

Villa Monterey Improvement Association
4823 N. 75th Way
Scottsdale, AZ 85251
[**info@villamontereyone.org**](mailto:info@villamontereyone.org)

Common Questions and Answers
Revised August 2, 2021

ABSENTEE OWNERS

- Q. If a homeowner rents out his or her property or does not live in Villa Monterey Improvement Association, can he or she still serve on the board?
- A. Yes. Pursuant to A.R.S. 33§1260.01 (E3), the Association is prohibited from or otherwise restricting a unit owner from serving on the board of directors based on the owner's not being an occupant of the unit. Any qualified homeowner can serve on the board subject to Bylaws Article IV, Section 3 and Article III, Section 5.

AGENDAS AND NOTICE OF MEETINGS

- Q. How does the board notify homeowners of meetings? Where does it post agendas?
- A. Notice to unit owners of meetings of the board of directors is given at least 48 hours in advance of meetings. The board has determined that posting notices of meetings on our website (www.villamontereyone.org) is a reasonable means of notification as per A.R.S. 33§1248(D); this is reflected in the board minutes of November 29, 2016, and in our bylaws (2019). Meeting notices and agendas are also conspicuously posted on the bulletin board located between the two restrooms in the park.

ANIMALS

- Q. What are the restrictions on animals?
- A. No more than two household pets are allowed for each property. No livestock or poultry are permitted.

ANNUAL MEETING DATE

- Q. When is the annual meeting?
- A. The annual meeting is held on the third Sunday in March at 2 p.m. in the park. Homeowners will be notified by mail at least 30 days before the annual meeting. Agendas for all meetings are also posted on our website.

ARIZONA CORPORATION ANNUAL REPORTS

Q. The Arizona Corporation Commission requires that all HOAs organized as corporations file an annual report. Are we a corporation? Have we been in compliance and when was the last report filed?

A. We are a corporation, and our corporate name is **Villa Monterey Improvement Association** though most of us refer to our community as Villa Monterey Unit One. Yes, we are in compliance with the most recent annual reporting requirements.

ASSESSMENTS

Q. When are HOA assessments due and where do I send them?

A. Assessments are due January 1. You may pay the entire amount on January 1 or half on January 1 and half on July 1 with no penalty or interest if paid within 15 days. Send dues to 4823 N. 75th Way, Scottsdale, AZ 85251.

ASSOCIATION RECORDS

Q. How can I see association records?

A. Most financial records and minutes are found at our website: <http://www.villamontereyone.org>. If you have requests for records not on the website, please contact the executive secretary. Pursuant to A.R.S. 33-1258, the Association cannot charge for making records available to homeowners, but it can charge 15 cents per page for printed copies; the Association has ten business days from submittal of a written request by an owner or an owner's designated agent to make records or copies of records available.

AUDIT REPORTS

Q. Arizona Law states that HOAs must have an annual audit. Where can I find our audit reports?

A. Audit reports are found under FINANCIALS on our website.

BOARD OF DIRECTORS

Q. Who is on the board of directors and what do they do?

A. We have a board of seven elected volunteers, each of whom serves a three-year term. Look at GOVERNANCE on our website.

Q. When and where does the board of directors meet? How do I arrange to speak at a board meeting?

A. The board usually meets every month except during summer months. Meetings are usually in the park ramada and may also take place electronically, e.g., Zoom. Official notice (with the agenda, time, and date of the meeting) of board meetings and meeting minutes can always be found on our website. In addition, meeting announcements are conspicuously posted

in the park on the bulletin board between the two restrooms at least 48 hours before each meeting. There is a homeowners' forum at each meeting; in addition, homeowners may speak after the board deliberates a motion but before it takes a vote.

BUDGET

- Q. Does the board approve an annual budget and where can I find it?
- A. Yes. Our board-approved annual budget can be found on our website under FINANCIALS.

BUY, SELL, OR LEASE

- Q. If I want to buy, sell, or lease a residence in Villa Monterey Unit One, what do I need to do?
- A. Begin by looking at BUYING, SELLING, OR LEASING on the website. If you are listing the property, be sure to tell your agent to check our website frequently for possible document changes.

BYLAWS AND CC&Rs

- Q. Where can I get copies of the Articles of Incorporation, Bylaws, Rules and Regulations (R&Rs), and CC&Rs?
- A. Look at GOVERNING DOCUMENTS under GOVERNANCE on our website.

BYLAWS OR CC&Rs?

