

HOA spearheads Block Watch program

Increase in crime spurs interest in crime prevention tactic

By RICK GONZALEZ
Sun Cities Independent

With an increase in the crime rate surrounding the Sun Cities area, the Recreation Centers of Sun City, Inc. and the Sun City Home Owners Association are hoping to combat the problem by bringing back a community-wide Block Watch Program.

Such a program did exist in Sun City before but it fell by the wayside due to a lack of participation and interest.

According to George Radie,

HOA president, "we (HOA), in conjunction with the Recreation Centers, are going to bring back the great emphasis on the block watch program."

Mr. Radie says the Recreation Centers board of directors is "pushing for it. They very much want it."

"The next step is to meet with the Sun City Posse and the Sheriff's Department."

Along with keeping an eye on each other's homes, residents would also be asked to keep an eye on the various recreation centers through-

out Sun City.

"Do (residents) want to have guards at every recreation center? No," says Mr. Radie, explaining the need for resident participation and cooperation in the program.

While the crime rate in Sun City is not very high, the crime rate around the community "seems to be more than in the past," Mr. Radie points out.

"The block watch is really important. We are going to cooperate (with the other organizations involved). We're in the planning stages right now, but we

definitely want to bring back the focus on the block watch program."

Mr. Radie says HOA will publish information on the planned block watch program in a bulletin to be mailed to residents. The Home Owners Association would also like to hear from residents on their interest in the program.

As far as the recreation centers are involved, "We are definitely for it," says Norm Schuett, acting president of the Recreation Centers of Sun City, Inc.

Mr. Schuett says that, although HOA is the guiding force on this

project, "we will participate in any way we can. But, we haven't defined our role, yet." However, he adds, the recreation center buildings would be available as

Residents speak out on Block Watch ... See Page 4

sites for block watch meetings.

Mr. Schuett and Rec Centers General Manager Jim Warfield will represent the recreation centers in the project.

"We need to assure protection of the recreation centers," Mr. Schuett says. "Residents need to realize that

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it (block watch program) is very important and effective."

The block watch program needs to be encouraged in Sun City, he says, and residents should watch the recreation center buildings as well as their neighbors' homes.

"People who live in Sun City own the recreation centers, in a sense," Mr. Schuett explains. "So, they should have an interest in protecting their property."

Some acts of crime have occurred at some of the recreation centers recently, such as a company vehicle being stolen and some damage to one of the greens.

"There is a little malicious activity going on," Mr. Schuett says. "Residents need to be aware (crime) is around us."

"It all comes down to neigh-

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— Norm Schuett
Acting president,
Recreation Centers of Sun
City, Inc.

borhood awareness.

"We have to alert people to call the Posse or the Sheriff's Department" (if they see something

suspicious).

Sun City Posse Commander Jack Goodrich says his organization "would look forward" to participating in a community-wide block watch program.

"I think it's a good thing to have on a continuing basis," since crime will be a continuing concern for residents, he says.

"We have to do anything we can to stop it."

Commander Goodrich says the Posse office frequently gets phone calls from residents expressing concern over crime in the area.

"We have to get everyone to keep looking out" for each other.

"If we can do that, Sun City will be a lot safer place to live."

And what do you do about skunk odor?

By JACQUE PAPPAS
Daily News-Sun staff

SUN CITY — How do I get the skunk smell out of my living room and off my cat?

Where do newcomers in Sun City go to register to vote?

Do you have the name of a reliable carpenter in the area?

Questions such as these and hundreds more are directed to the Sun City Home Owners Association's information officers every day.

Information officers provide residents with information on a variety of topics from Alcoholics Anonymous to alterations, cat traps to county highway and painters to permits.

"We get such a variety of calls in this office. One lady called wanting to know if she could put up a barbed wire fence around her house," said Bob Kortright, one of the HOA's three information officers. "We don't know all the answers, but we pride ourselves in being able to point people in the right direction."

The information officers work out of the HOA office at 10401 W. Coggins Drive. Their telephone number is 974-4718.

The HOA's three telephone lines are ringing before they get to work at 9 a.m. weekdays and are still ringing when they leave the office at 3 p.m.

Supported by five other part-time HOA staffers and directed by a 15-member volunteer board of directors, the information officers feel the pulse of the Sun City community, solving problems and responding to complaints.

Their tools of the trade are maps, lists, charts, files and a lot of common sense.

Information officers provide the names, addresses and phone numbers of licensed contractors who have served Sun City in a satisfactory manner, and also assist in filing complaints against contractors.

They handle complaints on road repairs, street lights and signs by working with the Maricopa County Highway Department.

They resolve innumerable deed violations and neighborhood complaints by mediation.

"A lot of homeowners think that the HOA is a place you go to for complaints. But our service calls outweigh the complaints by better than 10-1," Kortright said.

The information officers categorized the calls and walk-ins they responded to from Oct. 15 to Oct. 21. During that time, 313 of the 745 requests were service-oriented while 57 were complaints.

The majority of the remaining 375 calls were minor service-oriented calls such as a resident wanting to know the names of their state legislators.

Kortright said he and information officers Dick Schnase and Maynard Thompson are able to head off hundreds of scams in Sun City "when people

just take the time to pick up the phone and call us."

"We are saving the Sun City community hundreds and thousands of dollars and I think that's a conservative estimate. If people realized how much of a service-oriented office we are, our phone lines would light up even more than they do now," Kortright said.

Thompson, the HOA's newest information officer, said he advises residents not to make a commitment on the spot for any door-to-door or telephone solicitors.

"We had one lady call us who was quoted \$29.95 to have her carpet cleaned and ended up paying \$500," Thompson said. "Another man called me

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and said a skunk got in his house and odorized his living room and cat!"

Schnase, who has been an information officer for nearly five years, said certain requests for service are seasonal.

For example, during the past week, the information officers have received many calls asking for names of roof repairmen.

"A big storm brings to people's mind that they need to fix leaks or repair their roofs. We recommend that they get three bids," Schnase said. "And for virtually every job except painting and pouring concrete, the homeowners need to make sure their contractor gets a building permit."

Schnase has handled his share of the unusual.

"One day this guy came in and said there were white threads hanging down all in a line on his bedroom ceiling. It ended up later it was termites. Another time we went to a person's home and were confronted not by a watchdog, but by a watch burro," he said.

Working along with the information officers are five other part-time employees: Evelyn Hallaron, office manager; Jane Kjos, receptionist; Lois Pundsack, membership department; Lois Rogers, secretary; and Irene Stuart, head of membership.

The HOA came into being in 1963 as a spinoff of the Sun City Civic Association that was created by Del E. Webb Development Co. at the time of Sun City's inception.

The information officers were hired as a result of the many projects HOA initiated on behalf of the residents in Sun City.

Working with Maricopa County Road Commission to install Sun City's first stop light at Grand and 107th avenues, arranging for bridging the New River east of 99th Avenue on Peoria Avenue and paving 107th Avenue from Peoria to Olive avenues were some of the projects HOA oversaw in its early years.

HOA has about 24,000 members in Sun City. Dues are \$5 per person a year.

And what do you do about skunk odor? Call a carpet cleaner or buy lots of tomato juice.



Stephen Cherek/Daily News-Sun

Maynard Thompson, an information officer for the Sun City Home Owners Association, answers a call from a Sun City resident.

HOA is best buy in town

Approximately 750 times a week, the telephone rings at the offices of the **Sun City Homeowners Association**, but staffers don't seem to mind.

In fact, they wish more Sun Citians would take advantage of the HOA.

"Our challenge is to have the entire Sun City community recognize the services we have to render. Our phones should be lit up all the time. We should double that 750 calls," said **Bob Kortright**. Kortright is one of three information officers employed by the HOA to answer questions about the community, provide service referrals and, as Kortright put it, "generally be aware of anything in the community that could affect our way of life."

It takes tact, wits and a degree of savoir faire to be an information officer.

"You have to be a cross between Ann Landers, Solomon, Judge Wapner and Mr. Fix It," Kortright quipped. "We cover a lot of ground...by no means can we answer all the questions but we can direct people to a source of information."

The HOA also keeps an eye on scams in the community and will warn residents about the illicit money-making ploys not uncommon in retirement communities.

"There are a lot of them...on scams alone we save the community tens of thousands of dollars a year," Kortright said.

More often, however, the HOA is providing service referrals, clarifying deed restrictions or helping residents determine the validity of charitable-donation requests.

Often residents bring their legal problems to the HOA. Although they cannot provide legal referrals or opinions, the information officers can offer a third-party opinion.

"We're also the unofficial operator for the telephone company," Kortright added, laughing. "We get a lot of, 'Hey, what's the number for...'

"If people don't know where to go or who to call, it seems, they come to the HOA. We like that. We respect that."

Belonging to the HOA costs \$10 a year; about half of Sun City's homeowners have joined. Kortright, a Sun Citian himself, calls it one of the best buys in town.

"We are an undiscovered treasure in Sun City. I can't think of another place in the country that provides this kind of service."

Questions about joining the HOA? Questions in general? Call 974-4718 and ask for **Bob, Richard Schnase or Maynard Thompson**.

The HOA is open Monday through Friday from 9 a.m. to 3 p.m.

Group helps condo chairmen

By JACQUE PAPPAS
Daily News-Sun staff

SUN CITY — Dick Elton has lived in a condominium for 21 years and says he would never consider moving.

"There are just too many advantages to condominium living compared to living in a home, in my opinion," said Elton, who is president of the Sun City Condominium Chairmen Association board of directors.

"I once thought of moving, but the cost of living in an individual home would be much more expensive. In a condominium the painting, gardening and other things are done all at once so it's cheaper because you pay in bulk."

There are 386 condominium groups in Sun City with 9,600 units.

Of those, about four do not belong to the association.

Most condominiums in Sun City are governed by a board of management, which has the responsibility of maintaining the units.

The Sun City Condominium Chairmen Association was formed in 1974 to provide information, guide and advise the chairmen of each condominium group in the operation of the units.

"With one-third of the residents in Sun City living in a condominium, an association like ours is very important," Elton said.

The chairman of each condominium group's board of management represents the unit residents to the association.

The association has an 11-member board of directors elected by the chairmen at an annual meeting. This year's meeting is Nov. 10.

Annual dues to the association are \$1.75 per unit.

In return, the association publishes a monthly newsletter, runs workshops on how to effec-

tively manage condominiums and provides other services such as a manual that lists reliable contractors.

The association also buys rye grass seed in bulk every year and supplies it to gardeners of the individual condominium groups. This year's distribution, estimated at hundreds of thousands of pounds of grass seed, will be Oct. 5.

The association has an office in the Sun City Home Owners Association building at 10401 W. Coggins Drive.

Florence McNary has been office manager for the association since its office opened in 1976.

The office, open from 9 a.m. to 1 p.m. weekdays, gets about 400 calls a month from condominium

group chairmen and members who have questions about a number of things from gardening to making a budget.

"This is the place they can call and get answers to their questions. We are here to advise and make suggestions to them and I think many people feel at ease when they call," McNary said.

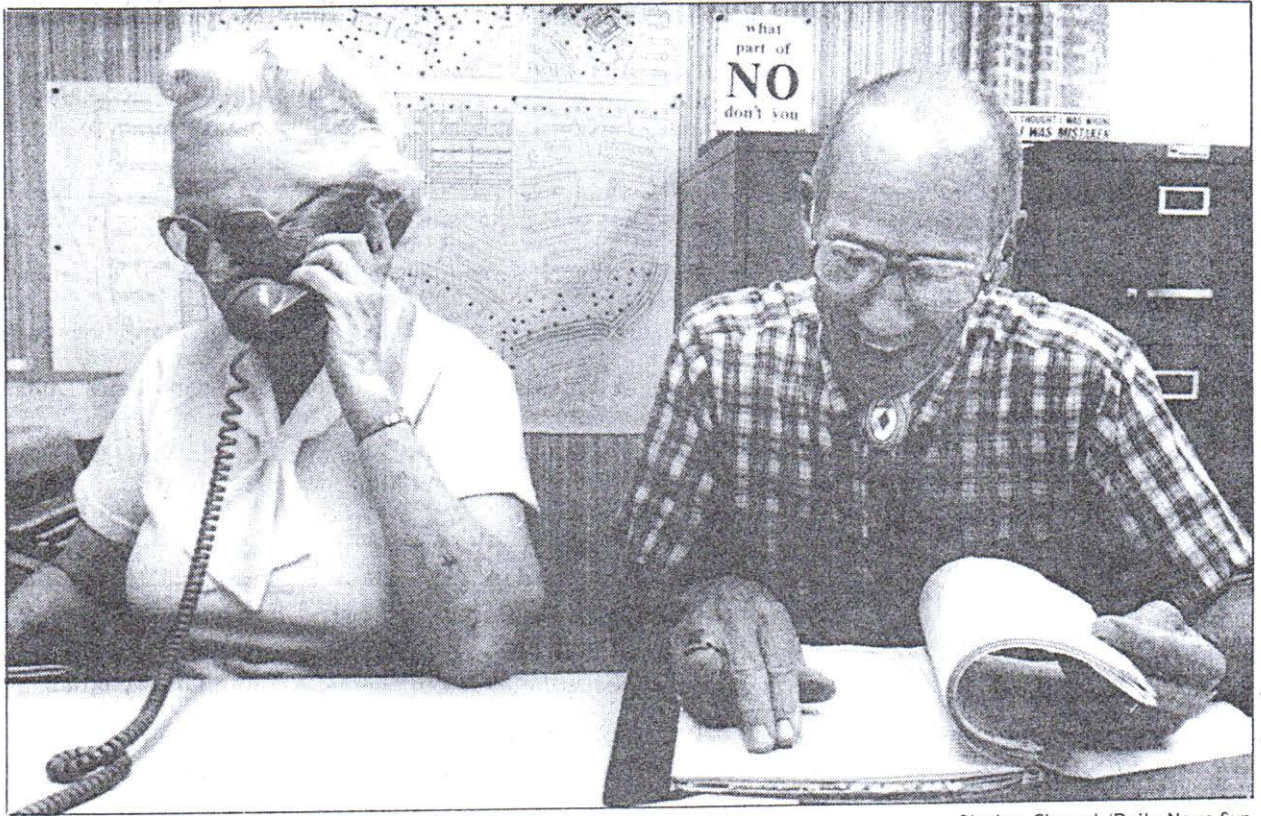
"We get compliments all the time from condominium chairmen who say we really helped them out." The office number is 974-9035.

Elton, who has been chairman of his own Fairway Five Condominium for 12 years, said the group deed restrictions guarantee units are well-maintained.

"The big advantage is that a condo group is a legal entity with deed restrictions so the board is required to maintain the building. Someone couldn't paint their condo bright yellow, for example, without getting approval from the board and residents," Elton said.

While Elton is an advocate of condominium living, he said it is getting more difficult to find residents who want to serve on their condominium's board of management.

"We have a nucleus of people who continue year after year, but it's hard to get new members involved. It's a terrible struggle to get people, but the work is not that bad. The association is always there to help them," Elton said.



Stephen Cherek/Daily News-Sun

Dick Elton, president of the Sun City Condominium Chairmen Association, looks up an address while Florence McNary, office manager, answers a telephone call. More than 400 calls come into the association office each month.

Sun City HOA looks ahead to '93

Promoting Block Watch, membership top list of priorities for upcoming year

By KATHLEEN WINSTEAD
Sun Cities Independent

The 23,000-member Sun City Home Owners Association, a non-profit organization, has been serving area residents since 1960.

HOA assures the enduring desirability of Sun City as a retirement community and serves the town by identifying and evaluating problem areas affecting the community and individual residents; working for a reasonable and equitable level of taxes and sales and monitoring the development of retirement and health care facilities, among other things.

While continuing to attend to matters that arose in 1992, HOA also has several matters which demand attention in the new year.

"One of them, of course, is a very serious situation in connection with the water problem," says HOA President Glenn Sanberg.

"We're in the midst of developing a plan to protect the interests of Sun City people. It seriously involves our water rights here. This is something we have to be alert (about) and be prepared to meet."

Another situation HOA focused on in '92 was the image of Sun City in respect to other communities.

"We are expanding our role in relationship with these other governmental groups by being accepted (in the Western Maricopa Coalition)," Mr. Sanberg says.

Westmarc is comprised of representatives from West Valley municipalities, as well as the education and business sectors. Representatives are concerned with

economic and educational development, transportation and quality of life issues in the West Valley. Westmarc furthers the interests of West Valley residents in legislative matters.

Mr. Sanberg appointed former HOA President Dixon Wightman to Westmarc's executive committee.

Like any other organization, the inner workings of HOA demand continued attention, Mr. Sanberg says.

"We've got some in-house things. We have to maintain our ability to meet the changing scene and keep abreast of (what goes on) as far as staff is concerned," he says.

The Block Watch Program proved successful in Sun City in '92, but Mr. Sanberg says those involved in the program are hoping for further progress.

"The big project was Block Watch, which is still going on. This is a continuing goal — we want to have Sun City covered as far as we can. We already have some 20,000 homes covered.

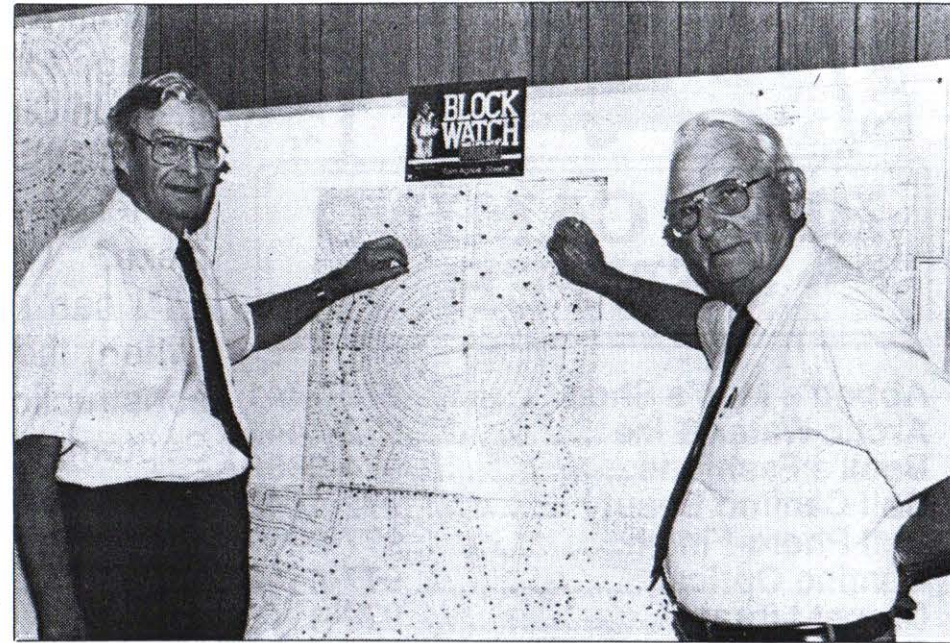
"The number of break-ins has markedly decreased at least as much as by 35 to 40 percent, the sheriff's office tells us. We think that Block Watch has had something to do with it."

HOA continues to seek more members.

"We're working on that all the time and trying to develop programs that make people want to become a member," he says.

Other services offered by HOA:

- Handling property restriction violations in neighborhoods.
- Providing names, addresses and phone numbers of licensed contractors (general,



In a 1992 photo, HOA board member Merlen Ferguson, left, and former HOA President Dixon Wightman plot potential locations for neighborhood Block Watch programs. As of the first of the year, 400 Block Watch programs were in place, and the organization hopes to have 400 more in '93.

building, electrical, plumbing, roofing, landscaping, etc.) who have served Sun City residents in a satisfactory manner.

- Providing names, addresses and phone numbers of unlicensed service personnel (domestics, handymen, yard workers, etc.).

• Assisting in filing complaints against contractors and following through with building inspectors.

- Registering new voters and providing information on voting locations and absentee ballots.

HOA celebrates 30th anniversary

Special event on April 10th marks birthday

Sun City Home Owners Association will celebrate three decades of service to the community with a special ceremony April 10.

Festivities marking the 30th anniversary of the 23,000-member organization will be held 9 a.m.-2 p.m. at HOA Headquarters, 10401 W. Coggins Drive, Sun City.

~~The event will feature a~~ historical exhibit of photographs and news stories from the 1960s and '70s, displays showing the work of major committees on behalf of HOA members and other residents of Sun City and racks of free literature on a variety of subjects.

HOA officers will answer questions during the event and HOA board members, in teams, will listen to comments and suggestions, says Mort Reed, chairman of HOA's Communications Committee.

The HOA building itself will be decorated with signs and a large helium-filled balloon. Refreshments and a tour of the headquart-

ers will be available. Visitors will enter through the community room door where the HOA board of directors holds its monthly meetings, Mr. Reed says.

According to the book "Jubilee: The 25th Anniversary of Sun City, Arizona," written by Jane Freeman and the current president of HOA, Glenn Sanberg, HOA was a spin-off of the Sun City Civic Association which was originally conceived and created by Del E. Webb Development Company when Sun City was born in 1960.

The Civic Association's purpose was to manage and administer Sun City's only recreation center at that time, Oakmont, and simultaneously serve the needs of residents in zoning and civic matters.

