



Meadowmont Property Owner's Association, Inc.

P.O. Box 213

Arnold, CA 95223-0213



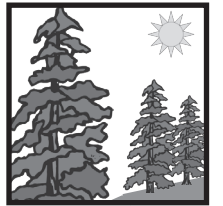
Meadowmont Property Owner's Association, Inc.

209-795-1973

P.O. Box 213, Arnold, CA 95223-0213

E-mail: manager@meadowmontpoa.com • www.meadowmontpoa.com

Dues and escrow data: treasurer@meadowmontpoa.com



2024 Spring - Summer Newsletter





Meadowmont Property Owner's Association, Inc.

"A Residential Community"

Tel: 209-795-1973 • P.O. Box 213, Arnold, CA 95223-0213

Dues questions: treasurer@meadowmontpoa.com

E-mail: manager@meadowmontpoa.com • www.meadowmontpoa.com

2024 Spring - Summer Newsletter



2024 - 2025 MPOA Board of Directors

President/Trees & BRC

Dave Gallagher, Sr.

Vice President/Secretary

Derric Wydick

Treasurer

Dick Brockett

Director/Signs & Junk

Larry Sikma

Call for Candidates:

Call for Candidates: Our Bylaws call for our Board to consist of 7 Directors and they may serve consecutive terms. The term of office at this time is one year and 4 of our current Directors will be up for re-election at our Annual Membership meeting on July 13 and they have agreed to continue to serve the community. We currently have 3 vacancies. Just attend our monthly meeting on the second Tues to find out more. Thank you to all our Directors for your time and efforts on the Board. MPOA property owners may run for office to be voted on by the membership at our July 13th Annual Meeting and BBQ at White Pines Lake. Interested members who would like to volunteer, please contact our Manager.

MPOA WEBSITE

Remember to visit your Association's website often! The website offers great local contact information, a posting of the upcoming agenda for each month's Board meeting and Approved Minutes of the previous month's meeting.

Meadowmontpoa.com



What's Happening

- Calaveras County Fair May 16-19
 - Frog Jump Jamboree too!
 - Destruction Derby
- Arnold Independence Day Parade July 6th HWY 4
 - MPOA Annual Membership Meeting/BBQ July 13th
 - Visit our Local cave areas for a Great Time!
 - Mercer Caverns, Moaning Caverns & Calif Caverns
- Arnold Car Show July 20 th White Pines Lake
 - Visit our website for:
 - Approved lot cleaners

Vacation Rental Recommendations
MPOA Meeting Agendas, Approved Minutes & Local Information



Covid Vaccinations

Covid Vaccinations continue at CVS, Meadowmont Pharmacy & Calaveras County for updates and booster shots.

2024 Annual MPOA Membership Meeting and BBQ



The Board of Directors of Meadowmont Property Owners' Association invites you to join them and your neighbors at our Annual Membership Meeting, Election and BBQ at White Pines Picnic area on Saturday July 13th, 2024. Registration begins @ 10:30am and the gavel drops @ 11:00am. Guest speakers will Attend.



Our meeting will be followed by a great, free BBQ Lunch, catered by Big Boy's BBQin'. The menu will include a Hamburger or Hot Dog, green salad w/Italian dressing, potato salad, baked beans, apple pie, with an assortment of sodas or water.

Important Numbers

Sheriff 209-754-6500

Emergency 911

Highway Patrol 209-822-3998

County Road Repair, signs,

plowing 209-754-6402

Animal Services 209-754-6509



2024/25 Annual Budget & Assessment NOTICE & Diclosures are Enclosed in this Mailing.

The approved 2024-2025 Pro Forma Budget has been approved by the Board and the Assessment will now be \$26.00 per year, per property effective July 1, 2024. Payment is due on July 1, 2024 and becomes delinquent on August 1. Checks only please. Late payments are subject to a \$10 late fee plus 1% interest monthly on your outstanding balance. Members who purchased their properties prior to 1996 are exempt from paying the annual Assessment but are still subject to the MPOA CC&R

White Pines Park & Lake



White Pines Park and Lake is our wonderful community public park on Blagen Rd in Arnold. The Lake is open to the public for use and maintained by CCWD & Volunteers with some restrictions being enforced. Donations are always appreciated.

PG&E New Notification System

PG&E has a new power outage notification system. Visit PG&E.com for review and sign up for this new program.



VIP Program

The Annual VIP property inspection program for this year is in place by Cal Fire (Improved Properties) and EPFD (Unimproved Lots): Property owners are required to keep their lots fire safe & clean year-round. Please remove forest debris, dead trees, lift limbs and follow the clearance Guidelines of MPOA CC&R and PRC 4291. Being in compliance is important for fire prevention and required by fire Insurance carriers. VIP program is under development.

Spring Lot Cleaning

In the Spring when snow is gone, there is always a concerted effort to bring our properties into compliance with California Public Resources Code (PRC) 4291 & MPOA CC&R. That is when Cal Fire Inspectors walk our neighborhoods, educating property owners on how to come into compliance with the law and burning debris. Don't forget, compliance with PRC 4291 is required 365 days a year! California Department of Forestry and Fire Protection efforts continue to create fire breaks around Arnold. If you are interested in joining this effort, please contact our office.

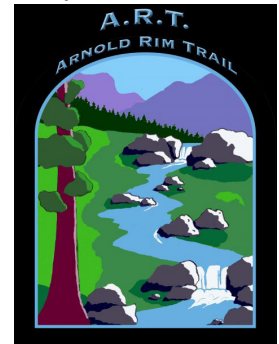
If you don't clear around your home, Mother Nature may do it for you, and with a heavier hand than you might have used. Remember the recent Fires? Adding our current droughts makes fire prevention a must!

We all experience downed & broken trees from winter storms with limbs and pine needle debris that will need to be removed in order for lots to be in compliance. Members may choose to work with their neighbors, hire a chipper, lot cleaning service, or trailer and remove their debris with a group effort. Some residents like to pile and burn their debris. Please visit the CAL-FIRE website for information on how to safely burn your yard debris and burn permit requirements. No smoke piles please, keep your debris burning! Burn permits are required year-round, during the periods that burning is allowed. There are specific rules for burning which must be followed at all times and are the responsibility of the property owner. There are approved burn days and you can verify these dates by calling 209-754-6600. Cal Waste 209-795-1532 can also provide you with a dumpster. One dumpster is free if you have curbside pickup! Millers on HWY 4 / 209-795-4875 will take yard waste. Rock Creek 209-754-6403 is available for dumping and recycling as is Red Hill 209-736-2144. A list of yard waste removal and tree removal services can be found on our website.

