

Vote!

Voting gives you the power to create *positive change* for our Georgia, the Nation, and our Kensington community and perhaps determine a better quality of life for you and your family. Voting together with your neighbors, family, and friends ensures that your shared values and issues are prioritized, that you play a key role in choosing who represents us, and where government & our local funding resources will go. The more we vote, the more powerful our voices become, and the likelier the issues that are important to us will be heard.

Upcoming Election Dates and Registration Deadlines



November 5, 2024

Georgia General Election

Voter Registration Deadline

- Submitted by: October 7, 2024

Absentee (Mail-in) Ballot Request Deadline

- Received by: October 25, 2024

Completed Absentee (Mail-in) Ballot Return Deadline

- Received by: November 5, 2024 7:00PM

Early Voting: October 15 – November 1, 2024



VOTE · HOA

Sunday, November 3rd

Rain Date November 10th

VOTE
2024
UNITED STATES
★★ PRESIDENTIAL ELECTION ★★



VOTE

Sunday, November 3rd, 2024, KOA BOARD ELECTION

Hard to believe the most important election of the year is here! Nope, not the presidential election but our KOA...

As President of our KOA, I can tell you why I have done this for the past four years. Before running for the board of directors, I could not figure out why yearly “dues” kept rising, why the common ground maintenance appeared non-existent, and more. Could the yearly Dues increases be attributed to normal inflationary vendor costs, increases in utilities, etc., nope! Dues went up for the next three years in a row... I wondered why, what changed? Did the board feel having a management company would resolve disputes that they couldn't? Perhaps help them control our finances more prudently? Maybe it was individual demands on their time or was it to avoid legal confrontations? I cannot say with certainty, and it does not matter, ***or does it? VOTE***

This is an important election that matters, volunteers need to step up.

No Volunteers? Corporations cannot operate without boards of directors. If homeowners refuse to serve on our association's board, association decisions cannot be made, and bills cannot be paid. The following issues must be considered.

- **Suspended Corporation.** The association can have its corporate non-profit status suspended, which means it cannot defend itself against lawsuits.
- **Deferred Maintenance.** Deferred maintenance will accumulate, leading to more expensive repairs, and more importantly loss of vendor trust.
- **Personal Exposure.** Loss of insurance all owners are personally exposed if someone is injured in your common areas. Each member could be sued and there will be no insurance to defend them or to pay any judgment. Each owner would need to pay out of pocket for an attorney and each could be liable for the entire judgment (joint and several liability).
- **Home Values.** Our home values will take a hit. Sellers must disclose to potential buyers the state of the association's affairs, and buyers could be reluctant to purchase your home should you decide to sell.

Receiver - Custodian. Another option is for one or more members of the association to petition the superior court to appoint a third party (a receiver/management company) to manage the association as provided for in Code of Civil Procedure § 564(b)(9). The receiver would have the power to run the association, including the power to assess the membership for all costs needed to pay for operations. The downside is that there are no restrictions on the size or frequency of assessments imposed by the receiver. The membership would have no say in what services are provided, what repairs should be done, and when, or how much is paid for operations and repairs. All of that would be in the hands of the receiver. Moreover, the receiver would likely assess our membership to pay for their services. ***In short, your Dues will go much higher!***



A few notes about US... What does “self-managed” mean?

The fundamental trait of a self-managed HOA is the absence of a hired management company to manage a small HOA. A self-managed HOA purely relies on voluntary services from its residents.

There are a few factors to consider about a self-managed HOA: *Source: HOA Association USA*



- **Resources vs Risks** - The most common reason members think of self-managing their HOA is to save money. However, without professional financial help, large communities may be at risk, however, this is not the case with Kensington, we are a community of only 129 homes.
- The reason why most HOA Boards hire a management company, or a manager is because running an HOA can be very technical, time-consuming, and sometimes confrontational when a violation occurs that they don't agree with: **Merriam-Webster Definition:** *"Knowingly" means something was done intentionally, voluntarily, and with knowledge of the situation or facts. It does not mean something was done by accident or mistake. For example, if someone does something wrong knowingly, they do it **even though they know it is wrong.***

Why Self-Managed?

Homeowners having complete control - One of the greatest benefits of a self-managed HOA is that the Kensington community members have total control over its functions.

Why You Should Join the HOA Board

All Hoas are run much like a business, with homeowners who volunteer for the board. Collectively your elected board members strive to manage with our community's best interests in mind. Simply put we fulfill responsibilities dedicated to the welfare of the association.