HOA members are served by a 15-member board of directors, seven staff members and numerous volunteers who serve on HOA's various committees.

Membership dues were originally \$2 a year and were not increased until 1988 when they jumped to \$3. In 1991 they were increased to \$5 a year.

HOA's overall purpose is to promote the protection of Sun City residents with regard to their safety, homes and the desirability of Sun City as a retirement community.

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HOA to host anniversary open house

Daily News-Sun staff

The Sun City Home Owners Association isn't really old enough to live in Sun City — the group celebrates its 30th birthday Saturday.

But the association has weathered a lot of change through three decades of helping Sun City homeowners.

HOA was formed in 1963 when the Sun City Civic Association split into two groups, said Glenn Sanberg, HOA president.

One group became what is now known as the Recreation Centers of Sun City Inc. The rec centers, in which membership is mandatory, has a responsibility to manage Sun City's recreational facilities.

The second group became HOA, an optional-membership association that represents homeowners in issues affecting the community.

When the association began in 1963, it had about 2,500 members and a paid staff of one; today HOA has seven part-time paid employees, and "they put in full time" helping homeowners and the board, Sanberg said.

The 15-member board of directors sets policy for the association. Directors are elected by the group's 23,000 members and serve three-year terms.

HOA's three information officers field phone calls five days a week, helping homeowners with questions on licensed contractors, complaints about street repair and inquiries on deed restrictions.

Several county construction projects have been initiated and supported by HOA, including the in-

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HOA celebrates 30 years

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stallation of Sun City's first traffic light at Grand and 107th avenues, the bridging of New River at Peoria Avenue and the paving of 107th Avenue from Peoria to Olive Avenues.

The homeowners group also acts as an unofficial review board for zoning requests in Sun City and represents the retirement community on the Western Maricopa Coalition

executive board.

The coalition is an alliance of municipal officials, business people and educators who promote the interests of the West Valley.

HOA celebrates its 30th anniversary with an open house from 9 a.m. to 2 p.m. Saturday in the association's office, 10401 W. Coggins Drive. Visitors may take tours of the building and view displays illustrating the group's history.

HOA praised for water work

Symington signs replenishment bill

Daily News-Sun staff

PHOENIX — Gov. Fife Symington on Wednesday signed a bill to modify the state's water replenishment district law.

On signing Senate Bill 1425, the governor telephoned Sun City Home Owners Association President Glenn Sanberg to thank the HOA for its support of the measure.

"I think it's recognition of Sun City as a political entity," Sanberg said.

The HOA and other West Side interests have been critical of the groundwater replenishment district law since it was created in 1991, and welcomed the modifications drafted by state Sen. Austin Turner, R-Waddell, and supported by other West Side lawmakers.

The original law required all municipalities and private water companies to take part in a replenishment district, which would have taxed use of groundwater and offered credits to users of imported water supplies such as the water brought into the Valley by way of the Central Arizona Project.

A consultant estimated that the original district would have doubled water rates in some West Valley communities, while raising rates by about 50 percent in the unincorporated retirement community of Sun City.

West Side critics said it was unfair to tax their communities for use of groundwater when few had any other

The HOA and other West Side interests have been critical of the groundwater replenishment district law since it was created.

viable sources of water. While a number of communities have allocations of CAP water, only Glendale so far has begun using the CAP to augment its water supply. Other community leaders say their cities and towns can't afford to build the supply lines and treatment facilities to make use of the CAP water.

West Valley legislators originally had sought to kill the replenishment district law, but once that failed, won passage of S.B. 1425.

The new law makes membership in the replenishment district voluntary, although as a practical matter, any new development or growing municipality would have to join the district to continue meeting the state's standards for assured water supplies before development can begin.

The new district will allow any member to pump groundwater without taxation if a like amount of surface water is credited to the member. Those credits may be in a number of forms, including the use of water recharge projects.

Eroding wall paint draws attention

By J.J. McCORMACK
Staff writer

SUN CITY — While sitting on their patio, Arnold and Lorena Bjorlie have remarked to each other about the poor condition of the paint on the brick wall that separates their property from Westbrook Village.

"It doesn't look too good," Lorena said.

The couple who live on Palo Verde Drive in north Sun City wondered who is responsible for maintaining the white wall, an extension of the signature white walls that encircle Sun City.

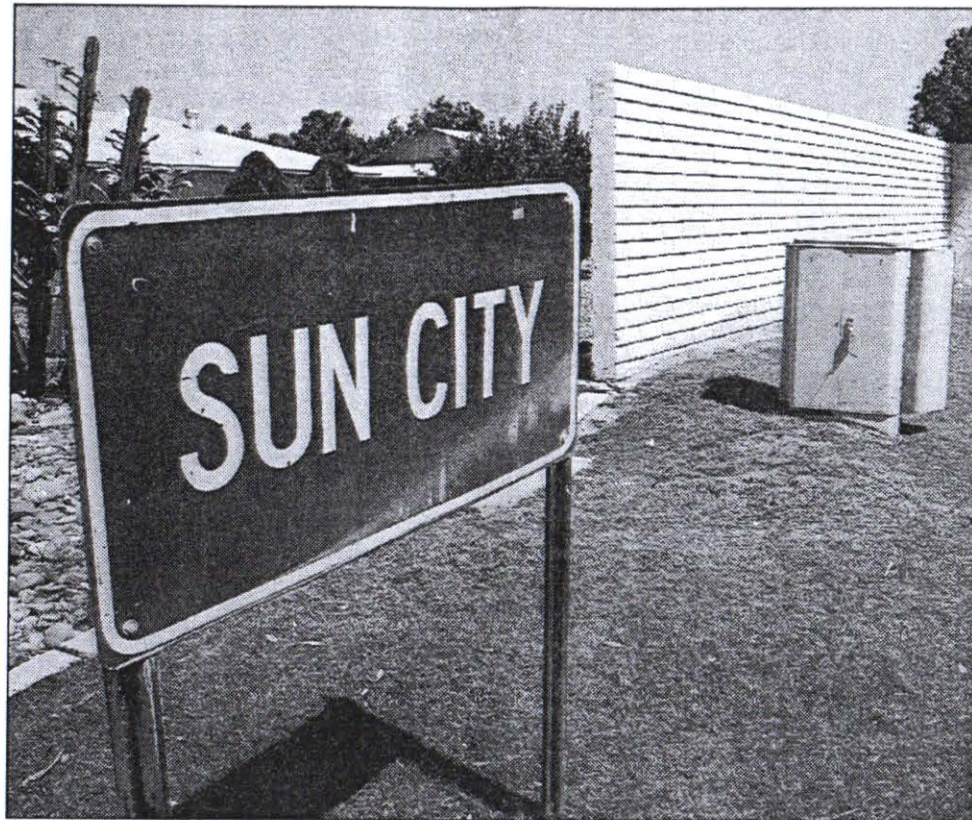
Directors of the Sun City Home Owners Association are wondering the same thing, now that the manager of the Westbrook Village Association, a homeowners group, has requested the wall be painted.

"Frankly, I'm stumped," HOA Director Mort Reed said during a board of directors meeting earlier this week.

Reed said a paint job for just the Westbrook Village side of the 1,100-foot stretch of wall is estimated to cost nearly \$4,000. He asked fellow directors for advice on how to pay the bill.

White paint has eroded from the top of the wall, exposing grayish-brick.

Reed told the HOA board he doesn't think the HOA should be



Steve Chernek/Daily News-Sun

The north-south wall of Sun City at Union Hills Drive needs a paint job, but nobody wants to claim responsibility for it.

responsible for painting the 6-foot-high wall, but doesn't know who else would be.

Stretches of the wall abutting major roads like Bell and Grand Avenue are maintained by Maricopa

County. The HOA in the past has maintained portions of the wall that back onto other streets.

Some HOA directors suggested individual homeowners who live along the wall, an estimated 20 of them, should foot the bill.

Others questioned why the Del Webb Corp., developer of Sun City, erected the walls and painted them white.

Directors pondered having the HOA pay for the wall to be repainted, then request reimbursement from homeowners.

The Bjorlies contemplated having the section of the wall behind their home painted. "But if we did ours and nobody else did, it would make it look worse than it already does," Mrs. Bjorlie said.

Reed wondered if Westbrook might also share in the cost.

Bill Mulvaney, Westbrook administrator, was out of the office this week. The community's deed restriction enforcement officer could not be reached for comment.

The HOA board left it up to Reed, who chairs the association's land-use committee, to determine how to resolve the wall problem. He said Thursday he was still exploring options such as permanently removing the paint.

Deeds ban most home businesses

Sun Citians may not know they're violating local deed restrictions

By KATY BORNHOFEN
Business Review

Sun Citians hesitant to completely retire may find running home businesses satisfies their desire to work — but many of them will be violating Sun City deed restrictions.

Home businesses are not allowed in Sun City, with the exception of those that are conducted strictly by telephone.

A business can be operated out of a single-family residence if "nobody calls on you at the house, there are no cars out front, there are no transactions (at the home)," says Mort Reed, board

member of the Home Owners Association of Sun City and chairman of the Land Use Committee.

Many of the violators don't know about the restrictions, Mr. Reed says.

"Most of the people who come to Sun City to live, never had to live under deed restrictions before," he says.

HOA handled five complaints about home business violations this summer, Mr. Reed says. That number doesn't reflect how many businesses are breaking deed restrictions, however.

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■ DEEDS

"We are not a police force at HOA, but we do respond if we get a complaint. If we don't get a complaint, we don't know about it," Mr. Reed says. "It's a major problem."

No entity has jurisdiction to enforce the deed restrictions affecting businesses operated out of Sun City homes. HOA is entrusted with that responsibility, but has no real authority. And unless a county ordinance is broken, Maricopa County doesn't handle the home business complaints because the deeds are specific to Sun City.

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The problem is, as Del Webb would build the condominiums, he would change the restrictions.

— Gladys Davis
President
Condominium Owners Association

When HOA receives complaints about home businesses, the board notifies the violators and tries to work with them.

"Eighty percent of the time it works," Mr. Reed says. "Twenty percent of the time, people are adamant about what they're doing and won't cooperate."

HOA will continue to work with those violators and watch them in the future. Only in rare instances will the board take violators to court.

"That's not something you like to do in a place like Sun City," he says.

Not only is that avenue expensive, but the board must get someone to "sponsor" the case as a complainant.

Mr. Reed says HOA has taken only three violators to court in the past 10-15 years.

"We always won, but we picked our cases carefully," he says.

Part of the problem with HOA enforcement and residents' ignorance of the restrictions is that there are 57 different sets of homeowner deed restrictions in Sun City, Mr. Reed says.

"That leaves us in a rather interesting position," he says. "This is where problems arise."

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For example, some deeds restrict where and how long residents may park recreational vehicles on their property. Other deeds don't even mention them.

In addition, there are 386 different condominium associations in Sun City, according to Dick Schnase, who works with the Condominium Owners Association of Sun City.

Each condominium association has its own deed restrictions, but all of them forbid home businesses, says Gladys Davis, COA president.

"The problem is, as Del Webb would build the condominiums, he would change the restrictions," she says.

Unlike HOA, however, those associations have authority from the state Legislature to enforce the deeds. For example, Mr. Schnase says, a condominium chairman can place a lien on the residence of someone who is violating a restriction.

However, Ms. Davis says, COA will look to HOA's Planning and Zoning Committee if there's a restriction violation and try to solve the problem before taking it to the county or the courts.

Gail Bosgieter, of Maricopa County's Planning and Development division, says the county receives complaints but only gets involved if its own "home occupations" ordinance is violated. In the case of home businesses, the county ordinance is less restrictive than any of Sun City's.

For example, the county allows customers (one at a time) to visit a "home occupation" and to pick up orders previously made by telephone. It also allows deliveries from suppliers once a month, and provides for one parking space for clients of the business.

Despite variations in deeds for single-family residences in Sun City, all of them, in nearly identical wording, restrict home businesses, Mr. Reed says. Property owners take responsibility for obeying those restrictions when they buy their homes.

People wanting a copy of their deed restrictions can pick one up for \$1 at the HOA office, 10401 Coggins Drive, Sun City.

Avon lady's calling makes some neighbors uneasy

Barbara Deters 12-18-96
staff writer

SUN CITY — The case of the Avon lady has everybody feeling like they're getting a bad rap.

The Avon lady thinks her condo association is picking on her.

The condo association board thinks it's being vilified for going after an 81-year-old man.

And the Home Owners Association board, which entered the case last month, says it's

being painted as the bad guy even though it's merely trying to do its job — that of investigating complaints.

The case involves Marian Burk, an Avon sales representative who has sold Avon out of her home for 11 years, a violation of Sun City deed restrictions.

Burk's case came to light last month, when her condominium association, Bell 26, took its complaint to the HOA. The HOA is in the process of investigating the case.

Most people didn't mind Burk's operation

until about a year ago, when new owners moved in nearby and objected to Burk's volume of business and warehousing.

Some neighbors are concerned about the large number of boxes she leaves in her driveway for garbage pickup, the amount of traffic her business draws to the neighborhood, and the fire hazard created by her storing Avon products in her home. Neighbors say they've seen stacks of Avon boxes at least several feet high packed in Burk's

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Nancy Engebretson / Staff photographer
At least Benji the dog isn't at Avon lady Marian Burk.

(OVER)

garage.

Condominium association members fear that a fire in Burk's home might cause an explosion because of all of the oils and alcohols used in the perfumes and colognes.

But Burk says she stopped selling Avon from her home in April and that the condo association is just harassing her.

"Why are they picking on an 81-year-old lady?" Burk asked.

+ "They've taken away my privacy. They've taken away all of my rights. I feel like I'm living with the Gestapo and Hitler."

Burk is so convinced her condo association is treating her unfairly that she sought a restraining order against the Bell 26 Condominium Association's chairwoman and her husband, Evelyn and George White. That action was denied Oct. 25 in Peoria Justice Court.

Burk admitted she was one of Avon's top sellers in the country last year, selling \$365,000 worth. But Burk said her sales have dropped to \$175,000 this year because she's limited her business. The base income for a sales representative selling as much as Burk does is 50 percent of total sales. "I don't give a damn what they say, I'm selling out of my store," she said.

Burk, who turns 82 on Saturday, said she has limited her Avon sales to seven spaces at the indoor Swap Mart at 27th Avenue and Camelback Road, where she's been selling for six years.

Burk said she leaves the Avon boxes in her garage until a friend comes over, breaks them down and carts them away.

Those that aren't in the garage are in an enclosed courtyard, she said. Burk said she doesn't put the 20 to 30 boxes out for the trash that the condominium association says she does.

Burk said it's nobody's business what she has in her home and that there isn't going to be a fire because she doesn't smoke and doesn't even own matches.

The woman said she never learned to drive, so she can't deliver products to other people's homes. Her Avon deliveries only come twice a month, on Tuesdays, so she needs to store the merchandise during the week because the Swap Mart is only open weekends.

And, she said, she has as much right to receive deliveries at her home as the next person.

Burk complained that other people violate Sun City deed restrictions but that officials don't seem to go after them.

"I'm not the only one that sells out of here. There's Tupperware, Mary Kay," Burk said.

Burk is adamant that the condo association isn't going to run her out of business.

"When they sent me the first letter, my husband said, 'Why don't you stop?' And I said 'I don't want to stop because of them,'" Burk said.

Burk admitted she continued to sell out of her home, even after the condo association called her to a meeting to talk about the problem and ask her to stop.

"I still sold and nothing was said but then I said 'I don't need that' and I stopped," Burk said.

Condominium association members say Burk is anything but the poor, helpless little old lady image she portrays to the media. They say she's spiteful and vindictive.

"It's not a poor little Avon lady. It's a lady that's in big business," Evelyn White said.

"We're all just very disgusted with her, that's all," said Kathleen Burnside, another neighbor. "It could have all been straightened out so easily. If she'd abide by the rules and regulations, there'd be no problem."

Neighbors and association members said they have seen improvement in the situation since the case gained prominence, but they add that Burk still is using her home as a base for her business.

"If she wants to do the business, fine. But she could rent a little storage place and have the people go there and pick up their things," neighbor Adeline Luckman said.

While some neighbors have a problem with her activities, others said Burk's business hasn't bothered them. However, even those residents said rules are rules.

"It hasn't been a problem for us because her house is around the corner," said neighbor Dan Ragni. "(But) restrictions are restrictions. I feel that the condominium association is doing the right thing. You have to try to control that stuff. It can get out of hand."

Stacey Wright, chairman of a neighboring condo association, also wasn't bothered by Burk's business but said the case is running its proper course.

"I'd have written a letter to cease and desist, then gone to HOA," Wright said.

The HOA, which is responsible for enforcing deed restrictions in Sun City, doesn't go out looking for residents operating home businesses, but does respond to complaints, which is how the organiza-

tion got involved in this case, HOA President Howard Matthias said.

In some instances, such as with the Burk case, the HOA is even required by the homeowners deed restrictions to investigate if a complaint is brought to them, Matthias said.

"If she can show us that she is no longer having the problem with running the business in her home, there is no doubt this could be cleared up in a big hurry," he said.

Last month, HOA directors had committed to pursue the case to the end, even if that meant taking Burk to court. The stance generated a number of negative calls to the organization.

"I've had a number of calls here. I didn't like it one darn bit," HOA board member Mort Reed said.

Matthias said some people think the HOA is trying to "beat up on

an old lady."

"We've had some phone calls. Once we've had a chance to talk to them, people understand the situation. They change their mind," he said. "The ones we've talked to, we've had good success in creating an understanding."

THURSDAY

Jan. 16, 1997

Daily News-Sun, Sun City, Ariz.

HOA study gauges level of services for older residents

By RUTHANN HOGUE
Staff writer

The Sun City Home Owners Association wants to find out if services in Sun City are adequate for older residents.

The HOA recently commissioned a \$5,000 study of Sun City residents who are older than 80 to see how their needs are being met by recreation centers, golf courses, health facilities and more. Arizona State University's Herberger Center for Design Excellence will present a report with recommendations to the HOA in June.

A similar study sponsored by Del Webb Corp., developer of the Sun Cities, and the HOA two years ago, revealed a Sun City population with an ever-growing percentage of residents in their 80s. A ProMatura study found that the number of Sun City residents between 75 and 84 years old increased by 70 percent, and the number of those older than 85 grew by 183 percent between 1980 and 1990.

That study, however, did not adequately survey the needs of older residents, prompting the HOA to take a second look.

The new research will include a review of literature listing past activities and services available in the area. Older residents will be asked to participate in a telephone survey, followed by interviews with commu-

nity leaders to determine areas of greatest need.

"Personally, I think people over 80 years of age probably require a bit of service from us," said Paul Schwartz, vice president of the Sun City HOA.

Questions will be framed to determine length of residency, interests and the need for health care or nursing home facilities by the residents.

"We're trying to find out how active they are," Schwartz said. "Are they still playing golf? Are they still participating in the arts and crafts? Are they still using the swimming pool, and this sort of thing. If not, why not? Are there other types of activities they might want that we don't have?"

Schwartz encouraged people to be participate in the study, which also will examine levels of voluntarism and transportation needs.

"We don't want to scare these people," he said. "Can you imagine, here comes a telephone call into your house and you are over 80 years of age, and somebody is asking you questions? We just want people to understand that the university will be making these calls."

The HOA will release results of the research to residents and interested service organizations in a series of meetings throughout the area after the study is completed.

County examines future of unincorporated areas

By JULIA DE SIMONE
Independent Newspapers

Maricopa County officials will have their eye on Sun City and other unincorporated areas as they help guide future development and transportation needs through the year 2020.

Max Turner, planner with the county's

Comprehensive Planning Division, recently gave a presentation to the Home Owners Association regarding the possible future of unincorporated areas. The presentation was part of HOA's monthly meeting Sept. 16.

The plan, referred to as "Eye to the Future," was established two and half years ago and focuses on four elements: land use, transportation, environment and economic

development.

According to Maricopa County officials, the county is home to more than 2.6 million people, with approximately 180,000 residents residing in unincorporated areas.

By the year 2020, the total population is estimated to increase to more than 4.5 million, with more than 500,000 people in the unincorporated areas.

With those statistics in mind, Mr. Turner said, county officials need to implement a plan that prepares for the future.

Although the plan recently received approval from the Transportation Advisory Board, it needs to be adopted by the Planning Commission and Board of Supervisors.

See ■ UNINCORPORATED, Page 3

■ UNINCORPORATED

From Page 1

The first public hearing will be conducted 9:30 a.m. Sept. 25 in the Board of Supervisors' auditorium, 205 W. Jefferson Street, Phoenix.

Residents who cannot attend should call 506-7174.

Minutes of the meeting will be available three working days after the meeting, as per Arizona open meeting laws.

In other HOA business, board members announced that the year-

end report of membership and introduction of candidates will be held 1-3 p.m. Oct. 9 at Oakmont Recreation Center, 10725 Oakmont Drive.

HOA officials added that they currently have eight individuals interested in running in the December election but are seeking more candidates. The next meeting will be 10 a.m. Oct. 14 at the HOA office, 10401 W. Coggins Drive.

