



**REGENCY**  
MANAGEMENT GROUP

October 28, 2022

Re: 2023 Annual Disclosure Information

Dear Glen of Pacific Grove Homeowner,

Each year the Board of Directors is required by law to prepare and distribute an Annual budget Report and Annual Policy Statement for the upcoming year. A copy of these documents and other pertinent information for the 2023 fiscal/calendar year are enclosed for your review.

As in previous years, the Board of Directors has thoroughly reviewed the Association's current financial condition as well as the Reserve Study which details the major maintenance components of The Glen of Pacific Grove.

**The monthly assessment for 2023 will increase to \$400.00 per unit, per month effective January 1, 2023. The reason for the increase was due to the overall increase in operating expenses; including insurance, lake service, landscaping and utility costs, and an increase to the annual reserve contribution.**

The Annual Budget Report also includes the following items: Reserve Study (including a summary of current reserves, a funding plan for future reserve contributions and procedures used to calculate reserve requirements); Budget Disclosures (including statements regarding deferral of major component repairs, anticipated special assessments or outstanding loans, if any); Insurance Summary; and Assessment and reserve funding disclosure Summary.

The Annual Policy Statement contains important information pertaining to the Association, including General Information (management company contact information, how members receive notices and meeting minutes, etc.), Notice of Assessments and Foreclosure, Assessment Collection Policy, Member Discipline and Fine Policy, Dispute Resolution Procedures, Architectural Guidelines, How to Pay Assessments and/or other documents the Board has determined to be appropriate for inclusion.

Any questions about the enclosed documents should be directed to your Community Association Manager, Liane Cunningham at (831) 647-2442 or via email at [lcunningham@regencymg.com](mailto:lcunningham@regencymg.com).

Sincerely,

Carolyn Donaway  
President – Regency Management Group  
On Behalf of the Board of Directors of The Glen of Pacific Grove Homeowners Association

# The Glen of Pacific Grove Homeowners Association 2023 Annual Budget Report and Policy Statement General Information

## Association Information

The Glen of Pacific Grove Homeowners Association (“Association”) is a nonprofit mutual benefit corporation formed to operate and manage the Association’s affairs.

The Association consists of 60 separate interests plus common areas. It is governed by a volunteer Board of Directors elected by the membership. The fiscal year commences January 1 and ends on December 31 of each year.

## Management Company Information

The Association, through the Board, has engaged a professional management company to assist in carrying out its legal responsibilities. Our management company is Regency Management Group located at 24571 Silver Cloud Court #101, Monterey, CA 93940. Our manager is Liane Cunningham, and she can be reached at 831-647-2442 or by e-mail at [lcunningham@regencymg.com](mailto:lcunningham@regencymg.com). Office hours are Monday through Friday, 8:30 AM to 4:30 PM.

## Pro-forma Operating Budget

Each fiscal year, the Association is required to prepare a pro-forma operating budget showing the estimated revenue and expenses on an accrual basis for the upcoming year. This budget is used to determine the per unit assessments that are collected from each property owner. The Board of Directors has reviewed and approved this budget and has determined that the monthly assessment for 2023 will increase from \$380.00 to \$400.00 per unit, per month.

## Reserve Study Summary

The Annual Budget Report includes a Reserve Study that was prepared by an independent professional organization which the Board believes is reasonably competent. A full study (with site inspection) is prepared every three years, reviewed and adopted by the Board of Directors, and updated annually as needed. The Study includes the current estimated cost, estimated remaining life and estimated useful life of major common area components; the current estimate of the total annual reserve contribution necessary to repair, replace, restore or maintain these components; and the current amount of reserves actually set aside for this purpose. The Study also shows the percentage difference between the estimated cost to repair, replace, restore or maintain major components and the actual amount of reserves set aside, as well as the current deficiency (if any) in reserve funding expressed on a per unit basis.

## Reserve Funding Plan

The Reserve Study includes a Reserve Funding Plan adopted by the Board of Directors that indicates how the Association plans to fund the contributions necessary for the repair and replacement of all major common area components with an expected remaining life of 30 years or less.

## Procedures for Calculating Reserves

The Reserve Study includes a statement of the procedures used for the calculation and establishment of the reserves needed to pay for the future repair and replacement of those components that the Association is obligated to maintain. Calculation of the amount of reserves needed to be accumulated for a component at a given time is based on the current cost of the replacement or repair multiplied by the number of years the component has been in service divided by the useful life of the component.

## Assessment and Reserve Funding Disclosure Summary

The Annual Budget Report includes a copy of the current Assessment and Reserve Funding Disclosure Summary as completed by the Reserve Study preparer pursuant to Civil Code Section 5570.

