



OUR NEWEST BUILDING ON Brookfield!

**WW Board
Update
July 20,
2022**

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**FINANCIALS, DETERMINATIONS, & NEW
COLLECTIONS EMAILED SEPARATELY**



Wildwood HOA
Board Meeting Agenda
January 11, 2022

Call to order: Time:

Attendees:

Open forum Rules

During open forum, each attendee may address the board for up to 3 minutes. A director or manager may briefly respond to statements made or questions posed.

Speakers must observe rules of decorum and not engage in obscene gestures, shouting, profanity, or other disruptive behavior. If a speaker is in the middle of a sentence when time is called, he/she may finish their thought before sitting down. The time guidelines ensure that others have an opportunity to speak. Speakers may not allot their time to others. All persons must follow Meeting Rules "Roberts Rules".

- Approval of minutes

M
S
C

- Treasurer's report*

M
S
C

- Manager's report**

M
S
C

- Liens

M
S
C

- Adjournment of open meeting



**Board Meeting Minutes
January 11, 2022
Meeting Time: 7:00 P.M**

Call to order: 7:05 p.m.

Attendees: Patrick, Diana, Fred, Clydean

Absent: Jelani

No community members were in attendance.

- The Board resolved the approval of minutes for October 2021.
 - M - D
 - S - Y
 - C - All

- The Board resolved to accept the Treasurer's report.
 - M - D
 - S - Y
 - C - All

- The Board resolved to accept the Manager's report. **
 - M - D
 - S - Y
 - C - All

- Liens
 - N/A

- Adjournment of open meeting: 8:00 p.m.

- Report posted online @ lisafranchoa.com within 30 days of the meeting.
- ** Report posted online @ lisafranchoa.com within 30 days of the meeting.

KEY:

M= MOTION

S= SECOND

C= CARRIED

A=All

Secretary,

Diana Pop

Items shared by Franklin Villa Units:

#1 which is Morrison Creek Estates HOA and #5 which is Wildwood HOA

Camera configuration
Camera internet billing
Gate billing
Door King
Office Depot
Home Depot
CED Electrical used to acquire electrical components and courtesy lighting.

NUMBER OF VISITORS TO THE SITE OFFICE FR: OCO - DEC - 41

NUMBER OF INTERACTIONS WITH LAW ENFORCEMENT: 8

Add an additional 1720.00 to each of the following account

| UPCOMING FORECLOSURES: | APN | AMOUNT OWED |
|------------------------|-------------------|-------------------|
| | 049-0310-049-0000 | 3880 |
| | 049-0320-008-0000 | 6440 |
| | 049-0350-015-0000 | 12850.00 |
| | 049-0310-025-0000 | 12190.00 |
| | 049-0310-003-0000 | 3860.00 |
| | 049-0310-010-0000 | 5320.00 |
| TRUSTEE SALE COMPLETE | 049-0310-048-0000 | 19420.00 |
| | 049-0320-017-0000 | 12570.00 |
| | 049-0310-047-0000 | 2520.00 |
| | 049-0320-050-0000 | 2075.33 |
| | 049-0330-013-0000 | 5012.00 |
| | 049-0320-018-0000 | 2758.00 |
| | 049-0320-019-0000 | 2325.00 |
| | 049-0320-010-0000 | 4090.00 |
| | 049-0310-037-0000 | 3610.00 |
| | 049-0330-058-0000 | 22065.53 |
| | | 120,985.86 |

\$5000.00 is currently the balance of the Association's Trustee escrow fund with S&G Lien Enforcement.

Developing a survey to garner support for putting a left turn signal as we exit Creeksedge going left on Franklin. There have been accidents, and 3 years ago, a fatality. If enough letters and emails are received stating a need for this safety feature, I will pursue our Council Member and Traffic Control investigators.



Homeowner, Edna Griffith, enlisted me to work with her on this matter. – NO UPDATE, she sold i

Considering new office location

Need a vote to demand reimbursement of the broken office window repair by residents living close to the office. Fines will be determined at a future meeting.

PROJECTS:

TREES

CUTTING 2 REDWOODS NEXT TO 4071 WEYMOUTH THAT COST THE ASSOCIATION **3000.00** IN REIMBURSEMENTS TO THE OWNER FOR PLUMBING DAMAGE FROM THE ROOTS SCHEDULED FOR 03/20/22.