Wednesday, Dec. 3, 1997

Everyone wins in HOA election

By DAVID MILLER
Staff writer

Five hopefuls made their way onto the Sun City Home Owners Association board Tuesday, and two other candidates were appointed to vacant seats.

Roughly 5 percent of eligible voters turned out to elect Frank Bowman, Lucille Corkrey, Blaine Donaldson, Bob Kortright and Mike Rotchford to the HOA board.

Candidate Claude Wall was appointed to fill the remaining two years of a seat vacated this year by Helen Strubel.

Earl Peterson will finish a two-year term vacated by board member Jerry Hirsch, said HOA president Howard Matthias.

Bowman is a former chief financial officer with the Arizona Department of Transportation. He is also a former president of the Phoenix Chap-

ter of the National Association of Accountants.

Corkrey spent 28 years in elementary education in Michigan as a principal and teacher. She is also a former president of the Michigan Association of Retired School Personnel.

Donaldson sat on the Storm Lake, Iowa, city council for six years, and was mayor pro-tem of that city for three years. In Arizona, he has served as chairman of the Committee on Fraud and Abuse of the Elderly, sponsored by the state Attorney General's office.

Kortright spent 35 years in food industry sales and marketing, and has been an information officer with the Home Owners Association for the past six years.

Peterson is a native of Lake City, Minn., and worked for years in the restaurant industry, and in commer-

► See Induction Tuesday, A5

Induction Tuesday

◀ From A1



Bowman



Corkrey



Donaldson
cial real estate.



Kortright



Wall

Rotchford taught high school for 25 years in the Chicago area, and has been active in his condominium association and the Sun City Clay Club.

Wall served as president of the Battle Creek Gas Company in Battle Creek, Mich., for two of his 37 years with that company. He moved to Sun City in 1996.

The new members will be formally inducted in a meeting next Tuesday.

HOA strives to improve relationships

By TIM BAXTER
Staff writer

12-26-

1997 saw big improvements in communication and enforcing deed restrictions for the Sun City Homeowners Association, outgoing President Howard Matthias said.

"The high point was we got a better relationship with all the other organizations in town," he said. "We got everyone talking to one another."

Matthias gave much of the credit to HOA public relations coordinator Byron Healy, who spearheaded the efforts, including working with the Sun City Taxpayers Association to kill a planned surcharge on Central Arizona Project water.

"We now have programs in place that will help Sun City in the future," Matthias said. "We're not only investigating, we're settling a far larger number of complaints than we've been able to in the past."

Streamlining Sun City's deed restrictions has been one of the biggest projects for the association this year, and is expected to further improve complaint handling.

Jerry Swintek, chairman of the land use and building committee, said when Del Webb built each unit of Sun City, each was given different deed restrictions.

"Currently we have 57 deed restrictions," he said. "We're trying to come up with one that would fit all 57 units."

Swintek said the committee is close to having a final draft that will standardize deed restrictions.

He added that the provisions in the new uniform code will "allow a little better enforcement of the deed restrictions."

"The deed restrictions started when Sun City started in 1960 and nothing has been changed to date," he said. "Things have changed in 37 years."

The land use committee also began charting violations and resolutions. Between May, when HOA began tracking, and the end of November, there have been 313 cases investigated. Out of those, 185 have been resolved. There have also been 70 follow-up inspections.

"I wanted to see what was happening and if we were making progress and by golly, we were," Swintek said. "It makes it real easy to see what the officers are doing, the volume of complaints coming in, and the number we're able to resolve."

Messy yards stymie HOA

By TIM BAXTER
Staff writer

4-21-98

The Sun City Home Owners Association has been trying for months to gain some assistance from the fire department to clean up some of the messiest yards in town.

But the fire department doesn't exactly see a three-alarm situation. HOA Land Use Chairman Jerry Swintek said the fire department won't help at all.

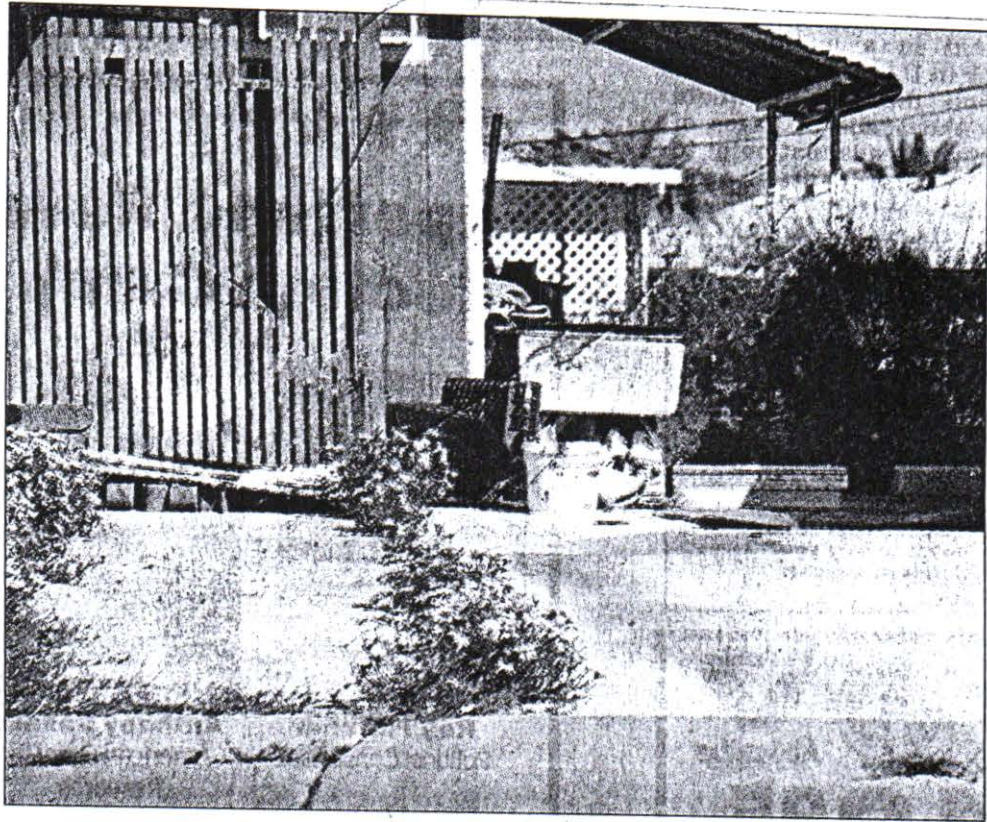
The association is hoping the homes can be declared fire hazards, giving it a stronger legal position to demand improvements and has passed a resolution to go to the fire board in an attempt to force the department into checking out the homes.

"We haven't been able to get any real coordination with the fire department with properties that are overloaded with trash materials," Swintek said. "We don't have a lot of communication going."

But Fire Chief Jim Sebert said the department would like to help, but legally can't, because no fire code is enforceable on private residences.

"Just as police can't come into your home without a warrant, the fire department can't come into your home," Sebert said.

Representatives of the Sun City Fire Department have worked with the Home Owners Association and talked with the homeowners when



Gregory Harris/Daily News-Sun

The Home Owners Association has complained several times, to no avail, about the messiness of this yard on Pinehurst Drive.

possible, but if the homeowner won't cooperate, there's nothing they can do.

Of course, it's not just Sun City facing this problem, Sebert said. Cities and counties across the country have been grappling with private residents' rights vs. the rights of authorities to maintain standards and safety.

Maricopa County tackled the issue in January, passing an ordinance that would allow the county to force homeowners with piles of trash or weed-filled yards clean up the mess. But the county has not yet fully funded the program, and while it is tracking offenders, no money is available for enforcement. It will be

at least the next fiscal year, which begins in July, before the county has funds for enforcement.

Which once again leaves Swintek and the HOA in limbo. There's only about a half dozen houses that are truly a problem, he said, and all of them have been reported to the county, but not much has been done.

Swintek added almost all the homeowners the association contacts fix problems voluntarily and fairly quickly.

For the unfortunate neighbors of chronically unkempt yards, Sebert suggests making sure any adjoining fences and other areas are kept as clear as possible of weeds and rubbish to minimize fire danger.



SUN CITY HOME OWNERS ASSOCIATION *CITY OF VOLUNTEERS* Sun City's Advocate Since 1963

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DEED RESTRICTIONS

When you bought your home, regardless of how long ago, you should have received a set of Deed Restrictions at closing. These Deed Restrictions {revised and re-stated in 1998} state what you can do and can't do with the property you own in Sun City.

There have been an increasing number of violations, which can be costly to correct. Please note that SCHOA can seek legal action against residents who aren't in compliance. SCHOA has extra copies of these restrictions and can provide you with a copy. Or, you can print a copy [here](#).

AMENDED AND RESTATED

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

RECITALS

This Amended and Restated Covenants, Conditions, and Restrictions (the "Declaration") is made as of May 12, 1998.

A. By that certain Declaration of Covenants, Conditions and Restrictions recorded in the official records of Maricopa County, Arizona, (the "Original Declaration"), the then owner imposed certain conditions, covenants, restrictions and created other property and contract rights burdening and benefiting the real property described in the Declaration (the "Property").

B. The Original Declaration provided for the amendment of the Original Declaration by a majority vote of the then owners of the lots covered by the Declaration.

C. By not less than a majority vote, the owners of the lots constituting the Property ("Owners") have approved this Restated Declaration of Covenants, Conditions and Restrictions.

D. The Owners desire that all of the Property subject hereto be held,

conveyed, hypothecated, encumbered, leased, occupied, built upon and otherwise used, improved or transferred in whole or in part, subject to this Declaration, as amended or modified from time to time.

NOW THEREFORE, the Prior Declaration is hereby amended and revoked in its entirety and the provisions of this restated Declaration are hereby imposed upon the Property.

1. **The Sun City Home Owners Association.** The Sun City Home Owners Association (the "Association") is a nonprofit Arizona corporation charged with the duties and invested with the powers prescribed by law and set forth in the Articles, Bylaws, and this Declaration. In the event of any conflict or inconsistency between this Declaration and the Articles, Bylaws, or Association rules, this Declaration shall control. The Association shall have the right and authority to enforce the restriction contained in this Declaration and to do such things as are expressly authorized in the Declaration for the Association to perform, as well as such things as are reasonably necessary or proper for, or incidental to, the exercise of such express powers and duties.

2. **Housing for Older Persons; Age Restriction.** The Property is intended to constitute housing intended and operated for occupancy by at least one person fifty-five (55) years of age or older per unit under the Fair Housing Amendments Act of 1988, U.S.C. § 3600, et seq., and the Arizona Fair Housing Act, A.R.S. § 44-1491, et seq., (collectively, the "Fair Housing Acts").

Except as provided below, at least one occupant of each residential unit must be 55 years of age or older, and no person under nineteen (19) years of age shall occupy or reside in a residential unit for more than ninety (90) days in any twelve (12) month period.

a) The Association may grant variances from the above restrictions, unless the granting of a variance would result in less than eighty percent (80%) of the residential units being occupied by one person fifty-five (55) years of age or older or would otherwise jeopardize the Property's status as housing for older persons under the Fair Housing Acts. Any request for a variance submitted to the Association pursuant to this subsection shall set forth the names and ages of all proposed residents of the residential unit, the reason for the request and such other information as the Association may reasonably require.

(b) The Board shall adopt, publish and enforce such policies and procedures and rules and regulations as are deemed necessary by the Board in order to demonstrate an intent to provide housing for occupancy by at least one person fifty-five (55) years of age or older per unit and to maintain the status of the Property as housing for older persons under the Fair Housing Acts. Such policies and procedures shall provide for verification of the age of the residents by reliable surveys and affidavits, and each resident, if requested to do so by the Association, shall furnish the Association with the names and ages of all occupants of the residential unit and such affidavits and other documents as the Association may request to verify the ages of such occupants.

3. **Single Family Dwellings.** No building except a single family residential dwelling and a private garage, carport or servants quarters for use in connection with such dwelling shall be erected, maintained or permitted on any lot or portion thereof. No dwelling shall be used except as a single family dwelling. No residential unit, building or structure on any lot shall be permitted

to fall into disrepair and each residential unit, building and structure shall at all times be kept in good condition and repair and adequately painted and otherwise finished. In the event any residential unit, building or structure is damaged or destroyed, it shall be expeditiously repaired or rebuilt or shall be demolished.

4. Construction Standards. No dwelling shall be erected upon any of said lots unless such dwelling contains at least eight hundred (800) square feet of enclosed living area floor space. The term "living area floor space" is exclusive of floor space in porches, pergolas, garages, carports and servants quarters. All buildings shall be constructed of brick, cement block, or other substantial masonry construction, or insulated frame construction. No more than one dwelling shall be built on any one lot.

5. Setback Requirements. The front line of any building erected upon any lot shall not be closer than twenty (20) feet to the front lot line, and the side walls of any building shall not be closer than five (5) feet to the side lot line, and not closer than ten (10) feet to the side lot line if such lot line is adjacent to a street, except that any garage or carport detached from the dwelling may be erected on either side or back lot line if such garage or carport is located entirely within the rear one-half of said lot. The carport and store room attached to the walls of the dwelling may be placed not closer than five (5) feet to an interior side lot line and not closer than ten (10) feet to a side lot line adjacent to a street. In the event an Owner acquires all or a portion of any adjoining lot or lots, the foregoing measurements shall be made from such Owner's side property lines rather than from the side lot lines indicated on said recorded map or plat. No portion of the buildings erected on lots bordering a golf course shall be placed closer than twenty-five (25) feet to the boundary line of said golf course.

6. Vehicle Restrictions. No vehicles, including without limitation cars, trucks, commercial vehicles, motor homes, mobile homes, trailers (including but not limited to travel trailers, tent trailers and boat trailers), camper shells, detached campers, recreational vehicles, boats, motorcycles, motorbikes, all-terrain vehicles, golf carts, and off-road vehicles, shall be parked or maintained on any portion of a lot (except in a garage), or on public streets, in excess of 72 hours. Notwithstanding the foregoing, cars, light trucks (having a one-ton rating or less), passenger vans and golf cars may be parked in garages, carports or driveways at any time without violating this provision. The Association shall have the right to have any vehicle parked, kept, maintained, constructed, reconstructed or repaired in violation of this provision towed away at the sole cost and expense of the Owner of the vehicle or equipment.

7. Commercial Use Restrictions. All residential units shall be used, improved and devoted exclusively to residential use by a single family. No trade or business may be conducted on any lot, in or from any residential unit, except that an Owner or other resident of a residential unit may conduct business activities within a residential unit so long as (i) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the residential unit, (ii) the business activity conforms to all applicable laws and zoning ordinances or requirements (iii) the business activity does not involve persons coming onto the lot or door to door solicitation of Owners or other residents in the community; (iv) the business activity is consistent with the residential character of the community and does not

constitute a nuisance or a hazardous or offensive use that would threaten security of other residents in the community; (v) the business actually conducted on a lot or from a residential unit does not involve any employees except family members living in the residential unit. The terms "business" and "trade" as used in this section shall be construed to have ordinary, generally accepted meanings and shall include, without limitation, any occupation, work or activity undertaken on an ongoing basis which involves the provision of goods and services to person other than the provider's family and for which the provider receives a fee, compensation or other form of consideration regardless of whether (a) such activity is engaged in full or part time (b) such activity is intended to or does generate a profit; or (c) a license is required for such activity. The sale or lease of a residential unit by the Owner shall not be considered a trade or business within the meaning of this section.

8. Animal Restrictions. No swine, horses, cows or other livestock, no pigeons, chickens, ducks, turkeys or other poultry shall ever be kept upon any lot. Owners agree (i) to maintain pets in such a manner that the pets do not make an unreasonable amount of noise; (ii) keep the animal fenced or on a proper leash at all times the pet is outside the residential unit; (iii) clean up after the pet when the pet is outside of a residential unit; and (iv) otherwise maintain the pet so that at no time does the pet create a health or safety hazard or unreasonably interfere with the quiet of other Owners or residents.

9. Wall and Fence Restrictions. No solid wall, fence or hedge shall be erected or maintained nearer to the front lot line than the walls of the dwelling erected on such lot except when hedge or fence is purely decorative in nature and shall not exceed twenty-four inches in height. In the case of any lots on which no residence has been erected, no solid wall, fence or hedge shall be constructed or maintained closer than twenty (20) feet to the front lot line of any lot. No side or rear fence or hedge and no side or rear wall other than the wall of a building constructed on any lots shall be more than six (6) feet in height, provided that on lots bordering the golf courses, no fence, wall, rail or hedge shall be constructed or maintained at a greater height than six (6) feet within twenty-five (25) feet of the rear property line, with any portion thereof in excess of three (3) feet in height limited to wrought iron construction with posts of concrete block or similar material. Landscaping shall be planned for lots bordering the golf course so as to avoid undue obstruction of the view of the golf course from said lots.

10. Detached or Temporary Structures. No detached or prefabricated building or structure of any nature whatsoever, permanent or temporary, shall be moved or placed upon or assembled or otherwise maintained on any lot. No Machinery or equipment of any kind shall be placed, operated or maintained upon or adjacent to any lot except that which is usual and customary during construction or remodeling and shall be removed immediately upon completion.

11. Condition of Property. All equipment, service yards, wood piles, storage piles or clotheslines shall be kept screened by adequate planting so as to conceal them from view of neighboring lots, streets or golf course property.

No garbage or trash shall be placed or kept on any lot or other property, except in covered containers, not to exceed 30 gallon size. In no event shall containers be maintained so as to be visible from neighboring property, street or golf course except to make same available for collection and then only for

the shortest time reasonably necessary to effect such collection. All rubbish, trash, or garbage shall be removed from the lots and other property and shall not be allowed to accumulate thereon. All lots shall be maintained in a weed free and attractive manner. No person shall permit any thing or condition to exist upon any lot or other property which shall induce, breed or harbor infectious diseases or noxious plants or insects. In the event any portion of any lot is so maintained as to present a public or private nuisance, or as to substantially detract from the appearance or quality of the surrounding lots or other areas of the community which are substantially affected thereby or related thereto, or in the event any portion of a lot is being used in a manner which violates this Declaration; or in the event any Owner of any lot is failing to perform any of the Owner's obligations under this Declaration, the Association may make a finding to such effect, specifying the conditions or conditions which exist, and pursuant thereto give notice thereof to the offending Owner that unless corrective action is taken within thirty (30) days, the Association may cause such action to be taken at said Owners' cost. If at the expiration of said thirty (30) day period of time the requisite corrective action has not been taken the Association shall be authorized and empowered to take such action on behalf of the Owner and at the Owner's cost and expense.

12. Continuing Lien on Lot. Each Owner, by becoming the Owner of a lot, is deemed to covenant and agree to pay all costs incurred by the Association in connection with enforcing or curing any violations of this Declaration, and all such costs and expenses, including but not limited to reasonable attorneys' fees, incurred by the Association in enforcing this Declaration, whether or not suit is filed, shall be a charge on the Owner's lot and shall be a continuing lien upon the lot against which each such enforcement action is taken. Such costs and expenses, including but not limited to reasonable attorneys' fees incurred by the Association in enforcing this Declaration, whether or not suit is filed, shall also be the personal obligation of the person who was the Owner of the lot at the time when the costs and expenses were incurred by the Association. The personal obligation for such costs and expenses shall pass to the successors in title of the owner, except such successors in title who acquire title pursuant to a trustee's sale, judicial foreclosure, deed-in- lieu of foreclosure, or similar action of a first position mortgage or deed of trust.

13. Leases. No Owner shall allow that Owners' lot to be occupied by persons other than the Owner and the Owners' immediate family, without first notifying the proposed Lessee or occupant in writing that the use of the premises is subject to this Declaration. The Owner shall secure from the Lessee a written agreement to abide by all of the covenants, conditions and restrictions contained in this Declaration and the Owner shall furnish the Association an executed copy of such written agreement upon written request. Costs to enforce to be paid by Owner.

14. Existing Conditions; Limited Grandfathering. Any constructed improvements in existence on any lot on January 1, 1998, shall not be in violation of this Declaration until such time as the title to the lot is transferred, except for such conditions for which the Owner of a lot has received prior written notice of violation from the Association. Any replacement of the items shall be required to conform with this Declaration. This paragraph does not affect the requirement that all Owners comply with all city, county, state or

federal laws or codes. All improvements, structures and fences not in compliance with this Declaration at the time of transfer of Deed shall be brought into compliance prior to transfer of title to lot.

15. **Variances.** Provided that it does not conflict with County ordinances, the Association may, at its option, grant variances from restrictions set forth in the Declaration if the Association determines in its discretion:

(a) That either (i) a restriction would create an unreasonable hardship or burden on an Owner, lessee or resident, or (ii) a change of circumstances since the recordation of this Declaration has rendered such restrictions obsolete; and

(b) That the activity permitted under the variance will not have any substantial adverse effect on the Owners, lessees and residents of the community and is consistent with the high quality of life intended for the residents of the community.

