



## RRPOA Newsletter #42 February 2020



The Rocky Ridge Properties Owners Association Newsletter is published periodically to keep “members” (aka homeowners) informed of things happening around the property and actions of the board of directors. Comments or questions may be directed to William “Yates” Bauder, Property Manager, at [rrpoa@sbcglobal.net](mailto:rrpoa@sbcglobal.net) or 530-583-1736. Newsletters are archived on the RRPOA web site at <http://www.rr-tahoe.com>. (if you click on the “Owners” page, then you will see a tab on the left side of the page for “Newsletters”).

### Board of Directors Meetings

The Rocky Ridge Properties Owners Association is governed by a board of directors elected by the homeowners. The schedule for board meetings is posted on the RRPOA website and is updated if the schedule changes. The next board meeting is scheduled for April 14, 2020.

In advance of each board meeting, an agenda is circulated to the homeowners. Homeowners may attend board meetings (other than any portion of the meeting deemed confidential in accordance with California law). Homeowners wishing to attend a board meeting should contact Yates to assure proper mechanics (e.g., how to participate in a telephonic meeting).

### Annual Meeting of Members and Election of Directors

The annual meeting of the homeowners is scheduled for Saturday September 5, 2020 at 11:00 at the beach clubhouse. The annual homeowners’ barbeque will follow the meeting.

One item on the meeting agenda will be the election of three directors for 2-year terms on the Association’s Board. The Board has seven directors – the terms for directors Steve Dohrmann, Bob Schuchardt and Nick Farwell expire at the September 5 members’ meeting (directors Laura Bertone, Frank Pagliaro, Bruce Shepherd and Curtis Sproul have terms that continue for one more year). Homeowners wishing to run for election to the board may nominate themselves in accordance with instructions which will be distributed later this spring by Yates.

### New Election Rules

Recent amendments to California law mandate that homeowner associations must adopt “election rules” to govern the process and administration of association elections. We are fortunate to have Curtis Sproul on our board – Curt is a well-recognized expert on the laws applicable to homeowner associations. Curt helped us prepare the amendment to our CC&R’s a year ago, and now he has prepared the required new election rules. The board adopted these rules at a board meeting earlier this month. A copy of the rules is posted on the RRPOA web site (see the tab to “Governing Documents” on the left side of the “Owners” page).

### New Placer County Short-Term Rental Ordinance

Placer County recently adopted a new Ordinance pertaining to short-term rentals (rentals between 1 and 30 days), and the Ordinance has direct applicability to the rental of units at Rocky Ridge. Placer County says that the Ordinance is intended

to strike a balance in reducing neighborhood nuisances like noise and parking issues related to vacation rentals without undermining the market for short-term guest accommodations. The following description provides a brief summary of the Ordinance and its reach; however, affected Rocky Ridge Owners are encouraged to review the more detailed analyses referenced below. The complete text of the short-term rental Ordinance (as of February of 2020) can be accessed on the Rocky Ridge web site (look for the tab on the “Owners” page) or at <https://www.placer.ca.gov/6109/short-term-rental-program>.

Generally speaking, the new Ordinance conditions the rental of residential properties for 30 days or less upon the Owner obtaining a short-term rental permit from the Placer County Code Compliance Services Division (Phone: 530-745-3050; Tahoe City Office: 775 North Lake Boulevard, Tahoe City, CA 96145). This requirement goes into effect on April 1, 2020. Owners renting properties on a short-term basis also are required to obtain a transient occupancy tax (“TOT”) certificate and to pay TOT as it accrues. The form for obtaining a transient occupancy tax certificate can be accessed at <https://www.placer.ca.gov/1464/TOT-Forms>.

The new short-term rental Ordinance permits an exemption from the permit requirement (but not the TOT payment obligation) for properties within residential homeowner associations (each, an “HOA”), subject to the following:

- The Owner must file a form with the County indicating that the Owner plans to utilize the exemption.
- The HOA must have CC&R’s (or like restrictions) which establish requirements that satisfy the parking, noise (quiet time 10 pm to 7 am) and trash/bear standards of the County’s short-term rental regulations. The Board believes the Rocky Ridge CC&R’s probably satisfy this requirement, but interested Owners should confirm this with the County.
- The HOA must have a history of enforcing the requirements of the Declaration of CC&Rs pertaining to noise, vehicle parking, and trash disposal. The Board believes the Rocky Ridge HOA probably satisfies this requirement, however interested Owners should confirm this with the County.
- The Owner must designate a representative (e.g., a leasing agent or property manager) who can be available at the unit within 60 minutes should a “problem (e.g., excessive noise) arise at the property when it is being occupied on a short-term rental basis. ***The Rocky Ridge HOA will not serve in this capacity***; Owners seeking to “short-term” rent their units must address this requirement on their own. The Ordinance envisions that a local leasing agent or property manager – such as O’Neal Associates (1877 North Lake Boulevard, Tahoe City; Phone: 530-583-3723) – could act in this manner for an Owner, should the Owner enter into such an arrangement with the leasing agent or manager.
- The pertinent HOA must acknowledge for the County that the HOA is aware of the Owner’s exemption. The Rocky Ridge HOA has prepared a draft letter for this purpose, but it has not yet received feedback from the County as to whether the letter satisfies the requirements of the Ordinance. Owners who would like the Rocky Ridge Association to provide such a letter with respect to their unit (as the same may be revised from time to time) should contact Yates (the Association’s manager).

