

## May 2020 Update

The Board held the May 19, 2020 Monthly Board Meeting on Zoom. This communication is intended to keep Homeowners apprised of current HOA issues as they are identified while we work our way through this pandemic. Topics covered in this communication will be: Pool & Tennis Court Opening, Release Form Required, Key FOB Distribution, Delinquent Account Collections, Monthly Board Meetings, Deed Restriction Letters and ACC Requests.

### Pool

Last night the Board unanimously voted to open the pool on June 6<sup>th</sup>. This date was selected to give the pool management company the time they need to hire and train lifeguards, make certain we have sufficient COVID-19 rules in place to protect our residents and yes, we had to also consider how best to protect the Association.

This was not an easy decision. The state is encouraging HOA's to open pools yet the recommendations for operating a pool under COVID-19 conditions are somewhat lacking. We have taken those recommendations as a base line and have added to them. A copy of the COVID-19 pool rules is attached to the bottom of this document. As new information is identified these rules will be adjusted accordingly. We believe the pool can be operated safely but this will require the cooperation of all concerned. Please follow the COVID-19 operating procedures closely and listen to the instructions of the lifeguards. The pool will be open from 12 to 8 daily and closed on Monday for maintenance.

Believe it or not, how to handle the liability issue for the Association was the most difficult issue in making this decision. With COVID-19 we are operating in a new world where most decisions are going to be in the gray area. Unless you have been in a coma for the last three months, there is not one person who is not aware of the virus, that it is highly contagious and that you personally are taking a risk of contracting the virus any time you leave your home. All levels of government are pushing to open business' as well as for general normalization. What they have failed to mention in the press conferences is that insurance carriers will not provide coverage to claims that an individual contracted COVID-19 while using someone's facility. Additionally, because this is all new, we have no case law to reference to assess the risk. The Board's solution with the advice from our HOA attorney to controlling risk for the Association is to require anyone wanting to use the pool to sign a release form. Because of the issues discussed here, the release form is going to appear draconian in nature. A copy of the release form will be posted on [owkwoodglen.net](http://owkwoodglen.net) when we receive the final version from the attorney. The release must be signed by a Homeowner on the deed or, in the case of a rental property, by one of the individuals who have signed the lease. Each page must be initialed and every box checked where appropriate. In a perfect world we would have required that the signature be notarized but the board decided that requiring residents to go to a notary during a pandemic was not practical. We will be turning all Key FOB's off until we have a signed release on file (see Key FOB's below).

To clarify the reasoning for some of the COVID-19 pool rules:

1. Pool capacity is restricted to 25 individuals.  
Because of this restriction
2. No guests outside of your household other than direct family members. Guests will take up a slot that should belong to another Homeowner.

3. Pool time is restricted to 1 hour. We have no way of predicting how many residents will be wanting to use the pool this year and we do not have a mechanism in place where we can take reservations. The time restriction is intended to make sure all residents who want to use the pool get the opportunity.
4. All children under the age of 18 must be accompanied by an adult. Children playing at the pool can easily get distracted and forget the instructions they have been given. For their own safety and that of the other occupants we want an adult from their own household with them who can remind them of the rules.
5. Not covered in the rules. We will not be putting out the lounge chairs at this time. The labor required to keep them disinfected is not practical. If you need a chair please bring one with you.

### **Tennis courts**

Social distancing is inherent to the game of tennis. The tennis courts will be open soon. To access the tennis court we will need a signed release form on file (see both pool and Key FOB's).

### **Key FOB distribution/activation and release form collection**

Last year Greg Gillis spent at least 2 hours a day almost every weekend for over ten weeks distributing Key FOBs. I don't think it is reasonable for us to expect Greg to do the same this year. Greg will be posting a schedule on the web site, posting it on social media as well as e-blasting the schedule. He is going to try to include some weekday evenings this time. If you would like to receive e-blasts when pertinent information is broadcast log on to your Sterling account and provide an email address. Don't forget to check the box that allows us to send you an email.

Key FOBs have been turned off to make sure we receive a copy of the release form. If your assessments are paid or you are on a payment plan all we need is the release to activate your FOB. If you are new to the subdivision, have lost your FOB or are wanting a second FOB we will also need the FOB application. There will be a \$25 charge for replacement or second FOBs. The release form and key FOB application can be found on oakwoodglen.net.