16. **Recreation Centers Facilities Agreement.** Each Owner of a lot shall execute a Recreation Facilities Agreement in favor of Recreation Centers of Sun City, Inc., in the form adopted from time to time by Recreation Centers of Sun City, Inc., and such Recreation Facilities Agreement, including the obligation to pay the annual homeowner fee and special assessments imposed from time to time, shall be binding upon and inure to each Owner's assigns and successors, shall be a lien on such lot subordinate only to a first mortgage or first deed of trust on such lot, and may be foreclosed in the same manner as a mortgage under Arizona law. Each Owner and all persons residing on said lot shall abide by the Articles of Incorporation and Bylaws of Recreation Centers of Sun City, and any amendments thereto.

17. **Covenants Run With Land.** The foregoing restrictions and covenants run with the land, and shall be binding on all persons owning any of said lots or any part or parcel thereof for a period of thirty (30) years following the date these restrictions are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years each.

18. **Amendments.** These restrictions and covenants may be amended, in whole or in part, at any time by a majority vote of the then Owners of the lots covered hereby. Deeds of conveyance of said property, or any part thereof, may contain the above restrictive covenants by reference to this document, but whether or not such reference is made in such deeds or any part thereof, each and all of such restrictive covenants shall be valid and binding upon the respective grantees.

19. **Remedies.** In addition to the continuing lien against a lot, violations of any one or more of this Declaration may be restrained by any court of competent jurisdiction, and damages awarded against such violator; provided, however, that a violation of these restrictive covenants, or any one or more of them, shall not affect the lien of any mortgage now of record, or which hereafter may be placed of record, upon said lot or any part thereof.

20. **Severability.** Should any of these restrictive covenants be invalidated by law, regulation or court decree, such invalidity of any such restrictive covenant shall in no way affect the validity of the remainder of the restrictive covenants.

IN WITNESS WHEREOF, the undersigned, being the President and the Secretary of the Association, hereunto set their hands and seal as of the date first above written, and certify that this Amended and Restated Declaration of

Covenants, Condition and Restrictions has been approved by a vote of not less than a majority of the Owners of the lots constituting the Property.

Clarifications of Sun City Deed Restrictions as approved by Board action:

Clarification as to definition of an occupant

As a clarification to the Deed Restrictions in Sun City, the addition of the definition of an occupant for purposes of enforcement of the Age Overlay, when an adult, over nineteen (19) years of age, yet under fifty-five (55) years of age, lives in a residence, and exercises dominion and control of said residence, its maintenance and upkeep, the actual age qualified adult must be present for more than ten (10) months in any calendar year, hence cannot be absent, leaving control to an underage adult, for more than sixty (60) days/ two (2) months. This clarification and interpretation shall not allow any "grandfathering" of existing violations and becomes effective for all residents. This shall be published in the Daily News-Sun SCHOA corner and SCHOA web site and all residents will be advised of this motion made October 2003.

Vehicle Restrictions, Page 3, Paragraph 6:

1. **72-hour rule is hereby deemed to be 'within any calendar month'.**
2. **Parking on streets will not be allowed for unregistered/inoperable vehicles and/or trucks over one-ton.**
3. **The definition of driveway, and the extension of same, is that it must 'match the existing driveway', which subsequently would disallow paving bricks or stones as extensions.**

Wall and Fence Restrictions, Page 4, Paragraph 9:

1. **Six-foot wrought iron fences on golf course lots are acceptable.**
2. **Chain link fences of any height on golf course lots are not acceptable, within 25 feet of the real property line. (Existing ones are grand-fathered.)**

Animal Restrictions, Page 8, Paragraph 8:

1. **"No pigeons kept upon any lot" shall be interpreted/clarified as, if any occupant feeds pigeons such action constitutes 'keeping them'.**

Before you take any action involving your property, read the actual text of Deed Restrictions. The term 'property' refers to residences and the yards around them.

VARIANCE PROCEDURES

Page 5, Paragraph 15 "Variances. Provided that it does not conflict with County ordinances, the Association may, at its option, grant variances from restrictions set forth in the Declaration if the Association determines in its discretion:

- a) That either (i) a restriction would create an unreasonable hardship or burden on an Owner, lessee or resident, or (ii) a change of circumstances since the recordation of this Declaration has rendered such restriction obsolete; and
- b) That the activity permitted under the variance will not have any substantial adverse effect on the Owners, lessees and residents of the community and is consistent with the high quality of life intended for the residents of the community."

With the above Variance Policy in the Deed Restrictions, and knowing that situations will arise which necessitate action by the Land Use Committee and subsequently the Board of Directors, following is the protocol to be followed when a homeowner requests a variance:

1. Property owner requests the variance in writing to SCHOA Land Use Committee, detailing the request with all pertinent information such as address, phone number, etc. Requests should include approval of the variance from all contiguous neighbors (including RCSC Board if the property is on a golf course), both to the rear and to the side(s) and any other neighbors who have a view of the alteration in question. These approvals must state that they do not object to the request and give signers' printed name, phone number, address and date. Mitigating circumstances will be judged on a case-by-case basis. Also included in the request will be pictures and/or brochures of the variance involved in the request.
Frequently, these variance requests are "after the fact" so pictures of the property in question are important. (If the alteration is a Maricopa County Zoning violation, the owner must request a Variance from the County)
2. SCHOA Information Officer will open a case, obtaining all pertinent information

as regards the violation, with any historical data in SCHOA files. Any placement and/or alteration must meet the County zoning set-back requirements, which are the same as SCHOA's.

3. Land Use Committee, which meets on the fourth Tuesday of the month, will conduct a hearing with the requester, reviewing all submitted material. The Committee can either accept or deny the request.
 - a) If the Committee denies the request, the property owner can request a hearing before the full Board.
 - b) If the Committee accepts the request, the full Board must then vote on request. (The Board meets the second Tuesday of the following month)
 - c) In either case, this information shall be entered into the permanent SCHOA case file for future reference.

Covenants reinforce senior zoning

Second in a series

By TIM BAXTER
Staff writer

Unlike the turbulence over age restrictions in neighboring Youngtown, Sun City's senior overlay has had a placid 38-year existence.

With a proposed comprehensive set of deed restrictions uniting all 57 units in Sun City, the Home Owners Association is hoping to continue that tradition.

The new set of deed restrictions matches state and federal laws enacted since Sun City was built, and for the first time, age restrictions are built into the covenants.

But not much is going to change. The new restrictions simply put in writing what has been policy for



years.

Originally, the minimum age for a Sun City homeowner was 50. The Federal Fair Housing Amendments Act of 1988 set the age at 55 or older. The new restrictions state: "At least one occupant of each residential unit

must be 55 years of age or older, and no person under 19 years of age shall occupy or reside in a residential unit for more than 90 days in any 12-month period."

The new restrictions also include a clause granting the Home Owners Association authority to grant a variance to the age restriction, unless the variance would result in less than 80 percent of Sun City homes being occupied by someone under 55. If fewer than 80 percent of the homes are occupied by someone 55 or under, Sun City could lose its senior overlay.

"We're just making sure they all say the same thing," said Jerry Swintek, chairman of the Home Owners Association Land Use Committee.

HOA writes new rules for vehicles

Third in a series

By TIM BAXTER
Staff writer

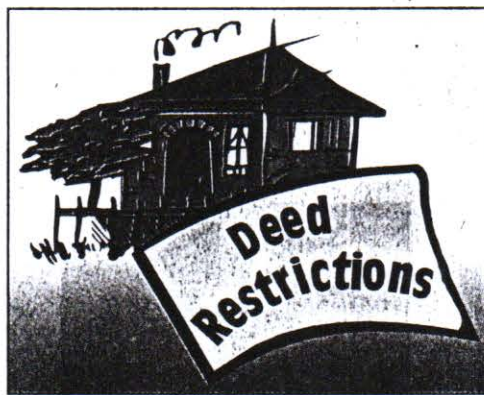
The Sun City Home Owners Association had to do a little catching up with the world when it drafted vehicle restrictions for a proposed set of comprehensive deed restrictions for Sun City.

When much of Sun City was built, most people had never even heard of many of the different vehicles that have since become common. In fact, the 57 varieties of deed restrictions only limit storage of house trailers and campers.

But HOA has caught up with the array of vehicles many Sun Citians now own, and the new restrictions govern a much broader list, including:

- Commercial vehicles
- Motor homes and mobile homes
- Trailers, including travel trailers, tent trailers and boat trailers
- Camper shells and detached campers
- Recreational vehicles
- Boats
- Motorcycles and motorbikes
- All terrain vehicles and off-road vehicles
- Golf cars

HOA Land Use Committee Chairman Jerry Swintek said the goal was to have only four kinds of vehicles



A copy of the revised deed restrictions is available for viewing at the Home Owners Association offices, 10401 Coggins Drive, Sun City. For information on the new deed restrictions, call 974-4718.

parked in a driveway, garage or carport: a car, a passenger van, a pickup truck or a golf car.

"We're looking to have people not parking things all over the rest of the lot," Swintek said. "It prohibits parking any place but the driveway, carport or garage."

On the other hand, if an item fits in a garage and can be parked out of

sight, a homeowner is free to park it there, Swintek said.

"If they've got a 26-foot boat and a 26-foot garage, they can certainly park it in there," he said.

The new guidelines were developed with the help of deed restrictions from other, newer communities. County ordinances were also factored in.

In particular, county ordinances allow 72 hours for parking on the street. In Sun City it's always been 48 hours, but the new restrictions allow an extra day, which can be especially helpful when loading or unloading an RV.

"The county says 72 hours so we brought it in line, thinking 72 hours was a reasonable amount of time," Swintek said. "If people are getting ready to go for a month or so there's a lot to load and when they get back they're tired and want a day to rest."

Cars, vans, light trucks and golf cars can be parked in the driveway, carport or garage at any time without violating the provision. Anything else has 72 hours.

And homeowners will want to pay attention, too. The new restrictions include a clause granting HOA the right to tow, at the homeowner's expense, any vehicle found violating the restrictions.

New proposals ease business restrictions

Fifth in a series

By TIM BAXTER

Staff writer

Provisions governing home businesses are undergoing some of the biggest changes in the new deed restrictions the Sun City Home Owners Association is proposing.

The good news for Sun Citians trying to make an extra buck out of the spare bedroom is the new deed restrictions are much more lenient.

HOA Land Use Committee Chairman Jerry Swintek said personal computers have changed the very nature of home businesses, which now need nothing more than a telephone line to connect to the outside world.

"The original deed restrictions say 'no home businesses at all,'" Swintek said. "We felt that was unrealistic in



1998.

"People work out of their home on personal computer, they're not bothering anybody."

When the original deed restrictions were drafted, no one wanted foot and car traffic or signs popping up. Those concerns are much less likely

now, and the new policy is, "can you hear it, see it or smell it? If you can't, then it's OK," Swintek said.

"A guy running a cabinet shop out of his garage, that's pretty noisy, you can't have that. If you have someone with traffic coming in and out all the time, you can't have that."

The new, more permissive policy should be a boon to many Sun Citians already operating a home business, and should give HOA some new freedom. In the past, home businesses have been among the most controversial cases the Association has tackled.

Swintek said the whole goal was "to be more lenient than the old ones were."

"In today's marketplace you can operate a business in the home and in way shape or form are you going to disturb your neighbors."

Deed restrictions follow current county guidelines

Fourth in a series

By TIM BAXTER
Staff writer

Over the years, complaints about the condition of properties have topped the list of concerns for the Sun City Home Owners Association.

A proposed new set of deed restrictions that — if approved — would unite all of Sun City under one set of rules gives the Association a little more strength as it fights to keep the community clean and pleasant.

It also brings the covenants in line with a recently-passed county ordinance regulating messy yards, but Jerry Swintek, chairman of the HOA Land Use Committee, said the county's ordinance is just a starting place in Sun City.

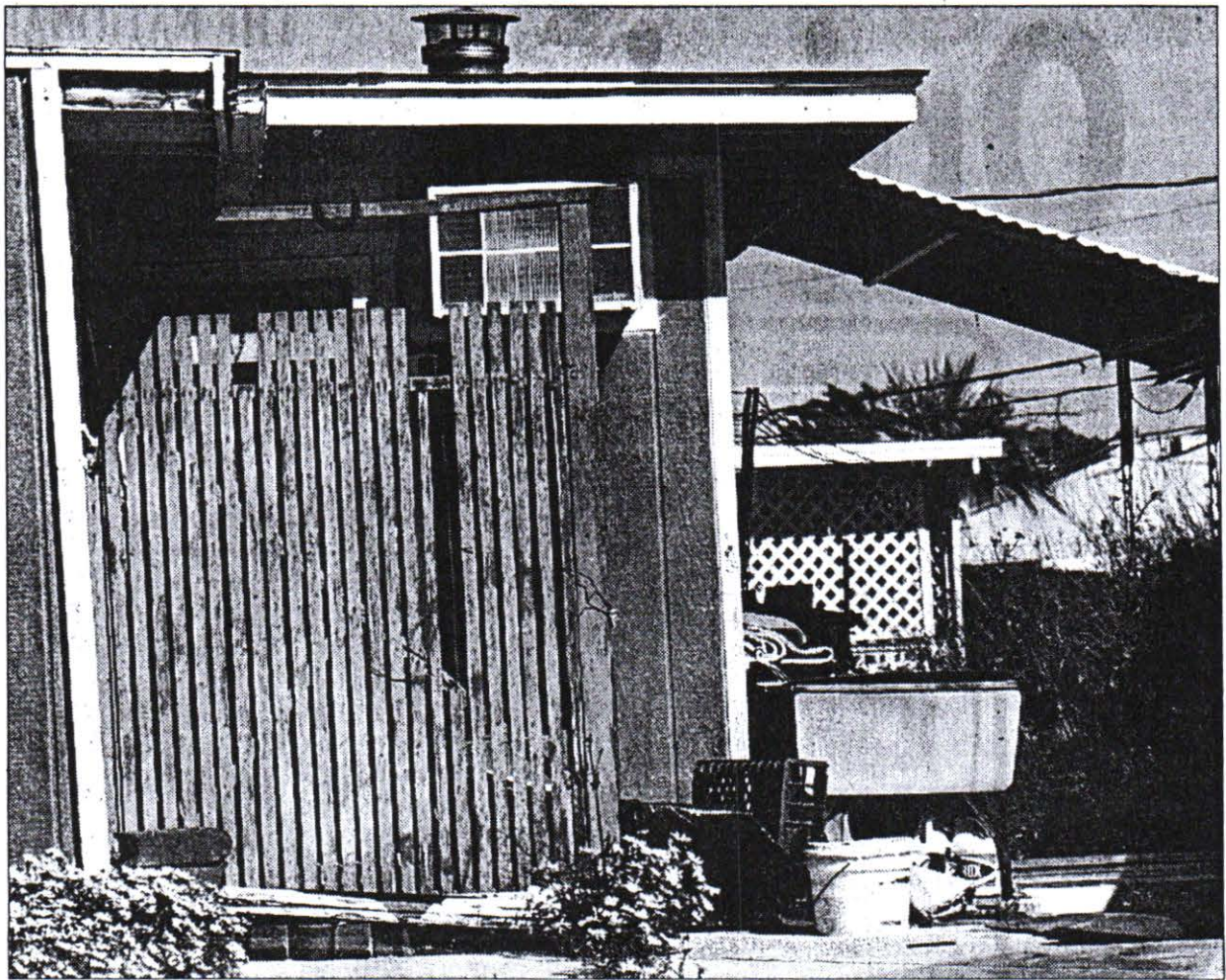
"The thing about the county ordinance, it doesn't really



meet Sun City Community standards for cleanliness," he said. "We have problems that are not in keeping with community standards that don't create a health or safety hazard."

The county ordinance only affects properties deemed a health or safety hazard.

► See List clarifies, A5



* Mollie J. Hoppes/Daily News-Sun

Junk piles up outside this Sun City home. Under the new HOA rules, debris will be prohibited.

List clarifies current codes

◀ From A1

If HOA receives a complaint about a property, they will give the homeowner at least one notification, as is done now, Swintek said, and the homeowner will have 30 days to respond to the complaint.

"In the event they fail to comply with the notification, the Home Owners Association will have the authority to hire someone to come in and clean up the property and send the people the bill."

While enforcement is stronger, the standard set by the new deed restrictions remains largely unchanged and should be familiar to Sun City homeowners.

Detached structures, such as tool sheds are still verboten, woodpiles or storage piles and clotheslines must be screened, and trash must be promptly removed from the property and it can't be put on the lot except in a covered container.

But there are a few new clauses:

■ Trash containers must be screened from neighbors, and can only be left on the roadside long enough for trash pick-up.

■ All lots must be weed-free and attractive.

■ No condition can exist that would harbor infectious diseases, noxious plants or insects.

Most of the new provisions were prompted by the county ordinance.

■ OBITUARIES

Response to Home Owners is much appreciated

By PAUL SCHWARTZ

A few weeks ago, the Sun City Home Owners Association requested help to prepare the revised deed restrictions for mailing to single family homes. The response has been amazing. More residents volunteered their time and energy than could be used. Several residents walked into the HOA office and anonymously gave cash donations to help defray the cost of postage. Others mailed funds to HOA for this project.

I am very appreciative of the support shown HOA by so many Sun City residents. The enthusiasm, energy, and volunteer spirit exhibited by many Sun City residents contributes to making this community a wonderful place to live.

The revised deed restrictions have now been mailed to almost all single family homes in the area south of Grand Avenue, which is referred to as Phase I. To date, the cards being returned to HOA indicate an overwhelming approval of the revisions.

There have been some questions about the intent of some of the revisions, which I want to clarify. The revisions are intended to:

1. Standardize the restrictions so all 57 single home zones have the same deed restrictions.
2. Clarify the language. Some of the deeds were written 38 years ago. As examples, there is a need to better define types of vehicles, trucks,

HOA Corner



RV's, etc. What determines an illegal home business?

3. Add references to the age restrictions. Present deed restrictions are silent regarding this very important issue.

4. Provide for deed restriction enforcement by an organization of fellow citizens within Sun City, rather than by county staffers who do not live here and in some cases tend to compare conditions within Sun City to other county areas. We want Sun City to be better than the areas outside our walls. In many cases, the county has not had the resources in funds nor staff to promptly investigate and correct unsatisfactory conditions.

5. Allow Sun City to meet the legal obligations of a planned community as defined by Arizona Law. Some would say that HOA is attempting to turn Sun City into a planned community. That is not true. It already is a planned community under Arizona law. We are not meeting all of the

requirements of that law. HOA is willing to take on those responsibilities.

There are other good reasons for the revisions, but space does not allow me to list them. I urge you to read the revised deed restrictions, be cautious and think about them before you either approve or disapprove them. If you have any questions, please contact the HOA at phone 974-4718 or visit the HOA office at 10401 W. Coggins Drive.

■ ■ ■

The enforcement of the age overlay rules has long been important to Sun City residents. It's more so now in view of our neighboring retirement community, Youngtown, losing that right. Most of us love children and grandchildren, but we came here with the understanding that children were excluded from this community. We knew the rules and abided by them. As always, there are a few people who think rules are made for everyone but themselves. HOA attempts, by working with the county, to enforce the age restrictions. We are not always successful, but the effort is made.

The latest case involves a Sun City resident, who made application for an exception to the age restriction for her daughter and grandson. The case was to be heard Wednesday Aug. 12, 1998, by the Maricopa County Board of Adjustment. HOA, and many individual residents op-

posed this request by sending letters and signing petitions expressing their opposition. To demonstrate the seriousness with which Sun City considers this case, a large number of Sun City residents indicated they would attend the hearing to express their opposition.

On Monday Aug. 20, 1998, the application was withdrawn and she indicated her daughter and grandson had found other housing outside of Sun City and she would soon move to Wickenburg to be with another relative. HOA will monitor this to ensure the promises are met.

The actions of many Sun City residents contributed to a satisfactory solution and I commend each of you for becoming involved. It would be easy for all of us to stand and cheer this victory. But, I am now concerned for the lady who made the application. She is afraid she will be verbally abused and ridiculed for making the application, an action she was legally entitled to make. I hope all of us will aid and support her during this troubled time of her life and until she moves to Wickenburg.

■ ■ ■

HOA is planning for its annual meeting, which will be held in the Oakmont Recreation Center social hall at 1 p.m. Thursday, Oct. 8, 1998. There will be a different format this year aimed at attracting a larger attendance. A forum is being

planned to discuss three subjects - deed restrictions and underage occupancy - crime and security - fire protection. Experts from the sheriff's office, posse, fire department, and the attorney advising HOA on deed restriction matters will participate. Also, you will have an opportunity to meet the candidates for election to the HOA board. You will hear more about this annual meeting, but for now, please mark your calendar with the above date and plan to attend.

■ ■ ■

The subject of Central Arizona Project (CAP) water continues to boil. Representatives of the Sun Cities/Youngtown Water Committee have now had individual meetings with each of the three Arizona Corporate Commissioners to discuss the various issues involving water in this area and the committee's recommendations regarding those issues. Jim Irvin, commission chairman, has indicated he intends to hold two Town Hall meetings this fall in Sun City and Sun City West to gain input from citizens of those communities. There are few subjects as important as the future water supply for Sun City. I urge all residents to watch for the announcement giving the time and place for this important Town Hall in Sun City and then plan on attending the meeting.

