

# Introduction to Wentworth Homeowners Association

Welcome to Wentworth Homeowners Association. Whether you are a unit owner, a renter, or a prospective buyer, you have a vested interest in understanding the documents that govern the condominium: the Declaration of Condominium, the Articles of Incorporation, the By-Laws, and the Rules and Regulations. In all, they make a sizable amount of reading, most it very dry, some of it not easy to understand. It is in your best interest to read and understand them anyway, but this document is intended to give you a head start overview of the documents and highlight the items that have proved to be of the most importance to unit owners over the years.

## I. Declaration of Condominium

This document legally describes the property and establishes it as a Condominium.

### Highlights:

1. Units are for residential use only. You cannot, for instance, use your unit to run a hairdressing salon. This does not prevent you from running a home office, or from being a telecommuter, but it does mean you cannot have people coming to your unit to transact business with you.
2. The percentage of dues and special assessments a unit is responsible for depends on the square footage of the unit. Thus, 3 bedroom units pay higher dues and assessments than 2 bedroom units.
3. The Association provides insurance for the buildings and common areas. Unit owners provide insurance for their personal belongings. This is very similar to how apartment insurance works.
4. You are responsible for the care and maintenance of your unit. The Association is responsible for the care and maintenance of common elements, such as lawn care, the driveways and common drive, roofing, etc.
5. You may rent your unit, but your lease agreement must include a clause specifying that the Declaration, Articles, By-Laws, and Rules & Regs are binding on your tenants. Your tenants need to be given copies of these documents, which are available on our website: <http://www.notalot.com/wenthoa>. You must also provide a copy of the lease to the Association *prior* to the start of the lease's term. Since there have been problems with renters in the past, this is one area the community is sensitive about. If you plan to rent your unit, please follow all rules carefully. To help, the Association provides a recommended lease form for your use.

## II. Articles of Incorporation

The Articles of Incorporation are the legal creation of the Wentworth Homeowners Association.

### Highlights:

1. The Association is set up as a non-profit corporation to administer the property described in the Declaration of Condominium. Members are unit owners.
2. In voting matters, each unit gets one vote. If there are multiple unit owners, the owners should decide who will vote for the unit, and let the Association know.
3. Establishes that there will be a Board of Directors to manage the Association.

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## III. By-Laws

The By-Laws cover the details of governing the Association. It again defines membership in the Association as ownership of a unit. It describes how meetings will be planned and carried out. It creates offices of President, Treasurer, and Secretary, and describes the duties of each office. It describes the powers and limitations of the officers and the Board of Directors. It establishes the Board's right to levy assessments, and its legal remedies should a unit fail to pay an assessment.

### Highlights:

1. You have to pay your dues and any special assessments! The Association currently publicizes past dues of \$750 or more in the monthly meeting notes, and initiates foreclosure on past dues of \$1,000 or more.
2. Authorizes the Board to establish Rules and Regulations governing the use of the Common elements, use of the units, parking, pets, personal conduct, etc.
3. The Board has the right to reasonable access to your unit for repair and maintenance purposes, or for preventive maintenance that will protect other units or the common elements.
4. The Association is self-managed. This can't be changed except by amendment. Amendments require approval from at least 75% of the units.

## IV. Rules and Regulations

These are the day-to-day rules and regulations created over time by the various Boards of Directors. These rules describe how the community as a whole wishes to live, and are the most likely to affect your day-to-day life at Wentworth.

### Highlights:

1. Be neat and clean. Do not disturb your neighbors. Quiet time from 10PM to 7AM.
2. Pets: No dogs. No pets in the common areas unless carried or leashed. This includes cats. No pets over 20 pounds.
3. Parking: Park in your driveway, your garage, or the city streets. There is no parking in the courtyard.
4. Monthly dues are payable by the 20<sup>th</sup> of each month. Interest accrues at 18% on past dues, and \$5 late fees are charged. Past dues of \$750 or more are publicized in the monthly meeting notes. Past dues of \$1,000 or more are subject to foreclosure. NSF fee is \$35.
5. No window air conditioners without Board approval.