FRONT DOOR ROOFS

REPAIRED OR REPLACED 15 TO DATE

DRYROT/PAINT

RESTORING 4071- 4077 WEYMOUTH COMPLETED NEW WOOD AND PAINT **DONE**

RESTORING 4121- 4133 BROOKFIELD PUSHED TO OCT – **IN PROCESS, REAR OF 8 BLDGS ALL COMPLETE, FRONT ON HOLD UNTIL EARLY SPRING DONE!!**

RESTORED THE REAR OF **4123**

CAMERAS

VERY EXCITED TO ANNOUNCE WIRELESS TRANSMISSION OF INTERNET THUS ALLOWING 7 COMCAST ACCOUNTS TO BE CLOSED. THERE ARE 26 COMCAST ACCOUNTS BETWEEN MCE AND WW. THE GOAL IS TO CLOSE ALL BUT 10 ACCOUNTS BY THIS TIME NEXT YEAR!

LANDSCAPE

DROUGHT PROOFING 4077 – 4085 SAVANNAH

ADDING RUBBER BARK IN FLOWER BEDS AND PLANTING HOSTAS AND SUCCULANTS

NEW LANDSCAPE/MAINTENANCE COMPANY ONBOARD

DIGGING UP OLD GRASS AND ADDING TOPSOIL TIL SPRING IN MANY AREAS:

ADDED OR REPLACED 48 COURTESY LIGHTS



Cut two 4 story redwoods that were causing foundation problems. Using the mulch to decorate flower beds along with decorative landscape and rock.

DEMAND TO PAY RENT TO PARTY OTHER THAN LANDLORD (SECTION 2938 OF THE CIVIL CODE)

Tenant: (Name of Tenant)

Property Occupied by Tenant: (Address)

Landlord: (Name of Landlord)

Secured Party: (Name of Secured Party)

Address: (Address for Payment of Rent to Secured Party and for Further Information):

The secured party named above is the assignee of rents, under the Declaration of Covenants, Conditions & Restrictions (CC&Rs) dated _____ and recorded at (recording information) in the official records of _____ County, California. You may request a copy of the assignment from the secured party at _____ (address).

THIS NOTICE AFFECTS YOUR LEASE OR RENTAL AGREEMENT RIGHTS AND OBLIGATIONS. YOU ARE THEREFORE ADVISED TO CONSULT AN ATTORNEY CONCERNING THOSE RIGHTS AND OBLIGATIONS IF YOU HAVE ANY QUESTIONS REGARDING YOUR RIGHTS AND OBLIGATIONS UNDER THIS NOTICE.

IN ACCORDANCE WITH SUBDIVISION (C) OF SECTION 2938 OF THE CIVIL CODE, YOU ARE HEREBY DIRECTED TO PAY TO THE SECURED PARTY, _____ (NAME OF SECURED PARTY) AT _____ (ADDRESS), ALL RENTS UNDER YOUR LEASE OR OTHER RENTAL AGREEMENT WITH THE LANDLORD OR PREDECESSOR IN INTEREST OF LANDLORD, FOR THE OCCUPANCY OF THE PROPERTY AT _____ (ADDRESS OF RENTAL PREMISES) WHICH ARE PAST DUE AND PAYABLE ON THE DATE YOU RECEIVE THIS DEMAND, AND ALL RENTS COMING DUE UNDER THE LEASE OR OTHER RENTAL AGREEMENT FOLLOWING THE DATE YOU RECEIVE THIS DEMAND UNLESS YOU HAVE ALREADY PAID THIS RENT TO THE LANDLORD IN GOOD FAITH AND IN A MANNER NOT INCONSISTENT WITH THE AGREEMENT BETWEEN YOU AND THE LANDLORD. IN THIS CASE, THIS DEMAND NOTICE SHALL REQUIRE YOU TO PAY TO THE SECURED PARTY, _____ (NAME OF THE SECURED PARTY), ALL RENTS THAT COME DUE FOLLOWING THE DATE OF THE PAYMENT TO THE LANDLORD.

IF YOU PAY THE RENT TO THE UNDERSIGNED SECURED PARTY, _____ (NAME OF SECURED PARTY), IN ACCORDANCE WITH THIS NOTICE, YOU DO NOT HAVE TO PAY THE RENT TO THE LANDLORD. YOU WILL NOT BE SUBJECT TO DAMAGES OR OBLIGATED TO PAY RENT TO THE SECURED PARTY IF YOU HAVE PREVIOUSLY RECEIVED A DEMAND OF THIS TYPE FROM A DIFFERENT SECURED PARTY.