The writer is president of the Home Owner's Association.

Voting packets returned

400 could lose voice on SC deed restrictions

By Lori Baker
The Arizona Republic

SUN CITY — About 400 Sun City homeowners could lose their chance to have a say in whether new deed restrictions should be imposed.

The Home Owners Association of Sun City had sent packets of information to thousands of residents in Phase 1 and Phase 3. But HOA received about 400 of those back in the mail.

Homeowners who do not return the ballot card indicating that they favor the deed restrictions will be counted as voting "no."

Separate vote tallies are being taken in each of the 57 units in Sun City. A majority favorable vote within a unit will mean the restrictions become effective within that unit. Without a majority, current rules will continue.

Proposed changes in deed restrictions would unify the rules for Sun City and make it easier for HOA to go after homeowners who violate the deed restrictions by, for instance, having messy yards or underage residents.

"It's important that everyone have a chance to make a decision on the deed restrictions," said Jerry Swintek, chairman of the HOA land-use committee, which developed the proposed deed restrictions.

Swintek said the problem with the returned packets appears to be with Sun Citians who left for the summer but forgot to cancel their forwarding order with the Post Office after they returned. Each packet contains a card to mail back to show support, a copy of the deed restrictions and

— 400, from Page 1

a cover letter providing highlights of the changes.

"We have hundreds of packets sitting here waiting to be delivered," Swintek said.

He said HOA officials obtained the homeowners' addresses through the Maricopa County Records Office. He said addresses of the returned packets will be compared with the Recreation Centers of Sun City's records to determine whether another address is available.

People who live in Phase 1 or Phase 3 of Sun City who have not received the HOA packet or who have misplaced it are being asked to call HOA at 974-4718. Swintek asked that people provide their parcel number from their tax bill.

Over the next few weeks, HOA is sending packets to the remainder of the 14,800 property owners in the 57 single-family housing units in Sun City. Condominium owners are not included in the proposed changes.

When Del Webb developed Sun City in the 1960s and '70s, different deed restrictions were approved for each housing unit or neighborhood. This resulted in rules varying among houses across the street from one another but in different units.

The revision proposal was endorsed by the Recreation Centers of Sun City, Sun City Prides and Sun City Ambassadors.

Under the new rules, HOA would have the power to take property owners to court if they violate deed restrictions such as

the age restriction. With messy yards, HOA could pay to clean up the yard and bill the owner if the owner does not pay. HOA could legally put a lien on the property.

Besides giving HOA enforcement power, another major change in deed restrictions would be to include a senior overlay. Age restrictions are included in part of Maricopa County zoning. The deed restrictions would allow HOA to enforce the rules so that the county wouldn't have to get involved.

Sun City's proposed deed restrictions require that at least one resident of a household be 55 or older and that no one younger than 19 live in the house for more than 90 days in a 12-month period.

Swintek's land-use committee and an attorney spent more than a year developing updates to the deed restrictions that date back to 1960. The new rules also would bring Sun City into modern times, said HOA president Paul Schwartz. For example, the old restrictions don't allow businesses in residences.

HOA would be able to grant a variance to address special circumstances, but Swintek said variances would be unusual. An example would be a 40-foot-high ham radio antenna, he said. Neighbors would be notified about the proposal and have a chance to comment.

Swintek said he expects the vote tally will be available in early 1999.

Lori Baker can be reached at 444-7120 or at lori.baker@pni.com via e-mail.

— Please see 400, Page 9

Friday, Dec. 11, 1998 Daily News-Sun, Sun City, Ariz.

Cleanup costs \$9,000

HOA receives complaints about other properties

By GINGER SCOTT-EIDEN
DAILY NEWS-SUN

Workers today are removing the last few piles of trash from a Sun City woman's home that had been overrun with garbage for years.

The Maricopa County Environmental Services Department had received numerous complaints dating back at least nine years from residents in the neighborhood about the trash piled in and around Barbara Spudic's home, 13830 N. Del Webb Blvd., said Al Brown of the county Environmental Services Department.

The county was not able to do anything, he said, because the trash was on private property. Environmental Services was finally given the authority to clean the property under a state health nuisance law. Workers were able to enter the home Tuesday after county health officials de-

clared it a health hazard, Brown said.

Complaints also were collected by the Sun City Home Owners Association and the Maricopa County Sheriff's Office.

HOA board members said they anticipated a lot of phone calls from Spudic's neighbors commenting on the work finally getting done. However, most of the calls were from people in other areas of Sun City complaining about other messy properties.

"People are saying 'that's great you cleaned that one up, now what about this one,' " said Ione Boynton of HOA. "But I don't think any of them are to the magnitude of the house on Del Webb."

Other properties receiving complaints were a home near the intersection of 107th Avenue and St. Andrew Drive and a home at Pinehurst Drive and Balboa Street.

The county issued several warnings to Spudic, who has owned the property for 28 years, during the past couple

of months demanding the trash be cleaned up, Brown said. The last warning, posted on her door Nov. 17, said she had 24 hours to comply or the county would take action.

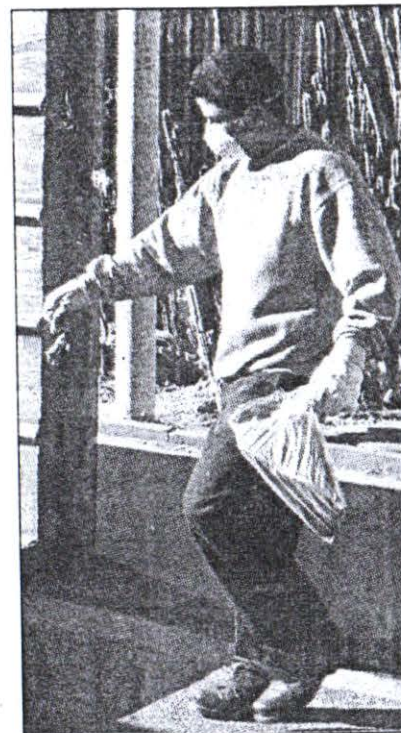
The work, which began Tuesday, cost the county a little more than \$9,000, officials said.

"The only thing left to do is the garage," said Courtney James, public information officer for the Environmental Services Department.

Workers filled 10 trash receptacles with garbage that was piled in the courtyard and up to the ceiling in the house, James said. Several roaches and rodents were found during the trash removal.

Samples from rodent droppings found in the house were taken to the state health department for testing, James said. The house will be fumigated when workers are done.

Neighborhood streets in the area will be closed for the rest of today while workers remove the final trash receptacles.



Mollie J. Hoppes/Daily News-Sun

A county worker removes trash from Barbara Spudic's home on Del Webb Boulevard. Workers expect to finish up the task today after filling 10 Dumpsters, equal to 40 cubic yards each.

10 in SC win leadership roles

Elected to boards of rec centers, HOA

By Lori Baker

The Arizona Republic

SUN CITY — Residents have elected community leaders to serve on the boards of the Recreation Centers of Sun City and the Home Owners Association.

In the Recreation Centers race, voters elected four of seven hopefuls. Winners are Robert Briscoe, 1,956 votes; Harold Boudrie, 1,525; Marge Murphy, 1,458; and Dorothy Hirtzel, 1,360. Other candidates and their vote tallies are Harold Fisher, 1,186; Thomas Whiston, 1,134; and Ed Fumia, 1,080.

Board members oversee the 38,000-member Recreation Centers group, which includes seven recreation centers, two bowling centers and eight golf courses.

Here are highlights of the new board members:

- Boudrie, an incumbent, was a plant manager for a telephone company. He has served on the Sun City Sheriff's Posse and on the Sun City RV Club board.

- Briscoe, a retired materials and purchasing manager, is president of the Sunshine Services board. This month he joins the Sun City Community Fund board.

- Hirtzel, an incumbent, served

as the Bell Recreation Center clubs coordinator and Ceramics Club vice president. She is a retired operations manager for the National Automobile Club.

- Murphy is a former social worker and teacher who serves on the Advisory Council for the Area Agency on Aging. She is a West Valley Union Club member.

In the HOA race, there were six candidates for six board seats. The top four top vote-getters received three-year terms, while the final two got one-year terms.

Those receiving four-year terms are Paul White, 1,715; Jerry Swintek, 1,694; Ethel Gross, 1,642; and Richard Liebert, 1,533. Those capturing one-year terms are Edward Stutz, 1,419; and Jim Audet, 1,237.

In the absence of an official political entity, the 21,000-member HOA serves as an advocate for Sun City on the county and state levels and represents the community in political activities in the West Valley.

Highlights of the new board members:

- Audet is a former Australian resident who worked in the printing business and was president of his condominium association there.

- Gross, a former public accountant, has volunteered for the Sun Health Foundation.

- Liebert, a Navy veteran, was a lawyer and served in the Kansas Legislature for 10 years.

- Stutz was an accountant for several companies, including Faberge and IBM.

- Swintek is an incumbent. An Air Force veteran and retired small-business owner, he served as president of his homeowners association in California.

- White, a retired printer, was president of a local branch of the Jaycees and worked with governmental agencies.

HOA strives to maintain Sun City lifestyle

By PAUL F. SCHWARTZ

My term is now over, but it's been my pleasure to have served on the Home Owners Association board for three years and to have been its president this past year. I've had the opportunity to serve this community and to enjoy knowing and working with an outstanding group of people.

I have found that far too many Sun City residents have little understanding of what HOA does. HOA provides leadership and is involved with many important issues.

Since the 1960s, the population surrounding Sun City has increased by many thousands. New communities have been formed and the end is not in sight for continued growth. Sun City is no longer surrounded by cotton fields and citrus groves, but now by an increased population that is causing Sun City residents to suffer with more environmental problems, through traffic, crime and other growth-related issues. That is why Sun City's relationship with the surrounding communities has become so very important. Some have said HOA should confine its activities to within Sun City walls. That is short-sighted. We must be sure that our concerns are conveyed to those whose actions might have an impact on our lifestyle. That is why HOA has become very active with Westmarc, county long-range planning efforts to save Luke Air Force Base, Northwest Valley transportation studies, Grand Avenue studies, public transportation, zoning, and others.

Maricopa County is the official recognized government of Sun City and will continue to be — until or if it become an incorporated commu-

HOA Corner



nity or is swallowed up by a surrounding community. County officials have generally been helpful in attempting to maintain the Sun City lifestyle. But, Sun City's 42,000 population represents only about 2 percent of the total county citizens. The needs and concerns of this community of elderly people are different than most of the county. The county is short resources to perform all of its functions as well as we would have them do. I want you to know, however, that our county supervisor, Jan Brewer, has been wonderful to work with and is a good friend of Sun City.

In many ways, HOA is a paper tiger. It is the best, however, that is available and strives to maintain the Sun City lifestyle under difficult conditions. HOA has been accused of trying to gain more power. That is true. I believe a local organization composed of local elected Sun City homeowners can do a better job of keeping Sun City the community that its elderly citizens want it to be.

You may believe that I favor incorporation of this community. Don't jump to that conclusion. I do, however, believe that HOA should be strengthened and ever vigilant to ensure that the Sun City lifestyle we all enjoy is perpetuated.

During 1998, the HOA office force has been reorganized to provide more efficiencies. HOA information officers and others continued to respond to daily inquiries from Sun City homeowners requesting lists of contractors, tradesmen, services, etc. They also became involved in helping to eliminate many illegally parked RV's, messy yards, underage residents, business in homes, deed restriction violations, disputes between business and residents, scam-related phone calls and others.

The liaison program between HOA and certain other Sun City organizations has continued to form a better working relationship between HOA and those other organizations.

Occasionally there is a disagreement, as there was this year, in the well-publicized difference of opinion between the Taxpayers Association and HOA and the water task force regarding the use of CAP water. My hope is that occasional disagreements will not disrupt our efforts to communicate and agree on other matters of mutual interest for the overall benefit of residents.

I want to emphasize briefly a few of this year's highlights:

Jerry Swintek is to be congratulated and thanked for the time and effort he and his committee spent rewriting the deed restrictions. The deed restrictions had not been revised since they were first written in the 1960s and 1970s. There has been much discussion, publicity and controversy about the proposed revisions. To date, there has been general approval of the revisions, but the final tally for each unit will have to await a final audit. These revised deed restrictions are needed and I hope they are approved by all 57

zoning units.

A controversial issue has been the subject of CAP water. Two representatives from your HOA water committee, chaired by Gene Zylstra, participated in the task force organized by Citizens Utilities. This is an important subject, because in this desert environment the future of Sun City is tied closely to the future availability of water. The final decision regarding the use of CAP water in Sun City rests with the Corporation Commission.

The newly formed HOA utility committee has been following closely the electric power industry deregulation and the impact that it will have on Sun City residents. Formal protests have been filed regarding proposed residential telephone interconnecting rates and objections raised to the 10-digit telephone overlay plan.

The HOA environmental and consumer protection committee was reactivated this year. Members have concentrated on consumer fraud and are preparing a handbook to be co-sponsored by Property Owners and Residents Association of Sun City West.

The HOA transportation and public safety committee has been involved with the county transportation department regarding the improvement of certain intersection configurations, additional left-turn light signals, further street markings, street maintenance projects, etc. I have been appointed to the Arizona Citizens Transportation Oversight Committee and to the Arizona State Highway Expansion and Extension Loan Program Advisory Committee.

The long range planning committee, along with Arizona State

University, presented a very informative forum at Sundial on the subject of the needs of those over 80 years of age living in Sun City.

The legislative relations committee, along with PORA and the Taxpayers Association, arranged four monthly public meetings with the state legislators from this area during the months the Legislature is in session. This committee also filed objections or approvals as required of pending legislation.

There has been other activity involving mostly internal matters such as publicity, bylaws, directory, elections, membership, etc... The HOA office is a rather busy place. HOA members get a big bang for their \$5 annual dues.

Finally, while much was done during my watch, there is still much left for future HOA boards to do. First, some of the 37 miles of Sun City walls need refurbished and HOA has established a fund and will solicit contributions from other organizations and individuals to do the task. This should not be just an HOA project, but rather one involving many others. Secondly, the continued growth around Sun City is seriously impacting our lifestyle and needs to be closely monitored and commented on to the zoning board and county supervisors when applicable. Thirdly, we all need to become involved to help celebrate the 40th anniversary of the founding of Sun City during the year 2000.

Best wishes to all of you as we approach the year 2000, and especially to Byron Healy as he takes over the reins of HOA.

SUN CITIES INDEPENDENT — JUNE 2-8, 1999

SC wall project to start during summer

Grand Avenue to be tackled first

By MIKE RUSSO
Independent Newspapers

Cleaning and repairing Sun City's perimeter walls is expected to commence this summer.

Howard Mathias, co-chairman of the Sun City Home Owners Association Beautification Committee, announced last week, during a meeting of the Sun City 40th Anniversary Steering Committee, that HOA plans to go to bid soon on the project.

Neglected since their erection at Sun City's inception, the community's walls are in need of attention.

"Our main goal is Grand Avenue, Bell Road, Union Hills Drive and 111th Avenue," Mr. Mathias said.

Priorities were established in two ways — appearance and condition of the walls and the amount of traffic that sees them, according to Blaine Donaldson, Beautification Committee co-chairman.

Initial stages of the project will encompass an approximate three-and-a-half-mile stretch on Grand Avenue, according to Mr. Mathias.

"We plan to clean, paint and repair the walls on Grand Avenue, from west to east," he explained.

"The project will start during the summer," Mr. Mathias continued. "They prefer to work in the summer. There is less traffic and the paint dries faster."

The walls will be painted eggshell, so as not to show as much dirt as the existing white walls, Mr. Mathias explained.

The extensive project carries a hefty price tag.

Mr. Donaldson mentioned at a previous HOA board meeting that the committee has received one bid,

Howard Mathias/HOA
official says the association plans to begin work this summer on painting the walls that surround Sun City.



\$152,000, to repaint and repair, where necessary, 19 miles of walls.

"Some walls will not be painted," Mr. Mathias said. "They can get by with being cleaned."

Mr. Mathias said HOA is close to having sufficient funds to complete the Grand Avenue phase of the project, but more funds are needed.

One funding avenue being pursued is to have people donate money to clean a specific section of the wall, much like communities have organizations clean designated stretches of roadways, according to Mr. Mathias.

Also, in an effort to generate more donations, HOA's board recently approved establishment of an HOA Foundation, with 501(c)3 designation, which would allow for donations to be tax deductible.

"Grand and Bell will hopefully be done before the 40th anniversary celebration starts," Mr. Mathias told the 40th Anniversary Committee.



Tricia McInroy/Daily News-Sun

Bill and Berdena Ryan sit at the desk in the office inside their Sun City home. Sun City's revised deed restrictions will allow people to conduct business from their homes as long as it doesn't disturb the neighbors.

HOA gets teeth

New deed restrictions take effect next month

By **TINA SCHADE**
DAILY NEWS-SUN

Beginning in September, Sun City homeowners' deed restrictions will get some teeth.

Next month the Maricopa County Recorder's Office will enter the first round of revised Sun City deed restrictions into record, officially passing deed enforcement power to the

Home Owners Association.

"We had no authority in any way, shape or form to enforce our age overlay restrictions," said Jerry Swintek, HOA land use committee chairman who spearheaded the drive to revise the deed restrictions.

Violations had been funneled to the Maricopa County Attorney's Office, where a Sun City age infraction hasn't been

recorded since 1979, Swintek said.

Under the new deed restrictions, complaints will go through the HOA and be passed along to the association's private attorney, if necessary, he said.

"We're probably going to have to take a couple of cases to court," Swintek said. But the likelihood of violators' losing

under the new restrictions will reinforce voluntary compliance, he said.

New deed restrictions will also allow the HOA to do more than send repeated letters to people who let their yards slide.

"Now we can hire a gardener to go in and clean up the place

See PORA considers, A5

PORA considers restrictions update

From A1

and then send the resident a bill," Swintek said.

Residents will have 30 days to appeal alleged violations under the revisions.

Sun City home owners will also be able to run a business out of their home as long as it doesn't disturb neighbors, Swintek said.

"If you can't see it, hear it or smell it, you're not in violation," he said.

Home-based businesses were banned under the old restrictions.

Tri-Star Realtors Berdena and Bill Ryan of Sun City said they weren't aware they were violating any deed restrictions by using a home computer to access realty information after

hours.

"It works great and if we need to preview houses we don't have to run to the office," she said. "It saves a lot of time."

Before the HOA could submit the revised deed restrictions to the county, current deed restrictions mandated that the HOA obtain a 50 percent plus one vote from nearly

16,000 homeowners approving the revisions, Swintek said.

More than 3,140 out of 5,165 people living in Sun City's Phase I OK'd the revisions.

About 2,653 out of 3,865 gave the nod to new deed restrictions, and Phase II results haven't been totaled yet, Swintek said. Recording of the deed restrictions for all three Sun City areas should be

finished by December, Swintek said.

Sun City residents living in condominiums won't be affected by the new deed restrictions, Swintek said.

While Sun City puts the finishing touches on its deed restrictions, Phil Garner, president of the Property Owners and Residents Association, said Sun City West's deed

restrictions, drawn up in 1980, could be revised, as well.

"We're considering doing an update on them because they are kind of antiquated," Garner said.

There is a push to reach some consistency among the 44 different sets of Sun City West deed restrictions, Garner said. Legal action on deed restrictions is a rare occurrence in Sun City West, he added.

HOA aims to unify deed restrictions

Survey gauges reaction to changes for single-family homes

By **Connie Sexton**
The Arizona Republic

SUN CITY — What do residents of Sun City want their community to look like in the future? And who should enforce the rules?

What happens if a yard is too messy, the weeds too tall? Who will knock on the door if a resident lets their grandchild stay longer than the 90 days allowed?

These are just some of the issues that

residents are having to ponder as they decide on changing the community's deed restrictions.

For years, the local non-profit volunteer Home Owners Association has been following up on violations of area deed restrictions. They could send offending homeowners a letter, but didn't have power to do much more.

With the community nearing its 40th birthday, HOA board members decided to

help preserve the condition of their neighborhoods by unifying deed restrictions of the approximately 16,500 single-family houses in Sun City. Currently, deed restrictions vary, depending on where a house is located.

Sun City was built in phases, and, in many cases, deed restrictions are different.

The HOA project is looking only at those deed restrictions involving single-family houses. Townhouses, condominiums and

apartments are not included in the effort because those housing developments vary too much in scope and size, HOA officials say.

Just getting the single-family homes on the same footing is hard enough, says Jerry Swintek, an HOA vice president and chairman of the land use committee.

"We're trying to create deed restrictions that are relatively universal to the whole community. We have deed restrictions in the area of Peoria and 107th avenues that

— Please see **HOA**, Page

— **HOA**, from Page 1

are different from those around Beardsley Road and 99th Avenue," he said.

For the past few months, HOA has been mailing out cards to owners of each single-family lot, asking residents to OK the change in restrictions. The mailings are being sent out in phases.

The older part of Sun City south of Grand received the first mailing. The newest segment — north of Bell Road — was second.

The largest collection of residents — between Grand and Bell — will be the last section served. So far, Swintek said, the response has been positive for the change. He would not release any numbers, but said they had at least a 50 percent approval from those returning the survey cards.

