



## Board of Directors Corner...

Hello again to all our homeowners. The Board of Directors would like to welcome those that are new since our last newsletter and note that our community is almost completed! Time is really flying by and before we know it the Fall will be here!

We want to take time in this month's newsletter to explain the direction and mission of this Board and the Homeowner's Association. We understand that many of our homeowners have little or no experience living in Deed Restricted communities and may not be aware that prior to Oct. 30<sup>th</sup> of last year that this community was under the direction of the developer and several different management companies which created quite a mess. Many long-time residents may have forgotten just how bad things were just a few short months ago.

There have been many comments both positive and negative concerning "perceived changes" in the rules. The truth is that there has only been one change in the governing documents and that was by the developer related to lot sizes so they could construct smaller homes on the 4 remaining lots in Unit 2. The covenants were put into place at the inception of this community by the developer and are required by state laws to protect the good order, to maintain the common areas in Gentle Woods and to provide direction to the property owners to make this a viable community and to keep property values stable or improving.

Unfortunately some homeowners only like certain parts of the covenants that suit their particular needs and ignore the parts that don't suit them. Largest among them is forgetting to apply for permission before installing fences or making other physical changes to their property. We are requiring every owner who did not have permission for their fence and who installed the wrong type of fence to correct the problem even if that requires eventual interven-

tion by the courts system. Privacy fences can easily be converted to shadow box by removing every other pickett from the front of the fence and install it on the rear of the fence. The specifications are clearly identified in the governing documents and were agreed to by every owner who purchased property in this community.

The good thing for everyone is that due to the major update to the Florida statutes governing homeowners' associations, we will get the chance to modify the Covenants to bring them into compliance with the new laws. (See article on Page 3)

Until the changes are made we have to enforce the laws that are currently on the books, so to speak. We still get numerous complaints from many of you who think we spend all of our time just sending out lawn and garbage can violation letters. Some have even asked us if we don't have something "better" to do with our time. The answer is "Yes" to that. The Board has to deal with many

more issues that may not be visible to each homeowner. That is why we rely on the management company to oversee the day-to-day operations of the association and to provide the inspections necessary to keep the neighborhood in good order and repair.

When the Board did not get the level of support from our previous management company and were spending too much time "managing the management company," we changed in May to our current company, Florida Property & Association Management. They have done an outstanding job of getting properties that had not been deeded to the association turned over to our control and have helped us put in place a sound enforcement system that is evenly and fairly applied. They even set up a community website page off of their main website that has all of our governing documents, architectural change request forms which

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## 2008 Collections Status...



As of this newsletter, all owners with past-due amounts have had their voting rights suspended as per the governing documents & Florida statutes.

This means that unless a delinquent owner pays the amount due by the date of the annual meeting on November 6th, they will not be able to vote nor will they be able to attend the meeting. Only members in good standing may vote and attend the annual meeting of members.

This also means that guests and tenants are

not allowed access to this annual meeting.

There will be security at the meeting in case this becomes an issue so if you have not paid your dues now is the time to do so if you want to participate in the annual elections and have a voice on amending the governing documents.

Additionally, the Association has sent a copy of the recorded lien and a demand for payment to the mortgage companies of all delinquent owners as allowed for in the Planned Unit Development Rider to every mortgage.

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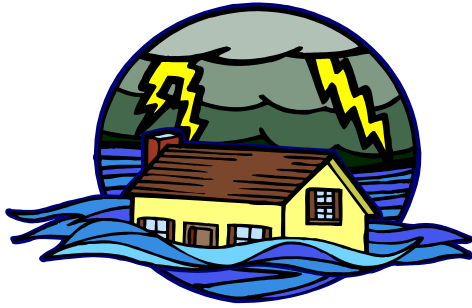
### ANNUAL HOMEOWNERS' MEETING:

**NOV 6th @ 6:30 P.M. at**

**Webb-Wesconnette**

**Regional Library on 103rd St**

# Flood Insurance, A Little Understood Fact...



Most of you were told when you bought your home here in Florida that your house was not located in a flood plain so you didn't need flood insurance.

While true for those of you who are not in a flood plain, if you watched the news recently as our area went through Tropical Storm Fay you may have noticed many areas flooded that had not previously flooded.

All it takes is a clogged storm drain to

cause you a real problem and its really easy for the drains to get clogged with debris from trees, branches and leaves.

