

Hilliard-Rome Road Civic Association Trustee Meeting

September 8, 2022

Minutes of the Trustee Meeting of the Hilliard-Rome Road Civic Association
(aka Coventry Civic Association), Hilliard, Ohio held via Zoom at 6:30 p.m. on Thursday, Sept. 8, 2022.

I. CALL TO ORDER

Trustee Bogue called the meeting to order at 6:30 p.m.

II. ROLL CALL OF Trustees

Roll call of trustees/attendees was completed by the Secretary.

Present: Brian, David, Emily, Rebecca, Richard

Absent: Martha

Also Present: No at-large community members joined the meeting. Our attorney Jeffrey Dittmer joined us for the initial portion of the meeting (approx. 1 hour).

III. APPROVAL OF THE MINUTES OF THE REGULAR MEETING

It was moved and seconded to approve the minutes of the Regular Meeting of August 3; motion carried.

IV. FINANCIAL REPORT

Rebecca gave the report as follows:

A. Total assets as of today = \$ [REDACTED] (\$ [REDACTED] in reserve account; \$ [REDACTED] in capital improvements account)

B. Delinquencies as of today = \$ [REDACTED] (representing [REDACTED] properties with [REDACTED] unpaid for 2022).

V. PRESIDENTS REPORT/ON-GOING BUSINESS

A. Legal issues: Jeffrey was invited to go first and walk us through the legal questions we are dealing with. There were three main topics:

1. *Collections process/strategy for collecting on substantially delinquent accounts*

We had sent five demand letters to the five highest-balance overdue accounts in terms of non-payment of required annual HOA dues; none of the 5 responded. The highest household on file owes \$ [REDACTED] at this time; the other four are in the \$ [REDACTED]-\$ [REDACTED] range. We should keep those amounts in mind as we evaluate costs for recovering the overdue payments. Jeff indicated that to go with any of the options from the attorney, he would need updated ledgers.

Option 1 – File a lien with possible foreclosure action (cost is \$282 per lien to file – approx. 1/3rd of what's to be collected from each of the top delinquents). With no response, the foreclosure action for non-payment can then be filed at a cost of \$1000; with this step, the pre-foreclosure notice is sent; people usually pay once this step is taken. (Homeowner would have to pay off whenever they sell or refinance - \$282 for lien and \$63 for the letter.)

If not, the next (difficult!) step is filing the foreclosure action – cost \$800-900.

Jeff noted that turnaround time might be 30 days on each of these steps.

Rebecca observed that we have previously allowed some liens to expire (typically after 5 years) with no further action; presumably this was because the foreclosure steps were not initiated.

Jeff observed that the board creates and votes on lien/collections/fines procedures and practices. If we document our process and steps for delinquent accounts, these should be sent to all the residents, possibly with annual dues mailing in early 2023. (Unlike the deed restrictions, residents do not get to “vote” on this.)

Option 2 – Foreclosure notice once the unpaid balance reaches \$1000. We would file the lien first (\$282, plus \$63 for letter). There is also the \$80 pre-foreclosure letter. Small claims court complaint (around \$285 fee to file). Getting a successful judgment versus actually collecting the money from the resident can be problematic. In the case of non-payment of the small claims judgment, we have recourse to the steps of Option 1. (So, Jeff observed, we might want to just start with Option 1!)

If we proceed with the foreclosure, there are costs associated with it, such as the PJR (title report), complaint filing, attorney fees, etc., maybe looking at \$800-\$900 additional. Legal fees are paid by the residents as part of settling their accounts. But the board pays the legal fees if they do not respond/comply.

Option 3 – Small claims complaint (used mainly pre-Covid). These don't have the protection that the lien offers. Cost is \$285. Per Jeff, it's a "crapshoot, but a better percentage of people pay it." However, if we end up filing foreclosure, we're out more money with this option.

Jeff suggested we start with “Option 1” with the highest two offenders, and payment from those actions get earmarked for pursuing additional delinquent accounts as we decide to proceed with them. It is possible that “word will get around” and more residents will decide to settle accounts rather than face this process.

Jeff said he will provide examples of documents he has used previously with liens/collections situations.

Jeff also suggested that we rename our accounts: Instead of the “Reserve” account – call it “Operating Account”. And rename “Capital Improvement” to “Reserve”. Rebecca will make this change and call the accounts by these designations starting with the next meeting.

2. Assessing the proposed document to update and unify the Coventry's deed restrictions and regulations

Jeff proposed that we should: (1) identify the items that we want to amend; (2) he would prepare a ballot accordingly, to be sent out to all households. Jeff observed that adopting proposed amendments to any of the three sets of deed restrictions require a “yes” vote of 2/3rds of households. Changing restrictions on one of the three “Phases” would require 2/3rds of households located in said phase.

Depending on timing, the amendment ballots could be sent with the annual dues statement in early 2023. With a mailed ballot, Jeff thinks that a response of 20% of households is typical; we might end up needing to go door to door to solicit signatures to try and achieve the 2/3rds.

Distributing the document as originally drafted by David – summarizing restrictions without proposing any changes/updates – is probably okay as a “handbook” for reference for the residents.

3. Solar Panels: Jeff asked whether we have any restrictions in place on solar panels on homes – we do not. However, on September 13, 2022 (next week) a new Ohio state law goes into effect that HOA’s cannot categorically prohibit solar panels. As a board, however, prior to Sept. 13 we can develop certain requirements and guidelines regarding placement, style, etc. of solar panels. Jeff will send information and the requisite form for us to consider (quickly!). Cost to file is \$105. If we establish some rules and file the state form, we will need to notify all residents by mail.
- B. Elections for 2023: Trustees Martha and Emily have terms ending at YE 2022, so we will hold an annual election meeting for those two trustee positions. Martha and Emily are eligible to re-run if they so choose; the ballot will also have blank lines for write-in candidates. We identified Sunday, October 16, 3 p.m. as the tentative meeting date, likely at McAlister Deli on Rome-Hilliard Road again. Brian will post the event on Facebook including inviting volunteers to run for trustee positions.
- C. Website: Rebecca asked for help with the HOA website. The hosting platform is quite tedious and complicated to use; we considered the option of migrating to a different hosting site that will be more intuitive. Emily offered to assist with current website tasks, and Richard’s wife Aileen will evaluate possible alternate website host options for us.
- D. The 2nd annual bike parade is set for Saturday morning, Sept. 10; officer Tom Paulus (Columbus Police) will join us at 9:30 a.m. on Adidas Court as an escort to the cyclists. David will handle the start; Brian will pick up and set up the drinks and donuts in Jarrow Court. [Note from 9/10/22: Around 20 participants turned out for the ride. Officer Paulus offered free bike helmets to all riders who didn’t have one. We enjoyed drinks and donuts at the endpoint on Jarrow Court.]

VI. NEW BUSINESS

We will suspend use of the long standing e-mail system (with addresses in format of trustee_xxx@thecoventryonline.com) as it costs us a monthly fee; instead we will move to the shared gmail account (plus our personal e-mail addresses as needed).

VII. NEXT MEETING DATE

The next monthly Board meeting is scheduled for Monday, October 3, 6:30 p.m. via Zoom; Rebecca will post as a Facebook Event.

The board meeting adjourned around 8 p.m. These minutes were approved by the Trustees on Nov. 7, 2022.

David Connolly
Secretary

11/7/22
Date