He expects the survey to run through the fall. If it passes, "virtually every unit will have the same deed restriction," Swintek said.

Under the plan, the HOA first would send a letter to violators and then could go as far as putting a lien on a house if a problem isn't

resolved.

But things could change quickly. Even if the residents all agree to unified rules, individual pockets of the community could vote for change. Sun City is divided into 1 such units, representing housing built in different years.

It's for this reason that resident Jim Hawks wants to be cautious. He supports the HOA's effort but wants HOA to take its time. "I think the needs to be lengthened. This needs to be gone over line by line."

Some of the proposed restrictions are too generic, Hawks said. There could be a problem for some of the homes built in Sun City, which took years to build out.

Hawks suggests the HOA board do more research. For instance, one restriction says houses should not be less than 10 feet from the line. But some of the homes I Webb built there would exceed the requirement today.

Swintek, who has lived in Sun City for 14 years, said his HOA's goal is to improve the community. "I'm a second-generation Sun Citian and I want it to be as nice or nicer as it was for my parents."

Thursday, September 2, 1999 • The Arizona Republic

Sun City weighs changes in deed restrictions, enforcement

Not all Sun City homes are close to celebrating 40 years. The last of the retirement community's 16,500 single-family homes was built 18 years after the first models opened in 1960.

Deed restrictions in Sun City's 18 development units reflect that build-out schedule. Now, a local non-profit volunteer Home Owners Association is asking Sun City residents how they want their neighborhoods to look, and who should enforce those rules.

For years, the Home Owners Association has been following up on violations of area deed restrictions, such as tall weeds in yards

what they're talking about

or allowing a grandchild to stay past the 90 days allowed.

Association volunteers can send offenders a letter, but they don't have power to do much more. Under proposed deed restrictions, the association could be empowered to place a lien on an offender's property if other measures fail.

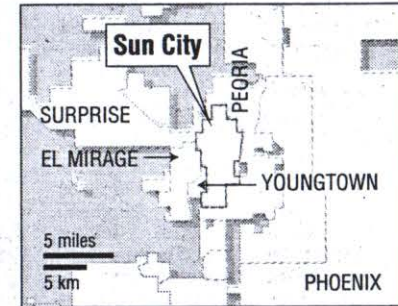
"We're trying to create deed restrictions that are relatively universal to the whole community," said Jerry Swintek, an association

vice president and chairman of the land use committee.

"We have deed restrictions in the area of Peoria and 107th avenues that are different from those around Beardsley Road and 99th Avenue."

The association has been mailing out cards to owners of each single-family lot, asking residents to approve the change in restrictions. The mailings are being sent out in phases, with the survey running through the fall.

The older part of Sun City, south of Grand Avenue, received the first mailing. The newest segment, north of Bell Road, was sec-



ond. The largest section, between Grand and Bell, will be the last surveyed.

Swintek wouldn't release any numbers but said that at least

50 percent of those who have returned survey cards supported the change.

Even if the residents all agree to unified rules, individual pockets of the community could vote for variance. If approved, Swintek said, variances could be granted by the association.

For that reason, Jim Hawks of Sun City wants the association to be cautious. He thinks some of the proposed deed restrictions are too general.

"I think this needs to be lengthened," he said. "This needs to be gone over line by line."

—Connie Sexton

Friday, September 17, 1999 © The Arizona Republic

HOA board member resigns

Audet cites direction of proposed restrictions

By **Connie Cone Sexton**
The Arizona Republic

SUN CITY — Less than a year ago, Jim Audet was tossing his name in the ring for the Sun City Home Owners Association board.

He couldn't lose. He ran in the Dec. 8 election as one of six candidates for one of six open seats.

The top four vote getters snagged three-year terms, with one-year terms going to the other two candidates. Audet received the fewest number of votes and was handed a term due to expire Jan. 1. But Audet decided to cut his term short. A few days ago, he abruptly resigned, citing his displeasure with the path the HOA was taking in reviewing its deed restrictions.

For the past several months, the HOA has been sending out ballots to Sun City homeowners living in single-family residences, asking for their say in how the neighborhoods should look and who should enforce those rules.

The HOA — a non-profit volunteer organization — has been limited in power, only authorized to send out warning letters if residents violated the deeds for such things as having a chronic messy yard.

Under proposed deed restrictions, the association could be empowered to seek a lien on an offender's property if other measures fail. But Audet fears that the HOA board wants to inflate its authority.

"They said they could start

fining people," he said. "I don't think it's proper. ... There is a lot of poor people in this town. There's some with money and there's some without. I felt sorry for them, and I didn't think it was right" to impose fines.

But Jerry Swintek, an association vice president who serves on the HOA land-use committee, said the proposed changes didn't include handing out fines to residents.

"We have no intention of fining anybody in Sun City," he said. "I don't think the structure of the community warrants that."

However, Swintek said there might be an occasion to consider

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imposing a fine. In a situation where the HOA notifies a violator, offers him or her an opportunity to meet before the committee to voice an appeal and the violator doesn't take any action, the HOA then might want to go to court and seek a judgment.

No one in the HOA is out to get any resident, Swintek stressed. "Everything is done by written communication. We won't just be calling somebody on the phone."

Audet, who also served on the land-use committee, said the HOA board talked about monetary penalties such as the court judgment. "If that's not fines,

you tell me what is," he said.

Questioning the changes in policy wouldn't have worked, Audet said: "I couldn't get up and complain at the meeting because I would just be voted down. I just figured that it was 'just let me out of there.'"

Audet, who worked in the printing business, isn't a stranger to homeowners associations. He was president of a condominium association in Australia.

Swintek said Audet's term won't be filled immediately. Instead, the HOA will wait for the upcoming HOA board elections in December.

Connie Cone Sexton can be reached at (602) 444-7118 or via e-mail at connie.sexton@pni.com.

© The Arizona Republic Friday, December 17, 1999

Sun City elects 8 to governing bodies

By Lori Baker
The Arizona Republic

SUN CITY — Residents this week elected new board members for the Sun City Home Owners Association and the Recreation Centers of Sun City.

HOA is a quasi-government organization that acts as an advocate for Sun City residents with state and county officials. Other services include enforcing deed restrictions, alerting residents to scams, offering consumer referrals and safeguarding the water supply.

In the HOA board election, seven candidates competed for four three-year terms. Elected were:

- Helen Struble, 1,429 votes, who had worked in public health and secondary education, was on the Sun City Community Fund board and is a member of the HOA environmental and consumer protection committee.

- Ed Anderson, 1,386 votes, who is a retired assistant commissioner for the Wyoming Department of Agriculture, served on the Recreation Centers of

Sun City board and volunteers at the Sun City Visitors Center.

- Gerald Unger, 1,377 votes, who is a retired industrial engineering manager for Boeing Airplane Co. and served on the Recreation Centers of Sun City Board. He has been an HOA board member since 1994 and heads the transportation committee.

- Ed McCrea, 1,294 votes, is a retired insurance company executive, has served on the

— Please see **SUN CITY**, Page 13

— **SUN CITY**, from Page 1

Recreation Centers board and is president of the Sun City Foundation.

Other candidates were Claude Wall, 1,139 votes; Ted Lee, 823 votes; and Ed Fumia, 753 votes.

In the Recreation Centers election, eight candidates sought three terms of three years each and one term of one year. The Recreation Centers board oversees seven recreation centers, two bowling centers and eight golf

courses.

Elected to the three-year terms were:

- Norman Burt, 1,508 votes, who is a former owner of a construction company and real estate firm and had worked for the centers in construction.

- Theodore Haupt, 1,483 votes, who is a retired hardware store and barber store owner and has served on the centers' properties committee.

- Beverly Davis, 1,474 votes, who had been appointed in

August to fill a vacancy on the board. She was a deputy county auditor in Troy, Ohio.

Jerry Swintek received 1,424 votes and captured the one-year term.

Other candidates were Dorothy Hirtzel, 1,184 votes; George Bischof, 1,126 votes; Gloria Jean Green, 1,098 votes; and Ken Fetha, 993 votes.

Lori Baker can be reached at (602) 444-7120 or at lori.baker@arizona-republic.com.

Bell Road wall repainting finished

More funds needed to complete project

By MIKE RUSSO
Independent Newspapers

Walls along two of the major thoroughfares through Sun City have been repainted and repaired and the Sun City Home Owners Association Beautification Committee, which is overseeing the project, has begun to receive positive comments from residents. It is hoped that the positive response will lead to additional donations so the project can be completed.

Improving the appearance of the community's 17 miles of exterior walls has been a Beautification Committee priority for more than a year. The project's total cost is estimated at \$143,000.

HOA President Blaine Donaldson announced last week that the Bell

Road portion of the project was recently completed by Albrecht & Son painting contractors, joining Grand Avenue in having the appearance of its walls improved.

"We have completed our Bell Road portion of the project and it has turned out extremely well," said Howard Matthias, project co-chairman, along with Ed Anderson.

To date, the project has cost \$49,663 — \$24,773 for Bell Road and \$24,900 for Grand Avenue — so the committee needs to raise substantially more money to complete the other planned portions of the project — Union Hills Drive and 99th Avenue.

The project has been worth the expense, according to Mr.

Donaldson.

"I have had phone calls from people I don't even know telling me how nice the walls look and they should have been done a long time ago.

"When people take the time to call and say, 'this really looks nice,' you have done something right," he continued.

Waldo Smith, president of the Sun City Prides, agreed with Mr. Donaldson.

"The walls look excellent," Mr. Smith said.

However, he added some precautions should be taken to see to it that the walls do not become stained again by dirt splashed during heavy rainfalls.

"We should put a one-and-a-half foot strip of one-and-a-half inch rocks along the base of the wall to prevent stains from recurring," he said.

With the completion of the top two priority areas, Grand and Avenue and Bell Road, the commit-

tee is prepared to award a contract for Albrecht & Son to begin work on the next phase of the project — Union Hills Drive, east of 99th Avenue.

"We should start on Union Hills Drive by the end of the month," Mr. Anderson said.

Mr. Matthias reiterated, "We will not start a project until money is at hand."

The estimated cost of that .7 of a mile segment is \$5,000, according to Mr. Anderson.

Part of the reasons for doing that stretch of roadway next is a request from Westbrook Village homeowners to improve the appearance of the wall across from the entrance to their subdivision.

While Grand Avenue and Bell Road were the committee's top two priorities, Union Hills Drive and 99th Avenue are also in dire need of attention and rank third and fourth, respectively, in priorities.

Priorities were established in two ways — appearance and condition

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*The big problem is
collecting money. Fund-
raising has been
difficult.*

Ed Anderson
Co-chairman
HOA Beautification Committee

of the walls and the amount of traffic that sees them, according to Mr. Donaldson.

The committee has enough money to proceed with the Union Hills Drive priority, east of 99th Avenue, but funding is in short supply for any additional work.

"The big problem is collecting money," Mr. Anderson said. "Fund-raising has been difficult."

"The real problem of funding it is the apathy of the business and cor-

porate community," Mr. Donaldson added.

"The biggest problem right now is ... the 40th Anniversary Committee is in a big fund drive, as is Sun Health, and there just so many dollars available for donations," Mr. Donaldson noted.

The committee is hoping to receive a slight monetary boost from Maricopa County. Part of the wall along Grand Avenue is on county owned land and county officials had indicated a willingness to have the county pay for repainting that section.

However, reimbursement from the county has not been forthcoming.

The county share of the Grand Avenue portion of the project is slightly less than \$4,000, according to Mr. Donaldson. "I haven't gotten a dime out of them," he said.

He did note, however, the county did paint the inside of the wall along Santa Fe Drive.

HOA seeks more members, money

DRIVE: Sun City group wants to increase its membership to 25,000 to cover duties, costs

KATE FLEITAS
DAILY NEWS-SUN

Blaine Donaldson said he believes the Home Owners Association needs more members to continue meeting the needs of Sun City residents.

"We are receiving more and more requests to be involved in investigating frauds and scams. People call us for referrals on contractors and to oversee the CC&R's (Covenants, Codes and Restrictions)," said Donaldson, association president. "If we're going to expand more in these areas, it's going to require more income."

More than 19,500 people belong to the association. Donaldson hopes a membership drive will push that number past 25,000.

The association plans to set up booths at fairs and will send out a mass mailing to all Sun City residents, said Ethel Gross, co-chairperson of the association's membership and public relations committee. Gross said she hopes to recruit more condominium residents.

"The money is needed to keep the HOA going," she said. "It's to help support what we're doing for everyone in

Sun City."

The association started in 1963 with 2,500 members and membership dues of \$2 per year. Today, the 19,500-plus members pay \$5 in annual dues. Despite the \$3 increase between 1963 and 2000, the association needs money to hire more staff and expand its services in investigating fraud, recommending contractors and enforcing Sun City's CC&R's, Donaldson said.

The association employs an eight-person staff, consisting of a full-time director and secretary and six part-time workers.

The part-time employees include a computer operator, a communications person and four information officers. Two of the information officers work each day from 9 a.m. to 3 p.m.

"We need money to hire more paid personnel to do a better job of investigating various areas," Donaldson said. "We need more paid staff to oversee and enforce the CC&R's."

Last year, more than 60 percent of Sun City residents gave the association the power to enforce the community's CC&R's.

In addition to CC&R enforcement, the association wants to expand its services in fraud investigations and contractor recommendation.

"We always need more help to do a better job of keeping our records up to date and purging names from the file," Donaldson said.

Sun City panels plan for year

By Jim Gintonio
The Arizona Republic

Sun City volunteer committees, made up of about 100 residents, have embarked on an ambitious general plan for the year.

Three that will likely have the most impact on residents are panels dealing with long-range planning, governmental affairs and consumer protection, said Blaine Donaldson, president of the Home Owners Association.

Here's a look at what those committees will do:

■ **Long-range planning.** The HOA will work with the Rec Board and other agencies to determine which areas should be considered for improvements. For example, neither of the two recreation centers that are designated evacuation points has standby generators, and the panel is studying ways to obtain them.

■ **Governmental affairs.** The HOA is working with its counterpart, the Sun City West's Property Owners and Residents Association, to take a more active stance to ensure that residents in both communities have a bigger voice.

■ **Consumer protection.** Scam artists love to prey on the elderly, and this panel will examine ways

Issues such as transportation, legislative redistricting, membership and beautification will be addressed by committees.

to discourage the con artists and to alert residents on how to avoid becoming victims.

Another group will look at covenants and deed restrictions after coming up with common regulations to replace the 64 sets of bylaws that had been in place.

Issues such as transportation, legislative redistricting, membership and beautification also will be addressed by committees.

"It looks like it will be a good year," Donaldson said. "The committees are all organized. Anybody can have input."

Donaldson wants anyone with ideas to forward them to the HOA at 10401 Coggins Drive West, Sun City, AZ 85351, or call (623) 974-4718.

- SUN CITIES INDEPENDENT - FEBRUARY 16-22, 2000

HOA files last of amended deed restrictions with county

By MIKE RUSSO
Independent Newspapers

A tedious project that consumed nearly three years, has just about reached its completion, and Sun City Home Owners Association Director Jerry Swintek has breathed a sigh of relief.

The process of amending the community's deed restrictions began in April 1997 and culminated in the Jan. 31 filing of new deed restrictions with the county for Sun City Phase II.

Amended deed restrictions for Phases I and III were previously filed with the county.

"The only area of the community that we have not filed amended deed restrictions for is Rancho Estates," Mr. Swintek said.

Rancho Estates is a 70-home subdivision bounded by Peoria Avenue on the north, 111th Avenue on the

See ■ HOA, Page 13

east, Olive Avenue on the south and Agua Fria River on the west.

Homes in the subdivision must be constructed on a minimum lot size of one acre and the properties are zoned for horses.

Several deed restrictions for Phases I, II and III were revised including setting the standards for a senior overlay, expanding the definition of vehicles and equipment and redefining the time and area where they may be parked, defining what is a legal business and setting standards for maintaining property.

Preserving the community's senior overlay is a priority of HOA.

The need for revision of deed restrictions stems from the manner in which Sun City was developed by the Del Webb Development Company. The community was built in phases over many years so the deed restrictions were not uniform. Mr. Swintek has led the HOA effort to standardize them, serving for most of the time as chairman of the HOA Land Use Committee, a position he has now relinquished to Ed McCrea.

In order to file the amended deed restrictions with the county, HOA had to obtain the consent of fifty percent plus one of the property owners in each unit. Residents affirmed the changes through the return of a postage-paid postcard to HOA.

HOA officials felt making the changes to the deed restrictions would give the community greater control over zoning enforcement.

Previously, complaints involving zoning issues had to be registered with the county. HOA could send letters requesting property owners take suggested action, but the organization had no enforcement powers.

Once the county accepts the filing of the updated deed restrictions, HOA will have authority to take a violator to court, according to Mr. Swintek.

While some residents have raised objections to the amended deed restrictions, the majority of residents in all three phases lent their approval.

"We received cards back from 60

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There have been violation cases closed relative to the new deed restrictions. We are working on two cases that could result in us taking someone to court.

Jerry Swintek
HOA Director
Former Chairman,
Land Use Committee

to 65 percent of the residents in all three phases," Mr. Swintek said.

Mr. Swintek also noted there have been no challenges issued to the amended deed restrictions as of yet, and the changes have proven helpful in the closure of some cases.

"There have been violation cases closed relative to the new deed

restrictions," he added. "We are working on two cases that could result in us taking someone to court," he said.

With the deed restriction changes filed for the bulk of the community, all that remains is Rancho Estates.

A meeting will likely be scheduled with Rancho Estates residents within 45 days, according to Mr. Swintek.

"We will likely send residents of Rancho Estates a copy of their original deed along with suggested deed restrictions changes and ask them to comment," Mr. Swintek said.

"We need to sit down with the homeowners of Rancho Estates and draw up a document that is acceptable to them."

Mr. Swintek said it has been a difficult chore, but it has been worthwhile, and he is grateful to everyone who assisted.

Generic copies of the revised deed restrictions are available free of charge at the HOA office, Mr. Swintek noted. "There is a charge for copies of the official recording document," he added.

Daily News-Sun • Monday, Feb. 28, 2000

HOA supports proposed property value freeze

BELIEFS: Stance part of board's list of positions

JOSH KRIST
DAILY NEWS-SUN

The Sun City Homeowners Association has issued a statement on legislative issues that endorses a proposed freeze of property values for seniors.

Michael Rotchford, HOA director, recommended that the Board of Directors put together the position statement because of an incident where a previous state legislator expressed frustration at not knowing HOA's goals, Rotchford said.

The board unanimously passed the statement at their Feb. 8 meeting.

"The Sun City Home Owners Association is an ardent advocate of a quality lifestyle for its constituents and for all citizens of Arizona," reads the statement," reads the statement.

Rotchford said he doesn't expect any feedback from legislators until the next legislative breakfast 7 a.m. March 17, at Brother's Restaurant, 8446 W. Peoria Ave.

Some of the positions are:

- Better education and schools for Arizona's children.

- Any HMO reform should include a 90-day cancellation notice, more than a seven day limit to external appeal for treatment, and should give citizens the right to sue in the event of negligence. HOA favors the House HMO reform bill vs. the Senate version, which they say was dictated by HMOs.

- Cleaner diesel fuel and alternative fuel for all vehicles is called for, and HOA supports the 1999 Brown Cloud Project being conducted by the Maricopa Association of Governments, the regional planning group led by Valley mayors.

- HOA would like to see the Sun Cities area have a voice in MAG. Sun Cities representatives are denied a vote at the MAG table because the group is supposed to be made up of incorporated cities.

"Even though we are wards of the county, we are separate and distinct communities with our own boundaries," reads the statement.

- HOA opposes legislative redistricting, fearing it would give the Sun Cities less legislative representation.

- The proposed freeze of property values for seniors is strongly encouraged. HOA would like to see any form of tax-relief for senior citizens.

- An expansion in the number

of members who sit on the three-member Arizona Corporation Commission is encouraged. The commission has seen bitter infighting and politicking between members.

- "We are adamantly opposed to any sales or property tax dollars being used to build more stadiums for the private sector," directors said.

- HOA is against developers using scarce water to fill artificial lakes.

"Continuous monitoring of water quality is encouraged. There must be limited use of CAP water for industrial cooling," reads the statement.

- HOA wants the legislature to pass "Shannon's Law," a bill to impose harsher penalties on those who fire guns in the air.

The bill would make it a felony to discharge a firearm within a city or town with criminal negligence. A conviction would carry four months to two years in prison and a fine of up to \$150,000. First time offenders would be eligible for probation. Currently, the crime is a misdemeanor.

The bill is named Shannon's Law in honor of Shannon Smith, a 14-year-old who was killed by a stray bullet while she was in the backyard of her Phoenix home last summer. It passed the Senate 27-2 Monday and now moves to the House for consideration.

Gaps nix fix

**REPAIR JOB HAS
HOLES:** Sun City's
walls will not
receive clean
sweep

GINGER SCOTT-EIDEN
DAILY NEWS-SUN

The Sun City Home Owners Association has hit a snag in its effort to clean, repair and paint the walls lining one of the retirement community's busiest corridors.