Sad part of this is that your standard homeowners policy does not usually cover water coming into your house. That includes the aftermath of a broken window or a roof failure. Sure your insurance will usually fix the physical damage but they will not usually cover the resulting water intrusion problems, citing that it was a result of flooding.

You only have to look at the damage caused by Hurricane Katrina and the millions of resulting lawsuits against most insurance carriers to understand that they will do everything in their power to find some reason to attribute your damage to flooding.

If you look at the average claim statistics from the Federal Emergency Management Agency they estimate that 1 in 4 homes run

the risk of flooding and 25 percent of the national flood claims come from low-to-medium risk areas. The also say the average homeowner experiencing a minor flood will sustain approximately \$26,065.59 in damages, none of which will be covered by their insurance. In fact they state that floods are the **NUMBER ONE** natural disaster in America!

Is there a solution? You bet, Federal Flood Insurance! Go to the website [www.floodsmart.gov/prepare](http://www.floodsmart.gov/prepare) to get information on this federally-backed program. If you do not have access to the Internet, their toll-free number is **1-888-724-6618**. You can also call your insurance agent who should be able to help you before the next tropical storm or hurricane hits our area. Remember, you will have a 30-60 day period after you apply before the flood insurance becomes effective.

## Lawn & Landscape Irrigation Rules Explained...

From time to time we get complaints from property owners who state that their lawn has deteriorated because they cannot properly water their lawn due to water rationing.

To help everyone, we've found the actual watering rules from the St Johns River Water Management District. Their website has some of the best resources available for you on a variety of environmental subjects specifically targeted to living in North Florida and can be found at: [www.sjrwmd.org](http://www.sjrwmd.org).

### SUMMARY OF THE RULE

- Irrigation is prohibited between 10 a.m. and 4 p.m.
- Irrigation is limited to no more than two days per week, per zone.
- Irrigation limitations apply to water withdrawn from private wells, surface water and water from public supply utilities.
- Water users choose their own irrigation days unless their local government adopts an ordinance and specifies their irrigation days.
- Persons irrigating with an automatic lawn irrigation system installed after May 1991 shall install, maintain and operate a rain sensor device or switch that overrides the system when adequate rainfall has occurred.

### EXCEPTIONS TO THE RULE

- Irrigation using a micro-irrigation (drip) system is allowed anytime and is encourage, especially around shrubbery.
- Irrigation of new landscape is allowed at any time of day on any day for the initial 30 days and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for establishment.
- Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides and herbicides when required by law, the manufacturer, or best management practices, is allowed anytime within 24 hours of application.



- Irrigation systems can be operated anytime for maintenance and repair purposes, not to exceed 10 minutes per hour per zone.
  - Irrigation using a hand-held hose equipped with a spray nozzle that can be adjusted so water flows only as needed is allowed anytime.
  - Discharge of water from a water-to-air air-conditioning unit or other water-dependent cooling system is not limited.
  - The use of water from a reclaimed water system is allowed anytime. A reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.
- The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.

### **What if additional lawn and landscape irrigation is needed?**

A standard general permit is required to irrigate three days a week. To obtain a permit, applicants must demonstrate the need to irrigate three days a week, and submit a \$50 application fee.

### **What are the monetary penalties for breaking the rule?**

In areas where no local government ordinance exists, the District follows up on complaints. Lack of compliance with the rule first results in a warning and then in monetary penalties. After receiving a warning, the monetary penalties are:

**1st Violation \$50.00, 2nd Violation \$100.00**

Lawns and landscapes generally require less water than is applied. Sixty-five percent of water sprinkled on lawns during the hottest part of the day is lost to evaporation. When you water before 10 a.m. or after 4 p.m., the water can seep into the ground, promoting healthy plants that establish deep root systems.

The biggest problem SJRWMD Officials say is that users do not calibrate their zones so that 3/4 to 1-inch of water is applied. They say it's easy to do with a simple cup. Let the zone run until the cup has 3/4 to 1-inch of water, write the time it took for the cup to fill to this point and set that time in your sprinkler system timer. It's that easy to ensure your system is calibrated so you lawn get the water it needs.

