



January 2023

FAIRWOOD GREENS HOMEOWNERS' ASSOCIATION, INC.
PO Box 58053 | Renton, WA 98058-1053

Office: 425.227.3997 | 24/7 Security: 206.573.4114
contact@fairwoodgreens.org | www.fairwoodgreens.org
<https://www.facebook.com/groups/fghanewsgroup/>

Association Board Meetings are fourth Tuesdays at 7:00PM (except Dec), with meet and greet Feb, Jun, Oct starting at 6:30PM. Annual Homeowner meetings are in September. All meetings are at Fairwood Golf & Country Club.

The Fairwood Greens Homeowners' Association Board continually seeks to better communicate to our 1,500 residents. Be sure to check out the association's website and join our facebook page. We hope you enjoy this installment of our association's newsletter. We welcome your comments sent to contact@fairwoodgreens.org (subject line: NEWSLETTER).

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Expectations and Benefits of Living in FGHA

By purchasing a home within the Fairwood Greens community and signing title documents to that home, you agree to comply with the governing documents of the Homeowners' Association (FGHA). All titled homeowners are members of that Association established by its Articles of Incorporation (December 1966) and Bylaws. The Association's governing documents include the protective Covenants, Conditions and Restrictions (CCR) and the application and interpretation of the CCR, the Rules and Regulations (R&R). These governing documents are tied to the title and passed from landowner to landowner.

Homeowners must comply with the association's governing documents to protect all homeowner property values and ensure a well-kept, safe, and desirous neighborhood in which to live. The FGHA board of trustees has an obligation to the members of the Association to support the governing documents and enforce when necessary.

The FGHA has maintained the quality of our neighborhood for the past 56 years with an all-volunteer board. The FGHA is now at 1,500 homeowners, some of whom have lived here from the beginning of the development. To carry forward the high-quality life we enjoy in our neighborhood, the property maintenance committee has resumed the practice of providing community monitoring.

What can you expect as a homeowner? You can expect and enjoy these benefits of membership in our association, all of which are mandated by governing documents: 24 hour/7 day patrolling security service providing a safe environment; maintenance of all common properties, parks, and other association owned properties; uniform, consistent, and equitable R&R application and enforcement; open and transparent collection of dues and assessments; and administration of the day-to-day business of the association.

What is expected of you as a homeowner? Please take a critical look at your property to ensure that it meets all expectations of the association's R&R, especially aesthetics. Homeowners are fully responsible for all activities on their properties.

Your neighbors count on you to maintain lawns, with no bare spots and free of leaves and debris. Planting areas shall be free of weeds and edged. Rock or other landscape walls shall be in good repair, free of weeds and moss. Driveways, walkways, and sidewalks shall be free of moss, with no grass/weeds growing in cracks. Woodpiles shall not be visible from the street at any time. Vehicles and recreational vehicles of any type shall not be parked or stored on grass or grounds of the front or side yards. Fencing, painting, roofing must remain in good condition.

Working together, we all can expect peaceful enjoyment of our homes and properties.

Do you need copies of the association's governing documents? Go to our website at fairwoodgreens.org for access to all documents.

Parks Updates and Future Look

2022 was a great year for Allen Park maintenance and improvements. The association replaced asphalt for the basketball court and the pickle ball courts; added new backboards, nets, and a youth-sized basketball hoop; added fence to pickle ball courts; regulation paint for all sports courts and play areas at pad in center of park; and added pathway for walkers, trikers, bikers, boarders, and skaters. Volunteers placed benches along the path are adding planting beds. Boy Scout Troop #449, led by Eagle Scout Paxton Irons, added team bench seating at the basketball court in November. The first maintenance phase was funded through the association's accrued savings.

Two subcommittees are addressing play equipment replacement at each park. The Toddler Park subcommittee has identified replacement options for play equipment removed two years ago. You can be part of the process. At the association's website, there's a survey with some equipment ideas. Please take a few minutes to share your feedback with the subcommittee.

Projects will be phased over several years so that homeowner impact will be lessened.

A revised budget will be presented to homeowners to include predicted costs within this year. The association's attorney, Gregory Cromwell, has prepared the following article to detail how budgets for parks improvements will be accommodated.

Budget Ratification/Special Assessment Laws for HOA guest contributor, Gregory Cromwell, Attorney for FGHA

In 2018, new laws regarding homeowners' and condominium associations were adopted by our State, known as the Washington Common Interest Ownership Act ("WUCIOA" or the "Act"). While the provisions of the Act mostly apply only to associations created after July 1, 2018 (both condominium and homeowners' associations), a few of the Act's statutes apply to all associations regardless of when created. RCW 64.38.095 was added to the Homeowners' Association Act (the "HOA Act"), and specifies which WUCIOA statutes apply to HOA created before July 1, 2018. Prior to 2018 laws, if the Declaration of Covenants, Conditions and Restrictions (CCR) were silent about how to adopt special assessments, the board could do so without owners' approval. There was no statutory requirement for an HOA board to seek owners' input. That changed when WUCIOA was adopted. RCW 64.90.525 is one of the WUCIOA statutes that specifically applies to all associations, including FGHA. It addresses the topics of "Budgets-Assessments-Special Assessments."

RCW 64.90.525(1)(a) and (b) are much the same as the budget requirements set forth in the HOA Act (64.38.025(3)). The basic requirements are that within 30 days after the board adopts a proposed budget it must provide a copy to all owners and set a date for a meeting of owners to consider its ratification. Unless at the owners' meeting a majority of ALL owners in the Association reject the budget, the budget and the assessments against the owners' lots included in the budget are ratified, whether or not a quorum is present at the owners' meeting. RCW 64.90.525(2) specifies what must be in the budget. Where RCW 64.90.525 differs from the HOA Act provisions regarding budgets is its provisions in how special assessments are adopted.

RCW 64.90.525(3) states the board may propose a special assessment at any time. A special assessment is effective only if the board follows the procedures for ratification of a budget as described in subsection (1) of the statute, and a majority of ALL owners do not reject the proposed assessment. In other words, a special assessment may now be adopted only if it is in a proposed budget submitted to all owners for ratification and a majority of all owners do not reject it.

The budget ratification can take place at an annual owners' meeting and must be on the agenda, but what happens if a regular budget is ratified at an annual owners' meeting and then during the fiscal year the board decides a special assessment is necessary for a project or other unanticipated need of the community? In that situation, the board must propose an amended budget that contains the special assessment, and the board must comply with the same budget ratification procedural requirements as for a regular annual budget. Unless a majority of all owners in the community reject the amended budget which includes the special assessment, the amended budget is ratified, and the special assessment is considered legally adopted. The board may provide that a special assessment may be due and payable in installments over any period it determines and may provide a discount for early payment.

VOLUNTEERS ARE VITAL!

We thank those who step forward to serve on the association board, who work to improve our parks and common areas, who lend their expertise to update website and Facebook, and those who place/remove our flags and holiday lights. You keep our association costs down and we are grateful for each of you.

We welcome others who may have skills that will benefit our community. Send a note to contact@fairwoodgreens.org. There's a place for you to serve!

OPT IN and UPDATE!

OPT IN to receive notices, ballots, proxies, and other forms of communication relevant to your interests in the Association by electronic means (form at website).

UPDATE your contact info, too. Our 24/7 security force relies on telephone to contact homeowners in the event of emergency, for vacation checks, and to notify you of an open garage or other security issues.



Update your contact info