

Spring Newsletter 2023

www.cedarhillshoa.org
office@cedarhillshoa.org



9900 SW Wilshire St.
Ste. 109
Portland, Or 97225
P: 503-292-1259
F: 503-292-1148

President's Message

Dear Homeowners:

It's election time again and this year homeowners have an opportunity to vote online. You may either mail in your ballot as you have done in the past, or you may go to the website listed on the ballot, punch in your code (also on the ballot) and vote electronically. (Don't do both, we will catch it.) Voting online does not require an email address or registration.

In addition to Board member positions, there are three proposed changes to our governing documents that the Board is asking the membership to approve.

Short Term Rentals

The current CC&Rs prohibit homeowners from renting their properties for short periods of time using services like Airbnb and VRBO.

This has been a long-standing policy as, even prior to the existence of Airbnb and the like, the membership was concerned that the existing restrictions would *not* prevent the short-term rentals that were occurring on coastal properties and voted to update our restrictions to only allow homes to be used for "single family residential purposes." Repeated surveys since then have confirmed that our membership does not want short-term rentals in the Association.

Recently we resolved a dispute with a homeowner who didn't believe the language in the CC&Rs applied to short-term rentals.

To prevent future disputes (and costs to the Association), the Board wants to make it absolutely clear that short-term rentals are not allowed. This requires the vote of the membership.

To do so, Resolution 1 provides the change that we believe is necessary to prevent short-term rentals in our Association.

Note that this resolution has no impact on normal long-term rentals (over 30 days with a regular rental contract). We welcome renters who are actually living and making a home here; we simply want to avoid the negative effects of short-term rentals including "party houses" that sometimes result.

President's message continued on the next page

PRESIDENT'S MESSAGE CONTINUED

Recovery of legal fees

Article X in our current CC&Rs states that if the Association has to hire a lawyer to help us enforce the rules, the Association is entitled to collect the legal costs of doing so from the homeowner (assuming that the rules were actually violated.)

As a result of a recent decision from the Oregon Court of Appeals, the Board would like the owners to consider amending Article X. The appeals court did not find that the CC&R's use of the word "enforce" was sufficiently defined to encompass the various legal costs that were incurred by the Association.

Resolution 2 updates the CC&Rs to clarify that all legal costs related to the enforcement of the rules will be considered "enforcement" and the responsibility of the homeowner.

This change does not affect ongoing litigation, but the Board believes it is needed to prevent future similar cases. Without this change, the Board might have to budget for a higher amount of non-reimbursable legal expenses to enforce the rules, which, in turn, might require an increase in assessments.

Note that involving the legal system to enforce the restrictions is very rare here at HACH. The vast majority of violations are quickly resolved without fines or legal action. Out of over 2,000 homes, we only have a significant legal case every 10-15 years. But when it happens, it can be expensive, and we need to plan for it.

HVAC equipment

All properties in the Association have a five-foot utility easement surrounding them. The CC&Rs specify a list of items for which the Board may grant exceptions (allow to be in the easement). Currently, HVAC equipment (air conditioners, heat pumps, etc.) are *not* in the list of allowable exceptions. Washington County has updated its rules to allow such equipment in the easement, but our governing documents do not, therefore the need for HVAC to be added.

Resolution 3 updates the CC&Rs to allow the Board to permit HVAC equipment within the utility easement. This will help homeowners with little to no side yards who would otherwise have to install HVAC equipment in their back yard.

Thank you for considering approving these proposed amendments to the CC&Rs.

Rex Wheeler
President HACH

GARBAGE CANS: PICKUP SERVICE UPDATE

You hopefully received notice from Pride that our pickup day has been changed to Thursdays, throughout the whole Association. This modifies our Association policy to:

- Wednesday: out on the street, for pickup
- Thursday: back to the house after pickup, "reasonably screened"
- Friday – Tuesday: violation

If you are a landlord, please make sure your tenants know about the change: you are responsible for tenants following Association rules. If you notice your neighbor is still working off the old schedule, please be kind and remind them we've changed. We've had many decades of Wednesday pickup and it may take a while before we all adjust to the change.