PG&E

PG&E 800-743-5000 continues to remove and trim trees along the roadway along with the County. PG&E Power outages may occur during fire season when wind conditions are determined to create a hazard. Please visit PG&E.com for their new system of notifying property owners of scheduled power outages due to heat and weather conditions. Register Now!

ART (Arnold Rim Trail)



If you like to hike, try the very popular Arnold Rim Trail that travels behind Meadowmont. It is a trail that travels from the Logging Museum to Sheep Ranch Rd. You may visit their website at arnoldrim-trail.org. for their schedule of hikes, work days and events and a map. They now have a new trail map on their site for download. Access to the trail is along Fairway Dr., Cedar Center & the Logging Museum. Signs are now posted on the trail directing you.

Please Share the Road



Please obey the 25mph speed limit on all our residential roads in the Community. County Roads are snow plowed by the County and they are supposed to maintain the drainage culverts along the roadway except for the culvert under your driveway which is a property owner's responsibility. Call 209-754-6402 for any road repairs, show removal and signage. The County has a service system, that will send you a status notice of completion. Vehicles please share the roadway with pedestrians, bicyclists, skateboarders, dog walkers, children at play, and others ... not to mention, wild animals, large and small!!!

Emergency Air Lift Helicopter Flight Insurance Air Med



If you own property or have a legal residence in the Ebbetts Pass Fire District, you do not have to pay for EPFD ambulance service as it is paid for in your property taxes. If you have an Emergency and you have to be "MEDI FLIGHTED" out, it may cost many thousands of dollars (\$20K or more) and not all, if any, medical insurance companies pay for that service. Air Med provides service & coverage. Let them know you are a Member of MPOA! It's a good idea!
Contact them @ 530-648-6435

Refuse Removal/Recycling AVERY TRANSFER STATION

Avery is free for property owners and there is also a Cal Waste recycle dumpster, 24 hours a day 7 days a week, at their office on Blagen Rd. Formal ID checks may take place at the Avery Transfer Station. Dumping is restricted to residents that have proper identification and/or vacation renters who must produce a copy of their rental agreement at the gate. Please call the Avery Transfer Station for additional information at 209-795-3222. Closed Wed. & Thurs. Calaveras County wants to comply with State mandated recycling requirements. Everyone is encouraged to use the transfer station for recycling or curbside weekly refuse and bi-weekly recycling removal services. This service is available through CAL-WASTE who offers their customers an annual free dumpster for landscaping debris. Please call them at 209-795-1532 for more information.



MPOA COMMITTEE INFO

Building Review Committee (BRC)

Per our CC&R, ALL exterior improvements to your property requires PRIOR approval from the Association before any work being started. All exterior improvements DO require approval including fences, decks, sheds, driveways and all exterior additions/improvements. The form to request approval for this and for tree removal can be found on the first page of our website. Thanks Dave for all you do!

TREES

Per our CC&R All living tree removal requires prior approval from MPOA. Our application Request form can be found on our website on the Home Page. Failure to get approval can result in a fine of \$500 per tree!

Signs and Junk Committee

Our Signs and Junk Committee requests that Political signs & banners be removed promptly when the election is over. Construction signs should be removed when the job is done and Real Estate signs when escrow has closed. Thank you for helping control sign pollution and please keep your property neat and clean from refuse and debris. Address signs are required and are very important during an emergency! Reflective signs are available at the Sheriff Sub Station in the Shopping Center office. Thanks Larry for all your efforts.

PRC 4291 Committee

Our new PRC 4291 Committee has just been formed to respond to complaints and inspect properties for compliance with the Meadowmont CC&R and PRC 4291 which both require removal of forest debris and lifting of tree limbs out of the fire fuel zones.

**Treasurer Dick Brockett
thanks for all you do!**



PET WASTE

Please be a good neighbor and clean up after your pets! Pet waste can build up and become unsanitary and a smelly nuisance. Carry a waste bag with you when walking your pet. Remember to use a leash and control your pet at all times. THANK YOU!

Noisy pets and animal violations should be reported to: Calaveras County Animal Services 209-754-6509

E.P.P.O.C.

(Ebbetts Pass Property Owners Council) is a local group comprised of local homeowners and Board members that will soon meet monthly at the Firehouse on Blagen Rd on the first Wednesday of every month @ 9:30 am. During the Pandemic their meetings have been held via Zoom. Zoom Directions, meeting Minutes and Agenda can be found on their website EPPOC.ORG. Guests are always welcome to attend. Invited speakers share current information on all sorts of local projects, activities and helpful announcements and reports.

A list of local contacts and County information can be found on our website. Our District Supervisor, is Martin Huberty.

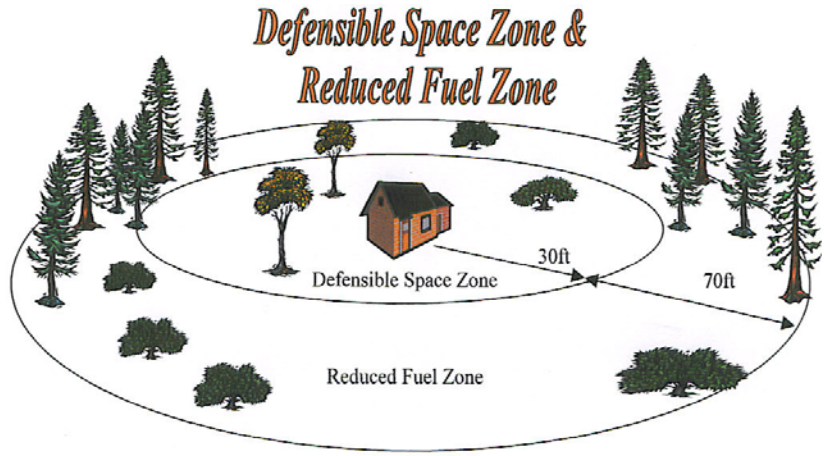


All Homeowners should maintain address signs on your property so emergency services can find you. Also, it is helpful to report any road repair problems to 754-6402. Let your neighbors know when downed trees have fallen. The sheriff sub-station is at the Meadowmont shopping center on HWY 4. They offer reflective address signs at reasonable prices and various designs.





MAKE YOUR HOME (AND COMMUNITY) FIRE SAFE



Fire once played its natural role in California, keeping vegetation thinned out and healthy, which in turn kept fires small and beneficial. As humans moved into wildland areas and began suppressing all fires, vegetation increased to the dangerously overgrown levels we see now, resulting in extremely destructive wildfires. To maintain the safety of our homes, families, firefighters, community, and natural resources, we must replicate fire’s traditional role by removing the excess vegetation around our homes and neighborhoods.

