



NEWSLETTER

A QUARTERLY PUBLICATION OF LIBERTY COMMUNITY MANAGEMENT (770) 466-6331

WHAT YOUR DUES PAY FOR

Liberty Management provides customizable sets of services to different customers, depending on their specific needs. Below is a list of different groups with predefined services. In the community management field, things are always changing. Rest assured knowing Liberty Management is ready to accommodate your community according to its specific needs.

A partial list of services provided by Liberty for the community's benefit:

- * We work to maintain member satisfaction and goodwill.
- * We house and service the systems and software required to maintain and retain all correspondence related to that effort.
- * All homeowner information maintained in the records is kept for Association use and posterity, all calls to and from association members are retained in the system database for the community records.
- * We offer 9 to 5 Business hours Office Services for homeowners and Board members, as well as a 24-hour emergency telephone service, 24/7 website operation and maintenance of all records, back up of records of the Association maintained and provided on the community website
- * Enforcing Covenants by conducting regular drive-throughs in the community, mailing letters regarding enforcement to resolve and address issues including home visits or emails and phone calls.
- * Work with the declarant or the Board to enforce Covenants, Conditions and Restrictions, Incorporate By-Laws, and provide resolutions on behalf of the Association as part of the consultation to the Board.
- * Review and maintain records of all architectural modifications. Provide approval or denial based on a review of the community documents. Provide responses to owners regarding their requests.
- * Training of Board members to serve the community, provide training material for volunteers, establish committees for advisory Board and represent the community at the transition.
- * Assist Association's legal counsel if action of law becomes necessary, including maintaining and providing all documentation and records required for actions as well as attending such proceedings
- * Handling member complaints and requests for both violations and HOA related issues which may require maintenance service, requiring the preparation of requests for quotes or bid requests be secured, reviewed and submitted for decision. Additionally, insuring references are checked and insurance is in place with vendors, payments provided and follow up for services provided.

PETS !

Please be a courteous neighbor. Pets should be on a leash at all times. When you walk your pet, please be prepared with a plastic baggie to pick up and dispose of your pet's waste appropriately from common grounds, and your yard.

Additionally, cats should not be allowed to roam the community. Thank you for your assistance in keeping the community aesthetically pleasing.

2006 DUES NEWS

To avoid late fees, dues will be due in full on the first of each month. Late fees will be attached after the 10th.

CONTACT US

Homeowners in Shadowbrook may reach their property manager by email at san@libertycm.com. This is the best way to express your concerns or to let your management company know when something needs to be done in the community.

VOLUNTEERS NEEDED

If you are interested in volunteering in your community, please contact us at info@libertycm.com.

SERVICES CONTINUED

- * Periodic inspection of properties.
 - * Working with the Board or Declarant in planning and developing alteration and modernization projects
 - * Hiring and supervising maintenance, repair and improvement personnel.
 - * Purchasing supplies and equipment.
 - * Billing each member monthly, including all additional charges.
- * Using our best effort to collect assessments through billing, notices, follow up phone calls, home visits and working with attorney with collections and court action if needed.
 - * Setting up bank accounts, reserve accounts, securing fidelity insurance.
 - * Paying all bills of the Association on a timely basis.
 - * Prepare newsletters, mailings, send notices and ballots for meetings for the membership, provide and insure current paid membership list used for any meeting voting required, also locate and book venue, provide arrangements to reserve said meeting locations, provide any and all material and reports needed (from 4 to 9 reports) for meetings including agenda, prepare Power Point presentation, provide A/V equipment needed for meeting.
 - * Accurately maintain all books and records in accordance with generally acceptable accounting principles and provide reports of financials, violations, and HOA information to the Board as needed.
 - * Furnishing quarterly operating reports, including income statement, balance sheet, cash receipts, cash disbursements, delinquency report, month-to-date and year-to-date expense statements with budget analysis.
 - * Participation with certified public accountants in the auditing and preparation of tax returns Insuring compliance with all applicable laws.
 - * Review of insurance policies to insure proper and current coverage, meet with insurance representative for quarterly review of policy.
 - * Meetings with the Board quarterly and provide reports.
 - * Insure compliance with existing covenants, as well as County laws regarding amenities and proper signage, supplies and water purity for pools throughout the season (if provided by the community) starting and stopping services as appropriate i.e. phones on in summer off in winter.
 - * Disbursement of keys and codes and notifications as needed for amenities area.

Often it is necessary to custom tailor services for a community and its special circumstances.

Liberty is prepared and willing to customize its services to meet yours and your community's needs.