# Covenant Amendments Ahead, Why the Need...



With recent changes in the Florida Laws governing homeowner associations, specifically areas addressing fines, arbitration & mediation, architectural standards and assessments due to the growing foreclosure rate, the Board of Directors in consultation with its attorney and management company representatives, are in the process of reviewing the governing documents from top to bottom and are proposing a

series of amendments that will help clarify association policies, remove old and outdated items like satellite dish placement, garbage can placement, basketball hoop restrictions and other arcane items. We will put the proposed amendments online at

[www.floridapropertymgmt.com](http://www.floridapropertymgmt.com) under our community tab. We ask every one of you to go there and review the changes and if you see a need to amend another area we haven't addressed, we ask that you send an e-mail (or letter by U.S. Mail) with the specific wording you think needs to be changed or added. We will have those comments reviewed by our attorney and if warranted, they will be compiled with the rest of the proposed amendments.

We will mail a ballot containing all the proposed amendments to every owner in good standing (those owners

who do not have outstanding balances owed to the association or uncured covenant violations that have resulted in their voting rights being suspended by the Board of Directors as per the governing documents and state law).

Everyone can vote by absentee ballot, Proxy or bring the ballot and vote in person at the annual meeting on November 6th at Webb-Wesconnette Regional Library on 103rd Street.

The Board hopes you will take the time to review the changes and we encourage your participation in correcting things many of you have complained about but we're forced to enforce because the "law" is on the books.

Let's get the governing documents in line with the current laws and make them work for the betterment of the entire community.

## Call for Nominations for the 2009 Board of Directors...

If you have a desire to be a part of the leadership of the community, there is one (1) open slot available for the 2009 Board of Directors. Requirements are that you have a desire to serve the community, have access to the Internet (either at home, a friend's house or at the public library) and be an owner in good standing.

If you would like your name included on the ballots to be mailed to owners in good standing ahead of the November 6th Annual Meeting, go online at [www.gentlewoods.org](http://www.gentlewoods.org) and fill out the on-line Candidate Information Sheet.

**Cutoff** for all entries to be included on the Ballot is **Monday September 22nd**. If you do not submit your ap-

plication by this date you can still be a write-in candidate at the Annual Meeting but will miss out on being included on the ballot mailed to the owners with the official announcement of the meeting.

If you do not want to serve for a 2 year position on the Board but want to help the community, the Board is looking for volunteers for several committees. Go online at the above web address and fill out the Committee Volunteer form or download it and bring it with you to the annual meeting.



## 2009 Budget to be Finalized at the Annual Meeting...



The Board and the Management Company are hard at work on the 2009 Operating budget and will mail each of you the proposed budget with the official notice of the meeting as well as the absentee ballots.

As it stands now the significant impact of the mortgage meltdown crisis is being felt by the Association as well as in the many other communities in the surrounding area and is why we may have to raise the 2009 assess-

ment or even call for a Special Assessment to keep up with repairs and fund the day-to-day operations.

One of the largest expenditures the Association had to face this year was the up-front legal fees to pursue collection actions which resulted in the recording of nearly 70 liens on properties whose owners had not paid their dues, some for over 2 years.

The Board has a fiduciary duty under the Florida statutes as well as our governing documents to begin collection actions after an account is 30-

days past due.

While this is never an easy or enjoyable task, it is something that has to be done to protect the Association's financial interests and ensure that we can go forward with additional collection efforts like making a demand for payment to mortgage companies of delinquent owners and the initiation of further legal actions as allowed by law.

Our 2009 budget will reflect these projected higher collection costs now that we have strong trend data.

# Equity Scams, Don't Get Bamboozled by Sharp Talkers...

*Arming yourself with information is the best way to protect yourself from some common home equity scams.*

## Compare Home Equity Rates

Compare rates from up to 4 lenders for home equity. Who isn't looking for ways to get extra cash? Our costs of living continue to increase while we look for ways to stretch our paychecks. A home equity loan can provide needed supplementary funds; but if you choose this route, get a deal that fits your needs and budget, and be sure to avoid some common scams.

## Equity stripping and flipping

Equity stripping occurs when lenders steal the equity you've built up in your home. The lender calls a potential borrower who may need money for bills. The borrower doesn't have enough income to qualify for the home equity loan, but the lender "helps" him by padding his income. As a result, he walks away with a loan he can't afford, and the lender can foreclose when the homeowner doesn't make payments. Another method unscrupulous lenders use is the balloon payment, whereby they offer to refinance a home with initial monthly payments lower than the homeowner's current ones. The final payment of the loan is the entire principal due. When the owner

can't pay it, the lender forecloses.