CLEAR 100 FEET FOR FIRE SAFETY

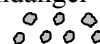

(or to your property line, whichever is nearest – as required by California Public Resources Code 4291)

1. Remove dead vegetation. 2. Thin out live vegetation. 3. Prune up your trees.

1. Remove Dead Vegetation:

- **The First 30 Feet:** Remove everything that is **DEAD**: dead trees, branches, brush, all dry grass, leaves, and pine needles within 30 feet of all buildings and on roofs, gutters, decks, porches, and ground - including spaces under decks, porches, buildings on pier blocks, RV’s, vehicle parking areas, etc.
 - **Chimneys:** Remove all limbs within 10 feet of chimney. Install ½” screening on chimney outlets.
 - **Propane Tanks:** Provide 10’ horizontal and vertical clearance. Very low, well-irrigated groundcover and lattice fencing within 10’ is permissible. **No smoking or burn piles within 25 feet!**
- **The Next 70 Feet:** Remove all dead trees, dead brush, and dead branches within 15’ of the ground. Dry, cut grass, leaves, and pine needles may stay on the ground, 3-4” deep. Clearing beyond 100 feet will increase the safety of your home and property.

2. Thin and Separate Live Vegetation:

- **Separate** trees and bushes from each other and from dry, dead ground fuels such as dry grass (cut short as possible), pine needles, or live ground covers, according to possible flame heights and lengths on next page.
- **Surround** clumps of vegetation with cleared areas, according to possible flame heights/lengths on next page.
- **Maintain** a vertical clear space of at least “**3 times the height of the shrub**” between any shrub and overhanging tree branches, or between grass and shrubs or tree branches.
- **Interrupt** fire’s path by breaking up continuous shrub masses. Remove “ladder fuels” – the vegetation that lets fire climb from ground level to treetops and roofs.
- **Minimize** the number and size of plants beside your house. Avoid dense ‘privacy screens’ that could endanger your home. Separate plants using a diamond pattern to maintain privacy and fire safety, like this →  not this → 
- **Replace** highly flammable plants with fire resistive ones.

3. Prune Your Trees:

- Prune (remove limbs) at least 6 feet, more on slopes, if there is nothing but leaf litter or short, cut grass under your trees. You should be able to walk freely under your trees. Remove dead limbs within 15’ of the ground.
 - For a single ornamental tree with branches to the ground, remove all dead fuels within, beneath and beside it.
- Prune to ½ the tree height, or 15 feet, whichever is less, if there is groundcover vegetation growing under the trees, **or** to retain a “continuous forest canopy” (limbs of one tree touching those of another).



FIREWISE COMMUNITY EVENT

MAY 4TH, 9:00 - 12:00



Independence Hall
1445 Blagen Rd.
Arnold, CA 95223



Hear the latest from

District 3 Supervisor Martin Huberty,
Ebbetts Pass Fire Chief Mike Johnson,
the Sheriff's Office, Office of Emergency Services,
CAL FIRE, USFS, Parks District,
CCWD, and visit the many booths for
additional resources and community services.

BBQ lunch provided by Cal-Waste



BE PREPARED to be FIREWISE!

**WE HOPE TO MAKE MEADOWMONT A
FIREWISE ACCREDITED COMMUNITY-WE
NEED YOUR HELP, Please create defensible space
and harden your home, and join the team!**

**CA FAIR PLAN & other insurance companies
MAY PROVIDE REBATES**

Join the team: meadowmontfirewise@gmail.com



**Meadowmont Property Owner's Association
2024-25 PRO-FORMA BUDGET & ASSESSMENT NOTICE
April 2024**

Dear MPOA Member:

Pursuant to the approval of the 2024-25 Pro Forma Budget by the Board of Directors, the following Assessment information applies for Fiscal 2024-25: (July 1, through June 30th)

The approved 2024-25 Pro Forma Budget provides for a \$4.00 increase over the Assessment level used to fund the 2023-24 Budget. Effective July 1, 2024 the Annual Assessment will be \$28.00, per property, per year.

The Board has been careful in managing the Association's expenses during 2023-24. It is hoped that after carefully reviewing the enclosed Pro-Forma Budget and Annual Disclosures, property owners will support the 2024-25 Budget so Operating expenses are funded properly. The Association has no Reserve Components.. This packet is important for Member property values and will also ensure that MPOA will be an attractive investment for lenders and prospective buyers.

Invoices will be mailed to all property owners in June 2024. Assessments are due on July 1, 2024 and delinquent if not received before August 1st Late payments are subject to a \$10 late fee and interest of 1% per month on the unpaid balance. Everyone's prompt payments will be appreciated for the efficient operation of the Association.

Respectfully submitted,
Board of Directors and Management

- Encl.
2024-25 Assessment Notice
2024-25 Pro Forma Budget
2024-25 Annual Budget Report
2024-25 Annual Policy Statements
Spring 2024 Newsletter
PRC 4291 Requirements

MPOA
Insurance Coverages
April 2024

| Coverage | Carrier | Broker | Policy# | Limit | Ded | Expires | Premium |
|------------------|----------------------|-----------|---------------|-----------|---------|------------|------------|
| Liability | Atain Specialty | Next Step | CIP443066001 | \$2M/\$2M | \$500 | 04/16/2024 | \$7,227.51 |
| D&O | Everest | Next Step | VN00000066231 | \$1M | \$5,000 | 11/25/2024 | \$4,544.00 |
| Umbrella | Kinsale | Next Step | 0100187104-1 | \$1M/\$1M | \$0 | 04/16/2024 | \$9,896.95 |
| Fidelity & Crime | Continental Casualty | Next Step | 618837304 | \$100K | \$250 | 04/16/2024 | \$483.00 |

Next Step Insurance Solutions P.O. Box 641723 San Francisco, CA 94164 CA Lic. # 0B70963
Bill Yates
925-818-4500
wyates@nextstep-ins.com

