FREQUENTLY ASKED QUESTIONS

Why do we need a homeowner’s association? Without a homeowner’s association, no one would attend to trees that are diseased and/or in danger of toppling, potholes and other deterioration in our private streets, weeds and trail moss in our common area, etc. Our role is to maintain the physical assets owned in common, to enforce the CC&Rs, and to preserve the real estate investment of our members. Somerset Hills III HOA was created by Breeden Brothers, the developer and builder of our houses. The Articles of Incorporation are on our website www.somersethills3.org.

I see references to the “CC&Rs.” What do those initials mean? Covenants, Conditions and Restrictions. It is sometimes referred to as the “Declaration.” Our document is found on the Association Governance and Policies page on our website. You also received a copy at closing when you purchased your house, along with our Bylaws.

I don’t remember signing up for membership in the association. How did I become a member? Anyone purchasing property within the boundaries of the association automatically becomes a member and is entitled to all of the benefits, and is subject to all obligations of membership. The preliminary title report provided to you by your escrow company (title company) at closing disclosed that your property was included within the boundaries of the Association and was subject to the applicable CC&Rs. The document is usually called a Planned Unit Development Rider.

How much are the dues? Currently $225 per year.

Does the Association have a website? Email address? The website is at www.somersethills3.org. Email can be addressed to board@somersethills3.org. All Board members automatically receive copies of such email messages.

What is the legal authority for the association charging dues? That authority is found in the CC&Rs and in Oregon state law (ORS 94.550 et seq). There is a link on our website to the relevant state laws.

What is the Billing and Collection policy of the HOA? The dues assessment for all members is established by January 1 of each year, with statements mailed around March 1. The account becomes delinquent if not paid within 30 days. Prior to 90 days after the due date, we will mail one or more reminders. After 90 days, a $50 late charge is added and the property is subject to lien. Prior to recording a lien, we will send a notice of our intention to do so by certified mail.

I have received a notice that the association is filing a lien against my property for failure to pay the annual membership dues. What does this mean? In fairness to the vast majority of homeowners who pay their dues as required by law, Oregon statutes permit the homeowners association to record liens with the county clerk. Liens become an encumbrance on the real estate and must be paid in full before title to the property can be transferred. Currently, Lane County Deeds & Records charges $77 to record or release a lien.
Is it OK to feed the deer and turkeys that roam our area? We recommend not feeding wildlife in our area. They will be healthier if they remain wild, subsisting on their natural food sources. Furthermore, they can become a nuisance if fed regularly.

Are the association directors and officers paid? No. Association officers and directors are volunteers.

How are the association dues spent? Money collected as dues is spent on street maintenance, common area maintenance, insurance, postage, post office box, printing, etc. Expenses are much higher in years when we had a severe winter storm. Details can be found in our income statements posted on our website.

Other homeowner’s associations have dues much lower than $225. Why are ours that high? Many HOAs exist only for the purpose of maintaining standards. Ours is charged as well with maintaining our private streets (the City of Eugene does not maintain our streets), and the acres of common area with sidewalks, nature trail, pedestrian bridges, etc

What are the boundaries of my lot? All of our lots are enclosed circles (or half-circles in the case of tandems). All area outside that circle is Common Area, maintained by the homeowner’s association. Individual lot maps (all but 10) are available at our website.

Can I plant whatever I like or fell trees within the boundary of my circle? Absolutely. However, we would appreciate it if you would discuss the felling of any large trees with the Board, as this may impact the attractiveness of our surroundings.

Can I plant whatever I like in the Common Area? Over the years, much of the Common Area has been planted and modified by nearby homeowners. This is the property of the homeowner’s association, however. Technically, modifications of the Common Area can only be done collectively by the HOA.

What if I want to make upgrades or changes to my house? New structures need the approval of the HOA. A form for requesting approval is available on our website.

If a tree growing in the Common Area falls on my property, will the HOA pay for damages? No, this is covered by your insurance.

How do I report a concern? If you have a concern, such as a fallen tree, or other issue, contact a board member. Contact information for board members is listed on our website. You can also send an email or attend a board meeting to discuss it with us.

How do I become involved with the HOA? Members are encouraged to stand for board positions at our annual meeting in February. Some neighborhood members may have special expertise that can also be of great benefit in our operations. Meetings of the Board of Directors are open to the general membership, as required by law. We post notice of these meetings on our Website and by email to those on our mailing list. For legal reasons, we also post a printed notice of the next meeting on the mailbox frame across the street from 2787 Warren St.

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