



# Condominium Association

## Newsletter

Summer 2022

*"A self-managed and run community composed of a volunteer Board that works to keep costs low while striving to enhance property values and provide efficient leadership through open and honest communication."*

### UNEXPECTED RESIGNATION



As disclosed in a recent email blast to the community, Eric Kennedy tendered his resignation at the beginning of August. This caught the Board - as well as the community - by surprise. Eric has been a mainstay at Birch Pointe for over 10 years, serving in many capacities to work in and for residents. His knowledge of the day to day running of just about everything was formidable, from contracts to buildings to real estate to history to owners names. Always pleasant, friendly and willing to help, we are all sad to see him go.

Jules Litchfield will be the new contact point person as was notified to everyone. Jules has worked with Eric for over four years and has become familiar with many of the tasks throughout the community. There will be the usual adjustment period during this transition but, rest assured, Jules is giving it his all. The Board is helping out wherever possible and pulling together and establishing a collection of information lists as reference.

Say "Hi" to Jules when you see him in the Birch Pointe buggy and do give him your support!

Note that a new contact phone number has been instituted and the old ones discontinued to aid in the transition which will go to Jules directly: **302-277-7978** and email [jlitchfield@birchpointe.net](mailto:jlitchfield@birchpointe.net).

### HALEY COURT SEAL COATING COMPLETED



After an unfortunate postponement due to issues with the previous paving contractor, the seal coating of Haley Court finally took place on August 16th. The work went quite smoothly with only one vehicle needing to be relocated. This street of the community generally has bigger issues than most others due to parking concerns at the front end of the Birch Circle area. With the coating process done on Wednesday and the lane/parking striping and marking on Thursday, Advanced Paving worked as quickly as possible to complete the job.

The Board appreciates the cooperation of all the residents of Haley and realizes the inconvenience this sometimes aggravating but necessary process causes. Thank you!

### CAPITAL IMPROVEMENT PROGRESS/UPDATE



Salvadore Construction has been on site starting on the balcony replacements as well as completing an extensive concrete repair and restoration. While waiting for materials on order needed to finish several decks (railings, Duracek), Mike and his crew addressed other improvements slated for this year. Many square feet of curbs and walkway pads have been demoed, hauled out, reformed, poured and troweled on every street. This ongoing maintenance work is vital to the upkeep of the community and your HOA fee monies hard at work!

## NOISE RULES



New Castle County, Delaware, has very complete and specific regulations regarding noise disturbances. The entire document is available on the New Castle County Website <https://www.newcastlede.gov/>. For your information, here is an excerpt from the Code of Ordinances regarding noise:

*"Noise disturbances prohibited.*

1. *General prohibition. It shall be unlawful for any person to make, continue or cause to be made or continued noise disturbance within the County.*
  - a. *A noise disturbance can be prosecuted without the use of a noise meter so long as the noise disturbance:*
    - i. *Endangers or injures the safety or health of humans or animals;*
    - ii. *Recklessly or willfully disturbs any neighborhood, business, or a reasonable person of normal sensibilities within the County by making loud or unseemly noises; or*
    - iii. *Jeopardizes the value of property."*

There are specific types of noise disturbances addressed in these regulations including animals, autos, music, television, and other activities that go on longer than 10 minutes and, generally speaking, from 9:00 PM until 7:00 AM. The Birch Pointe Handbook has our own regulations mentioned from the Association by-laws. Please note, if you are bothered by excessive noise you must report it to the New Castle County Police who will respond and take appropriate action on your complaint. The HOA Board has no "policing power" but rather encourages all residents to live thoughtfully and civilly so as to provide for an enjoyable environment for all!

## PARKING



The Board makes the following notice to all residents of Birch Pointe – **WARNINGS WILL NO LONGER BE ISSUED ON UNTAGGED VEHICLES PARKED IN RESIDENT MARKED PARKING SPOTS. VEHICLES WITHOUT RESIDENT TAGS WILL TOWED WITHOUT DELAY OR ADVANCE WARNING.** Residents are urged to warn their guests that they must park in unmarked spots only. Contractors and other brief visitors may park in a "RESIDENT" marked spot for loading and unloading or service calls ONLY between regular business hours of 8AM – 5PM, Monday through Friday.