MEADOWMONT PROPERTY OWNER'S ASSOCIATION, INC.
FISCAL YEAR 2024-2025 PROFORMA BUDGET
JULY 1,2024-JUNE 30, 2025

| | <u>Approved</u> <u>Annual Budget</u> |
|---------------------------------------|---|
| Ordinary Income/Expense | |
| Income | |
| DUES 24-25 @ \$28 | 33,040.00 |
| Investments | |
| Interest-Savings, Short-term CD | 1,210.00 |
| Total Investments | <u>1,210.00</u> |
| Prior Years overage applied to budget | 10,211.00 |
| Program Income | |
| Late Fees @ \$10 | 1,200.00 |
| Transfer Fees @ \$85 | 5,100.00 |
| Total Program Income | <u>6,300.00</u> |
| Total Income | <u>50,761.00</u> |
| Gross Profit | 50,761.00 |
| Expense | |
| Business Expenses | |
| Business Registration Fees | 35.00 |
| Bank Fees | 24.00 |
| Total Business Expenses | <u>59.00</u> |
| Contract Services | |
| Accounting Fees | 300.00 |
| Legal Fees | 1,955.00 |
| Manager | 10,200.00 |
| Website Maintenance | 695.00 |
| Total Contract Services | <u>13,150.00</u> |
| Facilities and Equipment | |
| Lot Clearing & Maintenance | 750.00 |
| Rent BOD Meetings-Church Bldg 1 | 250.00 |
| Total Facilities and Equipment | <u>1,000.00</u> |
| Operations | |
| Postage, Mailing Service | 3,820.00 |
| Printing and Copying | 6,500.00 |
| Supplies | 200.00 |
| Telephone, Telecommunications | 470.00 |
| Total Operations | <u>10,990.00</u> |
| Other Types of Expenses | |
| Donations | 250.00 |
| Insurance-Bond | 483.00 |
| Insurance-D&O | 4,544.00 |
| Insurance-Liability Umbrella | 9,897.00 |
| Insurance - Liability | 7,228.00 |
| Insurance-Brokers Fee | 500.00 |
| Memberships and Dues | 160.00 |
| Total Other Types of Expenses | <u>23,062.00</u> |
| Travel, Meetings & Events | |
| AnnualMeeting/Picnic-Net Cost | |
| Annual Meeting BBQ Costs | 2,350.00 |
| Annual Meeting Park Use Fee | 150.00 |
| Total AnnualMeeting/Picnic-Net Cost | <u>2,500.00</u> |
| Total Travel, Meetings & Events | <u>2,500.00</u> |
| Total Expense | <u>50,761.00</u> |
| Net Ordinary Income | <u>0.00</u> |
| Net Income | <u><u>0.00</u></u> |

Meadowmont Property Owner's Association, Inc.
2024-25 Budget Report

§5300(b)(1): The approved 2022-23 Pro Forma Budget is included in this mailing

§5300(b)(2) / §5565: Summary of Association Reserves / NA / *MPOA Has no Reserve Components hence no funding is necessary.

§5300(b)(3) / §5550(b)(5): Summary of Reserve Funding Plan / NA *

§5300(b)(4): Statement to defer Reserve component repairs: NA *

§5300(b)(5):

Special Assessment - The Board of Directors do NOT anticipate a Special Assessment at this time. Updates on this item, if any, will be included in the Monthly Board Meeting Minutes.

Emergency Assessment - The Board of Directors do NOT anticipate an Emergency Assessment at this time. Updates on this item, if any, will be included in the Monthly Board Meeting Minutes.

§5300(b)(6): Statement of Methods for Reserve Funding / NA *

§5300(b)(7) / §5570(b)(4): See attached

Association Reserve Study Calculation Procedures NA *

§5300(b)(8): The Association does not have any loans.

§5300(b)(9): Summary of Insurance Coverage with Disclosure Statement See below

§5300(e) / §5570: Assessment & Reserve Funding / NA *

INSURANCE DISCLOSURE

The recommendations of the Association's Insurance Agent are followed when placing liability coverages. The Association's policies do meet the minimum limits as required by Civil Code 5805. Therefore; generally, individual owners can only be liable for their proportional share of any Emergency or Special Assessment levied to pay the amount of a judgment or court order, which exceeds the limits of the Association's coverage. It is recommended that owners purchase coverage on their individual Homeowner's policies to cover this exposure

OWNER'S INDIVIDUAL LIABILITY POLICES AND LOSS ASSESSMENT COVERAGE

It is very important that members explore their own risks with a knowledgeable insurance agent and purchase coverages to protect you from any liability or loss occurring on your own lot. Owners should also be aware of the exposure from damages or loss on the common area and/or any exclusive use common area that may result in an insurance gap in coverages between the Association's coverage and your own. We also strongly recommend that you inquire about Loss Assessment Coverage. The cost of an endorsement for loss assessment is very minimal and provides protection to individual owners for any extraordinary Association loss that may result in a special or emergency assessment to members for damages in excess of the Association's coverage. Individual homeowners are encouraged to obtain Loss Assessment Coverage for earthquake/flood damage, particularly in light of policies, which are now available, by participating insurance carriers, which have joined the California Earthquake Authority.

STATUTORY DISCLOSURE

The summary of the association's policies of Insurance provides only certain information as required by subdivision Section 5310(a)(7) of the Civil Code and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of Insurance. Any Association member may, upon request and provision of reasonable notice, review the Association's Insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the Association maintains the policies of Insurance specified in this summary, the Association's policies of Insurance may not cover your property, including personal property or, real property improvements to or around your dwelling, or personal injuries or other losses that occur within or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance broker or agent for appropriate additional coverage.



Next Step Insurance Solutions

P.O. Box 641723 San Francisco, CA 94164

CA License # 0B70963

INSURANCE DISCLOSURE FORM PURSUANT TO CALIFORNIA CIVIL CODE § 1365
EFFECTIVE 4/16/2023

Meadowmont Property Owners Association, Inc.

P.O. Box 213 Arnold, CA 95223

A. COMMERCIAL GENERAL LIABILITY INSURANCE

1. Name of Insurer: Atain Specialty Insurance Company
2. Limits of Liability:
 - Liability Each Occurrence: \$2,000,000
 - Personal & Advertising Injury \$2,000,000
 - Medical Expense: \$5,000 Per Person
 - General Aggregate \$2,000,000
3. Deductible: \$500 Per Claim

B. COMMERCIAL EXCESS/UMBRELLA LIABILITY INSURANCE

1. Name of Insurer: Kinsale Insurance Company
2. Limits of Liability: \$1,000,000 Each Occurrence / \$1,000,000 Aggregate
(Excess of General Liability Only)
3. Deductible: None

C. EARTHQUAKE & FLOOD INSURANCE

1. No Coverage Purchased

D. FIDELITY & CRIME INSURANCE

1. Name of Insurer: Continental Casualty Company
2. Limits of Liability: Employee Dishonesty: \$100,000 Computer Fraud: \$100,000
3. Deductible \$250

E. DIRECTORS & OFFICERS PROFESSIONAL LIABILITY INSURANCE

1. Name of Insurer: Everest National Insurance Company
2. Limits of Liability: \$1,000,000
3. Retention: \$5,000 Per Occurrence

This summary of the association's policies of insurance provides only certain information, as required by subdivision (f) of Section 1365 of the Civil Code, and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of insurance. Any association member may, upon request and provision of reasonable notice, review the association's insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the association maintains the policies of insurance specified in this summary, the association's policies of insurance may not cover your property, including personal property or, real property improvements to or around your dwelling, or personal injuries or other losses that occur within or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance broker or agent for appropriate additional coverage.

