


WOW - TOGETHER WE'VE MADE 2016 A VERY GOOD YEAR INDEED !

Broadcast January 3, 2017




 **ONE PASSWORD** replaced several on our website - EPOHOA Members In Good Standing only will have full access to:

[ARCHIVES](#)
[COURT OF LAW](#)
[HOMEOWNER \[governing\] DOCUMENTS](#)
[WORKSHOPS & SEMINARS](#)

Contact membership@epohoa.org



 **MEMBERSHIP RENEWAL:** Members who had joined prior to December 31, 2015 your renewal is due in January of each year.

Members who had joined after January 1, 2016 your renewal is due in the anniversary month of application each year.


NOTICE: mid year pro-rating ended January 1, 2016

Mail your check to:
EPOHOA Treasurer
P.O. Box 911
Charles Town, WV 25414

Questions: treasurer@epohoa.org

MEMBERS IN GOOD STANDING: proudly place EPOHOA's logo on your website, newsletters, etc. .



 **EDUCATION** is the dominant activity of the Organization. Over the course of 2016 EPOHOA members have successfully completed outstanding academic achievements.



1.) Board of Director Training and Certification thru the COMMISSION ON COMMON OWNERSHIP COMMUNITIES. We are extremely proud to formally acknowledge those who have successfully completed this critical course during 2016 by providing their certification to EPOHOA and their respective homeowner associations:

Alphabetical order

Peter Appignani, Gap View
Jefferson County
Robert Ayer, Spring Mills
Berkeley County
Nance Briscoe, Cloverdale Heights
Jefferson County
Michael Carroll, Rattlesnake Run
Jefferson County
Stephen Casimir, Spring Mills
Berkeley County
John Gleason, Cacapon Highlands
Morgan County
Terry Linn, Cacapon Highlands
Morgan County
Theresa Rush, Dogwood Manor
Jefferson County
Phyllis Smock, Stonebridge
Berkeley County
Tina Stottlemeyer, Apple Knolls Estates
Berkeley County
John Swauger, Bentwood Estates
Berkeley County
Marie-Jeanne Verhassel, Black Bear Woods
Tucker County
John Youngblood, Jr., Chesley Estates
Berkeley County



 **Legislative Session** introduced bills in support of **WV HOAs: passed-fail-stalled**

2016 Legislative Report – top three (3) Bills, Senate Bill 54, Senate Bill 614 and House Bill 2801, passed the House and Senate relative to HOAs and become effective 90 days from passage (June 2016). Members are encouraged to contact a CPA regarding how Senate Bill 54 will work regarding sales & service tax exemptions.

The following Senate & House Bills are of importance and should be followed in the 2017 legislative session:

SB 54 Altering how tax is collected on homeowners' associations - Signed by the Governor 05/13/16
SB 255 Permitting creditor to collect and recover from consumer creditor's reasonable expenses - Pending in the Senate Judiciary 01/13/16
SB 424 Allowing fire departments assess fees - Pending in the House Finance 02/19/16
HB 2517 Updating the Uniform Common Interest Ownership Act - Pending in the House Judiciary 01/13/16
HB 2609 Prohibiting railroads from blocking crossings on privately owned streets - Pending in the House Roads and Transportation 01/13/16
HB 2750 Abolishing the adverse possession of land - Pending in the House Judiciary 01/13/16
HB 2801 Permitting county commissions and municipalities to designate areas of special interest which will not affect the use of property in those areas - Signed by the Governor 05/13/16
HB 2891 Making the West Virginia Consumer Credit and Protection Act more consistent with the federal Fair Debt Collection Practices Act - Pending in the House Banking and Insurance 01/13/16
HB 4231 Updating the Uniform Common Interest Ownership Act - Pending in the House Judiciary 01/22/16
HB 4250 Prohibiting shifting future development costs onto existing public service district customers - Pending in the House Judiciary 01/25/16

Members are encouraged to contact their representatives in the best interests of homeowner associations. Without oversight handling the business of the HOA remains a daunting task.



MEMBERSHIP to EPOHOA has increased the number of homes in our membership with 277. We acknowledge these new members for their awareness to gain knowledge thru education and our combined strength in numbers to more than 8,900 homes.

