

# Fairview Terrace Owners Association

**Community Management Inc.,  
AAMC**

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Your Board of Directors:

Leland Jaquay, Chair  
Kent Walton, Treasurer  
Ken Abbot, Secretary  
Allene Murphy, Director  
Richard Worthington, Director

**ENCLOSED**

**Construction Defect Litigation Update  
from Attorney Michael Vial**

## Cookie Recipe Exchange

Nothing says the holidays quite like baking! On December 6th at 2pm in the clubhouse you can come share some of your favorite cookies and their recipes. Bring 3 dozen or more of your favorites along with the recipes to exchange. Finger sandwiches, tea, coffee, and hot chocolate will be provided. Who knows, perhaps you'll discover a new favorite cooking while getting to know your neighbors better!



## Association Insurance Information

Fairview Terrace Owners Association

Carrier: Condominium Association Underwriters (CAU)

Policy Deductible - \$10,000

Key information regarding the association's master policy:

The common elements, limited common elements and units are covered.

Betterments, improvements and upgrades made at the expense of the current owner are covered. These items could include upgrade carpeting, cabinets and appliances as well as wall coverings, built-in bookshelves and other permanent fixtures.

The master policy carries "Special Form" coverage, which includes fire, lightning, windstorm, hail, explosion, riot, air-craft and vehicle damage, smoke, vandalism, falling objects, weight of ice, snow or sleet, collapse, sudden rapid water escape of overflow from plumbing or appliances, frozen pipes, and convector units.

No coverage is provided for wear and tear, deterioration, damage by insects or animals, settling or cracking of foundation, walls, basements or roofs. **There is no coverage for damage caused by repeated leaking or seeping from appliances or plumbing. This includes leaking from around shower, bathtub, toilet or sink.** These events are properly classified as maintenance items. This policy contains full details on coverages, limitations and exclusions.

Key information regarding unit owner's insurance needs:

You should purchase a home owner's policy in order to provide coverage for things such as; personal property that could include furniture, personal liability, additional living expenses (in the event your unit is uninhabitable due to a

(Continued on page 5)

## PARKING

All residents of Fairview Terrace **ARE REQUIRED** to register their vehicles. The information collected, which is consistent with other homeowner associations, will ensure that only resident's vehicles, authorized to be on Fairview Terrace, are present. This will improve your security, and assist in enforcement of the new parking regulations. Failure to comply with the registration requirement will result in fines being imposed on the homeowner's account.

In an effort to ensure the limited parking is maintained for guests, and to make some accommodation for those residents who are unable or unwilling to park their vehicles in their assigned locations (garages/driveways), a limited number of locations (21) have been identified and numbered. These spots will be considered PAID RESIDENT PARKING. Resident's who desire to park in the PAID RESIDENT PARKING, may contact CMI and request a parking pass. The pass will be issued when the resident pays a fee of \$25 per month, renewable for up to 12 consecutive months. After 12 months, if a waiting list exists, the resident will be required to surrender the pass and the next eligible person on the list will receive the spot. *(Note: The \$25.00 fee was determined after a review of parking at other locations and associations. It is not the desire of the Board to encourage residents to have additional vehicles or to decide not to use their assigned parking).* The 21 slots are on a first come, first serve basis. Slots can not be assigned until resident vehicles are registered.



All other parking slots, other than those assigned to the owner (garage/driveway), are for **GUESTS ONLY**. Homeowner's may not park in GUEST PARKING. A homeowner enforcement committee has been developed, and will aggressively enforce the rules. The committee is always looking for volunteers, so if you want to, please contact CMI.

## Payment of Assessments

Homeowners Association fees are due on the first day of each month, and are subject to a late fee if not received by the Association's bank by the 10th of the month (\$25 late fee). If you use online bill payment services through your bank, please be aware it can take 7-10 days for your payment to be received. CMI offers owners the ability to pay their monthly Association fees via a direct payment system, called ACH Debit. If you have not already signed up and wish to use this service to have your HOA fees deducted each month from your bank account, you can request a form by contacting Nathan Newman at CMI. CMI must have your completed enrollment form by the 15<sup>th</sup> of the month to set up your account to begin automatic debits for the following month. If you sign up for this service, funds will be paid from your account on the 8<sup>th</sup> of each month.

**Please be aware—the Association has the right to terminate an owners access to the pool, spa and clubhouse for non-payment of Association assessments.**

## Construction Defect Update

The construction defect lawsuit against the Developer and some of the contractors that built Fairview Terrace is progressing as well as can be expected. The lawsuit remains in the "discovery" phase, which means that the Association's lawyers are in the process of obtaining deposition testimony from the parties and reviewing over 300,000 pages of documents. The Court has set a March 2010 trial date for the case, which means that the lawsuit will likely be resolved through settlement in the Spring or will proceed to trial in March. The Association's lawyers may contact some of you in the coming months to follow-up on your responses to the homeowner surveys. Please watch your mail for this correspondence and reply as quickly as possible. Thank you for your continued assistance and patience in this long process.