Next Step Insurance Solutions

George E. Dias

William A. Yates, Jr.

C: (415) 505-9699

C: (925) 818-4500

service@nextstep-ins.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/25/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| | | |
|---|---|-----------------------|
| PRODUCER Next Step Insurance Solutions CA License # 0B70963 P.O. Box 641723 San Francisco CA 94164 | CONTACT NAME: George E. Dias PHONE (A/C, No, Ext): 415-505-9699 E-MAIL ADDRESS: gdias@nextstep-ins.com | FAX (A/C, No): |
| | INSURER(S) AFFORDING COVERAGE | |
| INSURED Meadowmont Property Owners Association, Inc. PO Box 213 Arnold CA 95223 | INSURER A: Atain Specialty Insurance Company | NAIC # 17159 |
| | INSURER B: Kinsale Insurance Company | 38920 |
| | INSURER C: Continental Casualty Company | 20443 |
| | INSURER D: Everest National Insurance Company | 10120 |
| | INSURER E: | |
| INSURER F: | | |

COVERAGES **CERTIFICATE NUMBER: 1** **REVISION NUMBER: 1**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|--|
| A | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | CIP443066001 | 4/16/2023 | 4/16/2024 | EACH OCCURRENCE \$ 2,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 |
| | <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY | | | | | | MED EXP (Any one person) \$ 5,000 |
| | <input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE | | | 0100187104-1 | 4/16/2023 | 4/16/2024 | PERSONAL & ADV INJURY \$ 2,000,000 |
| | DED RETENTION \$ | | | | | | GENERAL AGGREGATE \$ 2,000,000 |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below | Y/N | N/A | | | | PRODUCTS - COMP/OP AGG \$ EXCLUDED |
| C | Crime Insurance \$250 Deductible | | | 618837304 | 04/16/2023 | 04/16/2024 | Per Claim Deductible \$ 500 |
| | | | | | | | COMBINED SINGLE LIMIT (Ea accident) \$ |
| | | | | | | | BODILY INJURY (Per person) \$ |
| | | | | | | | BODILY INJURY (Per accident) \$ |
| | | | | | | | PROPERTY DAMAGE (Per accident) \$ |
| | | | | | | | \$ |
| | | | | | | | EACH OCCURRENCE \$ 1,000,000 |
| | | | | | | | AGGREGATE \$ 1,000,000 |
| | | | | | | | \$ |
| | | | | | | | PER STATUTE OTH-ER |
| | | | | | | | E.L. EACH ACCIDENT \$ |
| | | | | | | | E.L. DISEASE - EA EMPLOYEE \$ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT \$ |
| | | | | | | | Employee Dishonesty \$100,000 |
| | | | | | | | Forgery-Alteration \$50,000 |
| | | | | | | | Computer Wire Fraud \$100,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

D. Directors & Officers Liability Policy # VN00000066231 - 11/25/2023-11/25-2024 Each Loss/General Aggregate \$1,000,000

1,411 Units - Proof of HOA Master Insurance Only: No property coverage is provided by the Association. Owners need their own Home or Dwelling Policy.

| | |
|---|---|
| CERTIFICATE HOLDER For Information Only | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE George E. Dias |

© 1988-2015 ACORD CORPORATION. All rights reserved.

Meadowmont Property Owner's Association, Inc.
Annual Policy Statements
2024-25

§5310(a)(1) / §4035(a) Name and Address of Person Designated to Receive Official Communications to the Association Members may address communications to MPOA / The President PO Box 213 Arnold, CA 95223

§5310(a)(2) / §4040(b) Notice of right to submit Secondary Address for Annual disclosures and Collection Notices: Members are hereby notified of their right to submit secondary addresses to the Association for purposes of collection notices. Per the civil code, the owner's request shall be in writing and shall be mailed to the Association in a manner that shall indicate that the Association has received said notice. This may be done at any time, provided that, if a secondary address is identified or changed during the collection process, the Association shall only be required to send notices to the indicated secondary address from the point the Association receives the request.

§5310(a)(3) / §4045: Notice of Location for Posting General Notices

Association Notices are posted on the Association's website: meadowmontpoa.com.

§5310(a)(4) / §4045(b): Notice of right to receive General Notices by Individual Delivery (Upon Request) Members are hereby notified of their right to receive notices by Individual Delivery, upon written request, to the Association.

§5310(a)(5) / §4950(b): Notice of Right to receive Minutes of Board Meetings: Copies of approved Board Meeting Minutes are available to Members, upon request. Photocopies may be subject to processing costs. Approved Minutes and Newsletters, Governing documents and other current information may also be obtained from the website. meadowmontpoa.com

§5310(a)(6) / §5730: Foreclosure Disclosure / Delinquent accounts are subject to a lien on their property and being sent to collections to process Non Judicial or Judicial Foreclosure proceedings which can result in a member losing their property. The full Foreclosure Disclosure Statute is on the Association's website.

§5310(a)(7): Assessment Collection Policy / Dues become delinquent 30 days after they are due. Dues are now \$24.00 per year, effective 7/1/22 and collected annually and should be submitted to the Association by July 1st of each year. Please mail dues checks to: MPOA, P.O. Box 213, Arnold, CA 95223. Checks should be made payable to: MPOA. Credit Cards may not be used. Late payments are subject to a \$10 late fee and 1% monthly on the outstanding balance. The collections/lien policy is described in full on the MPOA website. To request a copy, submit a request in writing to: MPOA, P.O. Box 213, Arnold, CA 95223.

§5310(a)(8) / §5850 : Enforcement Fine Policy: Copies of both the MPOA Members Assessment Collection Policy Violation reporting procedure and Member's Violation and Fining Policy are available on the MPOA website or by calling the office at (209) 795 1973 to request a copy.

§5310(a)(9); §5965: ADR Disclosure: Alternative Dispute Resolution, Either the Member or the Association may offer to meet and confer by Mediation or Arbitration to resolve an issue as described in CA State Statute which is posted on our website.