As noted, the above is a summary of the County’s new Short-Term Rental Ordinance only, and Owners should be aware that there are further County requirements applicable to short-term rentals. These include: (i) capacity limitations (the occupants cannot include a number of persons age 16 or older greater than two times the number of bedrooms in the unit, plus two more adults (children younger than 16 are not counted); (ii) units in a short-term rental program must have fire extinguishers and smoke and carbon monoxide alarms; and (iii) the interior of the unit must have a “good neighbor” posting containing contact information for the local contact person, emergency evacuation information and a notice of penalties for violation of the Short Term Rental Ordinance. These further requirements apply whether or not a short-term rental permit is obtained.

Further information with respect to the Ordinance can be found at the following websites:

<https://www.placer.ca.gov/DocumentCenter/View/40947/02A->

<https://www.placer.ca.gov/6109/short-term-rental-program>

The County also will respond to telephonic questions at 530-581-6234.

Given that the Short-Term Rental Ordinance is new, we anticipate the procedures involved in its application will evolve over time. The Rocky Ridge Association Board of Directors, at its periodic Board meetings will continue to examine the evolving status of the Ordinance and assess whether the Rocky Ridge Association should take further steps with respect to the Ordinance and/or short-term rentals. Please keep in mind, however, that each Owner (rather than the Association) is responsible for causing its unit to comply with the terms of applicable Placer County's laws, including the Short-Term Rental Ordinance.

**NOTE:** The rental of units in Rocky Ridge by Owners also is covered in part by the Association's CC&R's and Operating Rules. These documents are available on the Association's website (see the "Governing Documents" tab on the left side of the "Owners" page). The rental restrictions in the CC&R's and Operating Rules are generally intuitive, but Rocky Ridge Owners are encouraged to review them before renting their units. In particular, note that Owners are responsible for ensuring that their tenants comply with all Operating Rules. Yates has provided each Owner with a laminated two-sided summary of the Operating Rules which can be left in one's unit and directed to renters so they can familiarize themselves with the restrictions.

## **Buoys and Kayak Rack Spots, Summer 2020**

Early next month homeowners should receive a notice from Yates opening the application process for buoys and kayak rack spots. Homeowners seeking to reserve a buoy or a kayak rack spot should submit an application in accordance with the directions in the notice.

In recent years the number of available buoys has been slightly larger than the number of homeowners desiring buoys. If the number of 2020 applications exceed the available number of buoys, the buoys will be allocated in accordance with a selection process set forth in the development's operating rules. Similarly, if the applications for kayak rack spots exceed that number of spots, then spots will be allocated using a selection process akin to that applicable to the buoys.

Note: Buoys may be used only for a single identified vessel, and buoys may not be reserved for, or used for, boats of individuals other than homeowners. The charge for a buoy during the summer of 2020 will be \$1450, and the charge for a kayak rack spot will be \$50. These charges represent a pass-through of the costs which the Board estimates are incurred by the Association in making the buoys and kayak racks available.

## **Insurance and Damage Issues**

Rocky Ridge sits in a state ravaged by forest fires in recent years. As you may recall, when procuring fire insurance for the Association for 2020, the board of directors found it more difficult than in the past to procure insurance, and the insurance ultimately procured was at a much higher premium than in prior years. At present, the Association has procured insurance only through May 15 of 2020. The Association also holds an option for insurance for an additional 12 months, but the premium is higher than in the past. While the board will continue to look for less expensive coverage, no viable alternative has as yet surfaced, and the board may have no practical choice but to exercise its insurance extension option (and to pay the higher premium). All of this is relevant because increased insurance costs pass through to the homeowners in terms of higher Association dues. The good news, however, is that the Association's 2020 budget has been built based upon the premium set forth in the extension option, so exercise of that option by itself should not result in an increase in homeowner assessments.

The Association's fire insurance generally covers common areas, common facilities, and the development's residential buildings, but it excludes coverage for the portion of the residential buildings from "the walls in" for each unit (and for any personal property within the unit). ***Homeowners are responsible for procuring their own "walls in" insurance.*** The Association recommends that homeowners carefully review coverage decisions with their own insurance advisor (so as to assure, among other things, that it meshes with the coverages procured by the Association).

Each homeowner also should be aware that he or she, rather than the association, is responsible for water damage caused by a failure to turn off the water flowing to his or her unit when the unit is not in use.

## **BEARS, BEARS, BEARS!**

Please maintain focus on the bear issue. Success turns upon proper trash disposal – sloppy disposal and/or failure of dumpsters to be properly latched brings the bears to the Ridge! It is ***very important*** that all owners and guests ***keep the dumpsters properly latched at all times.***

And remember -- remove ALL food, trash and other attractive items (e.g., gum and snacks) from cars!

## **Remodeling? *Check the Association's CC&R's and Operating Rules***

If you are planning to remodel your unit, please be advised that any change to the exterior of your unit, no matter how minor, is subject to approval by the board of directors. Some structural changes also require board approval. Check with Yates regarding the process for seeking board approval. ***Failure to obtain proper approvals consumes staff time and could result in a fine or expensive mandatory corrective work.***

Please also note that the Association requires owners using a contractor to fill out a Contractor Agreement. See the Rocky Ridge website for the form. ***The agreement must be completed and signed prior to the start of construction.***

## **Web login reminder**

Access to the "Owners" section of the website requires a login. Username is your email address, password is "rr-XX" where XX is your unit number (if your unit number is a single digit number, then the "XX" should be completed as "0X", with X being your unit number).

The hyphen in the password is required, and the "rr" must be lower case. Your email address also needs to be entered in all lower case.

# **WE HOPE YOU ENJOY THE UPCOMING SUMMER AT ROCKY RIDGE!**