



# WEKIVA PINES MESSENGER

A newsletter produced exclusively for the homeowners of the Pines of Wekiva,  
a deed-restricted community in Apopka, Florida

Fall Edition

November 2011

[www.pinesofwekiva.com](http://www.pinesofwekiva.com)

## Neighborhood Notes:

Going into the holiday season, many of our homeowners are preparing their properties to entertain while some may be doing what they can to simply get by. No matter the times we may endure, there are traditions during the holidays that families will continue to accommodate. Whatever your holiday plans may include, the directors would like to extend well wishes for you and your family and into the New Year.

As a matter of tradition, the association has plans to reinstall some holiday decorations again this year, including some of the donated decorations we used last year. We continue to do the best with the resources we have and still work to present a comparable first-class neighborhood. Not all actions from our volunteers may be easily seen as holiday decorations, but the depth of work continues to make the progress our community needs. As volunteers we can only hope the collective efforts bring about some measure of good spirit and afford the pleasure to engage with your neighbors.

As a matter of association business, the past year may have demonstrated our directors' initiative in adhering to our covenant restrictions more stringently than ever, and your cooperation is certainly appreciated, needed, and in some cases, desperately requested. Regardless of the business climate, our collective property values depend on the actions of our homeowners, and are negatively affected by cases of inaction.

Real estate market conditions continue to affect our community in ways that may or may not include foreclosure actions. The financial stability of many HOA's across the nation has created complications on lending conditions for refinancing as well as new homebuyer opportunities. HOA delinquency rates can play into the factors that pose a lending barrier for homeowners even with sound borrowing credentials.

Unfortunately for some, this translates into a tough approach on both compliance and delinquent accounts,

which includes moving strategically forward in foreclosing on homes that are in the rears.

The National Association of Homebuilders recently published a story in their monthly newsletter that addressed the valuable look of neighborhoods in terms of overall attractiveness. A maintained individual lot is a contributing factor, but also are the common areas and the properties seen at the entrance of a community. If improving these features has a way to offer some value to our community, you can bet that your directors are taking action to address them.

These times also force us to be creative in getting the best value out of the funds we contribute. For a few years our community has put off some enhancement projects in order to conserve our resources. Several projects were scaled back and some included cooperative efforts to complete. Our HOA has the authority to levy special assessments, but we prefer to relegate that option to emergencies. By leveraging our collective funds in effective ways, we are able to complete some projects without increasing our dues for 2012.

Although a majority of our homeowners fully cooperate with property restrictions and dues payment, there remains to be some that don't, either in full or in part. As we move through the collection and foreclosure process on delinquent accounts, we anticipate a new group of homeowners with whom we have the opportunity to engage. As a community I hope you will take the time to get to know your neighbors, as we collectively rebuild a sense of community and restore value to the Pines of Wekiva.

Take care of your families and the home you provide for them.

With sincere thanks for your continued cooperation,  
Chris Bertoch  
Board president for Pines of Wekiva HOA

Community Website address: [www.pinesofwekiva.com](http://www.pinesofwekiva.com)  
Editor for Wekiva Pines Messenger: Chris Bertoch

Property Manager:

Randy Bowman, LCAM

Hara Management, Inc

Phone: 407-628-1086, Ext 117

Email: [rbowman@haramanagement.com](mailto:rbowman@haramanagement.com)

2011-2012 Pines of Wekiva Board of Directors

President: Chris Bertoch ([cbertoch@cfl.rr.com](mailto:cbertoch@cfl.rr.com))

Vice-Pres: Chuck Herrick

Treasurer: Athena Bouvier

Secretary: Rhonda Rose

Director: Steve Heckenberg

## In Brief ...

### Fencing repairs

Mossy Oak Fence has completed the latest phase of association fencing repairs. They also offer fencing for homeowners.

### Annual budget approval

Annual budget for 2012 was approved at the last Board meeting and dues will remain the same for a 4<sup>th</sup> consecutive year.

### December Board meeting

Unless posted otherwise, no board meeting will be scheduled for December. ARC meeting will be called if applications are received between 11/8 and 12/13/11.

### Annual Meeting Results

Minimum threshold of attendees or proxies not reached in annual meeting attendance for 2011 additional summary below.

### Payment Coupons

A new coupon booklet for our quarterly payments will be sent in December. See the last page for payment options.