Safeguard Our Property Value

One of the HOA board's main responsibilities is to maintain or increase our property values through the prudent use of funds (Collected Dues).

Help Fellow Homeowners

Humans have a natural desire to help others — in whatever way they can. If you feel the need to help our fellow neighbors, I encourage you to get involved. Part of the board's job is to hear out members' concerns and, if possible, do something about them. What makes sense, come to a “resolution solution.”

4.6 President. The President shall be the chief executive officer of the Association and shall preside at all meetings of the members and directors. The immediate supervision of the affairs of the Association shall be vested in the President. It shall be the President's duty to attend to the business of the Association and maintain strict supervision over all of its affairs and interests. The President shall keep the Board of Directors fully advised about the affairs and conditions of the Association and shall manage and operate the business of the Association pursuant to and in accordance with such policies as may be prescribed from time to time by the Board of Directors.

4.7 Vice President. The Vice Presidents), if any, shall act in the President's absence or disability and shall have all powers, duties, and responsibilities provided for the President when so acting, and shall perform such other duties as shall from time to time be imposed upon any Vice President by the Board or delegated to a Vice President by the President.

4.8 Secretary. The Secretary shall keep the minutes of all meetings of the members and the Board of Directors; and notify the members and directors of meetings as provided by these bylaws and Georgia law; have custody of the seal of the Association; affix such seal to any instrument requiring the same; attest the signature or certify the incumbency or signature of any officer of the Association; and perform such other duties as the President, or the Board of Directors may prescribe. The Secretary shall perform the duties of the Treasurer of the Association in the absence or disability of the Treasurer.

4.9 Treasurer. The Treasurer shall keep, or cause to be kept, the financial books and records of the Association, and shall faithfully account for the Association's funds, financial assets, and other assets entrusted to the Treasurer's care and custody. The Treasurer shall make such reports as may be necessary to keep the President and the Board of Directors informed at all times as to the financial condition of the Association and shall perform such other duties as the President, or the Board of Directors may prescribe. The Treasurer shall maintain the money and other assets of the Association in the name and to the credit of the Association in such depositories as may be designated by the Board of Directors. The Treasurer may provide for the investment of the money and other assets of the Association consistent with the needs of the Association to disburse such money and assets in the course of the Association's business. The Treasurer shall perform the duties of the Secretary of the Association in the absence or disability of the Secretary.

Pre-election comments from your **2024** elected President.

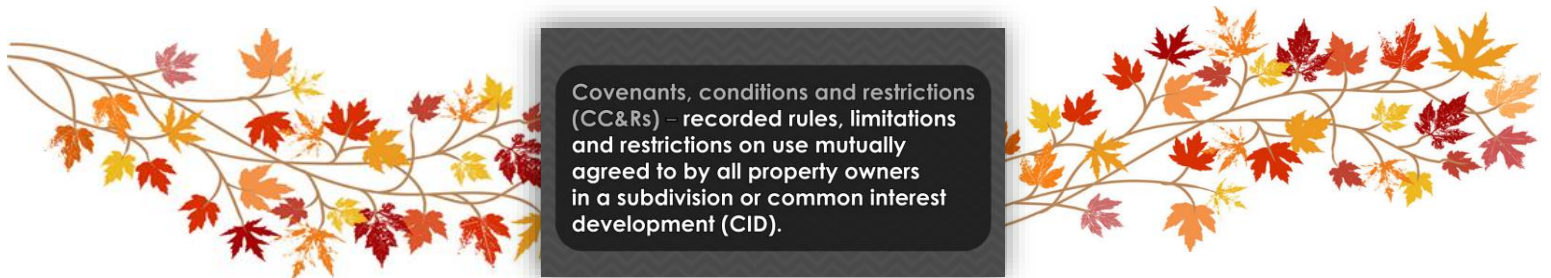
Since taking our HOA from a management firm to a self-managed HOA we have accomplished a lot in four years. I want to thank all of the board members, both past & present, with which I have worked.

Hoas can help boost the overall neighborhood and increase property values because they uphold a series of standards, regulations, and processes that help maintain home exteriors and landscaping.