### Deferral of Component Repairs

If the Board of Directors decides to defer or not undertake the repair or replacement of any major common area component with an expected remaining life of 30 years or less, the Board must disclose the justification for such a decision. As of the date of this report, the Board has deferred dredging of the lake because the Board does not feel it is necessary at this time.

### Special Assessments

If the Board of Directors has determined or anticipates that the levy of one or more special assessments will be required to repair, replace, restore or maintain major common area components or to provide adequate reserves to fund such items, the Association must distribute a statement including the estimated amount, commencement date and duration of the special assessment. As of the date of this report, the Board does not anticipate that a special assessment will be required.

### Outstanding Loans

If the Association has any outstanding loans with an original term of more than one year, the Association must distribute a statement including the payee, interest rate, amount outstanding, annual payment and when the loan is scheduled to be retired. As of the date of this report, there are no outstanding loans for this Association.

### Insurance Disclosure Summary

The Annual Budget Report includes a current Insurance Disclosure Summary of the Association's property, general liability and fidelity insurance (and/or earthquake, flood or workers' compensation insurance if applicable). This Disclosure Summary includes the name of the insurer, the type of insurance, the policy limit and the amount of the deductible.

This Summary of the Association's policies of insurance provides only certain information, as required by Section 5300 of the Civil Code, and should not be considered a substitute for the complete policy terms and conditions contained in the actual policies of insurance. Any Association member may, upon request and provision of reasonable notice, review the association's insurance policies and, upon request and payment of reasonable duplication charges, obtain copies of those policies. Although the Association maintains the policies of insurance specified in this summary, the Association's policies of insurance may not cover your property, including personal property or real property improvements to or around your dwelling. Even if a loss is covered, you may nevertheless be responsible for paying all or a portion of any deductible that applies. Association members should consult with their individual insurance brokers or agent for appropriate additional coverage.

### Notice of Assessments/Foreclosure

The Annual Policy Statement includes a Notice of Assessments and Foreclosure pursuant to Civil Code Section 5310. This Notice outlines some of the rights and responsibilities of owners in common interest developments and the associations that manage them.

### Assessment Collection Policy

The Annual Policy Statement includes a copy of the Association's Assessment Collection Policy, which describes the policies and practices in enforcing the Association's lien rights or other legal remedies for default in the payment of assessments.

### Enforcement of Governing Documents and Monetary Policy Schedule

All members, residents and guests are obligated to abide by the Governing Documents. The Association encourages each member to review the CC&Rs, Bylaws, Articles and all Rules and to attend board or committee meetings to learn more about the requirements of the Governing Documents. The Association's goal is to assist members, residents and guests in complying with the Governing Documents to promote an enjoyable, safe community beneficial to all.

In the event of a perceived violation of the Governing Documents, the Association will investigate and determine whether and what type of action is warranted (if any). Association action includes scheduling a hearing to consider imposing fines and/or penalties. At least 10 days' prior notice of a hearing (at which fines and/or penalties will be

considered) shall be given to a Member, who may attend and respond to the notice and potential fine and/or penalty as set forth more specifically in the Governing Documents. A fine and/or penalty may be imposed regardless of whether the Member attends the hearing.

In addition to fines and other penalties, the Board may, following a hearing, impose a “special purpose” assessment to recover the cost of performing or enforcing any responsibility which would otherwise be the responsibility of a Member to perform under the Governing Documents.

Fines and special purpose assessments may be recovered in any matter permitted by law.

#### *Fine Policy*

The Annual Policy Statement notes the Association’s Fine Policy which includes a schedule of monetary penalties for violations of the Governing Documents pursuant to Civil Code Section 5850.

# How do I pay my assessment?

**There are several options for paying your assessment.**

## **Mail Regular Payments To:**

The Glen of Pacific Grove Homeowners Association  
c/o Regency Management Group  
P.O. Box 96993  
Las Vegas, NV 89193-6993

## **Mail Overnight Payments To:**

The Glen of Pacific Grove Homeowners Association  
c/o Regency Management Group  
33033 W. Ray Road, Suite 200  
Chandler, AZ 85226

Your check must be made payable to the name of your Association. Include your 8-digit owner account number which is listed on your statement or payment coupon. Please contact Regency Management Group at 831-647-2442, if you need assistance with your owner account number.

## **Electronic or Recurring Payment (Alliance Association Bank):**

You can make a one-time electronic payment or schedule recurring payments once you have created a log in and password. You can do so by visiting: <https://pay.allianceassociationbank.com/home>. You will need to enter company ID (7451), the association ID (GPG) followed by your 8-digit owner account number found on your statement or payment coupon. Please contact Regency Management Group at 831-647-2442, if you need assistance with your owner account number. If you need assistance with the website, please contact Alliance Association Bank at (844) 739-2331.