### Architectural Review Forms

Exterior changes are submitted for approval on an Architectural Review form and they are posted

on line for convenience. If you lack online capability, Hara can assist with sending you copies to be completed and mailed to Randy Bowman, our property manager. Approval meetings are conducted monthly.

### Meetings for the Architectural Review Committee

The committee meets prior to Board meeting at the Police facility at 1075 N OBT in Victoria Plaza behind Perkins and next to Color Wheel. Approved color palette is brought to all meetings for exterior paint color approvals.

### Garage Door Color

Garage door color choice needs to be submitted with the color scheme for exterior painting applications.

### Trashcan Sightings

Our covenants and City of Apopka Code restrict trashcans from being visible from the street on non-trash days. Invent a fence or hedge screening plan if cans are not kept in the garage.

### Prepayment Option

We generally have several homeowners that have the ability to prepay their HOA dues in advance, in which a credit remains on the account and assessments are applied each quarter when due.

### Vacancy Interim Maintenance

Interim maintenance will continue on vacant homes in mortgage foreclosure to maintain a minimum standard of care.

### Facebook for Pines of Wekiva

We have our community website address available at [www.pinesofwekiva.com](http://www.pinesofwekiva.com) and now a page location on Facebook. Log in to your account, look us up and click the "like" button.

### No Solicitation

Our community does not allow door-to-door solicitation from any outside vendors or groups, and signs are effectively posted as to that rule. Should you encounter a solicitor, you have the option to call the non-emergency number for the Apopka Police and have them escorted from the association perimeter.

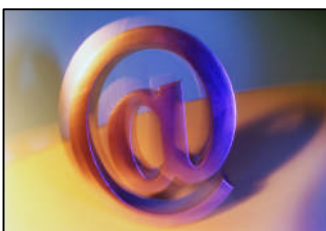
### Holiday Decorating

Volunteers are welcome to participate in decoration process currently being planned for 1<sup>st</sup> weekend in December. Contact John Sidor via email: [jwsidor@hotmail.com](mailto:jwsidor@hotmail.com)

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### Pines of Wekiva online

We have an existing website for our community at [www.pinesofwekiva.com](http://www.pinesofwekiva.com)



You can locate a variety of documents on this website at all times, including a downloadable copy of our restrictive covenants, the last version of our rules and regulations which are soon to be updated, minutes of our director meetings and even past newsletters for your review. Our new homeowners may find it easy to be up to date with the latest information.

We also generated a Facebook page so that community updates can be published more often than our quarterly newsletters. Because not all homeowners have internet capability, our newsletter publishing will continue for the assured benefit of all.

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### Common Area Improvements

The board is evaluating plans to install pedestrian benches along sidewalks in three common area locations. The goal is to create a park-like setting for pedestrians that stroll through the neighborhood. Our budget includes contributions to our reserve funds to pay for these items that can add a use value to our members. Locations are along sidewalks and situated between Park Ave Pines and Fox Run, along Falconcrest Blvd and at Osprey Way retention area. Some landscape work will accompany the installations to enhance the sites, and tree installation will begin before the holidays.



### City of Apopka Trash pick-up

The City of Apopka mails out calendar magnets each year to identify your household and recycling pick-up days using the City issued containers. Brown is only for Household trash for a Monday and Thursday pick-up. The Gray container is for paper, aluminum, glass and plastic recycling products picked up every other Wednesday. These containers should be 2-3 feet clear of obstacles like a mailbox or vehicle so as to allow the pick-up arm enough room to maneuver the container. City personnel have the discretion to not pick up your container if not appropriately placed.

If any repairs need to be done to your container, the Utilities department sends out repair crews to be sure all containers are functional.

Anyone not using a City issued container will only have Thursday pick-ups, the same day as our non-container rubbish. Yard waste is also picked up on Thursday, however, appliance size pick-ups are done on Wednesdays. Please be courteous about your trash stacking on the street curb so that it does not have to sit curbside any longer than necessary. Sidewalks still have to be navigational and nothing should be left in roadways.



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### Annual Meeting follow-up

Our annual meeting was held at the Northside Baptist Church on Welch Rd in August, and our guest speaker offered some great information relative to the latest issues with lawn pests, methods to refresh your lawn without a complete re-sod expense, and other tips to help get the performance we expect from a lawn that might keep the management company from issuing you a covenant violation notice.

