

7 o'clock

"Okay so, holiday decorations, up after Thanksgiving and down before the sixth of January, great. Is there any other business"?

"I'm a little confused about the decorations. People are just going to put up anything they want".

"No, no, no, no, look, everybody gets to decorate. It's just that you get to decide whether you want snowmen or, say, wise men".

"Oh, but, it's so nice when all the houses look the same--if everybody used white lights and maybe a wreath on their door with some nice red ribbon? When Brent and I lived on the base everything was so uniform".

"We're a little short on numbers, can we really make a decision without a quorum"?

"My opinion, they don't care enough to show up, they get no say in the matter. Holly will type a notice about the decorations and we will notify everybody, any other business"?

"Yeah, the new family at the end of the street, that fence they built. A chain link fence? Well, it's unsightly and unfriendly".

Well, that family is a weird bunch. Did you guys notice they were the only ones on the block that did not fly a flag on Veteran's day"?

"They just moved in, Dillon, maybe they hadn't unpacked their flag yet".

"C'mon, Will, there were plenty of flags on sale down at Home Depot, they could have picked one up, and you notice they're not here".

"Maybe they're at the soccer game".

"No, their kids aren't on the team. I got the list when I tried to make this, lug, join the league, no new names".

"So, they aren't at the game and they couldn't bother to show up here either".

"Did anybody invite them? Has anybody even talked to them? I wanted to include a welcome to the neighborhood in the newsletter but nobody came up with their name".

"I'm sure that if we make them feel welcome they'll be more than happy to participate".

"Ok, well, I will send them a note".

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Did you know that your board and your HOA is a nonprofit organization? So explain to me what is the HOA doing with all these fines and the income that they're getting from all of the people in the neighborhood?

Did you know that your board members can walk on to your property anytime they want with a twenty-four hour notice, whether you like it or not?

Did you know that you have to pay to get into a Home Owners Association and you have to pay to get out? A buyer pays fees on top of the closing fees to buy into the HOA. A seller must pay the HOA fees to sell the house and leave the community.

Did you know that if your home is owned by a trust or a corporation you're not considered to be a homeowner in the association? Therefore, you have no rights or authority inside the Home Owners Association.

Did you know that the rules, the fees, the dues, can be changed at any time by the board, without prior notification? If when you moved into the HOA your dues were fifty dollars a month, they can be raised at anytime by the HOA Board and you have no choice. Or you've moved into the association with the right to park on the street, but now that right is taken away from you. Or you've moved into the association and you own your own business and are able to park your business truck in your driveway. But now the rules have changed you can no longer park your business truck in your driveway, so now your truck has to either be kept in your garage or it has to be stored off the premises.

Did you know that there's an automatic lien on your property as soon as you buy into a Home Owners Association?

Did you know that you're not allowed into the public, state or federal court system as a HOA homeowner? That is to say, you no longer have the right to use the court system. You must go through the private system that has been set up by whatever organization oversees HOAs.

Did you know that if you in fact wanted to take action against your HOA, you're going to have to pay your lawyer, and the HOAs lawyer, whether or not you win or lose?

Did you know that the documents that you signed, those CC&Rs, in fact, bypass and usurp the US Constitution? The CC&Rs have been written to side-step Constitutional law. You give up

many of your US Constitutional rights when you sign the CC&Rs. The CC&Rs of many HOAs state in writing that if a person moves into the community they will be giving up their personal freedom and independence.

Did you know that at anytime you have prior authorization to do something to your property, the HOA can change their mind and force you to stop--filing an injunction on your property?

Did you know that when you receive a fine, there must be a photo of that violation? Although getting your hands on that photograph will be very expensive and very difficult.

Did you know that fines cannot bear interest charges? That is to say, if it's one hundred dollars, the next month, it will be one hundred dollars. However, there can be a fee for reporting the fine on a monthly basis.

Did you know that a homeowner can record the HOA meetings? Smart phones are being used as recording devices. In many states the homeowner must disclose that they are recording. The HOA Board members cannot stop the recording, but they could dismiss the meeting.