HOA's beautification committee had intended to improve the walls along 99th Avenue from Bell Road south to Olive Avenue. However, a section of the walls on the west side of 99th Avenue south of Grand Avenue is unable to be painted, said Ed Anderson, committee co-chairman.

That section was constructed of a porous concrete block that is extremely water logged and dirty and is unable to be painted over, Anderson said.

He said painting experts that assessed the repair work said the wall would have to be cleaned, sealed and repaired on both sides for the paint to stick.

"Right now, it'll just come right off," Anderson said.

As a result, Anderson said those sections of the wall will not be painted. He said HOA would need to get the approval of all property owners along this section of the wall to be able to do the repairs on both sides.

"And if we go inside and try to paint inside people's walls, I would anticipate there would be problems with that," he said. "Unless someone can come up with some other solution (the walls won't be painted)."

HOA officials said they will soon begin work along the east side of 99th Avenue, which is Quail Run, and along 99th and 107th avenues and Union Hills Drive and Beardsley Road.

Workers have painted all of the Grand Avenue walls as well as those lining Bell Road and 99th Avenue north of Bell Road. More than 35 miles of wall have been painted since work began in the fall.

The project has been financed completely through donations and volunteer help.

Anderson said the committee plans to tackle the walls along Olive Avenue when more donations are received.

For more information, call HOA at 977-7095.

Reporter Ginger Scott-Eiden can be reached by e-mail at Ginger.Scott-Eiden@thomnews.com or by calling 876-2522.

SC wall project proceeds

Next phase to commence soon

By **MIKE RUSSO**
Independent Newspapers

A successful mail funding solicitation has resuscitated an ailing treasury and allowed the Sun City Home Owners Association Beautification Committee to continue with the repainting and repairing of Sun City's more than 35 miles of perimeter walls.

The committee was expected to award a contract for the next segment of wall painting last week. The next phase will involve the repairing and repainting of approximately 3.6 miles of wall at a cost of about \$24,000, according to Blaine Donaldson, HOA president.

The bulk of the new work will be done along 99th Avenue, Mr. Donaldson noted. "There will also be some work on a section of west Union Hills Drive," he said.

To date, the committee has expended about \$120,000 to repaint and repair the walls along Grand Avenue, Bell Road, 99th Avenue (from Bell Road north), and Union Hills Drive. The project, which has been financed entirely by contributions, has been undertaken by Albrecht & Sons painting contractors.

Improving the appearance of the community's walls has been a Beautification Committee priority for more than two years.

The project stalled about a month ago for lack of funds, but the contributions received through this spring's mail solicitation has pro-

SUN CITIES INDEPENDENT JUNE 14-20, 2000

vided an infusion of needed funds.

"Basically, what we are going to be doing is using up the majority of the money we have left," Mr. Donaldson said.

"Most of the money we have came from the mail solicitation we did this spring in conjunction with a membership drive," he continued. "That brought in about \$20,000. It was very successful drive. We also added about 2,000 new members."

Although residents of Sun City have been quite generous with donations, the business community has lagged behind, Mr. Donaldson remarked.

"We still have had little success in attracting business contributions," he said.

A greater emphasis will be placed on soliciting business contributions when the effort resumes in the fall, according to Mr. Donaldson.

"After we finish this portion of

“

We still have had little success in attracting business contributions.

Blaine Donaldson

the project, we will lay low for the rest of the summer and in the fall we will go out and make some personal calls on businesses," he said. "Sending a letter just does not seem to get the response. We need to make personal contact."

Contributions may be made to the Sun City Homeowners Association Foundation, 10401 W. Coggins Ave., Sun City, AZ 85351. The foundation was established to encourage donations for the wall project. Contributions to the foundation are tax-deductible.

See ■ WALL, Page 10

Condo groups learning to standardize rules

By Jim Gintonio
The Arizona Republic

It seemed like a good idea at the time.

The Del Webb Corp. would build a few duplexes or a row of four to six condos, and presto, another homeowners association was born. The practice never stopped, and today, Sun City has almost 400 condominium associations, many with their own rules and quirks.

Joe Moore, chairman of the

Condominium Homeowners Association, thinks it's time that all the separate groups updated their codes, covenants and restrictions. To date, about 50 associations have complied.

Moore said that there really was no game plan in place during the construction boom.

"The Home Owners Association has been able to get the Phase 1, 2 and 3 homeowners to amend their CC&Rs to give HOA the authority to enforce

the housing codes, age overlays and things like that," Moore said. "My project with the condo group is to have all of them update theirs. We may have 200 versions. Some of them have never been touched."

The condo owners group is service-oriented, helping to organize associations and help them run effectively. Moore said his organization wants to help the individual associations tailor the CC&Rs to their situations.

JULY 12-18, 2000

Wall project nearing 65 percent completion Next phase to start this week

By **MIKE RUSSO**
Independent Newspapers

Work is expected to begin this week on the next phase of the Sun City wall project.

"A (\$24,329.40) contract has been awarded for 3.6 miles of work," said Blaine Donaldson, president of the Sun City Home Owners Association. "I expect them to start the cleaning process this week and they are expected to be done by early August." Albrecht & Sons painting contractors has been performing the work.

The next phase of work will include cleaning the existing white wall along 99th Avenue and repainting it the new color, oyster. The job also will include cleaning and repainting: the south side of Union Hills Drive, from 107th Avenue to the community limits; the south side of Beardsley Drive, from 99th Avenue east to Sun City's limits; the south side of Beardsley, from 99th to 107th avenues; the east side of 107th Avenue, from Beardsley to Union Hills and a block and half section at the entrance to Quail Run on Alabama.

"When this is completed, approximately 65 percent of the walls that

were planned to be repainted will have been done," Mr. Donaldson said. "The balance of the walls will be painted when money is available. This will just about clean out the account.

The committee has expended more than \$130,000 to repaint and repair the walls along Grand Avenue, Bell Road, 99th Avenue (from Bell Road north) and Union Hills Drive. The project has been financed entirely by contributions, mostly from residents.

Although the residents of Sun City have been quite generous with donations, the business community has lagged behind, Mr. Donaldson commented.

"We still have had little success in attracting business contributions," he said. "The Beautification Committee plans to make personal visitations on businesses in October.

"Sending a letter just does not seem to get the response," he continued. "We need to make personal contact."

Improving the appearance of the community's 35 miles of perimeter walls has been a Beautification

Committee priority for more than two years.

"It has been a major project," Mr. Donaldson said. "I have been very pleased that we have been able to get this much done this fast."

Contributions to the wall project may be made to the Sun City Homeowners Association Foundation, 10401 W. Coggins

Ave., Sun City, AZ 85351. The Foundation was established to encourage donations for the wall project. Contributions to the Foundation are tax-deductible.

Panel named to review homeowners associations

PROPERTY RIGHTS: Two Sun Citians named to legislative group

ED BAKER and BRUCE ELLISON
DAILY NEWS-SUN

State lawmakers announced the formation of a legislative committee Thursday that will seek ways to protect the property rights of homeowners associations' residents.

Two Sun Citians and a Del Webb executive will join Sen. Tom Freestone, R-Mesa, and Rep. Marilyn Jarrett, R-Mesa, on the 10-person committee expected to host at least four public hearings throughout the state. Those meetings are expected to begin in late July or early August.

One likely will be in the West Valley.

Blaine Donaldson, president of the Sun City Home Owners' Association; Robert Pogrun, a Sun City homeowner; and Scott Higginson, the vice president of governmental affairs for Del Webb Corp., were named to the committee.



Donaldson

Donaldson said this morning that he was asked by Senate President Brenda Burns of Glendale to serve on the group because the Sun City HOA rules haven't been controversial, as others have.

"Our CC&Rs are much more

See Panel set, A5

From A1

on the front windows.

"In fact, they've already asked me to send them a copy of our restrictions to look at."

Jarrett said that "more and more we're finding that people are moving into homeowner associations without really looking at the agreements," a reference to community bylaws which home buyers in homeowners associations are required to sign.

Those agreements also are known as CC&Rs, for conditions, covenants and restrictions.

In the Sun Cities, they are imposed both by original deed from Del Webb Corp., and for some property by a multiplicity of condominium associations.

In Sun City, newly revised CC&Rs were approved by a

majority of homeowners over the last two years; those restrictions now are enforced by the Sun City Home Owners Association.

In Sun City West, the Property Owners and Residents Association investigates allegations of violations of deed covenants, but turns the matter over to the Recreation Centers for legal enforcement.

Curtis Ekmark, a Scottsdale attorney and member of the Community Associations Institute's legislative action wing, and Jay DiBenardo, president of Homeowners Supporting Homeowners in Associations, also were appointed to the committee.

"We've challenged the politicians and they came forward," DiBenardo said. "But without the homeowners there (at the meetings) nothing will get done. We can't fight their battle if they

don't go."

Ekmark said he hopes to bring balance to the committee. The problems with homeowners associations have been greatly exaggerated, he said.

"There are 10,000 associations in Arizona," Ekmark said. "If you have 400 people complaining, that's not bad odds."

Homeowners associations have become increasingly popular in the Valley. Most cities require them in new developments. The newest Del Webb community, Sun City Grand in Surprise, has one master association, and rules that appear more strict than those the developer imposed on its earlier age-restricted communities.

In Peoria and Surprise, many new developments also have homeowner associations that manage such things as pocket

parks and drainage basins which developers are required to install.

Ire over the groups has grown in the past several years as disgruntled homeowners find they have no place to turn for help when they feel wronged by the associations' leadership. Courts are often unreceptive to their claims because associations are based on contractual agreements home buyers sign.

The committee's organization had been delayed numerous times since Freestone first promised to address the issue last October, prompting skepticism about whether it would have any effect from residents angry with their homeowners associations. Legislators estimate they have received at least 500 complaints about associations from constituents.

Monday, Aug. 21, 2000

Homeowners association reform-seekers gain ground

HOT TOPIC:

Meeting slated from 1 to 3 p.m. Sept. 28 at Bell Recreation Center in Sun City

ED BAKER
DAILY NEWS-SUN

A groundswell of residents demanding homeowners association reform has turned an issue many lawmakers once considered a nuisance into a top legislative priority, observers say.

Those such as state Sen. Tom Smith, R-Phoenix, who once opposed new laws dealing with homeowners associations, now firmly supports adopting measures to ensure residents are treated fairly.

Why the change? The sheer number of people complaining and their horror stories, Smith said.

"I was absolutely astounded by the things people were talking about at that last meeting," Smith said, referring to a public hearing last week on homeowners associations. "The crux of the

matter is that these homeowner associations can fine you and then put a lien on your house. Some of it is unconstitutional."

Legislators leading the reform drive said the number of residents pleading for help with unchecked associations may make this one of the biggest issues — in terms of the number of people contacting lawmakers — the Senate and House has faced in several years.

Sen. Tom Freestone, R-Mesa, has received more than 1,200 e-mails from homeowners throughout the state since he publicly stated he would be establishing a legislative committee to examine the issue. His executive assistant said she can't recall a subject that has led to more telephone calls from constituents asking for help.

By the time the six meetings for public testimony — one from 1 to 3 p.m. Sept. 28 at Bell Recreation Center in Sun City — are completed, Freestone predicted, disgruntled residents will have made reformers out of several more lawmakers. The meetings

See HOA reformers, A5

From A1

are expected to draw huge crowds.

"I think committee members will be floored by the stories they hear," Freestone said.

But those close to the issue said continued pressure by affected residents is needed to ensure that any reforms proposed by the legislative committee are passed into law.

It was widely believed among the public and many legislative watchdogs that Freestone's interim committee would be nothing more than a dead end for disgruntled residents of communities overseen by homeowners associations. The talk in political circles was that the committee would take testimony and then be stopped by anti-reform forces

at the state House and Senate.

Indeed, the prospect did look dim. With Freestone set to retire from the Senate in December and become a Mesa justice of the peace, many questioned who would take up the fight for reform of homeowners associations. Those such as committee members Rep. Marilyn Jarrett, R-Mesa, and Rep. Wes Marsh, R-Scottsdale, may step up, said Mesa activist Pat Haruff.

"We're hopeful," Haruff said. "We're not going to shut up until they (legislators) do something."

It's that determined attitude of angry homeowners that appears to be so effective. It was well-known that Senate President Brenda Burns, R-Glendale, did not support homeowners association reform — which put any chance for change in grave

danger, said Jay DiBenardo, a legislative committee member.

But Burns, who is traveling in Hawaii and was unavailable for comment this week, is apparently changing course. Some Senate staff members claim the issue is close to the hearts of conservatives who value the personal freedoms and liberties many homeowners associations are supposedly taking away.

Whereas most of the noise has been coming from disgruntled residents, groups that support homeowners associations are rumored to be circling the wagons. Curtis Ekmark, a committee member and lobbyist for the Community Associations Institute, a national association agency, has said he's disappointed the testimony at committee hearings has been mostly against associations.

HOA undertakes charitable program

SUN CITY: Organization will fund property cleanup for homeowners in need

HAYLEY RINGLE
DAILY NEWS-SUN

The Sun City Home Owners Association has allocated \$5,000 for a clean-up fund to help people who are physically or financially unable to comply with the conditions, covenants and restrictions of Sun City.

Only jobs under \$500, such as cleaning up a yard or minor paint work, will be considered, said Jerry Swintek, acting chairman of the HOA's Land Use Committee.

"This is something that's been needed for a while," said HOA President Blaine Donaldson. "We now have the authority to do it."

The work will be done for free for those who are found to be physically or financially unable to clean up their yards. If the resident simply refuses to do the work and is financially able to take care of the violation, a bill will be sent to the house and the home

owner will be responsible for paying, said Swintek, who voted for the fund at Tuesday's monthly HOA meeting.

"If they don't come to us and appeal, we are allowed to do that," said Swintek, who has been working in conjunction with Dan Curtis, the HOA's lawyer from Dyckman, Curtis and Cohen in Scottsdale.

Homeowners will be given the time to respond and clean up their properties, but if nothing is done, the HOA will contract someone to do the work. If a bill is sent and not paid, the HOA can put a lien on the house,

Donaldson said.

The bulk of the problems come from the people who do not live here full time and do not have someone working on their yard when they are away, Swintek said.

"If somebody's got enough money to have two homes, they should have enough money to keep their yard looking nice when they're gone," Swintek said.

Also at the meeting, HOA decided to spend \$1,000 for the emergency beacon

See HOA programs, A5

project, which originally included selling 911 switches to homeowners who would have to install them.

Under the new program, a special light bulb capable of flashing on and off without costly rewiring would be available to homeowners for emergency situations. The light bulb will aid emergency vehicles to easily find the house or condominium that has called for help, said HOA Director Gerry Unger.

The special light bulb will be available at several locations around Sun City, including the HOA office, with a donation of \$5, and has a 2,000 hour guaranteed life span.

The \$1,000 will be used to buy the light bulbs.

"Everybody I've talked to thinks it's a good idea," said Unger, who stressed purchasing the light bulbs are completely mandatory.

Hayley Ringle can be reached by e-mail at hringle@aztrib.com or by calling 876-2519.

Man cited for threatening HOA

BACKLASH: Sun Citian rails at group's attempt to get him to comply with CC&Rs

AYLEY RINGLE
DAILY NEWS-SUN

Morton Reich of Sun City was cited Tuesday with a Class 1 misdemeanor by the Maricopa County Sheriff's Office after threatening the Sun City Home Owners Association.

The HOA is seeking legal action against the 59-year-old for a peeling roof at 10240 W. Pleasant Valley Road, after several years of sending him letters asking for compliance with the conditions, covenants and restrictions imposed by the HOA. The proposed complaint against Reich is expected to be filed in Superior Court by the end of the week.

When contacted by a Daily News-Sun reporter, Reich made numerous references to the April 19 Ventana Lakes shooting at a homeowners association meeting and said he thinks HOA "is sticking their nose where they don't belong."

"I wish I had a gun or a bomb," said Reich, a resident since 1972. "I don't like to be told or ordered what to do."

MCSO Deputy Bert Rowe gave Reich a criminal citation Tuesday for the threatening remarks, and Reich will have to go to court within the month to plead his case.

"We are taking this very seriously," Rowe said. "That kind of idle threat doesn't go very far. Anytime anybody makes a threat to harm anybody, it's a misdemeanor."

Because of the threats, Ed McCrea, vice president of the HOA, said he will ask the Sheriff's Posse of Sun City to

drive by the HOA office to make sure the HOA employees are unharmed.

"We get a lot of these calls," Rowe said. "However, this is different because (Reich) is alluding to a homicide."

This is the second homeowner the HOA has taken legal steps to seek an injunction against after years of non-compliance. HOA filed a request for an injunction May 24 against Jerry and Persida Champagne, and are awaiting a preliminary court hearing.

Burton Cohen of Dyekman, Curtis and Cohen is handling the Reich case for HOA. The firm is also representing HOA in the Champagne case. The complaint costs about \$500 to file, and McCrea said he hopes to recover the fees from the homeowners.

"We are trying our best to clean up the houses (in Sun City)," McCrea said. "This seemed to be one of the worst."

Reich's neighbors said they are tired of looking at the peeling shingles and broken-down cars in the carport, and are glad something is finally being done.

"I think they ought to demolish the place," said neighbor Ted Reid, a resident for 10 years. "I gave up eight years ago trying to get him to fix his place."

His wife, Ruth, said she "thinks he just doesn't care."

Reich said he doesn't want to fix his roof because it doesn't give him any problems.

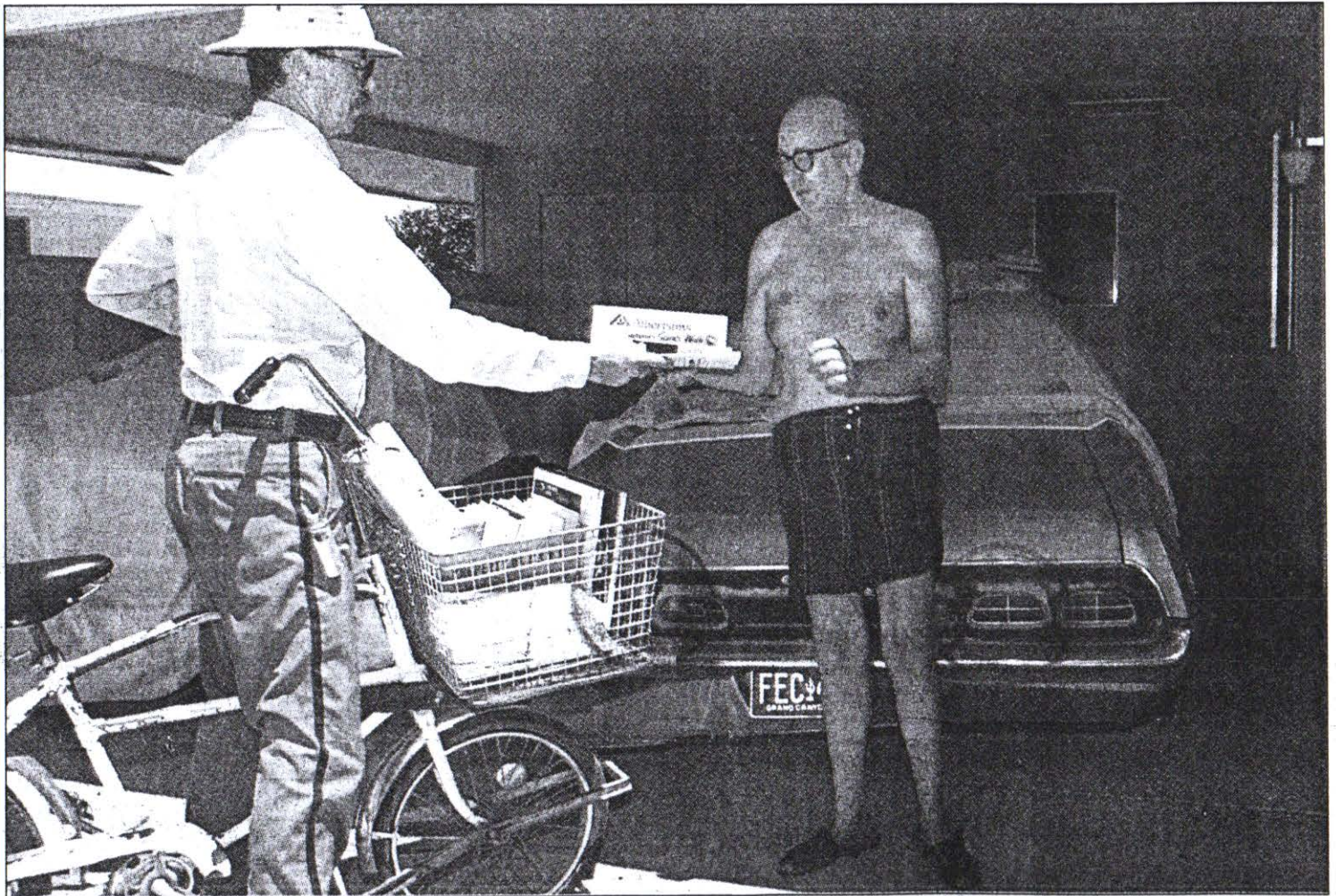
"It looks awful, I agree, but I'm not going to do anything (to fix it)," said Reich, who moved here with his parents, who passed away in the 1980s. "Personally I think Sun City stinks."

