

The Round Up

April 2007

North Ranch Pulls Together Amid Changes

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Director

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Director

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Director

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Four Directors Quit Board

Mary Zander, Inez Ross, John Garen and Robert Chaffee resigned from the board of directors on 4/19/07.

Four Directors Replaced

Doug Knox, Lorraine Wolfsohn, Ellen McCracken and Anthony Congi were appointed to the board of directors at the 4/24/07 board meeting.

Congratulations Doug, Lorraine, Ellen and Anthony!

Your North Ranch Community appreciates your offer of service.

New Mgmt Co. Proposals Studied by Board

Treasurer Schirmer submitted bids from six mgmt. companies earlier this month. The four new board members joined existing members Resnick, Schirmer and Centuori in studying the six bids.

No-Shows, Resignations Slow Down Board Business

President Resnick scheduled a board meeting on 4/10 to discuss the selection of a new mgmt. company with homeowners. The meeting was cancelled when four Directors

said they would not attend. The four Directors resigned from the board on 4/19/07.

Outgoing Manager Offers to Return as Soon as Current Board Officers Demoted or Removed From Board

In a letter to homeowner Denny Laue, Kim Rubly of Haven Mgmt. wrote: "We would also be very interested in staying on (or being brought back) if the current officers are ever reappointed to director status or removed from the board completely." Denny suggested considering Haven in the bidding process. The board voted to cease communicating with Haven in regard to the bidding process.

Homeowner Provides Outline at 4/24/07 Meeting

The board thanked homeowner Denny Laue for submitting an outline with possible criteria to assist in the selection of a new mgmt. company. Denny suggested it should take at least one month to complete. The board decided to meet on May 1st to vote on selecting a

new mgmt. company *if they decide there is enough information to make a decision.*

Association Attorney Advises Board

Some homeowners questioned the legality of replacement directors being appointed to the board.

Confusion among the homeowners stemmed from a misunderstanding of Article VI Section 3 of the bylaws which states: "Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business."

Empty chairs, made vacant by the sudden resignation of four board members, were mistakenly counted by the homeowners as directors. At least one homeowner among them threatened to sue.

As a courtesy to the mistaken homeowners, the board sought advice from the NRCA attorney.

Pursuant to ARS 10-3811 and the bylaws, the attorney advised that the board could appoint new directors, just as past NR boards have been doing for years.

Message From President Harry Resnick

We are going through difficult times with many changes involving our association. Let me point out that this is not the first time it has happened nor will it be the last. Rest assured North Ranch has the resilience to survive.

Your Board has already ap-

pointed four new directors that are well qualified for the position they take. We are also selecting a new property manager out of six that participated in the bidding process.

Thanks to the members that have volunteered to participate in helping us to choose the best qualified property manager. I am

hoping that those people, who showed concern, and expressed dissatisfaction, will turn around, and start their healing process. We need all of you to pull together, if our community is to be successful.

Harry Resnick, President

Next Board Meeting
Tuesday, May 1st
6:00 PM South Pool

Landscaping Committee Report

A meeting of the Landscape Committee took place April 23 at the s. pool at 10:00 AM. Present were Chris Centouri, Tom Steinhagen, Ross and Angela Wiseman, Harry Resnick, Graig Priest (Eden Green), and Lynn (Eden Green). A quorum was present.

A tree lost a major branch, in a wind storm, at the south east corner of Cactus Canyon and Spanish Head Trail. The branch was cut up and removed.

A dead saguaro was taken down and removed from the corner of Cactus Canyon and Sky Ridge Loop.

A Mexican Palo Verde tree, with dangerous thorns, was removed in the common area adjacent to

a house wall on North High Meadow Trail.

A tree in the common area was reported interfering with the growth of a private tree on Pony Trail. The common area tree will be trimmed.

A major tree care contract was put on hold so more bids can be considered.

The next meeting is 5/14 10:00 AM at the s. pool.

Harry Resnick, Chairman



Transfer Fees: Cash Cows for Mgmt. Companies

In Arizona, planned communities with 50 or more homes are required to provide vital information to new home buyers under ARS 33-1806. (Available on the web site www.nrcatucson.com.)

Information such as governing documents, vital contacts, association financial reports, reports on any alterations to the property, and proof that monthly dues have been paid are examples of what must be handed over to the buyer at closing.

Preparation and mailing of this information costs money. The statute allows the association to charge a fee for costs incurred. These fees are most commonly referred to as *transfer fees, disclosure fees and resale document fees*. The seller is responsible for paying the fees.

NRCA bylaws Article VII, Section 2 (d) gives the board the authority to determine how much the fee is and states: "a reasonable charge may be made by the Board in the issuance of these

certificates."