Another scam is called loan flipping, when the same lender offers multiple refinances. Each time the borrower refinances, the interest rate increases-and so do the closing costs and fees. While the borrower might be tempted by the extra cash she receives initially, she'll end up paying far more during the term of the loan.



Be wary if a home improvement contractor offers you "easy" financing for a project you can't afford.

Most contractor financing is legitimate, but if he rushes you to sign a document, you could be signing away your equity for a high interest, high fee home equity loan.

## Look for hidden costs

Another form of abuse is when lenders add exorbitant hidden fees at closing. When you're loan shopping, it can be frustrating to comparison shop because each lender may use different terminology for the same fee. One way to protect yourself is to ask for a complete listing of all fees for the lender's proposed loan. While a line-by-line comparison may not be possible, look at the totals and ask questions, if one

fee seems much higher than others.

If you're purchasing a home, ask your real estate agent to provide you with the HUD Settlement statement before the day of the closing. Compare the costs to the estimate of closing costs that your lender provided. If the costs have increased by more than 10 percent, ask questions.

Home equity loans can provide many benefits to consumers when they're handled by reputable lenders. But as with any type of consumer fraud or shady business practice, you should keep yourself informed, read through all of the paperwork carefully, and ask questions when something looks suspicious. This can prevent you from becoming the latest home equity scam victim.

## For More Information

The FTC works for the consumer to prevent fraudulent, deceptive, and unfair business practices in the marketplace and to provide information to help consumers spot, stop, and avoid them. To file a complaint or to get free information on consumer issues, visit [ftc.gov](http://ftc.gov) or call toll-free, 1-877-FTC-HELP (1-877-382-4357). The FTC enters consumer complaints into the Consumer Sentinel Network, a secure online database and investigative tool used by hundreds of civil and criminal law enforcement agencies in the U.S. and abroad.

## Questions & Answers



**Q1: I was offended when I received a photograph of my property during one of your inspections. I do not approve of you taking pictures without my written permission. How can you do this?**

**A1:** There are no restrictions on taking photographs of people or buildings on private property from public property. According to *Victoria Park Racing and Recreation Grounds Co Ltd v Taylor* (1937) there is no freedom from view, so people who are photographed on their property from a public location have no legal claim if what is captured in the photograph can be seen from the street. The same applies to photographs taken from private land when you have permission to take photographs. Inspectors take photographs to protect not only the management company but the Association and for use if the problem goes to court. They also help rectify mistakes that may occasionally occur.

**Q2: I got a bill when I received a 3rd Notice, I do not agree with these fees and won't pay them.**

**A2:** The fees for sending the 3rd notice of Violation by Certified and First Class mail are required to comply with the Florida statutes. Since you did not respond to either of the two previous notices or you did not correct the problem, the fee is required because our management company must send an inspector to re-inspect your property to begin building a case file for a hearing if the problem is not corrected. These fees are authorized and must be paid or you can incur additional late fees and interest.

**Q3: My neighbor's dog does his business all over my yard, and she won't pick it up. Can you help me?**

**A3:** It is not the Association's responsibility for enforcement of these personal property intrusion issues. The city does have leash laws that prohibit dogs (and cats) from trespassing and or running

loose. If your neighbor continues to ignore your calls for action, you could try and obtain a court order prohibiting the neighbor and her dog from trespassing on your property. But try the non-legal approach first. No need to make this any messier than it needs to be. Call 630-CITY. They can send you the necessary forms.

**Q4: The family living across from me has more than one family living in their house, I though this was a single-family neighborhood?**

**A4:** We get numerous calls from owners reporting this problem. However, the Association and the Management Company are not an investigative agency and do not check I.D.s of people living in a house. The best place to start is to report this to the City at 630-CITY. They do investigate these claims and if an owner does have more than the allotted number of people living in the house based upon bedrooms and square footage, they will issue a citation to the owner to comply with city codes.

**Q5: My neighbor is running a commercial business out of their house that has people coming and going all hours of the day. Not only is this an annoyance but trying to park around my house is hard and they sometimes park in front of my mailbox and the postal service will not deliver my mail. What can I do?**

**A5:** Sort of along the same lines from the answer above. No commercial business may be operated out of a residentially-zoned house, this includes running a daycare business. In this particular case we know the incident was reported to the City who did send and inspector to the property and a citation was issued shutting down the operation. The Association through the Management Company does check the business license files from time to time and sends reminder letters to those living in the community to cease operations.