- Q. What's the difference between the Bylaws and the CC&Rs?
- A. Bylaws govern how the Association (corporation) operates and contain information on how to run the Association as a business. The CC&Rs (which stands for Covenants, Conditions, and Restrictions) are recorded with Maricopa County and lay out rules of the neighborhood; they define what you can, cannot, and must do with respect to your home.
- Q. Why does our website show two versions of the CC&Rs: "CC&Rs Summary 2019 (Non-recorded)" and "CC&Rs Recorded"?
- A. In 2019 the board examined our recorded CC&Rs and found parts that were no longer in compliance with Arizona Revised Statutes; to remedy this and to make the document easier to read, a version not recorded with Maricopa County was prepared for the website. The recorded (and official) version is also found on the website. You should always refer to the recorded version to be safe, but we believe the summarized version will be easier to understand.

CALENDAR

Q. Where can I find a calendar of Association events?

A. Look at CALENDAR on our website. Please contact the webmaster if you have changes to the calendar

CARPORTS AND STORAGE

Q. Can I use the carport for storage?

A. No. All clothes lines, equipment, garbage cans, storage units, and woodpiles must be kept at the rear of the building and below the party wall so as to conceal them from view of neighboring parcels and streets.

CONTACT INFORMATION

Q. How do I contact the Association using email or the Internet?

A. The official address of Villa Monterey Improvement Association is 4823 N. 75th Way, Scottsdale, AZ 85251. Our email address is info@villamontereyone.org. Look at CONTACT US on our website for more information.

DIRECTORY

Q. Where do I find the directory or make changes to it?

A. The Association provides an updated hard copy of the directory each year after the annual elections. If you need a new directory, contact the executive secretary. You can request changes to the directory at DIRECTORY on our website; however, the directory is not published online.

ESTATE SALES

Q. Are private yard or estate sales permitted?

A. Yard and garage or carport sales are not permitted. Estate sales are permitted INSIDE the house only. Periodically the board of directors may approve a community rummage sale.

EXTERIOR CHANGES

Q. If I want to make changes to the exterior of my house what should I do?

A. The board of directors and the Scottsdale Historic Preservation Commission must approve changes to the exterior of the house. You can submit requests to the board online for exterior changes under EXTERIOR HOUSE CHANGES. You can also find the appropriate forms under DOWNLOADABLE FORMS under EXTERIOR HOUSE CHANGES.

Since Villa Monterey Improvement Association has Historic designation, you will also need approval from the Scottsdale Historic Preservation Program after you receive board approval. The contact information for the Scottsdale

Historic Preservation Program is found at
<http://www.scottsdaleaz.gov/historic-zoning>.

FINANCIAL REPORTS

- Q. Where can I find the financial reports of the Association?
A. Current and historic financial information are found at FINANCIALS on our website.

GRIEVANCE

- Q. Whom do I contact if I have a complaint, criticism, grievance, or question concerning Villa Monterey Improvement Association?
A. You can find a link to the GRIEVANCE COMMITTEE on our website. This link contains a form where you can register your concern online.

HISTORIC PROGRAM

- Q. Where can I find more information about the Historic Preservation Program?
A. Look at HISTORIC DISTRICT PLAN AND GUIDELINES on our website.

INSURANCE

- Q. Does the Association have insurance, and does it cover my property?
A. Individual homeowners insure their own units. The Association purchases standard condominium insurance for the common properties only. Common properties include the pool and park areas and the median at the corner of Rancho Vista and Miller Streets. The cost of this condominium insurance is included in the regular homeowner assessments.

LATE DUES

- Q. What if I can't pay all of my dues on time?
A. Look at ASSESSMENT COLLECTION POLICY on our website. The first thing you need to do is not panic but contact the treasurer immediately. Payment plans are allowed (in some circumstances) without penalty **only if** you construct a payment plan in conformity with our policy. There is a penalty for late dues without an approved payment plan.

MINUTES

- Q. Where can I find the approved minutes of Association meetings?
A. The minutes are posted on our website under BOARD AGENDAS & MINUTES; they are also posted on the bulletin board in the park.

NEIGHBORHOOD PETITIONS

- Q. Is it legal for a member of the board to sign a neighborhood petition?
- A. Yes. Serving on the HOA board of directors does not cause a homeowner to lose his or her right to sign a petition or to exercise his or her right to practice free speech.