§5920: IDR Disclosure: Internal Dispute Resolution: Either the Member or the Association may offer to meet and confer by Mediation or Arbitration to resolve an issue as described in CA State Statute and posted on our website.

§5310(a)(10) / §4765(c): Architectural Guidelines Notice / Building Review Committee (BRC)

Any changes or additions to the exterior of the member's property including tree removal must be approved by the Association in advance, prior to any work being initiated. Forms must be submitted by owners to the Association and are available on the home page of the website. There is a potential fine of \$500 per tree, if removed, without prior approval, from MPOA.

§5310(a)(11) / §5655: Mailing Address for hand delivery of Overnight Payment of Assessments: MPOA / 2182 Hwy 4 Suite C-240 Arnold, CA 95224 website address is meadowmontpoa.com

Notice of Right to Meeting Notice

Normally, Board of Director's meetings are held monthly, on the second Tuesday of each month (except July, at 7pm at Chapel In The Pines Meeting Hall. Meeting notices with Agendas are posted 4 days prior to the meeting date on the Association's website. Members are welcome to attend Board Meetings and may participate in the Open Forum session held at the beginning of each meeting. Members may also contact the Association at 209-795-1973 or by email: manager@meadowmontpoa.com 7 days prior to a meeting, to have their issue placed on the regular Agenda.. Due to the Pandemic meeting information may change and is posted on our website.

Alternative Dispute Resolution (ADR) Summary of Statute §5965

This summary of §5965 is provided as allowed by the statute.

As a mutual benefit non-profit corporation, Meadowmont Property Owners Association abides by the conditions set forth in Davis-Sterling §5965. Whereas, prior to filing a lawsuit regarding enforcement issues, excluding assessments, the parties shall endeavor, as provided in this subdivision, to submit their dispute to a form of alternative dispute resolution (ADR) such as mediation or arbitration with the other party. This can be binding or non-binding as agreed to by the parties. Either party to such a dispute may initiate this process by serving on another party a Request for Resolution. Details of processing procedures can be found in the full statute. The costs of ADR shall be borne by the parties.

Failure by any member of the association to comply with the pre filing requirements of §5965 of the civil code may result in the loss of your rights to sue the association or another member of the association regarding enforcement of the Governing Documents.

Any request for resolution sent to an owner of a separate interest shall include a copy of §5965.

Copies and details of this entire Statute may be found on the internet, on the Association's website and may also be provided upon request by our office.

INTERNAL DISPUTE RESOLUTION

Meet & Confer. Associations must provide a "fair, reasonable and expeditious" procedure for resolving disputes between the association and its members without charging a fee to the member participating in the process. (Civ. Code §5910.) The process is referred to as "Internal Dispute Resolution" (IDR) or "Meet and Confer."

Default Procedure. If an association does not establish its own procedures, then the following procedures automatically apply (Civ. Code §5915):

- (1) The party may request the other party to meet and confer in an effort to resolve the dispute. The request shall be in writing.
- (2) A member of an association may refuse a request to meet and confer. The association may not refuse a request to meet and confer.
- (3) The association's board of directors shall designate a member of the board to meet and confer.
- (4) The parties shall meet promptly at a mutually convenient time and place, explain their positions to each other, and confer in good faith in an effort to resolve the dispute.
- (5) A resolution of the dispute agreed to by the parties shall be memorialized in writing and signed by the parties, including the board designee on behalf of the association.

RESOLUTION OF THE BOARD OF DIRECTORS OF MEADOWMONT PROPERTY OWNER'S ASSOCIATION, INC.

The following action was taken at the duly noticed and held meeting of the Board of Directors (the "Board") of Meadowmont Property Owner's Association (the "Association") on September 8, 2009 at which at least a quorum of the Directors was present:

WHEREAS, the Association is the owners association formed to manage the Meadowmont Subdivision residential planned development in Arnold, California (the "Development"); and
WHEREAS, pursuant to the instrument entitled "Meadowmont Property Owner's Association Covenants, Conditions & Restrictions", recorded on October 9, 1996, as Instrument No. 1996 13589, as amended by (1) the instrument entitled "Amendment to the Declaration of Conditions, Covenants and Restrictions, 1996, of the Meadowmont Subdivision", recorded on March 22, 2004, as Instrument No. 2004-5574 and (2) the instrument entitled "Amendment to the Declaration of Conditions, Covenants and Restrictions, 1996, of the Meadowmont Subdivision", recorded on August 16, 2004, as Instrument No. 2004-17849, all in the official records of Calaveras County, California (collectively, the "Declaration"), and California Civil Code Section 1354, the Association has the power to enforce the provisions of the Declaration; and

WHEREAS, the Association has limited financial resources and does not have the resources to affirmatively monitor behavior within the Development to determine if there are violations of the Declaration or other governing documents of the Association; and

WHEREAS, in recognition of the Association's limited financial resources, the Board has determined that it is in the Association's best interests to adopt a use restriction enforcement policy that requires the receipt of a written complaint from an owner and a determination by the Board that the alleged violation of a use restriction is creating material harm within the Development, before the Board will proceed with enforcement against the alleged violator.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board shall enforce the use restrictions set forth in the Declaration, as follows:

1. The Board will only investigate an alleged violation if it receives a written complaint from an owner.
2. In determining whether to proceed with enforcement action, the Board will evaluate whether, in the Board's discretion, the alleged violation is creating material harm within the Development.
3. If the complainant identifies himself or herself, the Board will not disclose the identity of the complainant unless (i) ordered by a court to reveal it, or (ii) the complainant consents to such disclosure.
4. In the event the Board determines that the alleged violation is of such a nature as to require testimony or other evidence from the complainant and the complainant does not identify himself or herself or refuses to consent to the disclosure of his or her identity, the Board may in its complete discretion refuse to proceed with or continue enforcement action in recognition of the evidentiary difficulties and hindrances caused by anonymous complaints in many enforcement matters.
5. By submitting a written complaint to the Board, a complainant acknowledges that because of limited resources the Board cannot vigorously enforce every single violation of the Declaration, and therefore the Board may ultimately decide not to initiate enforcement proceedings against the alleged violator or may decide to terminate enforcement proceedings at some point after they have been initiated. A complainant further acknowledges that, according to the Declaration and California Civil Code Section 1354, each owner has an independent right to enforce compliance with the use restrictions.

CERTIFICATE OF SECRETARY

The undersigned declares that he/she is the duly appointed Secretary of the Association and that the foregoing Resolution of the Board of Directors was duly approved at the meeting of the Board held on September 8, 2009 and that the Resolution remains in full force and effect.

Dated: September 8, 2009.

