.broadmoorehoa.com. All residents are welcome to attend; however, space is limited. Please notify HOA Administration at 208-765-5600 of your intention to attend and the topic you wish to discuss.



Board & Committees

HOMEOWNERS' ASSOCIATION INC.

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Hayden, ID 83835

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E-mail: heather@rentalpropcda.com

Board of Directors

Eric Schoutens, President
Paul Roat, Treasurer
Tricia Schoutens, Secretary
Dale Hedman, Director
David Herrmann, Director
Amber Melton, Director

Participate in committees that strive to keep Broadmoore safe and beautiful, including:

*Enforcement (CC&R)
Neighborhood*

*Communication
Architectural Review*

Contact the HOA Administration for more details, or attend one of the bi-monthly Board meetings.

We welcome your input and participation. This is **YOUR NEIGHBORHOOD!!!**