SPRING CLEANUP MAY 6, 2023

NEW LOCATION

Spring Cleanup is May 6, 2023 and will be held at **Beaverton Foursquare Church, 13565 SW Walker Rd, Beaverton, OR 97005**. You will find your notice enclosed, please bring it with you for identification purposes. Special thank you to Beaverton Foursquare for making this possible.

There have been a lot of changes in the last few years. Beside NOT accepting hazardous wastes, propane bottles, paints, batteries, solvents, pesticides, thinners, RR ties and tires, we DO NOT accept any TVs, monitors, computers, small engines, florescent bulbs, microwaves or appliances. There will be a shredding at this cleanup.

We are requiring that ALL yard debris be bundled in short efficient units so it can be easily and quickly unloaded into a drop box. Loads that are not well bundled will be turned away. And please remember to use paper bags and natural fiber bindings (see the Cleanup Day flyer for details).

Thank you for your continued understanding. After reviewing the clean up notice, if you have questions, please feel free to contact the office at 503-292-1259 or email: office@cedarhillshoa.org.

Remember, cleanup is not limited only to “yard debris” so be sure and check your garage and back yard for items you no longer want or need. This is an excellent opportunity to get rid those old fence boards.

ONLINE VOTING

This is not a test! After testing online voting and working out related office procedures, the Board of Directors has approved an online voting option for this year’s annual election. Paper ballots will include a unique vote code that can be used on a secure website to vote your preferences. This is not a requirement but an option. *If you do vote online, please do not return your paper ballot* (you may dispose of or recycle the paper as you wish).

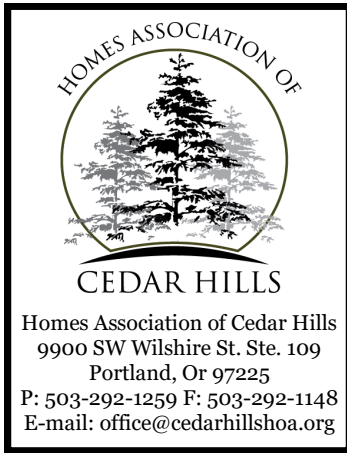
Each voting packet and ballot will still be accompanied by a stamped return envelope. We are including a paper *survey* in your voting packet that needs to be *returned in that envelope* (the survey is not part of the online voting option). As always, you can drop off ballots, surveys and even unused envelopes at the office.

POLICIES

The Board of Directors regularly reviews and discusses policy ideas to keep our community standards current within the framework of our CC&Rs. The following policies were recently approved by the Board:

Ground Mounted HVAC Policy – The Board updated the policy to clarify the need to protect Association easements and conditions for exceptions.

See HACH’s website, www.cedarhillshoa.org or call the office 503-292-1259, for full details.



BOARD MEETINGS

Monthly HACH Board meetings are on the second Tuesday of each month. The general session begins at 7:00 p.m. by Zoom.

Members are always welcome but you must pre-register to attend on our website. The link is posted a few days before the meeting.

Board members also meet on Thursdays to review permit applications.

If you have a specific problem and want to address the Board, it is helpful to contact our office prior to our meetings in order to be placed on our agenda.

Annual Assessments

The annual assessments are sent out in July and are due no later than November 15th. Reminders are sent out by the end of October. If assessments are not paid by November 15th, a late fee of \$15.00 is added.

If the assessments continue to be delinquent, a statement will be sent out monthly and an additional late fee of \$15 will be assessed for each reminder sent out.

If assessments remain unpaid and we have not received any communications, a final reminder will be sent warning of a lien and its cost of \$172.00 when a lien is filed. The account is then subject to monthly interest.

If you are having a problem paying your assessments, please contact the office to make payment arrangements. Office: 503-292-1259 or email: office@cedarhillshoa.org.