Unfortunately no quorum was reached in order to conduct our official business. This means that at least 172 of our 572 homeowners did not show up in person, or even send in a proxy form indicating another member that could vote in your absence. Annual meetings are a great time to get valuable feedback from members and establish goals for the incoming Board of Directors.

Would that suggest few issues need to be addressed and that you are completely satisfied with all aspects of the neighborhood association?

Perhaps, yes for some, and perhaps others are not familiar with the process of being involved. Some may also not be familiar with the candidates listed on the ballot. Other than active volunteers, several owners in

fact do contribute time and/or opinions to the benefit of our association.

Our association business is handled by a set of five directors that, together, form the Board of Directors, and hold monthly meetings to conduct this business. There are no specific set of credentials required to volunteer for this role, but some background experience can certainly help in making decisions for the association and managing an annual budget of just under \$200,000. All meeting matters are summarized in a format known as minutes, and are available for review on our website and from our property manager. Specific financial operations are handled by a licensed property manager, including all violation and delinquency notices. As with any HOA, all matters are conducted in compliance with the most current State regulations.

To conserve our financial resources, the decision was made to not endure the cost of reprinting and mailing all the required documents as needed for a second meeting attempt. The existing board of Directors will carry through until the next annual meeting.

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### Homeowners pitch in for fellow homeowners

We recently learned of the cancer case for one of our homeowner's daughter and the kindness neighbors have offered. Angel Bellamy has been diagnosed with a terminal case of cancer, and her care and comfort has become the priority. The parents are working off of one salary and trying to meet her medical needs and personal attention, while also maintaining a household with other children. Several helping hands have come from community resources as well as directly from neighbors on the street, including a donated a car when theirs became inoperable. Other neighbors are pitching in on home maintenance matters. Mr. Bellamy appreciates the kindness our neighbors offer.

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### Construction at Main Entrance

The lot facing North Park Avenue on the North side of our main entrance has new construction started for a dental office which should enhance our community, including the aesthetic look of our entrance. While commercial use of the property will create some additional impact on traffic and noise, the lower volume commercial use will not likely be of significant nuisance.

*Many exterior changes to your home require approval from the Architectural Review Committee.  
Please contact Hara Management to confirm whether your project requires this approval.*



## ASK THE BOARD

A column dedicated to providing answers to commonly or not so commonly asked questions. Send in your questions to [cbertoch@cfl.rr.com](mailto:cbertoch@cfl.rr.com) with "Ask the Board" in the subject line. As many questions as possible will be answered in the following issues of the newsletter.

**Q:** *Can we get a group rate on sod pricing?*

**A:** Our members could benefit from a volunteer that may take up this initiative. Currently there is favorite vendor that has been providing sod replacement with Zoysia sod in the Fox Run II neighborhood (200+ Lancer Oak addresses). We have learned that Martinez Landscaping in Apopka is currently maintaining over 30 homes in our community. Although the association may not officially endorse a vendor, we can certainly share the good news of vendors that satisfy our homeowners. A phone number is 407-692-0631.

**Q:** *What does our delinquency rate look like?*

**A:** As of month-end September 2011, our receivables balance is \$79,799. This figure includes all the interest, and administration fees that have accrued from the delinquent accounts that still need to be collected. Of that total, \$76,736 is due from accounts that are more than 90 days delinquent, which represents about 82 of our 572 homes. Considering our accounts that are 90 days overdue and longer, the delinquency rate for this many homes is above 14%.

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### Parking concerns

Apopka Police are also patrolling neighborhoods for **blocked sidewalks**. Warnings were issued in the spring and several owners received a knock on the door from Police. If your parking method drives a pedestrian into the grass or street, you assume liability for an accident. Tickets may be the next action, so be smart about how you park. All houses have at least a two-car garage, and a good option may be clearing out some space at our next community garage sale.



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### Rental Properties to Face New Measures for Collection and Maintenance Compliance

State Laws have adopted a measure to help HOAs to maintain financial stability -- deadbeat landlords beware! Aside from the standard requirements for all homeowners to comply with maintenance restrictions, our association attorneys are currently issuing rent demands to any delinquent homeowners of properties that collect rent and still owe dues. This action affords the HOA to collect on its dues directly from any tenant, while also maintaining the right to file a lien and foreclose on it. Any damages that may arise from homeowner delinquency are squarely the obligations of negligent and/or irresponsible homeowners. We maintain a complete record of payment history.