## **Your Personal Online Banking or Bill Pay System:**

If you use your own bank's Online Bill Pay System to pay assessments, make sure that the payee/biller name and address are accurate. The payee/biller name is **The Glen of Pacific Grove Homeowners Association**. You must also include your 8-digit owner account number on the Bill Pay check. Your 8-digit owner account number can be found on your statement or payment coupon. Please contact Regency Management Group at 831-647-2442, if you need assistance with your owner account number. Your online banking payment is not an electronic transfer of funds. Please allow 7-14 days for mailing.  
Mail Payments to:

The Glen of Pacific Grove Homeowners Association  
c/o Regency Management Group  
P.O. Box 96993  
Las Vegas, NV 89193-6993

## **Credit Card Payments (Fees Apply):**

Homeowners also have the option to process a one-time payment using their debit or credit card. Fees apply to debit or credit card transactions at the time the homeowner completes the payment transaction online. The fee is charged directly to the homeowner. The standard tier selected for debit and credit card fees is 3% fee for credit cards and a \$5 flat fee for debit card payments. The website that you will use for this type of service is

<https://pay.allianceassociationbank.com/home>.

## The Glen of Pacific Grove HOA

**4528.** The form for billing disclosures required by Section 4530 shall be in at least 10-point type and substantially the following form:

### CHARGES FOR DOCUMENTS PROVIDED AS REQUIRED BY SECTION 4525\*

The seller may, in accordance with Section 4530 of the Civil Code, provide to the prospective purchaser, at no cost, current copies of any documents specified by Section 4525 that are in the possession of the seller.

A seller may request to purchase some or all of these documents, but shall not be required to purchase ALL of the documents listed on this form.

Property Address: \_\_\_\_\_

Owner of Property: \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_  
*(if known or different from property address)*

Provider of the **Section 4525** Items:

Carolyn Donaway    Admin    Regency Management Group    7-23-2022  
 Print Name                      Position or Title                      Association or Agent                      Date Form Completed

Check or Complete Applicable Column or Columns Below:

Document	Civil Code Section Included	Fee for Document	Not Available (N/A) or Not Applicable (N/App)
Articles of Incorporation (or statement that not incorporated)	Section 4525(a)(1)	\$20.00	
CC&Rs	Section 4525(a)(1)	\$30.00	
Bylaws	Section 4525(a)(1)	\$30.00	
Operating Rules	Section 4525(a)(1)	\$25.00	
Age Restrictions, if any	Section 4525(a)(2)		Refer to the Demand
Rental Restrictions, if any	Section 4525(a)(9)	\$0.00	Refer to CC&Rs
Annual Budget Report (or summary, including Reserve Study)	Sections 5300 and 4525 (a)(3)	\$30.00	
Assessment and Reserve Funding Disclosure Summary	Sections 5300 and 4525 (a)(4)		Included in Budget
Financial Statement Review	Sections 5305 and 4525(a)(3)	\$25.00	
Assessment Enforcement Policy	Sections 5310 and 4525(a)(4)		Included in Budget
Insurance Summary	Sections 5300 and 4525 (a)(3)		Included in Budget
Regular Assessment	Section 4525(a)(4)		Refer to the Demand
Special Assessment	Section 4525(a)(4)	\$0.00	Refer to the Demand
Emergency Assessment	Section 4525(a)(4)		Refer to the Demand

## The Glen of Pacific Grove HOA

Document	Civil Code Section Included	Fee for Document	Not Available (N/A) or Not Applicable (N/App)
Other Unpaid Obligations of Seller	Sections <b>5675</b> and <b>4525(a)(4)</b>		Refer to the Demand
Approved Changes to Assessments	Sections <b>5300</b> and <b>4525(a)(4), (8)</b>		Included in Budget
Settlement Notice Regarding Common Area Defects	Sections <b>4525(a)(6), (7)</b> and <b>6100</b>		Refer to the Demand
Preliminary List of Defects	Sections <b>4525(a)(6), 6000</b> and <b>6100</b>		Refer to the Demand
Notice(s) of Violations	Sections <b>5855</b> and <b>4525(a)(5)</b>		Refer to the Demand
Required Statement of Fees	Section <b>4525</b>	<b>\$200.00</b>	aka Demand
Minutes of Regular Board Meetings (conducted over the previous 12 months, if requested)	Section <b>4525(a)(10)</b>	\$45.00	
<b>Total fees for these documents:</b>		<b>\$ \$405.00</b>	

\*The information provided by this form may not include all fees that may be imposed before the close of escrow. Additional fees that are not related to the requirements of **Section 4525** shall be charged separately.