*-Mike Vial, Attorney, Vial Fotheringham*

LLP

## CMI Office Hours and Emergency Service



### After Hours and Week-ends Emergency Service

One of the services we have offered our clients for over 28 years is a 24-hour emergency response. As our client base has changed there is also a need for clients to call after hours and leave messages that are of a non-emergency nature. In order to accommodate everyone, here is what you can expect when you call our office after hours.

Non Emergency Calls: You will be given the option of calling again during normal business hours, or leaving a message on our voice mail system.

Emergency Calls: If your call requires an emergency response, something that you have determined cannot wait until the next business day such as a plumbing leak, irrigation not turning off, sewer back up, etc. you will be given instructions to have your call transferred to our emergency answering service. There is a charge to the Association for Emergency Answering

Service calls.

The emergency service will then contact the person who is on call. The on call person should contact you within 5-10 minutes to process your emergency. If you have not been called within that time period, you should call CMI again and tell the emergency service that the person on call has not responded to your emergency. We have instructions in place for follow up in the latter event.

**NOTE: Please do not use the emergency service for any assistance that can wait until the next business day as it increases the response costs to your Association. Emergency Answering Services are not included in the Fairview Terrace Association's agreement with CMI, so calls to the answering service are an additional cost to the Association.**

## FREEZE REMINDERS

Following is information detailing action, which should be taken during freezing weather. **Please keep this handy for easy reference. If you rent out your unit, please ensure your tenant has a copy to keep in the unit.**

**If your unit becomes vacant, remember . . .**

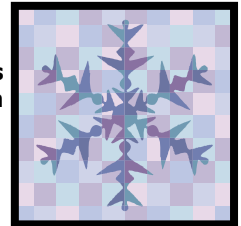
### **YOU MUST KEEP THE ELECTRICITY TURNED ON AT ALL TIMES**

Here are a few helpful hints in case we have more freezing weather this winter. **NO GUARANTEES!!** These are just suggestions. Any steps you take should be taken with caution and good sense.

1. Locate your water shut-off now! If your pipes do freeze and break, you are going to want to locate the water shut-off . . . **FAST!** These shut-offs are usually near the point where the pipes enter the unit or near the hot water heater. You may want to mark the shut-off with a bright color tag.
2. If it gets really cold, wrap all the pipes you can easily reach with newspaper. They make excellent temporary insulators.
3. Leave the heat on. You should maintain electricity to your unit at all times. A minimum temperature of 56 degrees must be maintained when exterior temperatures are 32 degrees or below. When temperatures drop below freezing, leave cupboard doors open (kitchen, bathroom, etc.) so pipes within those cupboards are exposed to interior heat.
4. Open both hot and cold taps, and allow faucets to drip! This one is really vital.
5. If your water heater is located on a balcony or in a garage: make sure the storage area is well insulated, and make sure exposed pipes are wrapped.
6. If you are going to be away and there is a continued freeze, you or someone you have notified should turn off your hot water supply line at the source and drain your lines. This is especially necessary if you will not be using your hot water for a long period of time, or if your unit is vacant for any reason.
7. **ALL OWNERS, WHETHER RESIDENTS, NON-RESIDENT OWNERS, LEASING AGENTS OR LENDING INSTITUTIONS, ARE RESPONSIBLE FOR ENSURING THERE IS A HEAT SOURCE IN THEIR UNIT AT ALL TIMES.**
8. If you are going to be away for an extended period of time during the winter months, **ESPECIALLY DURING THE HOLIDAYS, PLEASE ENSURE YOU HAVE APPOINTED SOMEONE TO INSPECT YOUR UNIT ON A REGULAR BASIS.** In addition, please ensure your unit is inspected immediately if we have freezing weather, as it is your responsibility to minimize any damage occurring from frozen water pipes.
9. **PLEASE KEEP THIS HANDY THROUGHOUT THE WINTER MONTHS FOR EASY REFERENCE IN THE EVENT OF FREEZING WEATHER. A COPY OF THIS FORM SHOULD BE GIVEN TO YOUR TENANT IF YOU ARE A NON-RESIDENT OWNER.**
10. Observing **FREEZE ALERT** requirements and recommendations is extremely important. Many insurance companies are inclined to deny claims and tender them to the individual homeowner's insurance company if a vacant unit has not been winterized and freeze damage results! Protecting your unit this winter by taking a few simple precautions is the "ounce of prevention" that is worth more than "a pound of cure"!

**IF THINGS DO FREEZE,** despite all your precautions . . .

- **Do** use hair dryers, heat lamps, or electric heaters to thaw out the lines. It won't be a fast operation, but it will be safe.
- **Don't** use an open flame to thaw lines! This is the fast way, but you may wind up with your unit--and the whole building--on fire!
- **Don't** use electric arc welders to thaw lines! They, too, can burn down the whole building.