# Board of Directors Corner Continued from Page 1....

are processed without the \$35.00 fee our previous management company charged our owners and they have other community news available. This is a great help for our deployed military members and out of town owners who can have their renters access the site to understand the community restrictions.

When we volunteered last October for a 2-year stint on the Board of Directors we did not have an idea of the amount of time this would take. It was overwhelming at first but now that we have a good management team we have been freed to return to more family time and enjoyable activities. However, we are always reviewing and approving the daily activities of our management company and at the heart of every decision we make is our genuine concern for this community and its owners. While not a popularity contest, we made a promise when we were elected that we would uphold the covenants to make Gentle Woods the community we all wanted to live in.

PLEASE, if you should happen to receive a letter after one of our inspections about a concern with your property, do not take it personally. The inspections are done randomly and on a regular basis by the management company and are done without bias. If you normally take care of your property or are working to correct a problem, only a call (followed by written documentation) or an email stating that you are "working on the problem and here is your plan to fix" is needed. Mistakes can be made, however that is why each infraction is documented by a photo. These are available at a homeowner's request if they receive a letter.

Upkeep of your property is a major factor in keeping up property values, and discouraging crime, or "bad elements" in the area. Documentation of a plan to CORRECT the problem is needed as in the past there was no accountability for follow through or there were communication problems encountered. This is in place to both protect the homeowner and the Association. The good news is that we do have many homeowners who care about this community and they are in the majority.

Many of these same owners always show up at the meetings, email us with positive comments and suggestion or let us know when they personally see us that they see the progress and understand that the process may not be as quick as we all would like due to a variety of reasons beyond the Board's control. Some things are not as quick to remedy as one would think. The Board would like to thank them for their support and also their constructive criticism based on correct information and facts and not rumors.

We encourage input from the community and welcome positive ideas toward improving our service to you. It is easy to be critical and sit back but harder to volunteer for a committee or offer support in a positive way to the Association. The Board would prefer to see the glass is "half full, than "it's half empty" and work forward in a positive manner.

Unfortunately, we also have many homeowners who are not concerned

about this community, their property or how Gentle Woods Homeowner's Association survives. They have not paid their annual dues nor do they take care of their property. These two issues alone have had the biggest impact on our community and continue to limit our ability to make improvements and repairs due to the budgetary limitations because of collection fees and up-front legal bills.

Thankfully the \$9,700.00 we had to pay for lien recording and other up-front legal fees related to collections have been recovered but there is still nearly \$23,000.00 owed to the Association from late accounts. The financial meltdown in the mortgage industry is having a significant impact on our community and will be reflected in the upcoming budget. Until the economy changes rest assured this Board will not be spending one dime on things that are not required to sustain operations and repair items that are damaged.

On the repair front, our neighborhood has experienced a rash of vandalism recently that has been attributed to children and Teens living in the neighborhood. The front sign had the lettering taken off and the sprinkler system was heavily damaged. This costs every homeowner and it diverts funds away from other projects.

If you see anything suspicious either report it to the police on the non-emergency number of 630-0500 or contact your Neighborhood Watch Block Captain. That is why we have a Neighborhood Watch program in place. You will remain anonymous and it helps the city know to provide more police presence in our area.

What makes a good community? Getting to know your neighbor, being willing to perhaps offer them assistance with their lawn problems and other areas where your neighbor may be physically unable to do, respect your neighbor's property and watch out for each other if you see something unusual. Being quick to report criminal activity to law enforcement officials and to just say a kind word to each other from time-to-time. We have a great many wonderful families and many of our homeowners are already doing just that.

Finally, the Board would like to thank John Kemper who stepped forward when a unexpected vacancy occurred on the Board. John lives on Silk Leaf Lane and is in the military and has a lovely family. We thank him for filling the gap until the annual elections can be held on November 6<sup>th</sup>. We hope one of you reading this will step forward to run for the open 2-year position or volunteer to help the community by serving on the various committees and neighborhood watch. We look forward to talking with all of you as we see you in the community and at the upcoming annual meeting.

Thank you all again for your support and concerns for the community.