Buyer and Seller may negotiate who pays document and disclosure fees.

The management company was not paid a referral fee by HomeWiseDocs as part of this transaction.

This is the minimum document offering required to meet CA statute 4525. You may opt to acquire additional documents including, but not limited to, Meeting Minutes, Reserve Studies, Insurance Declaration Pages, and/or property inspections not mandated by law but helpful to the prospective buyer(s) and/or their agent to make a more informed decision regarding the subject property.

Please note: The fees listed are an estimate and the actual fees charged for the documents may be different than this amount. Other fees including, but not limited to, Transfer Fees, Capital Contributions, Collection fees, etc. may be assessed to each property and will be disclosed on the Statement of Fees (Demand), and are not included within estimated charges outlined within this form.

**THE GLEN OF PACIFIC  
GROVE HOMEOWNERS  
ASSOCIATION**

**2023  
ANNUAL POLICY  
STATEMENT**

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## Declarations Required by Law

**Notice – Delivery to Association:** All delivery of official communications to the Glen of Pacific Grove Homeowners Association shall be delivered to the Association's designated representative:

Regency Management Group Inc.  
24571 Silver Cloud Court  
Suite 101  
Monterey, CA 93940  
(831) 647-2442  
(831) 647-2441 fax  
[info@regencymg.com](mailto:info@regencymg.com)

**Notice – Assessment Payment Address:** All assessment payments must be mailed to the following address (overnight delivery address information found below):

The Glen of Pacific Grove Homeowners Association  
P.O. Box 96993  
Las Vegas, NV 89193-6993

**Notice – Overnight Address:** Per Section 5655, if an owner wishes to send assessment payments via overnight delivery, the payment must be mailed to the following address:

The Glen of Pacific Grove Homeowners Association  
3033 W. Ray Road, Suite 200  
Chandler, AZ 85226

**Secondary Address -** A member may provide written notice by facsimile transmission or United States mail to the association of a secondary address. If a secondary address is provided, the association shall send any and all correspondence and legal notices required pursuant to this article to both the primary and the secondary address.

**General Delivery or Notice –** Per Section 4045, if a document is required to be delivered via general delivery or general notice, The Glen of Pacific Grove Homeowners Association will mail via First-class mail or will send via electronic means, if the recipient has consented. General delivery and general notice may also be published in a newsletter, on The Glen's website (<https://theglenofpg.com>) or posted in a prominent location at the property.

**Individual Delivery or Notice –** Per Section 4040, if a document is required to be delivered via individual delivery or individual notice, The Glen of Pacific Grove Homeowners Association will mail via First-class mail or will send via electronic means, if the recipient has consented. Members have the option to request all general delivery or general notices be delivered via individual delivery or individual notice methods.

**Notice – Minutes of Board Meetings:** Members are entitled at their expense to receive copies of minutes within 30 days after the meeting. Said minutes, if not approved by the board within 30 days, will be draft minutes and will comply with this provision of the law pursuant to Section 4950(b).

- The minutes, minutes proposed for adoption that are marked as draft status, or a summary of the minutes of any meeting of the Board of Directors, other than an executive session, shall be available to members within thirty (30) days of the meeting. The minutes, proposed minutes or summary minutes shall be distributed to any member of the Association upon request and upon reimbursement of the Association's costs for making that distribution.

**Notice – Financial Reports:** Per Section 5305, members are entitled to receive copies of the annual financial report within 120 days of the end of the fiscal reporting year.

**Notice – Obligation of Owners to Provide Secondary Address:** Per Civil Code 4041, owners are required, on an annual basis, to provide the association with a mailing address to which notices from the association are to be delivered, a secondary address to which notices from the association are to be delivered, the name and address of their legal representative, if any, including any person with power of attorney or other person who can be contacted in the event of the owner's extended absence and whether the property is owner-occupied, rented, vacant or undeveloped land.

**Internal Dispute Resolution Rights:** The notice provided pursuant to Section 5920 shall include a description of the internal dispute resolution provided pursuant to Article 2. Internal Dispute Resolution, persons wishing to avail themselves of these proceedings should obtain the full text of the California Civil Code 5900-5915.

**Alternative Dispute Resolution:** Members and the Association shall have the issues, disputes and complaints concerning certain elements of the Covenants, Conditions and Restrictions (CC&Rs) Bylaws, and Rules are enforced through Alternative Dispute Resolution procedures (Mediation or Arbitration). The notice provided pursuant to section 5965 shall include a description of the alternative dispute resolution provided pursuant to Article 3. Alternative Dispute Resolution Prerequisite to Civil Action, "Failure of a member of the association to comply with the alternative dispute resolution requirements of Section 5930 of the Civil Code may result in the loss of your right to sue the association or another member of the association regarding enforcement of the governing documents or the applicable law". Persons wishing to avail themselves of these proceedings should obtain the full text of California Civil Code 5925 through 5965.