NEWSLETTERS

- Q. Where can I find current and past Association newsletters? Whom do I contact if I have information for the newsletter?
- A. Look at NEWSLETTERS on our website. The directory contains the name of the newsletter editor.

OCCUPANCY REQUIREMENTS AND RENTING

- Q. What are the occupancy requirements for Villa Monterey One?
- A. Homes in the Association are for single-family use with no business activity as described in our CC&Rs. At least one occupant must be 55 or over, and no persons under the age of 18 are permitted.
- Q. What are the rules for renting?
- A. Owners must have resided in the home for at least three years, and the owner must provide the Association with the names and contact information of all occupants of the rental. Renters and occupants must follow the same rules and age requirements as for owners. Rentals must be for a minimum of one year. See the CC&Rs for complete information.

PARK RESERVATIONS

- Q. I want to reserve the park for a private function. How do I do this?
- A. You can find the reservation form at PARK AND RAMADA USE on our website. Submit the completed form and required deposit to the park superintendent.

PROPERTY TAXES FOR THE PARK

- Q. Who pays the property tax for the park?
- A. The county assessor includes the tax for the park in your property's tax bill.

REPAINTING

- Q. I want to repaint the exterior of my house. What colors are acceptable, and do I need approval from the Association? Do I need a city permit to paint the exterior of the house?
- A. You will need to get written approval from the board of directors even if using the existing color. Approved exterior colors are found on our website under EXTERIOR HOUSE CHANGES. If you are using an

approved exterior color, you can submit a request to paint online at EXTERIOR HOUSE CHANGES. You can also look for the appropriate form under DOWNLOADABLE FORMS on our website. Since Villa Monterey Improvement Association has Historic designation, you will also need approval from the Scottsdale Historic Preservation Program after you receive board approval, but you do **not** need a city permit to paint the exterior of your home. The contact information for the Scottsdale Historic Preservation Program is found at <http://www.scottsdaleaz.gov/historic-zoning>.

- Q. Do I need approval for exterior accent colors or awning patterns and colors?
A. Yes. If you are using an approved trim color, you can submit that online. If it is not an approved color or if you are installing or replacing awnings, please present a sample of the accent color/awning pattern to the Board at info@villamontereyone.org for written board approval using the appropriate form.

RESERVE FUND

- Q. Does the Association have a reserve fund? How much is in it?
A. Yes. The Association has two categories describing its funds: 1) Operating and 2) Reserve. Look at FINANCIALS on our website for complete information.

ROOF RATS

- Q. Is there a problem with roof rats in Villa Monterey One?
A. Yes. It is important that you pick your fruit as stated in the CC&Rs and avoid providing nesting places for them. Additionally, if you have a bird feeder, be sure to remove excess bird food each day. Look at ROOF RATS on our website.

SOCIAL COMMITTEE

- Q. What is the Social Committee and who are the officers?
A. Look at SOCIAL COMMITTEE on our website.

TOWNHOUSE, CONDOMINIUM, OR PLANNED COMMUNITY?

- Q. Are we legally a townhouse, a condo, or a planned community?
A. The term “townhouse” is a marketing term and not recognized by the State of Arizona as a legal designation. Villa Monterey Improvement Association (Villa Monterey Unit One) is a condominium.

- Q. What's the difference between a planned community and a condo?
- A. The major difference is in how the common property (such as a park, pool, recreation area, etc.) is owned. In a planned community, the association owns the common property. In a condo, each unit owner has an "undivided interest" in the common property. If you look at your deed (see Maricopa County Assessor on our website), you should find a statement saying something like "an undivided 1/87th interest in Tract 27." We have 87 units in our community, and Tract 27 is the "address" of our park.

TRASH AND RECYCLING

- Q. When can I put out my trash and recycling containers?
- A. Trash is picked up on Mondays; recycling is picked up on Thursdays. You may put out trash and recycling containers the night before pickup after 5 p.m., and you must remove them by the end of the day. Trash and recycling containers should be stored out of sight. For residents living on Rancho Vista Drive, you may put trash in the large black containers in the alley at any time, but they are emptied on Tuesdays.
- Q. What if a pickup day falls on a holiday?
- A. Past experience is that if either of the pickup days falls on Christmas or Thanksgiving, the corresponding pickup day will be the following day. Check out the Scottsdale.gov website for further information.

WEBSITE

- Q. I have found errors on or have suggestions for the website. How do I report these?
- A. Your input is important and appreciated. Please email to info@villamontereyone.org.