Typically, HOA boards don't read the bylaws and statutes very closely and are not aware they can set the fee amount. North Ranch is no exception as no past board has ever determined the amount of the *transfer fee*.

HOA boards are also not aware that the additional revenue generated by the transfer fees can be paid to the association.

Exploiting the boards' lack of awareness, shrewd mgmt. companies arbitrarily set the amount of the transfer fee, add overage, and collect the revenues for themselves. Homeowners often consider the fee amount to be confiscatory— some charge more than \$300.00! Haven's fee is currently at \$200.00

One mgmt. company has estimated the costs of researching the documents, copying, and mailing to be only \$35.00.

The outgoing management com-

pany as well as many other HOA mgmt. companies state in their agreements that the association will incur no expense for these transactions. The problem is that the fee is paid to the mgmt. company instead of our association, and the amount should not be set by the mgmt. co.

Since 2004, North Ranch homeowners may have paid the mgmt. company nearly \$30,000.00 in transfer fees on the 179 homes that were sold during that period.

In the selection of a new mgmt. company, the current Board of Directors intends to determine what the fees should be (as directed in our bylaws and state statutes) and if any overage from the fees should be made payable to our association, not the mgmt. company.

Did You Know
There are no
licensing
requirements for
HOA management
companies in the
State of Arizona?

Caution: Common Walls Near Stageline Wobbly

Residents should use extreme caution near the common walls along Cactus Canyon Pass near Stageline.

Many of the walls constitute safety hazards and are in danger of toppling over, if pushed or leaned on forcefully. A construction con-

sultant will soon advise on the proper bracing of the wobbly walls.

Crime, Security & Vandalism

Residents Report Smoke Near South Pool

Tennis players called the fire department at 8:30 pm on 4/17/07 after smelling smoke in the area. The firemen searched the common areas for brush fires and burning garbage cans but could not find any. The firemen traced the smoke to a resident near the south pool who was burning garbage in his yard. Fortunately, the fire was contained in the yard. Residents who smell smoke should always call 911. Better safe than sorry.

Playground Cover Used as Hammock

At about 10:00 pm 4/7/07 a

group of about 25 youths in several cars were spotted "partying" in the s. pool parking lot by the recreation committee chairperson. The chairperson turned on the tennis court lights to brighten the area.

At that time two young adults were seen lying on top of the canvas which covers the playground equipment.

The committee chairperson told the two to get down and asked if they were residents. The two said they were not. A suspicious vehicle was parked at the far end of the parking lot. The committee chair called 911 and the sheriff was dispatched to the area. It is not known if any arrests were made.

Drug Use at N. Pool Leads to Arrest

An arrest was made on Sunday March 25th at about 9:00 pm at the n. pool after a homeowner called 911 to report drug use. Recreation Committee members and homeowners are patrolling the pools and common areas. Committee members are out daily in the afternoon and evening talking with residents at the pools and "getting to know" the area youths.

Security Cameras

The committee is expected to make a decision soon on installing security cameras in both pool areas. The committee meets 10:00 am on the 2nd and 4th Saturdays of the month at the s. pool.

Architectural Committee

The Architectural Review Committee met Wednesday April 18th at the south pool.

The committee approved a homeowner's existing play-

ground equipment.

The committee will meet at a new time beginning in May: the third Saturday of the month.

Homeowners are reminded to review the design guidelines and submit appropriate paperwork before beginning exterior projects.

Get Involved by Joining a Committee!

Landscape Committee: Meets 5/14 10:00 am at the south pool

Architectural Committee: 3rd Saturday of the month 10:00 am at the south pool

Walls Committee: TBA

Recreation/Pools/Security Committee:

2nd and 4th Saturday of the month 10:00 am at the south pool

Social Committee: TBA

Streets & Lighting: TBA

Newsletter: 2nd Thursday of the month 12:30 pm at the south pool

Thank you all who volunteer on the committees!

Reserve Study Ordered

For the first time ever in our community's history a reserve study has been ordered.

The study will help provide a "road map" on how to prioritize the needs of our community.

It will also help guide the board of directors on where money should be spent. Thank you Treasurer Bill Schirmer for initiating this important procedure.



It's Snake Season!

If you see a poisonous snake in your yard call Rural

Metro's Reptile Removal Hot Line!

624-9913

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www.nrcatucson.com

If you would like to continue receiving the printed and mailed version of the Round Up please contact as before the July 1st deadline.

After July 1st the Association will mail the Round Up only to those who have requested it.

To continue receiving the printed and mailed Round Up call the editor at 784-9963 or send an email to northbranchchris@yahoo.com

