



REMODELING HOW TO

In this issue, we will provide the necessary information to assist those who are planning to remodel their homes, to do it efficiently. Robert Wimmer, Chairman of our Architectural Committee, has provided us with the following news article.

Our Annual Meeting and election of officers will be in March. For those of you expecting a proxy in the mail, it's not coming! An article on the State regulations also appears in this issue.

ATTENTION HOMEOWNERS! ARE YOU THINKING OF REMODELING?

Here are some frequently asked questions regarding architectural changes:

Q. What is involved in requesting permission for a change to the interior of my home?

A. No permission from the Architectural Committee [AC] is required if you are making changes only to the interior of your home; for example, kitchen or bath remodel, new floor coverings, new carpeting, updating of appliances or fixtures, etc. It is assumed that the homeowner will obtain the permits required by the City of Palm Desert and require adequate vendor/contractor insurance coverage before undertaking any interior remodeling.

Q. And what is the procedure for making a change to the exterior of my home?

A. This kind of request for change could involve, among others, adding a patio cover, updating windows, adding a solar tube or skylight, installing a swamp cooler, creating or extending an interior room [only possible with certain home models] which would

require a change in the roof structure, its design and/or covering, replacing a garage door, installing a security screen, making any change to your entryway or front door, etc. This list is not to be considered as comprehensive. Any request requiring a physical change to the exterior of your home must have prior approval from the AC.

Q. What does that involve?

A. A letter of intent, describing the change, should be sent to the AC through the Management company. The AC will receive this letter, discuss the kind of change involved, possibly make an appointment with the homeowner to discuss in person the extent of the change, and will provide the homeowner with and clearly explain the AC request forms required to submit. These forms include a brief description of the change requested, a notice to the vendor[s] to be used, and a form for Agreement and Covenant Running with the Land which needs to be notarized and recorded by Riverside County.

Q. What is an Agreement and Covenant Running with the Land and why do I have to go through that process?

A. To protect the Homeowners' Association and to ensure that the change requested will be maintained by

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the homeowner and that perpetual care must be maintained by any future owner, the Agreement and Covenant Running with the Land must be notarized, signed, dated, and the AC will submit it to the County for recording.

Q. What costs are involved in requesting such a change?

A. In the case of any change requiring the Agreement and Covenant Running with the Land, there is a recording fee of \$10. There is also an HOA processing fee of \$100 [CC&Rs Article V, Sections 2 & 4] which must be submitted.

Q. What happens when the project is completed?

A. There are timelines, indicated on the application forms, which should be adhered to as closely as possible. The AC will inspect and sign off on the completed project. Copies of all forms will be kept in the AC files and the homeowner will be provided with, and is expected to retain copies of all documents also.

Q. Do I have to get building permits?

A. In certain cases, depending on the project, yes. The signed Architectural Approval Application form will need to be shown to the City of Palm Desert Building Department at the time a building permit is requested.

Q. How do I get all these forms?

A. They are available from the AC or from the Management Company.

Q. Is there anything else I should be aware of in requesting a change?

A. Yes. Several basic requirements apply to all major remodeling projects. Here are a few pointers and guidelines from the Architectural Committee:

1. Project must maintain the same architectural design and appearance as existing building. An addition must not appear as an afterthought project. It must have the appearance as if it were part of the original construction. The exterior stucco and trim colors must match the present standards.

2. A noise abatement barrier must be incorporated into an addition between any adjoining unit. The barrier and

all construction must comply with all codes and city specifications.

3. The project must have the appropriate building permit from the City of Palm Desert for all phases of construction.

4. The Owners' Association is to retain copies of all permits and approvals for verification purposes.

5. The contractor[s] or vendor[s] must keep common areas free of all hazards and debris during construction. Otherwise, the home owner will be assessed for any damages incurred. Your Board of Directors and the AC require that the Notice to All Contractors be given to any and all contractors and vendors whom you retain. This notice is included in your forms packet.

6. The Owners' Association assumes no liability for workers or subcontractors during construction. You are required to obtain a certificate of insurance from each subcontractor naming Casa Blanca Owners' Association as additional insured. Copies of the certificates are to be retained by the Association. No work shall begin until these certificates are received.

7. The maintenance of any addition shall be at the owner's expense permanently. This shall include roof, stucco, painting, electrical, plumbing, glass and all other areas that are part of the addition. The owner cannot appeal to the Owners' Association for any type of compensation or relief regarding the project. This policy shall be maintained and enforced for all future owners of this unit; hence the Agreement and Covenant Running with the Land if the home is sold. This recorded document will be included in the Escrow papers.

8. The Owners' Association shall have absolute control of the project during construction to the extent that, if any deviations are cited, as outlined in the above particulars, the project shall be halted until these violations are corrected to the satisfaction of the Casa Blanca Owners' Association.