**Architectural Procedures** – Per Civil Code 4765, the procedures for architectural modification are located in the Glen of Pacific Grove Homeowners Association Conditions, Covenants and Restrictions (CC&Rs). Board of Director authorization is required for all architectural procedures.

**Schedule of Monetary Penalties:** Per Civil Code 5850, the Association has adopted a policy imposing monetary penalties on any association member for violation of the governing documents, including a monetary penalty relating to the activities of a guest or tenant of the member. The Glen of Pacific Grove Homeowners Association will impose a \$50.00 penalty for violation of the governing documents, per Civil Code 5850 and 5855.

The Associations policy regarding penalties is to charge a reimbursement assessment pursuant to the provisions of Civil Code 5855. This assessment shall be the actual costs (paid to others) by the Association while bringing an owner of the property into compliance.

**Other Fees & Charges:** It is the policy of the Association that costs incurred by the Association, which are for the single benefit of an owner, will be paid by the owner to the Association. Under California Civil Code 5600(b) the Association is entitled to recover the actual costs for providing these "single benefit" services.

**Security Disclaimer** - We hope that our security systems provide some deterrence to crime. However, no matter what steps we take, the association can never be completely safe and secure. For example, it is possible for someone to enter the property under false pretenses to commit crimes, for residents to commit crimes against their own neighbors, for guests of residents to commit crimes, and for employees to commit crimes. As a result, the association is not and can never be free of crime and we cannot guarantee your safety or security. Accordingly, you should NOT rely on the association to protect you from loss or harm. Instead, you should provide for your own security by taking common sense precautions such as carrying insurance against loss; keeping your doors locked; refusing to open your door to strangers; asking workmen for identification; installing a security system; locking your car; etc.

**Notice – Megan's Law** – the California Department of Justice, sheriff's departments, police departments serving jurisdictions of 200,000 or more and many other local law enforcement authorities maintain for public access a database of the locations of persons required to register pursuant to paragraph (1) of subdivision (a) of Section 290.4 of the Penal Code. The database is updated on a quarterly basis and a source of information about the presence of these individuals in any neighborhood. The Department of Justice also maintains a Sex Offender Identification Line through which inquiries about individuals may be made. This is a "900" telephone service. Callers must have specific information about individuals they are checking. Information regarding neighborhoods is not available through the "900" telephone service.

**Fair Housing Policy** – It is the policy of the Association to not discriminate in the exercise of its powers or duties based on age, race, color, religion, sex, gender identity, gender expression, sexual orientation, familial status, marital status,

disability, medical condition, genetic information, national origin, source of income, ancestry or any other factors which are illegal under California or federal law.

Specifically, we at The Glen of Pacific Grove do not:

- Discriminate against any person in the terms or conditions of residing in the complex, or in the provision of services or facilities, because of that person's membership in one or more of the protected classes listed above; nor
- Condone or tolerate any acts of coercion or intimidation, threats or interference by any of our employees, agents or residents towards any other owner or resident because he or she is a member of one or more of the protected classes listed above.
- Tolerate either the creation or fostering of a hostile living environment by any member, resident or tenant at The Glen of Pacific Grove nor do we tolerate any harassing or otherwise hostile conduct by any member, resident or tenant towards any other member, resident or tenant.

**Homeowner Pricing & Fee Schedule** – A pricing schedule is available from [www.homewisedocs.com](http://www.homewisedocs.com) for costs that may be incurred when requesting additional information or documents when selling and re-financing property.

# The Glen of Pacific Grove Homeowners Association

## Delinquent Assessment Collection Policy

A prompt payment of assessments by all owners is critical to the financial health of the association and to protect, maintain, and enhance the property values of our homes. Your Board of Directors takes very seriously its obligations under the CC&R's and the California Civil Code to enforce the owners' obligations to pay assessments, and as such, asks that you please read the following practices and policies:

### Due Date

- Regular assessments are due in advance on the first (1<sup>st</sup>) day of each assessment period and become delinquent if not received, in full, by the Association within thirty (30) days after the due date. Special assessments and individual special assessments are due on the date(s) specified upon imposition and each installment thereof shall be delinquent if not received by the Association within thirty (30) days after the specified due date.

### Late Fees

- A late charge of ten percent (10%) shall be due on any such delinquent assessment. Unless the CC&R's specify a late charge in a small amount, in which case the late charge imposed shall not exceed the amount specified in the CC&R's or the Civil Code.