The Pines of Wekiva is deed-restricted community with restrictions designed to maintain a minimum level of attractiveness that current and future owners intentionally choose in a property purchase. It is highly recommended that some maintenance provision be included in the rental contract in order to meet this requirement. **OWNERS** are accountable for **ANY and ALL** tenant issues, failures, and inactions as related to association compliance. Requirement for compliance overrides **ANY** lease contracts, and the Board of Directors has agreed to diligently pursue non-compliance. If you intend to rent, you had best prepare for all compliance measures .

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### Commercial Vehicles Defined for violation purposes

1. A vehicle not designed for normal personal or family transportation
2. A vehicle bearing lettering, graphics, or other commercial insignia
3. A delivery van, service van or bus, public service vehicle, construction vehicle, or a vehicle owned by a construction worker
4. A vehicle used on public roads in commerce to transport more than 8 passengers or cargo
5. A vehicle used in a commercial enterprise and which bears the name or firm or identification of the purpose of the vehicle, or a vehicle which is not normally used to carry human passengers
6. A vehicle which either has outside lettering displaying information identifying a business or other non-personal use of any kind
7. A vehicle that carries equipment, gauges, materials or other like items for use when providing service related maintenance, repair, construction or otherwise and said equipment is in public view



*Regular Board meetings and Architectural Review approvals are held every 2<sup>nd</sup> Tuesday of the month. Please check the community boards located at the entrance ways for details. All homeowners are welcome and encouraged to attend.*

## American Flag Etiquette



The flag should be hoisted briskly at dawn and lowered ceremoniously at dusk. The flag should be displayed at night only if it is lighted dramatically, as from below. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is used. When the flag is displayed from a staff projecting horizontally or at an angle, the union (the blue rectangle on which stars are embroidered or fastened) should be at the staff's peak, unless the flag is being flown at half-staff. When displayed horizontally against a wall the union should be to the left of the observer, looking from the street or in the audience. The same holds when a flag is displayed horizontally in a window. When the flag is displayed vertically against a wall, the union is also to the observer's left, and likewise, when a flag is hung vertically in a window.

*"The flag represents a living country and is itself considered a living thing."*

*...Section 176, Respect for the flag, U.S. Code, Title 36*

Flag holidays are as follows:

New Year's Day - Jan. 1  
Inauguration Day - Jan. 20  
Lincoln's Birthday - Feb. 12  
Presidents Day - 3rd Mon. in Feb.  
Easter Sunday - (variable)  
Mother's Day - second Sunday in May  
Armed Forces Day - third Saturday in May  
Memorial Day (half-staff until noon)- last Monday in May  
Flag Day - June 14  
Independence Day - July 4  
Labor Day - first Monday in September  
Constitution Day - Sept. 17  
Columbus Day - 2nd Monday in October  
Navy Day - Oct. 27  
Veterans Day - Nov. 11  
Thanksgiving Day - fourth Thursday in November  
Christmas Day - Dec. 25

Also, on additional days proclaimed by the President of the United States and on specific state holidays.

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### Neighborhood Watch program:

It is highly likely that we may know our own streets better than most others, and your sense of awareness could prove to benefit others. Mr. Belfazar Grant has graciously offered to head up the Neighborhood Watch Committee, and some owners have expressed interest in how to get involved. The role of this committee is to help communicate information related to conditions that currently exist in our neighborhood, and share knowledge that may benefit owners. To aid in evaluating our status, the Apopka Police department distributes crime reports on a quarterly basis. In reviewing these details, any measure of awareness actions, security considerations and patrolling activities might be recommended. Mr. Rick Vazquez helped in great measure to reinstitute our Neighborhood Watch program a couple of years ago, and it offers opportunities for the involvement of other homeowners. Please contact a board member or Hara Management to inquire more about making this committee more effective.

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### Block captains to help community communication

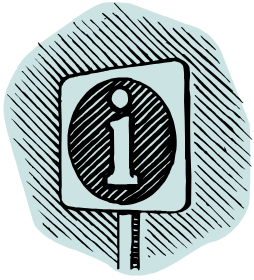
The idea of using block captains to improve our communications has been suggested and discussed in previous board meetings. Suggestions are welcome as to implementing or appointing captains and using this role as another way to build our community communication and address various issues we face. The opportunity also provides a means to coordinate events and improve our sense of community. Social networking products like Facebook offer the possibility of more convenient method to be kept up to date. A Pines of Wekiva Facebook page was implemented by our community web master recently. Become a fan so that you can be included in the next update.



