

# WPHOA News Letter - November 2015

**Information for residents of Ivanhoe Waterford Patio Homeowners Associations, Inc.**

**BOARD MEMBERS:**

- PRESIDENT - Richard Anderson - 954-680-8835**
- VICE PRESIDENT - Don Bell - 954-680-3830**
- SECRETARY - Marsha Souza 954-465-6239 (Interim)**
- TREASURER -**
- DIRECTOR - Travis Jackson - 954-261-5124**

**WELCOME! If you are new to the community, welcome!**

The Board of Directors invite you to attend the Monthly Board meetings on the 2<sup>nd</sup> Wednesday of every month at 7pm, held at the Community Center on Stirling Road and Volunteer Road by the fire station.

The 2015 Annual Assessment (dues) and Annual Budget will be voted on by the Board of Directors at the meeting on Nov 11, 2015.

**The election of 2015 Board Members will be held at the Annual Members Meeting on December 9, 2015 at 7pm.**

If you wish to become involved in your community by becoming a Board Member, submit your name to any Board Member by November 11, 2015, and your name will be given to the nominating committee.

Should there not be any homeowners that want to run for the Board of Directors, the existing directors that are willing to continue to serve, will automatically be elected and ballots will not be mailed.

In the event there are homeowners who want to run for the Board of Directors, ballots will be mailed to all homeowners on November 19, 2015.

Return ballots to any Board Member or mail to:  
15010 S. Waterford Drive, Davie, FL 33331 by December 9, 2015

**Description of Duties:**

**President:** presides at all meeting of the BoD, see that orders and resolutions are carried out.

**Vice-President:** shall act in place and stead of the president in the event of his absence, inability or refusal to act and discharge other duties as may be required.

**Secretary:** shall record minutes of all BoD meetings, keep current Records of membership.

**Treasurer:** shall receive and deposit all monies of the Association and disburse as directed by the BoD.

**This year's election is especially important as there are members of the Board of Directors that will be unable to serve another year.**

**Kyle Meadows has resigned.  
Travis Jackson and Don Bell are resigning 12-31-15.**

**The rules of our association mandate that the Board Of Directors be made up of at least 3 homeowners of the community.**

**It is imperative that each homeowner take an interest in the community in order to keep the condition of our properties at good market value and to avoid additional association dues.**

**The Board of Directors is in danger of desinigrating, unless there are new volunteers.**

**The Association can hire a professional management company to manage the affairs of the Association, but it is still required to have a minimum of 3 Board members.**

**Professional Management companies charge fees of \$900 /month or more. These fees would directly impact the annual dues with a substantial increase. Please refer to page 2 to**

Director: to be the deciding vote in case of a tie vote on issues and resolutions by the BoD.

see Florida Statute Section 720.3053.

**ALERT!! ALERT!! ALERT!!**

**PARKING AND REPAIR ISSUES ON NEWCASTLE LANE**

The curbing on the "circle" at the end of Newcastle Lane is crumbling, due to the waste management trucks having to run over the curb, to maneuver around cars parked in the street in that area.

Newcastle Lane is a private road and therefore the association is responsible for repair costs.

**We ask all homeowners in that area to refrain from parking on the street on the evening prior to waste pick-up dates.**

**There is a Town ordinance that states cars can be cited if they are blocking traffic flow. The Davie Police Dept has confirmed that although Newcastle Lane is a private road, if Town of Davie ordinances are not being followed citations can be issued.**

[Title XL REAL AND PERSONAL PROPERTY Chapter 720 HOMEOWNERS' ASSOCIATIONS](#)

[Entire Chapter](#)

**SECTION 3053 Failure to fill vacancies on board of directors sufficient to constitute a quorum appointment of receiver upon petition of member.**

**720.3053 Failure to fill vacancies on board of directors sufficient to constitute a quorum; appointment of receiver upon petition of member.—**

(1) If an association fails to fill vacancies on the board of directors sufficient to constitute a quorum in accordance with the bylaws, any member may give notice of the member's intent to apply to the circuit court within whose jurisdiction the association lies for the appointment of a receiver to manage the affairs of the association. The form of the notice shall be as follows:

**NOTICE OF INTENT TO APPLY FOR RECEIVERSHIP**

YOU ARE HEREBY NOTIFIED that the undersigned member of (name of homeowners' association) intends to file a petition in the circuit court for appointment of a receiver to manage the affairs of the association on the grounds that the association has failed to fill vacancies on the board of directors sufficient to constitute a quorum. This petition will not be filed if the vacancies are filled within 30 days after the date on which this notice was sent or posted, whichever is later. If a receiver is appointed, the receiver shall have all of the powers of the board and shall be entitled to receive a salary and reimbursement of all costs and attorney's fees payable from association funds. (name and address of petitioning member)

(2) The notice required by subsection (1) must be provided by the member to the association by certified mail or personal delivery, must be posted in a conspicuous place within the homeowners' association, and must be provided to every member of the association by certified mail or personal delivery. The notice must be posted and mailed or delivered at least 30 days prior to the filing of a petition seeking receivership. Notice by mail to a member shall be sent to the address used by the county property appraiser for notice to the member.

(3) If the association fails to fill the vacancies within 30 days after the notice required by subsection (1) is posted and mailed or delivered, the member may proceed with the petition.

(4) If a receiver is appointed, all members shall be given written notice of such appointment as provided in s. [720.313](#).

(5) The association shall be responsible for the salary of the receiver, court costs, and

attorney's fees. The receiver shall have all powers and duties of a duly constituted board of directors and shall serve until the association fills vacancies on the board sufficient to constitute a quorum and the court relieves the receiver of the appointment.

History.—s. 9, ch. 2008-202.