Important note: The Architectural Committee has a mandate from the Board of Directors to maintain the integrity, conformity and continuity of the general appearance of the complex. The AC has the authority to approve or disapprove requests for architectural change.

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In any disputed matter, the new CC&Rs state that an individual homeowner may appeal a request for architectural changes to the Board of Directors for its final decision.

If a homeowner should decide to make any exterior change to the home without the approval of the AC, it is within the authority of the AC and the HOA Board of Directors to require that the change involved be removed and the area restored to its original condition. In certain cases, especially involving a change to the roof, the homeowner could invalidate the roof's warranty. The HOA would then no longer assume any responsibility for its further maintenance and/or future replacement.

If homeowners have any doubts as to what is covered by the HOA as far as maintenance or replacement costs regarding their home, they should refer to the CC&Rs.

CasaBlanca Architectural Committee

Mary Lou Hill
Rochelle Schwartz
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2006 law curtails proxies for voting

On July 1, 2006, a new law went into effect that significantly changed the way homeowners associations conduct their elections and membership meetings. Civil Code Section 1363.03, part of the Davis-Stirling Common Interest Development Act, requires the use of secret ballots and a double envelope system for most votes of the members, including elections of directors.

One significant change that you noticed over the past year was the absence of proxies for the annual meeting. Formerly, associations would send a notice of the annual meeting and enclose a proxy for those members who would not be able to attend. Understandably, association members have many questions concerning proxies under the new elections law.

QUESTION: I am a member of a homeowners association. When I received the notice of our last annual meeting, I was surprised that there was no proxy enclosed, as in past years. Why are proxies not used any more?

ANSWER: Proxies have fallen out of use because, under the new law, associations must mail a secret ballot to each member for most membership votes, including elections of directors, removal of directors, votes to amend the governing documents and votes to approve assessments. Because members may vote by returning the secret ballot, and because the secret ballots may be counted toward establishing a quorum, proxies are not necessary any more. Also, receiving both a secret ballot and a proxy would be confusing and redundant.

The new statute changed the definition of "proxy. A proxy is now defined as "a written authorization signed by a member or the authorized representative of the member that gives another member or members the power to vote on behalf of that member." Thus, under the new law, a proxy member may only give a proxy to another member or members. Formerly, unless the bylaws stated otherwise, a member could give a proxy to any other person, whether that person was a member of the association or not.

Contributors to this Newsletter

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Board of Directors

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Landscape Report for HOA Board Meeting, January 15, 2008

Tree-trimming will be completed this week. The company is waiting for the necessary permits to trim on Portola.

We wish to remind homeowners that where we have removed dead shrubs around a few of your homes, these will be replaced in February after the danger of freezing is past.

We also wish to remind homeowners that if you are thinking of making any changes or additions in the landscaping around your home, anywhere other than on your patio, you will need to go through the proper channels in order to get permission to do so. This starts with a request in writing to David Gillespie at J & W Management.

The citrus is ripening and is in great abundance. So take advantage of it. Any citrus tree in the common, except on homeowners' private patios, is available to everyone.

Respectfully submitted,

Howard Butzer, Landscape Committee

Report From Board Meeting January 15 2008

All board members were present and approximately a dozen homeowners attended the meeting.

This was the first board meeting to be held since the new state law went into effect requiring board action to be limited strictly to the published agenda. No item may be brought up and acted upon that has not been previously published.

The homeowner's forum did not produce any real problems. Some questions were asked about remodeling requests and roof leak problems.

David Gillespie reported that we had about 12 roof problems reported from the rains. The pedestrian gates have all been re-pinned by a locksmith to make them work easier. If anyone is still having key problems, please report them to him. We have four accounts

which are so delinquent, that liens have been filed with the County.

A list of approximately 14 items needing repair or maintenance were read and discussed. A majority of them are minor in scope except for renovation of the plumbing at the irrigation pump area and problems of the perimeter wall shifting and separating in some places. Another major project would be replacing the wood roof lattice on the utility rooms of the pool areas and the tennis courts with alumina wood replacements. No action was taken on any of them pending more detailed information on estimated costs. The irrigation pump revamping and an auxiliary pump came in at about \$5000. but no labor costs were give.

New business was a proposal by Gail to reallocate money in the reserves from some accounts that contain more than sufficient funds in them to ones such as gate repair that are overdrawn. The board members agreed and directed the treasurer to readjust the separate account balances. We have approximately \$374,000 total in the reserves.

A letter from Bill Davis was read requesting that two trees that seem to be causing cracks in the patio wall and patio floor be removed. the request was referred to the Landscape Committee.

The meeting was adjourned at about 11:00 AM.