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### How can a resident obtain general board meeting minutes?

Meeting minutes are posted online and kept on file with our property manager, Hara Management, and are available to all homeowners. Homeowners can request copies from the offices of Hara Management via mail or submit an email to Randy Bowman at: [rbowman@haramanagement.com](mailto:rbowman@haramanagement.com)



### **Notice board updates**

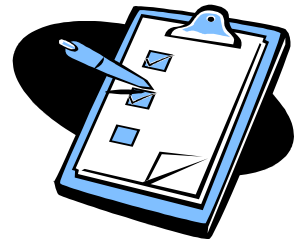
Our community Notice boards are in need of repair and the directors have agreed on a replacement plan which includes reconstructing the two existing boards and building and installing a third board for use along N Lake Ave. Our original developers failed to acquire any additional common area when adding properties along Lake and Grossenbacher streets to our association, so we have elected to install one as close to those properties as possible. The site agreed upon is at the Southeast corner of our Lake Avenue retention pond and will include some fencing modification to allow for a presentable site. Some additional fencing repairs will be done at the same time. Homeowners that use Abbey Hollow will also benefit from Notice information provided by the new board location.

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### **Dispute Resolution Committee reviewed 28 covenant violation cases**

We formed a Dispute Resolution Committee last year in order to address the homeowners with violations that have not been corrected after 3 notices. This committee is called to action to review cases as needed and hear the homeowners concern about a non-compliance issue. It offers a forum to negotiate when the noncompliance will be corrected, but also the fine amount if the noncompliance is not corrected. This process requires incredible commitment and scheduling to perform its function. This committee is not comprised of any Board Directors and operates in coordination with the respective homeowners. The state requires this forum prior to assessing fines and moving to next actions that include liens and foreclosure.

Twenty eight cases were reviewed last month, and several more in the prior month. We hope you can effectively take care of any compliance issue rather than let it get to this point. Please communicate with our property manager on violation issues that cannot be quickly resolved as required by our covenants. It's better for everyone to have as few cases reach this point as possible.



### **Covenant Restriction Inspections and Notices of Violation**

Compliance with our covenants is not an option, and secondary to collecting our dues, the association covenants require regular enforcement. Our hired management company is responsible for association record keeping and included with that function is the regular process of property inspections. Previously inconsistent inspections have created a surge in recent violations, and what may have escaped notice in the past has more potential to be noticed lately.

*About The Process:* Regular property inspections are conducted, and a case is opened for each violation for tracking. As state law dictates, notices are mailed to homeowners for corrective actions, and included is the specific covenant reference for each violation is identified. Re-inspections for open cases are conducted and second notices are sent out. If no correction is made by the third notice, then a fining procedure is invoked (unfortunately financial penalties have become the most effective measure). At this point and according to state law, your case may require appearance with our Dispute Resolution Committee, (often referred to as Fining Committee or Covenant Compliance).

The Dispute Resolution Committee is not comprised of directors, but fellow homeowners that also volunteer time, and functions as an owner's last resort to preventing additional action on your violation case(s). This committee is authorized to hear your case and commence fining, postpone fining or request attorney demand in order to move your case forward in seeking closure to the violation case. Perhaps not visible to other members, but several violation cases may be in notice process even though you may not readily see it.

Enforcement is an association obligation, and while the duty may frustrate a non-compliant member, our process follows state law and is not designed without reason or every attempt to be reasonable. Regular compliance with covenants and response to notices remain your most effective method to avoid these measures.

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### **Communicating with the Pines of Wekiva HOA**

Should you have a concern about your account standing, question about an improvement, reply to a notice, or an extenuating circumstance to consider, we encourage you to make some contact with our property manager. We pay a substantial amount of our assessments for accurate and well-documented services. Directors or other volunteer may also be able to help express your point.

Please understand that replies to notices about delinquencies and violations will need to be in written form, whether a mailed letter, email, or fax. We want to be fair and reasonable, because we are equally property owners bound by the same obligations. Issue resolution likely serves everyone involved. Not having communication from an owner results in too much room for assumptions. We look forward to hearing from you!

## Repainting in cooler weather?

All homeowners are free to express themselves with paint choices on the home interior, but what you paint on the exterior of your home is subject to approval of the Association's Architectural Review Committee.