Signed: Rodney L. Cummins

[type or print name]

Rodney L. Cummins, Secretary

MEADOWMONT PROPERTY OWNERS' ASSOCIATION MEMBERS ASSESSMENT COLLECTION POLICY (rev: 12/13/14)

This document sets forth the Meadowmont Property Owners' Association's policy regarding the collection of Assessments pursuant to the "Meadowmont Property Owners' Association Conditions, Covenants & Restrictions", the "First Restated Bylaws of Meadowmont Property Owners' Association" and California Civil Code Section 4340 et seq.

1. Assessments in General. The Association has a duty to levy regular and special Assessments sufficient to perform its obligations under the governing documents and California law. Regular Assessments are levied annually.
2. Obligation to Pay Assessments. Each Assessment or charge is an obligation of the Owner at the time the Assessment or other sums are levied. Each Assessment or charge is also a lien on the Owner's Property from and after the time the Association causes a Notice of Delinquent Assessment (pursuant to California Civil Code Section 5660) to be recorded with the Calaveras County Recorder's Office.
3. Notice of Assessments. Not less than thirty (30) days nor more than sixty (60) days before any increase in the annual Assessment or any special Assessment become due, the Association will give the Owners notice of the Assessment. Notice will be sent by first-class mail to the address on the membership register as of the date of notice. The Board of Directors may elect from time to time to provide additional periodic statements of Assessments and charges, but lack of such statements does not relieve the Owners of the obligation to pay Assessments.
4. Designation of Agent. The Board of Directors may designate an agent or agents to collect Assessment payments and administer this Assessment Collection Policy. Such designated agent may be an officer of the Association, manager, banking institution, law firm or other appropriate agent.
5. Due Date/Delinquency Date of Assessments. Regular annual Assessments are due on July 1st of each year. A regular annual Assessment or any portion thereof, is delinquent if it has not been post marked before August 1st of the year in which the Assessment is levied. A special Assessment, or any portion thereof, is delinquent if it has not been received as directed by the Board thirty (30) days after the special Assessment is due.

6. Interest Charges. The unpaid balance of an Assessment account shall be subject to interest at a rate not to exceed 12 percent per annum (1% monthly), commencing 30 days after the Assessment becomes due. A special Assessment shall bear interest beginning on the 30th day after which such Assessment is due.
7. Interest and Collection Charges: Any costs and fees incurred in processing and collecting delinquent amounts, including, without limitation, late fees and interest charges, charges for preparation of delinquency notices or referral for collection, postage and copies, and attorneys' fees and costs, shall become an additional charge against the Owner and the Owner's Property shall be subject to collection action pursuant to this policy.
8. Application of Payments. Payments shall be applied first to principal owed, then to interest, fees and collection charges.
9. Initial Delinquency Notice. Once an Assessment, or any portion thereof, has become delinquent, the Owner shall receive an initial delinquency notice stating all amounts past due and any known collection charges imposed as of the date of the notice, which may be in the form of a letter, monthly statement, past due notice, or any other form of writing or notice from the Association or its designated agent.
10. Notice of Intent to Record a Lien. If an Assessment account remains unpaid for one year after it is due, the Association or its designated agent, may without further notice to the Owner, refer the account for collection. Following referral, and in accordance with California Civil Code Section 5660, the Association's agent for collection shall notify the Owner by certified mail that a lien will be recorded against the Owner's Property unless the entire balance of the account is paid within thirty (30) days and shall provide an itemized statement of the charges owed as of the date of the notice, including the costs of the Notice of Intent to Lien. The agent for collection may require that payment be made in certified funds.
11. Recording of Lien. A lien may be recorded if, within the time period allowed for the Owner to pay the entire balance of the account, the Owner fails to pay such balance.
12. Foreclosure. Subject to the limitations of California Civil Code Section 5710 and Section 5720, foreclosure proceedings may commence thirty-one (31) days after recording the lien on the Property if either the entire balance of the account has not been paid or a payment agreement has not been entered into with the Association.
13. Payment Agreement. Unless required by law, neither the Association nor its designated agent has any obligation to accept partial payments on an Assessment account. An Owner may petition the Board of Directors in writing for a payment agreement to allow the Owner to make periodic payments on the entire balance of the Assessment account, in addition to the ongoing Assessment payments, in amounts and on a payment schedule agreed to be the Board of Directors. The Association has no obligation to enter into such a payment agreement. Any agreement entered into with the Owner shall be reasonable, as determined by the Board in its sole discretion and for the sole purpose of assuring that the best interests of the Association are served. The payment agreement shall be in writing and a provision shall be included that failure to meet any term of the agreement shall give the Board the right to immediately continue the collection process without further notice to the Owner.

14. Recording of Release of Lien. A Release of Lien will not be recorded until the entire balance of the Owner's account is paid. All charges incurred in recording a Release of Lien, including reasonable attorneys' fees, will be charged to the account.
15. Dishonored Checks. At any time that the Association or its designated agent receives a check dishonored by the bank for any reason, a charge of \$25.00 shall be imposed. The Board of Directors may immediately proceed with the collection process if the Assessments are not paid within ten (10) days after notice of the dishonored check is sent to the Owner. The Association may also seek damages in accordance with California Civil Code section 1719.
16. Dispute of Charges. If the Owner questions the accuracy of the calculation of an account or the amount charged to the Assessment account, a written objection to the specific charges must be made to the Board of Directors within thirty (30) days of the date a "Notice of Lien" is sent to the Owner of the charge or balance. A telephone call will not reserve any rights. The disputed amount may remain unpaid during the investigation, but undisputed portions of the account must be paid before the delinquency date in order to avoid collection charges. No action will be taken to collect the disputed amounts until completion of the investigation and a decision is made by the Board of Directors, unless the Board determines the Owner is acting in bad faith and takes action under paragraph 17 of this Policy. The Owner must provide the following information in writing regarding any dispute:
- a. The Owner's name, mailing address, Property address and account number;
 - b. The exact dollar amount in dispute or in error;
 - c. For each charge or payment in dispute, an explanation of the reasons the Owner believes there is an error, with sufficient detail such as dates, names and check numbers, so that the dispute may be investigated efficiently and effectively. If the Owner does not know how the error was made, that statement may be made, but the dates and check numbers, etc., must be given;
 - d. Copies of checks, letters or other documents referred to or claimed must accompany the written objection.
17. Failure of Owner to Cooperate. If at any time during the Board of Director's attempts to work with the Owner to collect Assessments, the Board believes that the Owner is refusing to make a good faith effort to meet his or her Assessment obligations to the Association, the Board may, in its duty to protect the interests of the Association and in addition to collecting the delinquent Assessments pursuant to this Policy, choose to impose non-monetary sanctions against the Owner after notice and an opportunity for the Owner to attend a hearing on the matter. The process commenced may include suspension of membership rights, including the right to use recreational facilities, as allowed by California law and the Association's governing documents.