- **YOUR HOME VALUE** has increased due to the overall **“Kensington curb appeal.”** FYI, the average cost to build a home in Douglasville today is \$174 sq. ft. *Thanks, neighbors!*
- Our revenue (yearly KOA dues) has been 100% collected for 2021/2022/2023/2024. The strongest owner-paid response in 23 years
- CC&Rs compliance issues are down overall, mostly **SPEEDING/RUNNING STOP SIGNS/LANDSCAPING.**

What will be on the 2025 ballot? YOU! Want to make a change, have an active role on the board as you see it, or want to help improve our Kensington community, *I encourage YOU to run.*

Got New Ideas? Join The KOA Board & Make A Difference



Covenants, conditions and restrictions (CC&Rs) – recorded rules, limitations and restrictions on use mutually agreed to by all property owners in a subdivision or common interest development (CID).

https://www.kensingtonowners.com/_files/ugd/0945b7_67d4e5d58be54aa69f95fe11fd72bfa3.pdf

Covenants, conditions, and restrictions, commonly called **“CC&Rs”** are a set-of-rules governing an HOA community.

- For example, a CC&R can regulate the fences around a house, the type of garbage cans allowed, and whether parties can open businesses in the community.
- CC&Rs often impose additional duties onto homeowners; in particular, many CC&Rs mandate that homeowners pay upkeep fees in the form of monthly or yearly dues.

They are usually enforced by a homeowners’ association (HOA), neighborhood associations, or the initial builders/developers of the community. CC&Rs are recorded in the county clerk’s office and run with the land. In many cases, failure to record the CC&Rs will make those CC&Rs unenforceable. If the homeowner violates the recorded CC&Rs, the homeowner’s association or other overseeing entity can impose penalties.

Article 7

Use Restrictions and Rules *(as currently written)*

7.1 The Board of Directors may, from time to time, with the consent of Declarant and without a vote of the members, promulgate, modify, or delete rules and regulations applicable to the Community. Such rules and regulations shall be distributed to all Owners prior to the date that they are to become effective and shall thereafter be binding upon all Owners and Occupants until and unless overruled, canceled, or modified by a majority of the Total Association Vote and the consent of Declarant.

SO NOW YOU KNOW

- 6.1 General. No exterior construction,
- 6.2 Guidelines and Procedures
- 7.4 Vehicles: Parking
- 7.6 Animals and Pets
- 7.8 Unsightly or Unkempt Conditions
- 7.10 Tree Removal
- 7.15 Guns
- 7.16 Fences
- 7.18 Air-Conditioning Units
- 7.24 Mailboxes
- 12.1 Enforcement



What Your Neighbors Are Saying! Emails & Text

(these are the number of emails or text sent to the board)

- 3- Pool noise
- 2- Black Chevrolet trucks **SPEEDING/STOP SIGNS** (Wembley Dr)
- 3- Small Silver/Gray Mercedes speeding **daily** (Wembley Dr)
- 3- Dogs not on a **LEASH** (Dover Ct & Wembley Dr)
- 4- Yards need to be cut (Prescot Way/Wembley Dr/Stanway)
- 5- Air Conditioner in window (Wembley Dr)
- 6- A **House** needs to be painted (Prescott Way)
- 9- Cars running **4-way stop** @ Wembley Dr & Camden Ct



Seniors Drivers and Transportation

- AAA Foundation for Traffic Safety www.seniordrivers.org
- AARP Driver Safety Program www.aarp.org/drive
- American Medical Association Older Driver Safety www.ama-assn.org/ama/pub/category/8925.html
- American Public Transportation Association www.apta.com
- American Occupational Therapy Association www.aota.org/olderdriver
- Association for Driver Rehabilitation Specialists www.driver-ed.org
- Beverly Foundation www.beverlyfoundation.org
- Community Transportation Association www.ctaa.org
- Easter Seals Transportation Solutions for Caregivers www.easterseals.com/site/PageServer?pagename=ntl_trans_care
- HowMyDriving.com <http://howmydriving.com/drive4life.nsf>
- I DRIVE SAFELY Mature Driver Improvement <http://mature.idrivesafely.com>
- Mature Driver Course Online www.maturedrivercourseonline.com
- National Highway Traffic Safety Administration Older Driver Safety www.nhtsa.dot.gov/people/injury/olddriver
- Older Drivers www.drivers.com/topic/10
- Transit Resource Guide for Older Adults www.apta.com/research/info/briefings/briefing_3.cfm
- The Hartford Financial Services Group and MIT AgeLab - How to Talk with Older Drivers www.thehartford.com/talkwitholderdrivers
- U.S. Licensing Renewal Procedures for Older



The Pool will close for swimming on September 17th.