Black Bear Woods

Tucker County

Cacapon Highlands

Morgan County

Chesley HOA

Berkeley County

Cherie Despain – Individual

(Glenwood Forest)

Berkeley County

Doody Calls – Business

Berkeley Jefferson & Morgan Counties

Dogwood Manor

Jefferson County

Fairview Place

Jefferson County

Ledge Lowe Estates

Jefferson County

Marcus, Donn – Individual

(Homeowner: Hammond's Mill)

Berkeley County

Oakleigh HOA

Jefferson County

O'Neil, Kimberly – Individual

(Homeowner: Glenwood Forest)

Berkeley County

Parrish, Donna – Individual

Mineral County

Veler, Keith – Individual

(Homeowner: Norborne Glebe)

Jefferson County

White, Jean – Individual

(Homeowner: Estates at the Meadows at Stonecoal Lake)

Lewis County



register for news, information and updates



Professional Membership: Community Associations Institute

(CAI) - EPOHOA Board of Directors have joined as the first step toward the first WV Chapter. With this membership EPOHOA can now take advantage of a strong educational base, advocacy, and review state & federal laws to and including sharing precedents of court proceedings.

While we recognize this achievement for 2016, it doesn't stop there. All newly elected HOA Boards are encouraged to take this important training to maintain their progression in handling the business of their association. Homeowners considering accepting a nomination to their respective HOA Board of Directors should complete this free training.



2.) Seminars & Workshops

Class materials and videos remain available to EPOHOA members in good standing only:

- Beat Delinquencies: Ways to Collect Past-Due Assessments with Q&A

- HOA Transparency & Document Retention with Q&A

- Insurance Liability: Homeowners Associations' Board of Directors & Common Area

- Board Leadership: Conducting an Effective Orientation Program

- Delinquent HOA Annual Assessments Rules, Laws & Guidelines

3.) EPOHOA TUTORIALS presented during our Wednesday meetings continue to be open to the public.

Class materials remain available to the public at

<http://epohoa.org/education/tutorials/>

- How to Track a West Virginia Bill

- HOA Ethics - the health and well being of good leadership

- HOAs & Social Media



GET READY - 1st RSVP of 2017

Saturday March 18, - 9AM

DO IT YOURSELF RESERVE STUDY

Learn the difference between General Operating Fund & Capital Expense Fund, and how to budget your association's needed dollars.



Information Office staff run the official West Virginia Legislature Facebook Page

(<http://www.facebook.com/wvlegislature>) as well as the official Twitter feed (@wvlegislature) Two other Twitter feeds, one for house floor action (@wvhouse) and one for senate floor action (@wvsenate) are also controlled in-office.



Jefferson County subdivision land ordinance - HOA are overruled, cottage industries approved within residential only subdivisions. HOAs must enforce their own Covenants, e.g. hire legal counsel, which is very expensive by slowly draining an HOA budget(s). This type of ordinance is difficult for HOAs with unintended consequences and may evolve with updated ordinances across other WV counties. Review: [Division 21.400 Covenants and Deeds](#) in accordance with W.Va. Code §39-1-13.

POINT IN CASE: the Jefferson County Board of Zoning Appeals approved a Conditional Use Permit for a B&B within a residential only subdivision. Unintended consequences: will most likely be the expense of traffic, loading & unloading, parking, transient environment, cancellation of the HOA insurance, and many other situations.

YOU BE THE JUDGE

and let's not forget **THE REST OF THE YEAR IN REVIEW . . .**



ANNUAL HOME SHOW - 2016 made an overwhelming impact on attendance as well as the many questions asked of our members volunteering at the EPOHOA table. To share information by increasing knowledge the home show was again a success. We thank the following volunteer members for their dedication and time (that's 248 man-hours combined over a 3-day span!)

- Phyllis Smock - Stonebridge
- Jim Corey - Lake Forest Estates
- Chris Bell - Robinson Insurance
- Nina Perkins - Inwood Meadows
- RosaLee Riggins - Ashton Forest
- Jane & Ted Schiltz - Potomac Terrace
- Richard Sussmann - Property Management People
- Nance Briscoe - Cloverdale Heights

62 homeowners signed in at the Home Show EPOHOA table. Mike Carroll from Rattlesnake Run won the table raffle. EPOHOA received 9 new applications for approval for membership in EPOHOA.