An approved color palette of 16 schemes is ready to view and presents an even faster way to approve your color selection. The ARC Chair holds a copy of the binder and another one is available for browsing at Color Wheel on Hwy 441 (behind Perkins).

The Architectural Review Committee (ARC) meets before the board meetings each month and application forms are available either online at our community website ([www.pinesofwekiva.com](http://www.pinesofwekiva.com)) or from Hara Management. See the front page for contact information. We try to make it easy for homeowners and instructions for filling an application are on the Architectural Review section of our website. You can also contact Chris Bertoch via email to find out the best way to submit the form if you are in a crunch for time.



Here are some need-to-know guidelines:

- *Indicate the color choice for the house body, trim, garage door and front door.*
- *Colors beyond our approved color scheme are subject to approval by the Architectural Review Committee and may be declined*
- *Any homes that are painted without receiving an approval letter from the association are not deemed to be in compliance and may require repainting, regardless of when it was painted*
- *Any costs related to repainting a home to be in compliance are solely the responsibility of the homeowner*
- *Any contractor advising against obtaining an approval may be liable for owner compliance expenses*
- *Paint manufacturer is not restricted, but color shades must be compatible*
- *Color chips or samples need to accompany a submitted form*
- *Approval or decline will be provided within 30 days of receipt, please plan accordingly (not when the contractor is at your door ready to paint)*

## 3rd Quarter Winners of Yard-of-the-Month

	<u>July 2011</u>	<u>August 2011</u>	<u>September 2011</u>
• <b>Eagle's Nest</b>	1212 Foxforrest Cir	1356 Foxforrest Cir	1324 Foxforrest Cir
• <b>Park Ave Pines</b>	84 Pine Forest Pl	16 Pine Forest Pl	52 Pine Forest Pl
• <b>Fox Run</b>	197 Grossenbacher	821 Stone Chapel Ct	97 Lancer Oak
• <b>Fox Run II</b>	548 Lancer Oak	465 Lancer Oak	363 Lancer Oak
• <b>Osprey Pointe</b>	1237 Osprey Way	1378 Osprey Way	1325 Osprey Way
• <b>Falcon's Nest</b>	1216 Falconcrest	1473 Falconcrest	401 Chapelwood

**Congratulations to these recent winners!**

**Each winner receives a \$35 certificate to either Home Depot or Lowes!**

We appreciate attending to curb appeal and demonstrating pride in their homes.



Winnings awarded to property owners current with all HOA dues.

Homes are judged in comparison to all homes in each respective subdivision on day of review.

## Dues Payment Information:

Pines of Wekiva Homeowners Association Fees are due on the 1<sup>st</sup> day of every January, April, July and October. After the last business day of those months, payments not posted to accounts will begin to accrue late fees and interest. Set yourself a reminder to cover this task for each quarter when payment is due to avoid extra costs.



**Coupon books are printed and mailed in December each year to homeowner's address on record.** If you lose or misplace your coupon book, please call Hara Management for instructions. Like a car payment, your obligation to pay is not affected by the loss or misplacement of payment coupons. Accounts in the care of an attorney will not receive coupon books until complete settlement is made with the attorney or collection agency. There is no option to skip a dues payment, whether or not in the care of an attorney. The attorney will provide you with a payoff statement at any time and settlement arrangements are made through their office. Communicate with the attorney!

**Neglecting to pay your HOA dues will result in extra costs!** Interest, administration fees, attorney costs for review, record-checking and lien processing will be added to your balance due. Liens applied to properties offer the HOA the lawful right to foreclose for non-payment. The HOA prefers not to own properties so please be diligent about paying your dues and contact Hara Management in advance of any late issues.

**Payments Options** (all options require information from your payment coupon):

- **Mail with coupon to:**  
BB&T  
PO Box 628207  
Orlando FL 32862-8207
- **E-Check:**  
Go to BBT.com and select the business tab and then association banking and click on Homeowner Payments options.
- **Mastercard:**  
Go to BBT.com and select the upper tab for business and then association banking and click on homeowner payments to select the appropriate payment resource.
- **Individual Bank transfers:**  
You can set up quarterly payments through your own bank or pay annual amount in full in advance.



**The Pines of Wekiva HOA Inc  
c/o Hara Management Inc  
931 S Semoran Blvd, Suite 214  
Winter Park FL 32792-5317**