



Aberdeen Creek HOA
PO BOX 1603
Riverview, Florida 33568
www.aberdeencreek.com

JULY 2009 COMMUNITY NEWSLETTER

Your Aberdeen Creek Homeowners Association Board of Directors is pleased to send this Community Newsletter to keep you informed of Board and neighborhood activities.

It has been a busy year for the Board dealing with foreclosures, completing the process of amending the CC&R's, graffiti, a "slip and fall" lawsuit, and working with the newly formed Arbitration Committee on enforcement of the CC&R's.

We have 4 foreclosures in our neighborhood – but we see some progress with the first two at 8808 and 8810 as the banks now own these properties and they are actively working to ready the properties for sale; one may sell before month-end. We hope to collect some or all of the unpaid assessments and legal fees owed on these properties. The Board continues to work with the owners of the other 2 properties during the foreclosure process and we will endeavor to have the owners keep up with the maintenance of these properties. The Board has already had to spend \$1,800 in legal fees this year and we expect to spend another \$1,200 before the year is over. We do not know how much of this expense we will recover when the properties are sold.

There has been one sale this year in the neighborhood at 8903 – we can only hope for the best with respect to recovery of the housing market.

The CC&R Amendment process was finally completed in mid-May with the last of the Amendments now on file with the County. The CC&R and Amendments can be found on the HOA website www.aberdeencreek.com and copies are available from the Board.

The graffiti on our entrance sign was reported to the Hillsborough sheriff's department. The sign was touched up by Steve and Denise Briggs – thank you Steve and Denise – saving us over \$100 in repainting costs.

You may have seen newspaper articles advising that the Florida legislature has passed "Florida Friendly" legislation to promote the use of landscaping that has less impact on the environment. Please remember that landscaping changes still require ACC review and approval; the forms to submit ACC requests can be found on the web site or obtained from the Board.

Our Retention Pond was inspected in July as required by SWFWMD and all was found to be in order. The Board has reduced the Pond Maintenance to quarterly – one of the many cost saving measures implemented this year to reduce expenses in light of the several foreclosed properties that have not paid their 2009 assessments.

The Homeowners Association has been sued by a resident of McMullen Loop for a slip and fall injury that occurred last year on the sidewalk between Aberdeen Creek Circle and Mellow Creek Lane. Our records show that the sidewalk was dedicated to the County of Hillsborough by the developer; we do not yet know how that will affect the outcome of the lawsuit. The

HOA maintains a liability insurance policy and therefore the insurance company is defending us against this lawsuit and has assigned a law firm to represent our interests. The Board has also engaged our law firm – Bush Ross – to act in an oversight capacity to ensure our interests are protected.

The Board would like to remind all owners to review and familiarize themselves with the ACC guidelines for approved colors for house re-painting and fences and with CC&R restrictions with respect to sheds, parking and storage of vehicles boats and trailers, lawn and landscape maintenance, pets, and placing trash curbside no more than 24 hours before collection. Your cooperation will be appreciated by everyone in the neighborhood!

The Board recently received a letter expressing concern about how enforcement of the CC&R's is being handled. The Board is pleased to note that this letter evidences that the recent actions to enforce the CC&R's are working and that owners are paying attention! The Board has spent a great deal of time in the past few months identifying poorly maintained properties and contacting the owners asking them to address and correct issues. 31 courtesy letters and 8 violation notices have been issued so far this year and we are pleased that we have seen improvements underway from nearly all the owners who have received these notices.

While the Board has ultimate responsibility for any decisions made regarding enforcement of the CC&R's the individual decisions as to which properties will receive fines are handled by an independent Arbitration Committee of volunteers from among our owners. Board members do not attend or participate in these Arbitration Committee meetings. The Board has a responsibility to oversee the Arbitration Committee's activities to ensure fair and even-handed application of the rules – but the Arbitration Committee makes its own decisions.

The Board realizes that we can never please everyone all the time. Light-handed enforcement of the CC&R deed restrictions would cause some owners to complain while strict enforcement of the CC&R would cause other owners to complain. Whenever a judgement call is made to issue (or not issue) a violation letter some owners may disagree. The Board was elected to represent the majority of the owners and to enforce the CC&R's and the Board will continue to do so to the best of its ability.

We must remind everyone that the Board members are volunteers elected by the community. Board members devote many hours each month handling board activities. Our suggestions to anyone who has critical comments about the Board's actions are two-fold: 1) You should absolutely feel free to tell us your opinion, but remember that the Board has to listen not only to you but your 50 other neighbors; 2) Get involved. If you have concerns about the way the Board manages the HOA then become part of the solution and act on your concerns. It is easy to complain but it takes work to get involved to make things better! Volunteer to run for the Board - the 2010 Board Elections are just around the corner this coming November. And remember that Board members are people also -- it would be nice for Board members to hear a thank you once in a while for the time and effort they put in to running the Board instead of only complaints.

ACHOA Board of Directors