### **Club house**

Indoor gatherings are still restricted to 10 individuals with social distancing. Because we have no control of what occurs at the club house when rented, all rentals are currently suspended.

### **Basketball court**

Social distancing is not inherent to the game of basketball. We have removed the rims from the backboard for the time being.

### **Park Access**

The Board has been following the recommendations of the State and Harris County to determine the status of Oakwood Glen parks. The front park will be open soon. Residents choosing to use our parks should use common sense and practice social distancing. Unaccompanied children should not be in either park. The Association does not have the ability to consistently disinfect the playground equipment and other physical assets in the parks on a continuous basis. Please consider these assets to be closed in both parks.

### **Delinquent Account Collections:**

The Board chose to delay the Delinquent Account Collection Letter for the last two months to give Homeowners with delinquent accounts more time to evaluate their financial positions. I am pleased to report that many of the Homeowners with delinquent accounts chose to either pay in full or enter into a payment plan. As of May 15<sup>th</sup> our collections are just under 90%. After this two month grace period the first delinquent Account Collection letter will be mailed in June for accounts that are still delinquent. Homeowners with delinquent accounts still have time to enter into a payment plan before additional charges are applied to your account. If your assessment is delinquent, and you are not in a position to pay your account in full, please consider contacting our community manager Gina Keller at [Gina@sterlingasi.com](mailto:Gina@sterlingasi.com) to request a payment plan. Gina will work with you to set up a plan that is fair to both parties. If your delinquent account is already with the attorney and you are not on a payment plan please contact the attorney's office directly to request one. Ignoring letters from the attorney can cause your legal costs to increase exponentially. The Board has a fiduciary responsibility to use all legal means to collect funds owed to the Association. Current events do not relieve the Board of this responsibility nor do they relieve the Homeowner of his responsibility to pay the assessment. Additionally, the Board legally cannot waive any portion of the assessment or any hard charges. For reference, legal fees are hard charges. The Association pays these fees monthly as they are accrued and it is unfair for all the homeowners who pay their dues to pay the legal fees for delinquent homeowners. The Board can, on a case by case basis, adjust the down payment on a payment plan and lengthen the payment period (within limits) to get the monthly payment to a more financially manageable level for the homeowner.

### **Monthly Board Meetings:**

The second online Monthly Board Meeting was held on May 19, 2020 using Zoom. We are looking at the logistics of continuing to use Zoom once we are able to resume physical meetings.

### **Deed Restriction Letters:**

The deed restriction inspection and DR letter mail out will return to normal in June.

### **ACC Requests:**

Many of our Homeowner may find that they have extra time on there hands and decide to use that time for home improvements. Please remember to file an ACC Request for those projects before you start to make certain your project conforms with the Architectural Control Guidelines.

Mike Harris

President, Oakwood Glen Association

# NOTICE

**To balance our Homeowner's desire to use our pool facilities, protect the individual health of our residents, protect the health of the community as a whole, protect the health of the lifeguards, as well as protect the Association: this facility (park, pool & tennis courts) is currently operating under COVID-19 operating procedures as follows:**

- 1. Enter at your own risk.**
- 2. Oakwood Glen Association must have a signed release on file with the management company for your Key FOB to be activated.**
- 3. "All" adults (18 and over) entering the pool facilities must sign in each time they enter the facility. Lifeguard will ask questions regarding COVID-19 symptoms and may take your temperature.**
- 4. All children under the age of 18 must be accompanied by an adult.**
- 5. No guests outside of your household other than direct family members.**
- 6. Pool occupancy is restricted to a maximum of 25 individuals.**
- 7. Pool time is restricted to 60 minutes per visit because of the restricted occupancy.**
- 8. All pool attendees are encouraged to wear face coverings when they are on the deck or other areas outside the water.**
- 9. Social distancing (6 foot spacing minimum) must be maintained at all times from individuals not living in your household.**
- 10. All pool occupants must maintain a minimum distance of six feet from the lifeguard chair at all times. Lifeguard on duty will not be wearing a mask to facilitate clear communications.**
- 11. Lifeguards are responsible for enforcing ALL pool rules. Failure to follow ALL pool rules could result in ejection from the facility and could result in your Key FOB being deactivated.**