## RECENT UNIT LEAKS



In the last few weeks there has been a spate of leaks at various units in the community. These have been the result of leaking water heaters and toilets. Such water damage – often to ceilings, drywall and flooring– can be expensive to repair. Remember that such remediation is up to the owners involved if caused by appliances, fixtures, equipment etc. not addressed and maintained within the unit. Check any running toilets, condensation lines and old water heaters! Birch Pointe's insurance does NOT apply to or cover such situations if the result of neglect on part of owners not attending to such problems! This is the reason for and why homeowners insurance is so important!

# July 2022 Board Meeting

Held virtually on 7-19-2022 via Zoom

- Reports
  - Financials (for April to date 2022)
  - Collections
    - Liens on units for lengthy non-payment of HOA fees
  - Real Estate outlook
- Seal-coating scheduled for Haley Court
  - Scheduled for Tuesday 8-16-2022
  - Two days needed: sealing/curing; striping
  - Will have Ewing Towing on site for moving vehicles
  - Post reminder notices on doors
- Capital projects
  - Concrete work completed
  - Balconies ongoing
  - Work at 5400 Diana Drive
    - Insurance claim originally denied for water intrusion
    - Refile
- Parking enforcement
  - Sign regarding towing of vehicles
  - Pics of violating cars
- Trees on Claremont Court
  - No suggestions have been made other than removal by residents
  - Possible find costs for other contractor; none have been contacted
  - What is compromise?
  - Trees on Claremont Court
- Pet ownership compliance was added to last newsletter
- Discussions/Miscellaneous
  - Possible quarterly community meetings?
  - Take time for voicing opinions/issues
  - More volunteers are always needed/welcomed
  - Skip August meeting
- Adjournment



**Real Estate Status:** Online resources such as Realtor.com, Trulia, Zillow, Estatefy, etc. (since the last newsletter and info as of 8-25-2022)



(1) Units on market now:	1 on Birch Circle	pending/under contract
	1 on Claremont Court	pending/under contract
	1 on Diana Drive	pending/under contract

(2) Units recently sold:	3 on Birch Circle	on 7-12-2022, 7-18-2022 and 8-22-2022
	1 on Diana Drive	on 8-19-2022

When moving, PLEASE inform Treasurer Monica Rieder if you are on Birch Pointe's ACH program so that future automatic bank debits can be canceled. Once DUCIOA forms are requested, any scheduled ACH draws should be discontinued if possible. Current owner monthly payments can be made at closing by check, still at the \$300 ACH discounted rate. Contact [mrieder@birchpointe.net](mailto:mrieder@birchpointe.net) if there are any questions or concerns.

Note also that **parking hang tags for units being sold are to be returned to Jules**, not handed to new owners directly or to real estate agents. Tag numbers are associated with specific vehicles for security and tracking purposes. If the existing protocol is not followed, confusion may well result regarding undocumented cars and their actual owners if the new information is not provided. **This procedure applies to units which are rentals: tenants moving out should do likewise and turn over their tags.** Remember that replacement fees for reissue of a hang tag is \$50. Your cooperation is most appreciated!

- > **The current fee for DUCIOA documents/re-certification completion is \$100, payable PRIOR to issue of same.**
- > **Birch Pointe has a policy regarding investors to protect the interests of ALL owners which must be disclosed to potential buyers, either directly by the seller or by his/her realtor. The document outlining this policy – established in 2013 – is available on our website.**

### **Collections Report:**



(1a) Total operating income posted in <b>June:</b>	\$ 75,944	in HOA fees
	\$ 200	4 DUCIOA re-certification fees
	\$ 240	continued promissory note
	\$ 4,000	2 investor fees

(1b) Two check bank deposits were made during the month which totaled \$4,555 of the above number. Only one larger payment was received in the amount of \$500. In addition, there were credit card payments during the month of \$6,510 (20 transactions).

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(2a) Total operating income posted in <b>July:</b>	\$ 125,190 **	in HOA fees
	\$ 240	continued promissory note
	\$ 2,000	1 investor fee

\*\* Collections were atypical due to the semi-annual HOA 6-month pre-payments made

(2b) Two check bank deposits were made during the month which totaled \$3,690 of the above number. In addition, there were credit card payments during the month of \$6,600 (20 transactions).