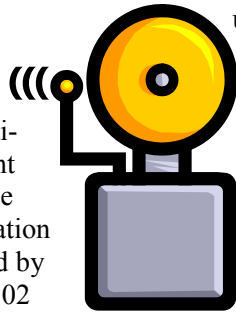
## Your Board of Directors:

**Liz Smith, Lena Williams & John Kemper**

## When An Alarm System Cries "Wolf" by the Jacksonville Sheriff's Office

The call goes out over the police radio and a patrol car is dispatched. The officers rush to the scene expecting to find a crime in progress. What they find is a homeowner who was careless with their alarm or a faulty alarm system.

Each year the Jacksonville Sheriff's Office responds to over 60,000 alarm dispatches of which less than one percent are legitimate. False alarms divert valuable police patrol time and law enforcement dollars. To help reduce the number of false calls the Jacksonville Sheriff's Office administers the application and issuance of alarm registration decals as required by the City of Jacksonville Municipal Code Sec. 168.102 Registration required; fees. (a) It shall be unlawful for a property owner, lessee of property or any other person otherwise occupying a premise within the city to operate or maintain an alarm system on his premises without a registration



decal issued for such alarm system. The person requesting such decal shall file an application with the Office of the Sheriff along with a registration fee of ten dollars. (b) It shall be unlawful for any person to install, maintain, repair, alter, monitor or service alarm systems for compensation within the city without an alarm contractor's registration certificate issued by the Office of the Sheriff.

Help us help you by choosing a reliable, responsible and certified alarm company to install and service your system. That helps us when responding to your property because our officers will immediately know something about you and if there are any special physical or medical circumstances they should be aware of when arriving at your property.

For more information call **630-2399**.

# The Future, What's ahead for Construction....

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**Playground**—Now that the Association owns the vacant lot where the telephone equipment is located on Gentle Oaks Drive North, we will be getting bids to install playground equipment, perimeter fencing and for installing a few parking spaces so that people can park their cars while visiting the park. At this point we are in the planning phase only because we do not think there will be funds available this year to start this project. However, we want to be prepared if we can secure funding in other ways. There are still many other details that have to be researched, including permitting, water runoff issues and how to control the parking spaces so that they are available to those visiting the park and don't just turn into more off-street parking spaces. We have heard this will be a hugely welcomed addition to the neighborhood and will give our children a safe place play.

**Fencing**—Now that the wind storm damage has been repaired from Tropical Storm Fay, the Association is looking into ways in which to strengthen the PVC fencing so that there is better support behind the side facing the street so as to preclude it being blown in during a storm and to make it more resistant to kicking in by vandals. The company that installed the fencing is researching ways to add this strength without detracting from its appearance.

**Landscaping**—Now that all of the sprinkler repairs have been completed we are going to look at different landscape

plans to beautify the entrance starting in the Spring. It does not make fiscal sense to install anything now that we are at the end of the growing season, so depending on how the budget works out, and the recommendations of landscape professionals, we hope to beautify the entrance and the areas between the sidewalk and the fencing running down both sides of the community. Additionally, the trees that were mistakenly taken out in the drainage area will be replaced in the fall.

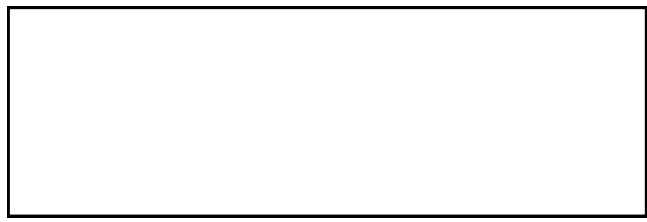
**Drainage Culverts** — The city has been tasked by St Johns River Water Management District inspectors with cleaning out the overgrown culverts. We will stay on top of this much needed clearing project.

**Security Cameras** — One of the things our Manager heard about when he attending a city-wide event hosted by City Council Representative Ray Holt, was the possibility of partnering with the city to install security cameras at the front entrances of our community to record vehicles coming in and going out of our communities and to record the activities of children waiting for and getting off of the school busses. Representative Holt said there may be the availability of some city funds to help offset the enormous costs associated with this effort. We are looking into the possibilities of adding this security system once the final costs can be determined and we see how much the city is willing to provide to our community in the way of funds.



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**Return Service Requested**