Did you know that as a homeowner, prior to buying the property, you sign a statement that you have read and understood the CC&Rs prior to purchasing the property? The amount of time you have to read this document is usually somewhere between ten minutes, to twenty-four hours. Some CC&Rs are just a few pages and some are two inches thick. You may not buy a home in a Home Owners Association unless you sign the CC&Rs.

Did you know that after listening to this, should you decide to investigate, and you find out that the developer says that some of my comments are not true, then type up a document stating

the comments in question and ask the developer to sign your document. See if they're willing to sign that document.

Did you know that in some states they have what is called a super priority lien? And that super priority lien stands in front of any loan that you have on the property, whether it be from Bank of America, or Chase Bank, or US Bank, or any bank. Therefore, if you don't pay your dues, your property can be foreclosed on. The HOAs lien will step in front of the first and second mortgage. The HOA can foreclose on the property for an amount of two thousand, three thousand, five thousand dollars and take your property away from you. Without warning you will receive a knock on the door telling you to get out of your house. Sound unbelievable?

Check into it!

Did you know that once your property is foreclosed on, you will still owe the bank in the first, second and third position, even though the Home Owners Association has foreclosed on your property?

Did you know that the police have now been instructed, not locally, but nationally, to no longer get involved in Home Owners Association related problems, no matter what those problems are?

Did you know, and this is a real good one, that your home can be foreclosed on because of a fine. Now you're raising your hand and saying, no wait a minute, the rules are very clear, that's not true. I'm going to prove to you exactly how it's done nationally, and how it's growing in its process. Let's assume for a moment that you get a fine because you left your garage door open, hundred bucks, no big deal, but you're a little pissed off. So you write a letter saying "I'm not

paying this!" and they write a letter back that says "Oh, yes you are." Now they add another ten dollars to the fine and it's one hundred and ten. You say I'm still not paying it, leave me alone. Now it's one hundred and twenty dollars, then one hundred and thirty and time has passes and now it's time to pay your HOA dues. What some HOAs and Management Companies do is use your dues to pay your fine? So now your dues are late. They cannot foreclose on a fine, but they can for late dues. But you don't know this. The Management Company says you didn't pay your dues and you say you did. In the mean time the homeowner's dues become more and more delinquent. Then without warning you get a knock on your door and are told to "Get out!" The fine generated the foreclosure, orchestrated by the HOA and Management Company for you, the homeowner.

Did you know that only homeowners can attend the meetings? You may not even bring your attorney or renters.

Did you know that the HOA can regulate the number of pets that you can have on your property and the size of those pets? As a result, if you have too many pets you can be fined. If when you signed the CC&Rs upon buying the property you were allowed three pets, the HOA Board can, at anytime, change the rules to only be able to have two pets. You're going to need to get rid of one of those pets or you're going to be fined and ultimately foreclosed upon.

Did you know that the HOA can tell you how you can landscape your property? The HOA tells the homeowner exactly what kind and how many plants should be in their yard. If the HOA doesn't like the way your yard looks, or the way something lies on the property, you can be fined until you get it right.

Did you know that the color of the home is dictated by the Home Owners Association? So no matter what color you paint your house, it better be approved by the HOA. Most Home Owners Associations, that I've researched, don't have a pallet of colors that you're allowed to use, you have to guess at the color, at which time they'll let you know if your guess was right.

Did you know that in some cases how you paint the inside of your property is dictated? That is, the color of the inside of your home and/or garage, is dictated by your Home Owners Association?

In 1696, in England, political figures came up with a brilliant idea to charge people a window tax. People were taxed if they had more than five windows. My point in saying this to you is that this insanity hasn't stopped. Keeping track of what you need to know to survive in a Home Owners Association is very important, if in fact you choose to stay.

These documents relate to the arbitration rules and the mediation process. Notice what you have to go through just to be able to be heard by the Ombudsman's Office. This document is interesting. I filed several lawsuits against my Home Owners Association. At the same time I offered that I would drop all the lawsuits if the HOA would drop all their lawsuits against the homeowners in the subdivision. Read their response. As you can see, they could care less about what they are doing to the homeowners within the subdivision. Take a look at this document, this is what it's like to go into mediation and arbitration. These were some of the documents filed as a response to what I was trying to do for a one hundred dollar claim in my association. In the end, the association ended up paying the bill, as I no longer lived in that subdivision.