UNDERSTANDING THE STRUCTURE OF A COMMUNITY ASSOCIATION

By Michael Rome, Esq.

www.hoa-attorneys.com

Homeowners do not always understand the structure of their community associations. One of the best models for gaining insight into a community association is that of our own federal government. In other words, both are a type of representative democracy.

There are also similarities to the branches of government. The Congress and the board of directors are both policy making bodies. The board passes resolutions and rules, along with overseeing the other branches. The management company enforces the policy of the board on a day-to-day basis. This is similar to the executive branch of our government. Finally, there is the architectural review committee, which is like the judicial branch of government. The committee rules on homeowners' applications for modifications to their house or lot. They or the board usually also hear any appeals.

Some homeowners mistakenly believe that the association is more like an "absolute democracy" where all major actions must be pre-approved by the members. In fact, the governing documents, *covenants, bylaws, etc.*, and Georgia law grant broad authority for the board to act on behalf of the members. The most common exceptions to this are amendments to the covenants, special assessments, and *again* increases in dues. These types of actions sometimes require a vote of the membership.

As in our own national government, the members/citizens have some other important rights. The greatest of these rights are the ability to vote for their representatives, and the power to run for office. Not all of the rights granted by our national government carry over to the community association model. Some obvious examples are certain aspects of free speech (*sign limitations on the Lots*), and property rights (*such as needing approval for modifications to the house or Lot*). This is the result of the restrictions and requirements contained in the covenants and other governing documents. In addition to this, the courts have ruled that homeowner associations are not considered a "government" for the purposes of being subject to the Bill of Rights.

Misunderstanding about the structure of community associations often comes to light when an individual is upset about the enforcement of a regulation or restriction. They sometimes threaten the board, committees, and other members, with lawsuits based upon "discrimination" and their "rights as an American." Occasionally, they may even try to disrupt the administration of the association. An obvious example is a member who tries to disturb a meeting of the members or the board.

The first duty of the association is to the membership as a whole. The board must take into consideration the best interest of the general membership. This sometimes means not capitulating to an individual member's demands. Community associations are a trade-off between gaining some benefits, in exchange for certain limitations. Most people are happy with this trade-off, but the community association model is not for everyone.

COVENANT

The word covenant means a binding agreement or a formal agreement or contract. Many homeowners forget that they signed this binding agreement to comply with the Covenants for the community when they purchased their home. As a new homeowner, it's easy to forget that the rules are there as they hurry to "personalize" their property. The Covenants and Restrictions for the community are in place for the protection of everyone in the community. Additionally, they allow for the Architectural Control Committee to create acceptable design standards that are equally as binding as the covenants. While the goal is always reasonability, there has to be some kind of standard within the community or the HOA Board of Directors and/or its agents would be negligent in their duties to the homeowners. When one or more people deviate from those covenants, it affects every property owner in the community. To avoid the costly mistake of making changes or refusing to do the "little things" that make the community more aesthetically pleasing, please review your covenants. If you do not have a copy, you can view them on your community's website at www.libertycm.com. If you've forgotten your user ID and password (or need to get it), you may email sant@libertycm.com. There is an appeals procedure if you think you received an unmerited violation.

VIOLATION NOTICES

Each member of the community has the obligation to abide by the covenants. This obligation constitutes a legally enforceable requirement that must be upheld for the good of the entire community. To assist with the overall aesthetics of the community and to ensure the community standards, Liberty Community Management conducts regular and consistent drives through the community for the purpose of covenant enforcement. We strive very hard to note all of the violations but homeowners are welcome to provide them to us as well. Violations may be reported by emailing violations@libertycm.com.

WINTERIZATION

As the weather turns colder, Liberty Community management will be taking the necessary steps to have the irrigation system and the restrooms prepared for winter. Please be sure to check your pipes early before the first freeze for any possible leaks and if necessary, insulate them appropriately.



HOLIDAY DECORATIONS

The Holiday Season will be upon us before we know it! You may decorate your homes to celebrate the holidays. Please contact Liberty Community Management if you are interested and available to help decorate your community entrance with Holiday decorations and lights. Please contact info@libertycm.com no later than October 31, 2005 so that we can put you on the schedule.

MODIFICATION REQUEST FORMS

In order to maintain the community standards, all owners must submit a modification request form *PRIOR* to making any exterior changes to the home or property. Fines will be assessed to owners who make changes without prior written approval. Modification request forms may be obtained from www.libertycm.com in the forms section. If you are not web active, we can fax or mail a form to you. We urge you to read your covenants, rules, and restrictions for more detailed information.