### Interest

- Interest on all sums imposed in accordance with California Civil Code 5650, including the delinquent assessment, reasonable fees and costs of collection, and reasonable attorney's fees, at an annual interest rate not to exceed twelve percent (12%) of the amount allowed by law, shall be due commencing thirty (30) days after the assessment becomes due.

### Payments

- All such amounts and all other assessments and related charges thereafter due to the Association until all such amounts are paid, must be paid in full and the Association shall not be required to accept any partial or installment payments from the date of the institution an action to enforce the payment of delinquent amounts in the time that all such amounts are paid in full.

### Application of Payments

- All payments received by the Association, regardless of the amount paid, will be directed to the oldest assessment balances first, until which time all assessment balances are paid, and then to late charges, interest and costs of collection (including attorney's fees) unless otherwise specified by written agreement.

### Pre-Lien

- At least thirty (30) days prior to recording a lien on the separate interest property, the Association must provide the owner, in writing, by certified mail all of the information as requested by California Civil Code Sections 5730, 5740, 5705, 5715, 5720 and 5685 (c).

### Dispute Resolution

- An owner who is in receipt of a pre-lien notice may request and the Association will comply to participate in a dispute resolution program. The owner may choose Internal Dispute Resolution (IDR) in which the owner will "meet and confer" with the board or their representatives or they may choose Alternate Dispute Resolution (ADR) with a neutral party to mediate. The cost of ADR will be as provided by law.

### Notice of Delinquent Assessment (Lien)

- If an owner does not request dispute resolution within thirty (30) days from the date of mailing of the Pre-Lien notice, or upon the conclusion of dispute resolution, the Board shall vote in an open meeting to determine whether a Notice of Delinquent Assessment shall be recorded. Any decision to record a Notice of Delinquent Assessment must be approved by a majority of the board and shall be recorded in the minutes of that meeting. A copy of the Notice of Delinquent Assessment will be mailed by certified mail to all record owners of the separate interest no later than ten (10) calendar days following the date of its recordation.

#### Payment Plan

- An owner may make a formal written request to meet with the board to discuss a payment plan for the debt described in Pre-Lien notice. The Board shall meet with the owner, in execution session, within forty-five (45) days of the postmark of the notice, if the request is mailed within fifteen (15) days of the date of the date of the postmark of the notice, unless there is no regularly scheduled Board meeting within that period.

#### Foreclosure

- Delinquent Assessments, which comply with the provisions of California Civil Code 5705, 5715 and 5750, can be collected by using Judicial, or Non-Judicial Foreclosure of the owner's separate interest property.

#### Redemption

- Property foreclosed upon by the Judicial or Non-Judicial process is subject to the right of redemption. A ninety (90) day redemption period begins from the date of the foreclosure sale. An owner of a foreclosed property may redeem their foreclosed property during this ninety (90) day period.

#### Remedies

- In addition, to and/or in place of any other remedy specified in this Collection Policy, the Association shall be entitled to bring an action at law against the owner personally responsible for the payment of the amount due.

#### Attorneys' Fees and Costs

- The Association shall be entitled to charge the owner for the reasonable costs of collection, including without limitation attorney's fees, in addition to the late charges imposed in accordance with the Collection Policy.

#### Returned Check Charge

- The Association shall charge a "returned check charge"; our current fee is twenty-five dollars (\$25.00) for all checks returned as "non-negotiable", "insufficient funds", or any other reason.

#### Mailing Address

- All above-referenced notices will be mailed to the record owner(s) at the mailing addresses provided in writing to the Association by such owner(s). It is the owner's responsibility to inform the Association, in writing of their current mailing address or secondary address.

#### Payment Address

- The mailing address for the overnight payment of assessments is the same as that for routine assessment payments unless other wise noted.

#### Policy Revision

- The policies and practices outlined shall remain in effect until such time as they may be changed or modified or amended by a daily adopted resolution of the Board of Directors. Owners will receive a revised policy at least thirty (30) days prior to its implementation.

## **Notice Assessments and Foreclosure**

This notice outline some of the rights and responsibilities of owners of property in common interest developments and the associations that manage them. Please refer to the sections of the Civil Code indicated for further information. A portion of the information in this notice applies only to liens recorded on or after January 1, 2003. You may wish to consult a lawyer if you dispute an assessment.