(2c) A quarterly Comcast revenue share of \$2,587 was direct-deposited to our account in July.

### **THE BIRCH POINTE BOARD TAKES LONG TERM DELINQUENCIES SERIOUSLY AND ARE REFERRING THEM TO OUR LEGAL COUNSEL!**

- REMINDER: – MONTHLY HOA FEES ARE \$320 IF PAYING BY CHECK**  
**– ONLY OWNERS WHO ARE ENROLLED IN ACH (OR OTHER E-FUND TRANSFER) RECEIVE A \$20/MONTH DISCOUNT**  
**– PAYMENTS MADE BY CREDIT CARD RECEIVE A \$10 DISCOUNT**

ACH/FIS enrollment as of mid-June stands at 84.4% (248 units)

- Owners in financial difficulty should speak with a Board member to discuss their situation and arrange a payment plan/schedule to address ways of clearing up past balances.
- A Birch Pointe ACH enrollment form can be found on our website: [www.birchpointe.net](http://www.birchpointe.net).

## Treasurer's Report:



(1a) Total operating costs for <b>June:</b>	\$ 44,134	in	utilities; maintenance/trash; professional, payroll, taxes and office expenses
(1b) Major expenditures for <b>June:</b> (other than normal utilities)	\$ 9,550 \$ 5,800 \$ 2,450 \$ 2,245 \$ 860 \$ 1,790	for	monthly insurance premium monthly landscaping installment plus tree removal on Birch Circle 2 hallway cleanings maintenance supplies annual QuickBooks subscription taxes (federal, state, Medicare, SS)

Applied \$391 in cash back to Business Credit Card invoice.

(1c) Capital expenses for <b>June:</b>	\$ 24,364	for	balance of carpet installation costs
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(2a) Total operating costs for <b>July:</b>	\$ 56,066	for	utilities; maintenance/trash; professional, payroll, taxes and office expenses
(2b) Major expenditures for <b>July:</b> (other than normal utilities)	\$ 9,550 \$ 7,400 \$ 3,675 \$ 3,386 \$ 1,751 \$ 1,225 \$ 1,275 \$ 1,248 \$ 3,339	for	monthly insurance premium landscaping installment plus red rock at 5400 Birch Circle 3 regular hallway cleanings maintenance supplies 4 building hallway steam cleanings hallway cleaning preparation of audited financial statement quarterly fire & alarm inspection/maint. taxes (federal, state, Medicare, SS)

Applied \$779 in cash back to Business Credit Card invoice.

(2c) Capital expenses for <b>July.</b>	\$ 40,062	for	community concrete work
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## **BIRCH POINTE DIRECTORY / IMPORTANT NUMBERS**

### ➤ **GENERAL PROPERTY MANAGEMENT QUESTIONS**

Jules Litchfield – phone: (302) 277-7978; e-mail: [jlitchfield@birchpointe.net](mailto:jlitchfield@birchpointe.net)

### ➤ **MAINTENANCE ISSUES AND QUESTIONS**

Maintenance (Jules) – e-mail: [maintenance@birchpointe.net](mailto:maintenance@birchpointe.net)

### ➤ **ACCOUNT STATEMENTS / HOA FEE OR ACH QUESTIONS**

Monica Rieder – e-mail: [mrieder@birchpointe.net](mailto:mrieder@birchpointe.net)

### ➤ **HOA BOARD PRESIDENT**



## **June 2022 Financials**

### **▶ Operating Account**

<b>Beginning Balance:</b>		<b>\$ 294,253.82</b>
<b>Inflow – Operating Income:</b>	\$	80,384.46
<b>Inflow – One-time Transfers (from ORA*):</b>	\$	0.00
<b>Outflow – Operating Expenditure:</b>	\$	44,134.22
<b>Outflow – Capital Expenditure:</b>	\$	24,364.00
<b>Outflow – One-Time Transfer (to RA*):</b>	\$	0.00
<b>Ending 2021 Balance:</b>		<b>\$ <u>306,140.06</u></b>