## Maintenance Responsibilities

In accordance with the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Fairview Terrace:

**The Association** shall provide exterior maintenance upon each Unit as follows:

Paint, repair, replace and care for:

- ☀️ Roofs, Roof overhangs, eaves,
- ☀️ Gutters and downspouts,
- ☀️ Exterior building surfaces,
- ☀️ Exterior lights (except light bulbs),

Exterior maintenance DOES NOT include:

- ☀️ Repair or replacement of exterior light bulbs,
- ☀️ Doors, windows or other glass surfaces.

**The Association** shall also maintain party walls as provided in section 4.4.

**The Association** shall also maintain all landscaping within the Property.

In the event the need for such maintenance or repair is caused by the willful or negligent act or omission of an Owner, his or her family, tenants, guest, or invitees, and to the extent such maintenance or repair is not covered by the Association's insurance policy, the costs of such maintenance or repair may, in the discretion of the Board of Directors, be charged to the Owner as an Individual Assessment.

**Each Owner** shall be responsible for:

Maintaining such Owner's **Unit and Lot** in a clean and attractive condition, in good repair, and in such a fashion as not to create a hazard.

Such maintenance shall include, but not be limited to:

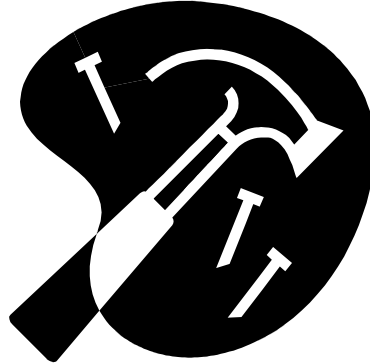
Repair, replace, restore and clean the interior of the Unit, including but not limited to:

- ☀️ The interior and exterior glass
- ☀️ Maintain exterior window casements, sashes, frames, window screens, storm windows, and exterior doors, but not including painting or staining of the exterior of the same.
- ☀️ Keep all mechanical and electrical systems and hardware in the Unit and on the exterior of the Unit in good repair and working order including, without limitation: Maintaining, repairing and replacing as necessary: Electrical wiring, fixtures, plumbing,

appliances, heating and air conditioning, sewage disposal systems, fire protection systems.

Maintain in good condition, repair and replace as necessary:

- ☀️ Bulbs for exterior lighting.
- ☀️ Walkways, driveways, patios and decks, keeping them free from of snow, ice, debris and obstruction.



## We Need YOU on a Committee!

Landscape Committee– Leland Jaquay, Chair

Social Committee– Allene Murphy, Chair

ARC– Rick Worthington, Chair

Financial Committee– Kent Walton, Chair

Rules and Parking Committee– Leland Jaquay and Ken Abbott, Co-Chairs

These folks could use some help! Please volunteer and help make Fairview Terrace an even better place to live!

Please contact CMI if you are interested!



## Website!!

Remember to visit the association's website at [www.fthoa.com](http://www.fthoa.com) for clubhouse calendars, association documents and more!

## GOOD NEIGHBOR REMINDERS

- ☀️ Dog owners are reminded that it is a violation of Association Rules AND a violation of Health Department regulations if you don't clean up after your dog—**INCLUDING in the dog run area.**
- ☀️ Owners are reminded that it is the owners responsibility, not the Association's, to keep your lot in a clean and tidy condition. This includes but is not limited to areas of lawn "burned" by dogs. Also note that the landscapers are not obligated to mow your lawn if it is riddled with pet feces.
- ☀️ Fairview Terrace is a windy place, and owners are reminded to make sure trash and recycling are securely contained when placed outside for pick up. There's been an increase in unsecured trash and recycling materials blowing through the community. Please refer to item #2 above.

(Continued from page 1) *INSURANCE INFORMATION*

covered loss), as well as Loss Assessment Coverage.

The association master policy carries a deductible. In the event of a claim, the association may seek to recover that deductible from the unit owners involved in the claim. Your responsibility for the deductible may be insured by your individual policy, subject to your own deductible, though you may need to add building coverage. Some insurers cover the claim under the loss assessment. Ask your personal insurance agent.

#### Claims

If you have a claim, that you believe needs to be submitted to the association policy, you must first notify the association manager or a board member CAU only accepts claims from an association manager or a designated member of the board of directors. **Claims are not accepted directly from a Unit Owner. A claim that involves your personal property and furniture must be submitted to your homeowner's insurance carrier.**

Claim payments under this policy are made to your board of directors as insurance trustee.

#### Certificates of Insurance

Certificates of insurance may be requested by calling (800) 228-1930 or by visiting our website at [www.cauinsure.com](http://www.cauinsure.com).

If your mortgage holder sends you a written request, please request a certificate in one of the manners above. You will need to provide information about your lender (name, address and loan account number), so please have that information handy when you request the certificate.

#### **Fairview Terrace Owners Association**

c/o Community Management Inc.

2105 SE 9th Avenue

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