SPECIAL GUESTS PRESENTATIONS & CONFERENCES:

Colonel Shaun J. Perkowski, Wing Commander of the 167th Airlift Wing in Martinsburg with Major Lindsay R. Fletcher, Wing Executive Officer and First Lieutenant Stacy L Gault, Public Affairs Officer provided an Operations FAQ handout explaining the mission and training of the C-17s. The FAA is in the process of conducting a noise study that will identify noise impact areas and make recommendations if any noise hazards are identified.

Herb Peddicord, Chesapeake Bay Watershed Forester, WV Division of Forestry explained the need increase tree canopies and the goal of planting acres of trees in the Chesapeake Bay Watershed area. He encourages HOAs to plant trees in their common areas and that grants are available through his and other agencies to help with the costs.

Mountain State Land Use Academy Statewide Conference materials available online and provided [From Liability to Viability, A Legal Toolkit to Address Neglected Properties in West Virginia](#) EPOHOA inquired about HOAs learning land use, the speaker, an attorney responded with, "Their [HOAs] life expectancy is about 30 years, goes into disrepair then usually absorbed through annexation into a town or county, so we have nothing to say about that." All information received from the conference is on EPOHOA's website. The material is important and of benefit to HOAs.

Bret Hersh, Hersh Business Services to explain Senate Bill 54- it does not change anything; it just clarifies language of the original bill. It does not mean that HOAs will not have to pay taxes on services and goods. HOAs do not pay taxes on HOA assessments. HOAs are "nonprofit or not-for-profit" corporations, they are not "tax exempt" under Federal or State law, these are two separate statuses; therefore HOAs do pay tax on sales and services. HOA assessments are not deductible for homeowners on their taxes.

Department of Highways and Transportation Public Hearing/Workshop and on-going delemma concerning eminent domain of brand new homes in Ryans Glen HOA. Currently the 5-6 homes to be raised has decreased to 2-3 homes. Homeowners are at the mercy of Jefferson County and the WV DOH.



ERONEOUS TAX SALES HOA COMMON AREA - FLOOD PLAIN & STORM WATER MANAGEMENT PARCELS - that's right, EPOHOA pushes thru barriers though not always successful. Correspondence to and from the West Virginia Tax Commissioner and attorney have stalled. The HOA's attempt at retrieving more than 13 acres of sold common areas is a daunting task, especially when discovered years after the fact. EPOHOA's homeowners homework has been extended indefinitely. Steps, facts and history is available at: [Homeowners Homework](#)



INSURANCE - EPOHOA Liability and Board of Directors coverage provided by Bell Robinson Financial Group, Farmers Mechanics Insurance Company. Individual HOAs all must read their contracts carefully and awareness of Certificates of Liability insurance which may be invalid. Contractors generally need to carry the same or greater amount of liability insurance as the HOAs limits of liability and inquire about ERRORS & OMISSIONS. Most important: read and understand insurance contracts.



NEXT EPOHOA MEETING
WEDNESDAY JANUARY 18, 2017 - 7PM
Orchard House 4599 Shepherdstown Road - Route 45

Education Session
HOA Q&A: Alternate Dispute Resolution (ADR) & Violations
10 min. video by
Richard B. Linderman, Attorney and
Raymond Dickey of AssociationHelpNow
MEMBERS: bring your guidelines relating to Board procedures.
EPOHOA Board of Directors will provide example procedures.

EPOHOA
EASTERN PANHANDLE ORGANIZATION OF HOMEOWNERS ASSOCIATIONS
WEST VIRGINIA

Martinsburg Shepherdstown

2017 MEETINGS
ALL MEETINGS OPEN TO THE PUBLIC
Orchard House - 4599 Shepherdstown Road
Martinsburg, W.V. 25404
(Route 45 - Martinsburg Pike)

info@epohoa.org (304) 728-2201
FREE PARKING - HANDICAP ACCESSIBLE

about 4.5 miles from either direction
epohoa.org info@epohoa.org
EPOHOA does not endorse or recommend legal counsel or businesses.
EPOHOA is not affiliated with any political party.

Eastern Panhandle Organization of Homeowners Associations, Inc.
SHARING INFORMATION - INCREASING KNOWLEDGE



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for news, information & updates

Contact: Membership@EPOHOA.org



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