(For other than residential tenants) IF YOU PAY RENT TO THE LANDLORD THAT BY THE TERMS OF THIS DEMAND YOU ARE REQUIRED TO PAY TO THE SECURED PARTY, YOU MAY BE SUBJECT TO DAMAGES INCURRED BY THE SECURED PARTY BY REASON OF YOUR FAILURE TO COMPLY WITH THIS DEMAND, AND YOU MAY NOT BE DISCHARGED FROM YOUR OBLIGATION TO PAY THAT RENT TO THE SECURED PARTY. YOU WILL NOT BE SUBJECT TO THOSE DAMAGES OR OBLIGATED TO PAY THAT RENT TO THE SECURED PARTY IF YOU HAVE PREVIOUSLY RECEIVED A DEMAND OF THIS TYPE FROM A DIFFERENT ASSIGNEE.

Your obligation to pay rent under this demand shall continue until you receive either (1) a written notice from a court directing you to pay the rent in a manner provided therein, or (2) a written notice from the secured party named above canceling this demand.

The undersigned hereby certifies, under penalty of perjury, that the undersigned is an authorized officer or agent of the secured party and that the secured party is the assignee, or the current successor to the assignee, under an assignment of leases, rents, issues, or profits executed by the landlord, or a predecessor in interest, that is being enforced pursuant to and in accordance with Section 2938 of the Civil Code.

Executed at _____, California, this _____ day of _____, _____.

(Secured Party) Name: _____ Title: _____

EDUCATION CORNER

HOA DEBT COLLECTION

LICENSE REQUIRED?

Great news for HOAs collecting delinquent assessments! After over a year of confusion created by [Senate Bill 908](#), which seemed to require that HOAs be licensed to collect assessments, California's Department of Financial Protection and Innovation (DFPI) decided that routine HOA assessment activities do not require a license.



The [DFPI's website](#) posted FAQs that:

- Routine HOA assessments do not constitute a consumer credit transaction under the Debt Collection Licensing Act (DCLA).
- Routine HOA assessments are not considered consumer debt.
- Collection of assessments does not turn an HOA into an entity engaged in the business of debt collection.

The DFPI decision aligns with recent case law:

The Association is not a debt collector for the purpose of the Rosenthal Act, because the definition of debt collector is premised upon the act of collecting consumer debt. In other words, because the Court finds that homeowner's assessments are not a consumer credit transaction for the purpose of the Rosenthal Act, it necessarily follows that the Association cannot be a debt collector under that statute (i.e., the Association does not in the ordinary course of business, regularly, on behalf of that person or others, engage in the collection of consumer debt). ([Dickson v. Century Park East](#); internal quotation marks removed.)

What does this mean for HOAs? No license is required for routine assessment collection activities. Even for delinquent collections, the root of the transaction is not an extension of credit. Therefore, no license is required.

The reference to *routine* includes, "A regular or special assessment and any late charges, reasonable fees and costs of collection, reasonable attorney's fees, if any, and interest, if any, as determined in accordance with subdivision (b), shall be a debt of the owner of the separate interest at the time the assessment or other sums are levied." ([Civ. Code § 5650\(a\)](#).)

In summary, a debt collection license is not required for routine assessment collection activities. Boards should consult legal counsel with any questions about their collection policies and practices.

Many thanks to our partner Melissa Ward for this article.



Board Meeting Minutes
Via Zoom
September 13, 2022

Call to order: Patrick Time: @ 3:00 p.m.

Attendees: Fred, Diana, Patrick, Lisa

- The Board resolved to approve July minutes as presented.
M - F
S - D
C- A
A – n/a
- The Board resolved to accept the financial report as presented.
M - F
S - D
C- A
A – n/a
- The Board resolved to accept the managers' report as presented.
M - F
S - D
C- A
A – n/a
- The Board resolved to accept the 2023 insurance renewal proposal as presented.
M - F
S - D
C- A
A – n/a
- Liens – see attached
- M - F
- S - D
- C- A
- A – n/a
- Adjournment of open meeting at 3:50 p.m.

* to view this report please make a request in writing.

** to view a redacted version of this report, please make a request in writing.

KEY:

M= MOTION

S= SECOND

C= CARRIED

A= ABSTAIN

Executive Session

Executive Session Items

Assign Officers -

Determinations -

Nods –

Personnel/Contract Discussion -