### **Assessments and Foreclosure**

Assessments become delinquent 15 days after they are due, unless the governing documents provide for a longer time. The failure to pay association assessment may result in the loss of an owner's property through foreclosure. Foreclosure may occur either as a result of a court action, known as judicial foreclosure or without court action, often referred to non-judicial foreclosure. For liens recorded on and after January 1, 2006, an association may not use judicial or non-judicial foreclosure to enforce that lien if the amount of the delinquent assessments or dues, exclusive of any accelerated assessments, late charges, fees, attorney's fees, interest, and other collection, is less than one thousand eight hundred dollars (\$1,800.00). For delinquent assessments or dues in excess of one thousand eight hundred dollars (\$1,800.00) or more than 12 months delinquent, an association may use judicial or non-judicial foreclosure subject to the conditions set forth in Article 3 (commencing with Section 5700) of Chapter 8 of Part 5 of Division 4 of the Civil Code. When using judicial or non-judicial foreclosure, the association records a lien on the owner's property. The owner's property may be sold to satisfy the lien if the amounts secured by the lien are not paid. (Sections 5700 through 5720 of the Civil Code, inclusive)

In a judicial or non-judicial foreclosure, the association may recover assessments, reasonable costs of collections, reasonable attorney's fees, late charges and interest. The association may not use non-judicial foreclosure to collect fines or penalties, except for costs to repair common areas damaged by a member or a member's guests, if the governing documents provide for this. (Section 5725 of the Civil Code)

The association must comply with the requirements of Article 2 (commencing with Section 5650) of Chapter 8 of part 5 of Division 4 of the Civil Code when collecting delinquent assessments. If the association fails to follow these requirements, it may not record a lien on the owner's property until it has satisfied those requirements. Any additional costs that result from satisfying the requirements are the responsibility of the association. (Section 5675 of the Civil Code)

At least 30 days prior to recording a lien on an owner's separate interest, the association must provide the owner of record with certain documents by certified mail, including a description of its collection and lien enforcement procedures and the method of calculating the amount. It must also provide an itemized statement of the charges owned by the owner. An owner has a right to review the association's records to verify the debt. (Section 5660 of the Civil Code)

If a lien is recorded against an owner's property in error, the person who recorded the lien is required to record a lien release within 21 days, and to provide an owner certain documents in this regard. (Section 5685 of the Civil Code)

The collection practices of the association may be governed by state and federal laws regarding fair debt collection. Penalties can be imposed for debt collection practices that violate these laws.

### **Payments**

When an owner makes a payment, he or she may request a receipt, and the association is required to provide it. On the receipt, the association must indicate the date of payment and the person who received it. The association must inform owners of a mailing address for overnight payments. (Section 5655 of the Civil Code)

An owner may, but is not obligate to, pay under protest any disputed charge or sum levied by the association, including, but not limited to, an assessment, fine, penalty, late fee, collection cost, or monetary penalty imposed as a disciplinary measure, and by so doing, specifically reserve the right to contest the disputed charge or sum in court or otherwise.

An owner may dispute an assessment debt by submitting a written request for dispute resolution to the association as set forth in Article 2 (commencing with Section 5900) of Chapter 10 of Part 5 of Division 4 of the Civil Code. In addition, an

association may not initiate a foreclosure without participating in alternative dispute resolution with a neutral third party as set forth in Article 3 (commencing with Section 5925) of Chapter 10 of Part 5 of Division 4 of the Civil Code, if so requested by the owner. Binding arbitration shall not be available if the association intends to initiate a judicial foreclosure.

An owner is not liable for charges, interest and cost of collection, if it is established that the assessment was paid properly on time. (Section 5685 of the Civil Code)

### **Meetings and Payment Plans**

An owner of a separate interest that is not a timeshare may request the association to consider a payment plan to satisfy a delinquent assessment. The association must inform owners of the standards for payment plans, if any exist. (Section 5665 of the Civil Code)

The board of directors must meet with an owner who makes a proper written request for a meeting to discuss a payment plan when the owner has received a notice of a delinquent assessment. These payment plans must conform to the payment plan standards of the association, if they exist. (Section 5665 of the Civil Code)

# The Glen of Pacific Grove Homeowners Association

**Regency Management Group**  
**24571 Silver Cloud Court, Suite 101**  
**Monterey, CA 93940**  
**(831) 647-2442**  
**Fax (831) 647-2441**

## REQUEST FOR ARCHITECTURAL / LANDSCAPE REVIEW

Homeowners are required to submit property improvement plans to the Association for review and comment prior to beginning the improvements. Each of The Glen of Pacific Grove Homeowners Association's homeowners is subject to these restrictions. City or County approvals and permits may be required but do not constitute approval of The Glen of Pacific Grove Homeowners Association. Improvement work may not commence without written approval of the Homeowners Association. Please submit plans anticipating up to 30 days for review and comment by the Architectural Committee. Unauthorized Improvements are subject to removal at owner's expense.