### **▶ Operational Reserve Account (ORA)**

<b>Beginning Balance:</b>		<b>\$ 105,477.24</b>
<b>Inflow – Periodic Transfers:</b>	\$	0.00
<b>Inflow – Interest:</b>	\$	1.74
<b>Outflow – Periodic Transfers*:</b>	\$	0.00
<b>Ending 2021 Balance:</b>		<b>\$ <u>105,478.98</u></b>

### **▶ Reserve Account**

<b>Beginning Balance:</b>		<b>\$ 360,502.64</b>
<b>Inflow – Periodic Transfers:</b>	\$	0.00
<b>Inflow – Interest:</b>	\$	5.92
<b>Outflow – Periodic Transfers:</b>	\$	0.00
<b>Outflow – One-time Transfers:</b>	\$	0.00
<b>Ending 2021 Balance:</b>		<b>\$ <u>360,508.56</u></b>

# July 2022 Financials

## ▶ Operating Account

<b>Beginning Balance:</b>		<b>\$ 306,140.06</b>
<b>Inflow – Operating Income:</b>	\$	127,430.00
<b>Inflow – One-time Transfers (from ORA*):</b>	\$	0.00
<b>Outflow – Operating Expenditure:</b>	\$	56,066.11
<b>Outflow – Capital Expenditure:</b>	\$	40,062.40
<b>Outflow – One-Time Transfer (to RA*):</b>	\$	100,000.00
<b>Ending 2021 Balance:</b>		<b>\$ <u>237,441.55</u></b>

## ▶ Operational Reserve Account (ORA)

<b>Beginning Balance:</b>		<b>\$ 105,478.98</b>
<b>Inflow – Periodic Transfers:</b>	\$	0.00
<b>Inflow – Interest:</b>	\$	1.79
<b>Outflow – Periodic Transfers*:</b>	\$	0.00
<b>Ending 2021 Balance:</b>		<b>\$ <u>105,477.24</u></b>

## ▶ Reserve Account

<b>Beginning Balance:</b>		<b>\$ 360,508.56</b>
<b>Inflow – Periodic Transfers:</b>	\$	100,000.00
<b>Inflow – Interest:</b>	\$	7.83
<b>Outflow – Periodic Transfers:</b>	\$	0.00
<b>Outflow – One-time Transfers:</b>	\$	0.00
<b>Ending 2021 Balance:</b>		<b>\$ <u>460,516.394</u></b>

# BIRCH POINTE CONDOMINIUM ASSOCIATION CENSUS FORM

P.O. Box 1195 Hockessin, DE 19707

Unit Address: \_\_\_\_\_ Number of Persons Residing in Unit: \_\_\_\_\_

Legal Owner's Name: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Legal Owner's Mortgage Company: \_\_\_\_\_

Legal Owner's Vehicle Insurance Company: \_\_\_\_\_

Legal Owner's Condo/Home Owner's Insurance Company: \_\_\_\_\_

Legal Owner's Phone Number(s): \_\_\_\_\_  
Home Work / Mobile

If Non-Resident, Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Tenant(s) Full Name(s) and Phone Numbers:

Name	Home Number	Work / Mobile
_____	_____	_____
_____	_____	_____

Emergency Contact Info: \_\_\_\_\_  
Name Phone

Vehicle(s) Owned by Occupant(s):

Year	Make / Model / Color	State & License Plate Number
_____	_____	_____
_____	_____	_____

Pet(s) in Unit: \_\_\_\_\_  
Size / Breed

**\* \* NOTE: Renters are NOT permitted to have pets/animals while residing in Birch Pointe \* \***

Are you currently in possession of the Rules and Regulations of the Birch Pointe Condominiums? Yes / No

**If a unit is a rental, it is the duty and responsibility of the owner/landlord to notify the Management/Board and advise all tenants of the Rules, Regulations and Code of Conduct of Birch Pointe Condominiums**

I understand that the above information is for the sole use of Birch Pointe Condominium Association and its authorized agents in maintaining the community and providing emergency services. I also acknowledge that I must notify Birch Pointe Management if there are any changes in this information and/or if my unit is rented or sold.