18. Other Remedies. The Association reserves the right to avail itself of any other remedies permitted by law and the Association's governing documents to collect Assessments and related costs and charges, including, but not limited to bringing an action in Small Claims, Municipal or Superior Court. Such remedies may be taken in addition to or in lieu of any action already taken, and commencement of one remedy shall not prevent the Association from electing at a later date to pursue another remedy.

19. Address of the Association and the Board of Directors. Owners should respond in writing or make payments to the address as directed by the designated agent. If no address is given, responses and petitions should be mailed to the Association at the following address:

Meadowmont Property Owners' Association
Board of Directors P.O. Box 213 Arnold, Ca 95223

20. Sufficiency of Notice. Except for notice that under California law must be sent by certified mail, notice is sufficient if either hand delivered or mailed first class, postage prepaid, to the Owner at the address on the membership register at the time of notice.

21. Void Provisions. If any provision of this Policy is determined to be null and void, all other provisions of the Policy shall remain in full force and effect.

ADOPTED BY RESOLUTION, DATED 12/9/14 OF THE BOARD OF DIRECTORS:

Date: _____

Signed: _____

Richard J. Brockett, MPOA Secretary/Treasurer

DAVIS-STIRLING ACT

Civil Code §5730. Annual Statement of Collection Procedure. FORECLOSURE DISCLOSURE

(a) The annual policy statement, prepared pursuant to Section 5310, shall include the following notice, in at least 12-point type:

NOTICE ASSESSMENTS AND FORECLOSURE

This notice outlines some of the rights and responsibilities of owners of property in common interest developments and the associations that manage them. Please refer to the sections of the Civil Code indicated for further information. A portion of the information in this notice applies only to liens recorded on or after January 1, 2003. You may wish to consult a lawyer if you dispute an assessment.

ASSESSMENTS AND FORECLOSURE

Assessments become delinquent 15 days after they are due, unless the governing documents provide for a longer time. The failure to pay association assessments may result in the loss of an owner's property through foreclosure. Foreclosure may occur either as a result of a court action, known as judicial foreclosure, or without court action, often referred to as nonjudicial foreclosure. For liens recorded on and after January 1, 2006, an association may not use judicial or nonjudicial foreclosure to enforce that lien if the amount of the delinquent assessments or dues, exclusive of any accelerated assessments, late charges, fees, attorney's fees, interest, and costs of collection, is less than one thousand eight hundred dollars (\$1,800). For delinquent assessments or dues in excess of one thousand eight hundred dollars (\$1,800) or more than 12 months delinquent, an association may use judicial or nonjudicial foreclosure subject to the conditions set forth in Article 3 (commencing with Section 5700) of Chapter 8 of Part 5 of Division 4 of the Civil Code. When using judicial or nonjudicial foreclosure, the association records a lien on the owner's property. The owner's property may be sold to satisfy the lien if the amounts secured by the lien are not paid. (Sections 5700 through 5720 of the Civil Code, inclusive) In a judicial or nonjudicial foreclosure, the association may recover assessments, reasonable costs of collection, reasonable attorney's fees, late charges, and interest. The association may not use nonjudicial foreclosure to collect fines or penalties, except for costs to repair common area damaged by a member or a member's guests, if the governing documents provide for this. (Section 5725 of the Civil Code)

The association must comply with the requirements of Article 2 (commencing with Section 5650) of Chapter 8 of Part 5 of Division 4 of the Civil Code when collecting delinquent assessments. If the association fails to follow these requirements, it may not record a lien on the owner's property until it has satisfied those requirements. Any additional costs that result from satisfying the requirements are the responsibility of the association. (Section 5675 of the Civil Code)

At least 30 days prior to recording a lien on an owner's separate interest, the association must provide the owner of record with certain documents by certified mail, including a description of its collection and lien enforcement procedures and the method of calculating the amount. It must also provide an itemized statement of the charges owed by the owner. An owner has a right to review the association's records to verify the debt. (Section 5660 of the Civil Code)

If a lien is recorded against an owner's property in error, the person who recorded the lien is required to record a lien release within 21 days, and to provide an owner certain documents in this regard. (Section 5685 of the Civil Code)

The collection practices of the association may be governed by state and federal laws regarding fair debt collection. Penalties can be imposed for debt collection practices that violate these laws.

PAYMENTS

When an owner makes a payment, the owner may request a receipt, and the association is required to provide it. On the receipt, the association must indicate the date of payment and the person who received it. The association must inform owners of a mailing address for overnight payments. (Section 5655 of the Civil Code)

An owner may, but is not obligated to, pay under protest any disputed charge or sum levied by the association, including, but not limited to, an assessment, fine, penalty, late fee, collection cost, or monetary penalty imposed as a disciplinary measure, and by so doing, specifically reserve the right to contest the disputed charge or sum in court or otherwise.

An owner may dispute an assessment debt by submitting a written request for dispute resolution to the association as set forth in Article 2 (commencing with Section 5900) of Chapter 10 of Part 5 of Division 4 of the Civil Code. In addition, an association may not initiate a foreclosure without participating in alternative dispute resolution with a neutral third party as set forth in Article 3 (commencing with Section 5925) of Chapter 10 of Part 5 of Division 4 of the Civil Code, if so requested by the owner. Binding arbitration shall not be available if the association intends to initiate a judicial foreclosure.

An owner is not liable for charges, interest, and costs of collection, if it is established that the assessment was paid properly on time. (Section 5685 of the Civil Code)

MEETINGS AND PAYMENT PLANS

An owner of a separate interest that is not a time-share interest may request the association to consider a payment plan to satisfy a delinquent assessment. The association must inform owners of the standards for payment plans, if any exists. (Section 5665 of the Civil Code)

The board must meet with an owner who makes a proper written request for a meeting to discuss a payment plan when the owner has received a notice of a delinquent assessment. These payment plans must conform with the payment plan standards of the association, if they exist. (Section 5665 of the Civil Code)

(b) An association distributing the notice required by this section to an owner of an interest that is described in Section 11212 of the Business and Professions Code that is not otherwise exempt from this section pursuant to subdivision (a) of Section 11211.7 of the Business and Professions Code may delete from the notice described in subdivision (a) the portion regarding meetings and payment plans.