NAME \_\_\_\_\_ UNIT # \_\_\_\_\_

PROPERTY ADDRESS \_\_\_\_\_

MAILING ADDRESS (if different) \_\_\_\_\_

HOME PHONE \_\_\_\_\_ WORK PHONE \_\_\_\_\_ FAX # \_\_\_\_\_

Proposed Start Date: \_\_\_\_\_ Finish Date: \_\_\_\_\_

### CHECK ALL THE FOLLOWING IMPROVEMENT TYPES THAT APPLY TO YOUR REQUEST

#### HOME IMPROVEMENTS: EXTERIOR

- |  |   |  |  |
|--|---|--|--|
| <input type="checkbox"/> Structural Addition | <input type="checkbox"/> Storage Shed         | <input type="checkbox"/> Fence Addition  | <input type="checkbox"/> Deck/Patio    |
| <input type="checkbox"/> Retaining Walls     | <input type="checkbox"/> Trellis              | <input type="checkbox"/> Lighting        | <input type="checkbox"/> Skylights     |
| <input type="checkbox"/> Solar panels        | <input type="checkbox"/> Satellite Dish       | <input type="checkbox"/> Antennae        | <input type="checkbox"/> Windows/Doors |
| <input type="checkbox"/> Painting            | <input type="checkbox"/> Mailbox enclosure    | <input type="checkbox"/> Sculptures      | <input type="checkbox"/> Garage doors  |
| <input type="checkbox"/> Gates               | <input type="checkbox"/> Lot line adjustments | <input type="checkbox"/> Other (specify) |  |

#### HOME IMPROVEMENTS: INTERIOR

- |                                     |                                   |                                   |                                       |                                     |
|-------------------------------------|-----------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Flooring | <input type="checkbox"/> Plumbing | <input type="checkbox"/> Shared Walls | <input type="checkbox"/> Structural |
|-------------------------------------|-----------------------------------|-----------------------------------|---------------------------------------|-------------------------------------|

#### LANDSCAPE IMPROVEMENTS:

- |   |   |  |                                       |
|---|---|--|---------------------------------------|
| <input type="checkbox"/> FRONT YARD       | <input type="checkbox"/> BACK YARD      | <input type="checkbox"/> SIDE YARD       |                                       |
| <input type="checkbox"/> New Landscape    | <input type="checkbox"/> Tree addition  | <input type="checkbox"/> Tree removal    | <input type="checkbox"/> Arbors/vines |
| <input type="checkbox"/> Landscape lights | <input type="checkbox"/> Water features | <input type="checkbox"/> Other (specify) | <input type="checkbox"/> Hardscape    |

**The Applicant is responsible for assuring that the improvements authorized by the Association are located within the Applicant's property.**

#### ALL OTHER IMPROVEMENTS:

1. Submit your completed forms, scale drawings, and plot plans if required, to: Regency Management Group, 24571 Silver Cloud Court #101, Monterey, CA 93940 or via email [lcunningham@regencymg.com](mailto:lcunningham@regencymg.com).
2. Plans which include pre-assembled structures or kits must include cut sheets or product specifications, colors, dimensions, materials and all other collateral material necessary for proper review.
3. The committee must be informed of all materials used in your improvements in sufficient detail for proper review. Where appropriate, submit samples or color photos of the material (brick, slate, wrought iron, lighting standards, etc.) The Association may ask for more information regarding your improvement during the review process. While waiting for a response from the owner the 30 days approval time frame will suspend and then resume with receipt of additional information. Until all information is submitted, the application will be deemed to be incomplete, and the application will stand unapproved.
4. Depending on the improvement, the Association may solicit input from your neighbors regarding your submission and consider their input as part of the review process.
5. PLEASE NOTE: The City or County may require approval of certain types of improvements. You may be required to get permits and other conditions may apply. The owner is solely responsible for fulfilling any municipal requirements.



# The Glen of Pacific Grove Homeowners Association

(continued)

DESCRIBE YOUR IMPROVEMENT IN DETAIL:

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WHO IS YOUR CONTRACTOR?

- I'm performing the work myself.
- My general contractor is: \_\_\_\_\_
- My landscape contractor is: \_\_\_\_\_
- The homeowner is the "person responsible" for damage to The Glen of Pacific Grove Homeowners Association common areas caused by himself or by his contractor while completing these improvements. By submitting this application, I acknowledge responsibility for damage to the common areas by contractors entering The Glen of Pacific Grove Homeowners Association property at my invitation.**

OWNER SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

For Association Use Only:

Property Address: \_\_\_\_\_

Committee Member Name: \_\_\_\_\_ Date: \_\_\_\_\_

- Recommend Approval as submitted:  Recommend Approval with following conditions:  Recommend Denial:

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Management Company Instructions:

- Send response to owner based on Committee input noted above
- Send hearing letter regarding unauthorized installation.
- Notify owner to cease work.
- Send notice of completion