

A Tale of Transition

Transition, as you may know, is the process whereby the developer transfers the ownership of the property, including the Clubhouse and its amenities, to the home owners association. Before this process occurs, any – and hopefully – all deficiencies need to be identified in order to be remediated. This process can be lengthy. Often it requires a great deal of negotiation regarding the items that need corrective work. With prior experience, I thought I might be of help here at Four Seasons. I was elected to the Board in 2003, along with three eminently qualified gentlemen.

Fortunately, the prior Board had diligently investigated site items, including the storm drain system, the roadways, the sprinkler system, and the Clubhouse with all its amenities. Multiple deficiencies were uncovered, leading the prior Board to enter into litigation with K. Hovnanian.

With litigation still in place, the new Board began negotiations with the developer for remediation to be undertaken with two stipulations: 1) All corrective work would be done under the supervision of the association's engineering firm; 2) The developer would reimburse the association for all related engineering costs.

In the fall of 2007, we were finally able to achieve a satisfactory and financially responsible agreement, due in large part to the overwhelming support of our community. The Board presented the agreement to the membership for a vote of confidence in favor of the settlement. It was approved by 70% of homeowners.

The settlement consisted of approximately \$7 million, which included remediation costs and \$1.6 million in cash. \$750,000 was earmarked for the conversion of Basins 3A and 3B into wet ponds (now known as Duck Haven and Willow Pond), which not only added to the beauty of our community, but also to its overall value.

*-Elaine Vogel, with thanks to fellow Trustees: Al Jolly, Mike McIntyre,
Don Garetano, Sam Marcolus and Treasurer Tony Randazzo*