Reich wouldn't comment on whether financially he can afford to fix the roof, but did say he would allow someone to fix it for him if they paid for it.

"The HOA, they think they're



MOLLIE J. HOPPES/DAILY NEWS-SUN



Morton Reich of Sun City, who gets his mail Tuesday, says his home on Pleasant Valley Road needs a new roof, but he says he won't pay for it. Sun City Home Owners Association plans to file a complaint against him later this week for violating the community's conditions, covenants and restrictions.

See Resident rails, A5

(over)

From A1

somebody, and the rec center...," said Reich, who admitted he stopped paying his recreation assessment fees after his parents passed away. He is unemployed and said he hasn't had a job for 10 years.

Monica Staab, supervisor in RCSC membership office, confirmed he hasn't paid any recreation fees since 1988.

Marjorie Deur, a neighbor for 19 years, said she wishes Reich would fix his roof.

"It spoils the neighborhood," she said. "Why should we have this junky stuff in the neighborhood? I just wish he would clean the place up."

Reich stores two broken-down cars in the carport that are covered in tarps and have flat tires.

He said he regrets moving to Sun City but has no plans of moving elsewhere.

"The biggest mistake I ever made was coming out to this hell hole," said Reich, who moved to Arizona from the Bronx in New York City.

SUN CITIES INDEPENDENT

SEPTEMBER 20-26, 2000

Beacon of light

Flashing bulbs can help during local emergencies

By JULI NESSETT
Independent Newspapers

A simple beacon of light can do more than just light up the yard at night, it may also help save someone's life.

The Sun City Home Owners Association's long-range planning committee and transportation committee have joined forces to promote a community project designed to offer assistance to police, fire and medical personnel during an emergency.

The association's board of directors last week set aside \$1,000 to kick off its new emergency light beacon project.

The beacon, a light bulb manufactured by Response Technology Corporation, can serve as a regular porch light if turned on once.

But once the light is quickly turned on, off and on again, it begins to flash. The flashing porch light, officials believe, will make it easier for police, fire or medical personnel to find a particular home.

The bulb fits in a regular light socket and will last an average of 2,000 hours.

"We started talking about this and talking about coming up with some type of an emergency call system so that when Posse members, the fire department or paramedics are out answering a 911 call, they could identify a house more quickly if (the house) had a flashing light or something outside," said HOA President Blaine Donaldson.

"They found a switch that would do that but the switches were fairly expensive and also required some rewiring. A friend of Gerry Unger's

*It will save the
Posse and the fire
department and the
paramedics from
driving around.*

told him about a light bulb he knew about and that's how we ended up with the beacon," he said.

Although there is no charge for the beacons, HOA is asking for a \$5 contribution, which will allow HOA to continue purchasing more bulbs.

The project is strictly voluntary and the bulbs will be on display at the upcoming HOA general meeting Oct. 13. The bulbs will also be on display at upcoming fairs so residents can become acquainted with the beacon.

The Sheriff's Posse and Sun City Fire Department will also maintain an inventory of the bulbs.

Mr. Donaldson believes the beacons will cut down on emergency-response times.

"It will save the Posse and the fire department and the paramedics from driving around. Some of the house numbers are not easily seen from the street and if there is a flashing light on the front porch or back porch, whatever the case may be, it will make the response time much, much quicker," he said.

Many residents of Sun City West have had a similar feature for years. Switches were installed in many Sun City West homes as they were built.

According to Mr. Donaldson, the Sheriff's Posse and fire department of Sun City West think the beacons are a tremendous asset.

SUN CITIES INDEPENDENT

SEPTEMBER 20-26, 2000

HOA establishes home clean-up fund

Money to be used to clean, repair unkempt property

By JULI NESSETT
Independent Newspapers

In an effort to keep Sun City looking clean and beautiful, the Sun City Home Owners Association has put aside \$5,000 of its own money to help residents who are financially unable to keep up the appearance of their homes.

A \$5,000 fund has been estab-

lished in order to assure that people, no matter their financial status, can maintain their property so it will meet with recently adopted covenant and deed restrictions. The board approved establishment of the fund at its September meeting.

"This is something that we've been talking about for some time and with the new covenant and deed restrictions this year we

thought it would be a good time to kick off the program," said Blaine Donaldson, president of HOA.

"Most of the people can afford to do their own clean up but there are a few residents here in Sun City that just can't afford to maintain their property in the manner which they would like to and which would meet with the conditions of the deed restrictions," he said.

This led to the decision to set up this revolving fund funded by a grant from HOA itself.

"It's so we have money available in case somebody cannot afford to clean up their property," said Mr. Donaldson.

HOA has taken a strong stance on enforcing the new deed restrictions. Mr. Donaldson says HOA will use the money to do whatever it takes to bring a home in compliance with deed restrictions.

"That fund will also be used if somebody should need to clean up their property and refuse to do so. We have authority under the new covenant and deed restrictions to hire somebody to go in and do the clean up and then of course bill the property owner for it," said Mr. Donaldson.

In the past, HOA enlisted volunteers to help homeowners who couldn't afford to clean up their unkempt properties.

Mr. Donaldson said using volunteers, however, presented a variety of liability issues.

"This gets into a very touchy area as far as liability, especially if one of the volunteers would get hurt working or something like that.

"By doing it the way we have it set up, we'll be protecting the volunteers. It just seems to be a more satisfactory way to do it."

Daily News-Sun • Thursday, Oct. 12, 2000

Hearings show Sun City group's problems minimal

SUN CITY HOME OWNERS ASSOCIATION:
President Blaine Donaldson says nation's largest HOA has least complaints against it

HAYLEY RINGLE
DAILY NEWS-SUN

The number of Sun Citians complaining about homeowners associations don't stack up to those who have grievances with HOAs in other communities, Sun City HOA President Blaine Donaldson said Tuesday.

At a meeting of the local HOA, Donaldson, who has participated in four state hearings concerning homeowners associations, said, "In proportion to the number of residential areas that are in Sun City, there aren't any problems. And to my knowledge we're the largest HOA in the United States, as far as I'm aware of."

In Sun City, there are more than 27,000 residential units — including houses and condominiums — and the HOA has taken legal action against two homeowners in the last three years, since Donaldson has been on the board.

There have been four state hearings this year, the last in Sun City on Sept. 28. Four more are scheduled. The majority of complaints have come in areas that have strict conditions, covenants and restrictions, or from areas with Developer Control Associations — developments the developer controls until

such time as a certain percentage of the lots are built on.

"There was an area in Scottsdale where the CC&R's dictated what color the house and roof had to be, what kind of trees and bushes should be planted in the front and back yard and what style and make of patio furniture the homeowner was allowed to have," said Donaldson. Other complaints were from citizens angry their HOA does not have public meetings, new homeowners not receiving their copy of the CC&Rs until months after they've moved in and the CC&Rs being too lengthy, wordy and hard to understand, Donaldson said.

He said one CC&R document he looked at was 64 pages of small, single-spaced type. Sun City's CC&Rs are six pages long.

Donaldson said most of the meetings have been longer than two hours, with about 30 to 40 people testifying each time and almost as many turning in written testimony. And not everyone is complaining, he said.

"A tremendous amount are supportive the HOAs are taking action," Donaldson said.

While he would not speculate on the outcome of the meetings, Donaldson said he is confident it will be positive. The group has until Dec. 31 to forward its report to the governor, the president of the Senate and the speaker of the House, he said.

"It's interesting and I think it will be rewarding," Donaldson said.

The next public hearing is Nov. 9 at the Gilbert Library in Gilbert.

For information, call the HOA at 972-5954.

HOA doles out information

HOUSEKEEPING:

Annual meeting includes changes for upcoming season

HAYLEY RINGLE
DAILY NEWS-SUN

About 85 Sun City residents were treated to free food, entertainment and a wealth of knowledge Friday as the Sun City Home Owners Association hosted its annual meeting at Lakeview's Social Halls 1 and 2.

HOA President Blaine Donaldson reviewed what HOA and its committees have done over the past year and board members discussed upcoming news.

HOA and its committees have implemented the following things this year:

- The Land Use Committee enforced the conditions, covenants and restrictions and filed injunctions against two homeowners.

- The Environmental/Consumer Protection Committee implemented the Emergency Beacon Light Program to make available, for a \$5 donation, porch lights that flash when turned on and off twice.

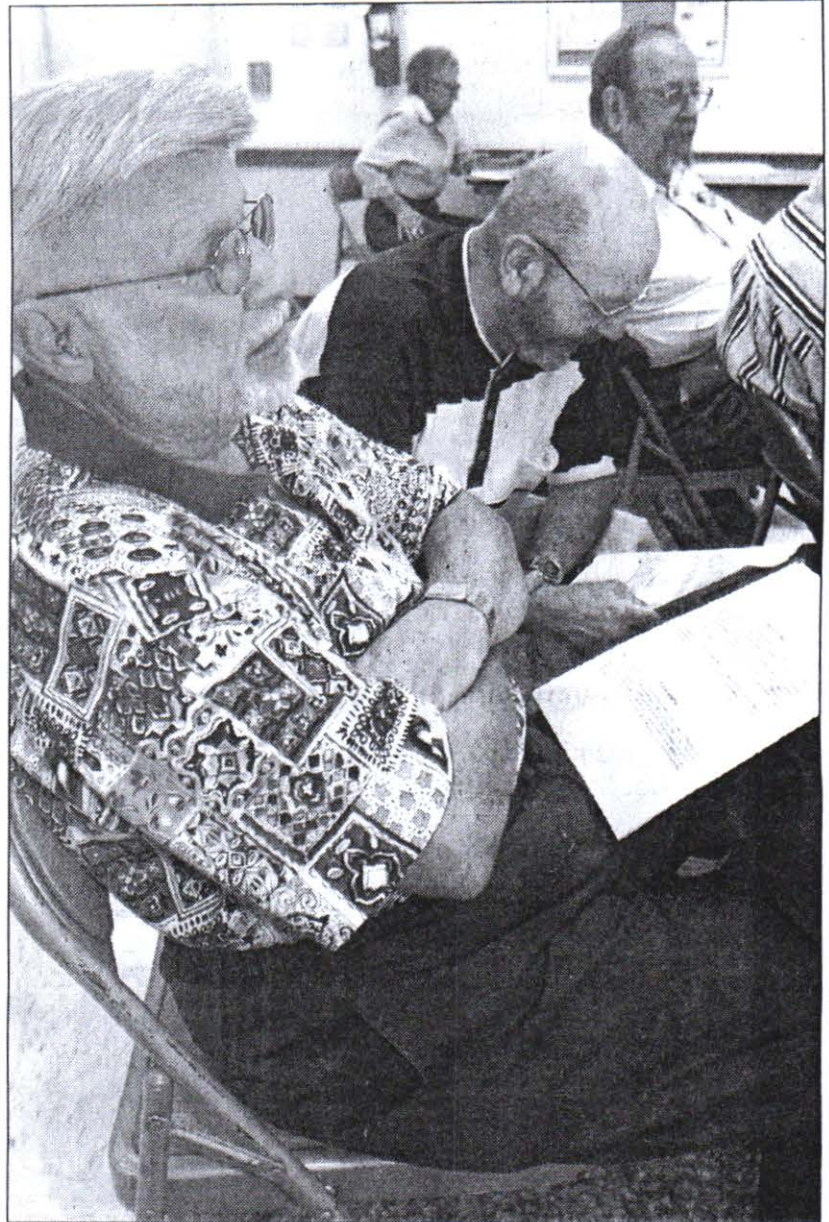
- The Beautification Committee contracted out to paint miles of walls in Sun City using more than \$130,000 in donations.

- The Long Range Planning Committee helped implement the emergency after-hours Sun Cities Area Transit service that picks up residents from the hospital who don't have a ride home.

Lucille Corkrey, chairwoman of the Nominating and Elections Committee, announced the candidates for the three board positions open in December. They are Alfred Bratton, a World War II Marine pilot and retired mechanical engineer, Floyd Brown, a Navy veteran and retired engineer, Waldo Smith, a Sun City PRIDES member and retired head receiver for a hardware and lumber company and Gordon Rosier, a Navy veteran and retired English and business teacher.

Anyone who wants to run for the board can still apply, she said. Contact the HOA office at 974-4718 for information.

Elvera Anselmo, from the state



MOLLIE J. HOPPES/DAILY NEWS-SUN

Herb Blumenthal, left, and Lee Votava listen while candidates for the Sun City Home Owners Association board read their qualifications during the group's annual meeting Friday afternoon.

Attorney General's Office, discussed consumer fraud, the most common complaints to the office and common senior scams.

"A good scam plays on your emotions and fears," Anselmo said. "Scams will also change. So be careful and aware."

Members of the audience were allowed to ask questions. Some of the questions concerned replacing the grass in the medians with gravel, putting up street lights on Bell Road and eliminating steel plates on roadways after street work has been done.

Donaldson encouraged residents to call HOA with any complaints, since those are forwarded to the county or a committee who can handle the problem.

Nancy Gilliam, Sen. Jon Kyl's senior representative, spoke about concerns she has dealt with since coming to the HOA office. She is available to any residents who have federal problems or questions on the second Wednesday of each month from 10 a.m. to noon.

The next HOA general meeting is at 10 a.m. Nov. 14.

Group tests its teeth on initial cleanup

SUN CITY HOME OWNERS ASSOCIATION:

Official and neighbors agree — yard looks a lot better, and it's long overdue

HAYLEY RINGLE
DAILY NEWS-SUN

Eleanor Mack can finally look out her back window without cringing at the overgrown mess that was her neighbor's yard.

The house in the 10500 block of Kingswood Circle in Sun City is the first house the Sun City Home Owners Association had cleaned up in connection with its new cleanup fund. The trees and bushes were overgrown, some were dying, and the yard was unkempt and needed a trimming, Mack said.

"I thought they really did a good job," she said.

Mack, a resident of Sun City since April, called the house the neighborhood eyesore: "The trees were all dead and it was a total mess. We were going to plant some stuff in there so we couldn't see it."

Ed McCrea, vice president of the HOA and the chairman of the Land Use Committee, said the cleanup cost \$670. The bill will be sent to the homeowner, who supposedly lives in California, McCrea said.

The house only has an old car with four flat tires in the carport, but the HOA can't do anything about that.

"We can't touch the junk car or do anything to the house,"



Mack

McCrea said. "We could only clean up the yard. And you couldn't even see the front of the house."

The HOA has been trying for years to get the homeowner to clean up the property. So they decided to get a contractor to do the work instead.

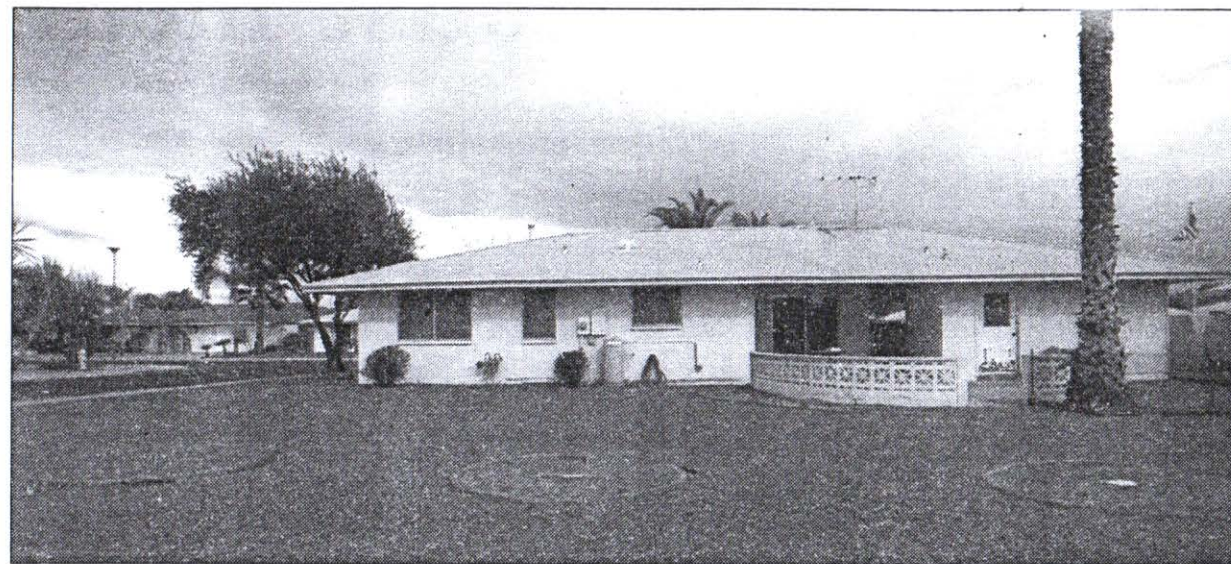
Mack said the new look is a big improvement.

"It is so much better," said Mack, who added she wrote a letter to the editor expressing her thanks. "It was really depressing."

Ann Swari has been driving past the house for two years and said that the change looks nice.

"It looks better than before," said Swari, who thought someone had moved into the house. "We were curious to what was going on."

Cory Perdams lives right in back of the house and said the overgrowth was so bad, all she could do was sit back and watch



SCOTT SAMPLIN/DAILY NEWS-SUN

This yard in the 10500 block of Kingswood Circle is in stark contrast to its appearance before HOA hired a contractor to remove the dead and overgrown foliage, the first such action by the homeowners group. The bill will be sent to the owner in California.

it die.

"We were delighted when it was finally cleaned up," said Perdams, a resident for three years. "It's much better, even with

everything cut down. When they clean things up, it's to everybody's advantage."

McCrea has plans of having another house cleaned up next

week.

"I really think the world of HOA now that they have some teeth to get these things done," Mack said.

Decreasing ranks concern HOA board

VF

HOMEOWNER'S ASSOC.

(HOA)

VOLUNTARISM:

Lack of citizen participation addressed at meeting

JOHN SOKOLICH
DAILY NEWS-SUN

2/14/01

The Sun City Home Owners Association joined the ranks of others in the community concerned about the decreasing spirit of voluntarism in Sun City.

Most of the discussion during HOA's board meeting Tuesday centered on the declining number of volunteers in the community, and what local organizations are doing to combat the growing problem.

"We are quite concerned about the decline of volunteers in Sun City," Bob Kortright, HOA board member, said. "There was a committee formed to discuss the problem, and there are a lot of good suggestions out there on what can be done."

The committee is made up of HOA members, Interfaith Services members, library members and hospital staff.

"There were good suggestions coming from each of the groups," Kortright said. "We are all recognizing that there is a problem. We are all recognizing that if we work together, we'll be better than working individually."

Gerry Unger, a board member who also attended the committee meeting, said he noted a number of volunteers get bored in the same job year after year.

"I think if the communication stays open between all the groups, we will be able to keep the volunteers from getting bored," he said. "This way we can trade off volunteers so people aren't doing the same type of job all the time."

Waldo Smith, a long-time member of the Sun City PRIDES, said his organization has been immune to the recent decline in volunteers because the group is so visible.

"I think because everybody

sees what we do, we haven't had the problem," he said. "And I think that's something that needs to be done with all volunteers in the community. We have to show volunteering as a clearly defined job of great importance."

Board members also briefly talked about HOA's recently released, 20-page book, "CAP Water in Sun City." With its publication, the organization aimed to inform residents of how the water can supplement the dwindling drinking water supply in the state. All the board members said they were in full support of the book, and wanted as many community members as possible to read it.

The book is available at all recreation centers, churches and libraries within Sun City.

The balance of Tuesday's meeting primarily involved housekeeping measures as HOA unanimously approved all motions on its agenda.

One of the five agenda items involved allowing Blaine Donaldson, former association president, to sit on the board in a non-voting, advisory capacity. Approval of the item meant a change in the association's bylaws, as did the motion to rename the president-elect position to first vice president.

New business at the meeting involved transferring clean-up funds from HOA's account to the Foundation's account, a move that would allow those funds earmarked for property clean-ups to be tax exempt.

Also approved was a motion to charge a set-up fee for use of HOA rooms by groups not affiliated with the association. The charge would be a \$20 donation.

The final motion to pass was changing HOA's legal counsel to a local firm. The association is using the Scottsdale firm Dykman, Curtis & Cohen, which HOA President Ed McCrea said has done a fine job. But the association moved to retain a local firm in the hope it would command more respect from community residents.

John Sokolich can be reached at jsokolich@aztrib.com or at 876-2526.

HOA, PORA provide contractor referrals

SCAM PREVENTION:

Reputable vendors endorsed by homeowners groups

JOHN SOKOLICH
DAILY NEWS-SUN

The Better Business Bureau has warned about potential scams when it comes to home improvements — but what are residents to do when they need home repairs and don't want to get cheated?

The answer is just a phone call or two away. The Sun City Home Owners Association and the Sun City West Property Owners and Residents Association keep a list of reputable local contractors, ranging from housekeepers to painters to plumbers.

"This is a program that we've developed throughout the years," said Ione Boynton of HOA. "We have a list of 2,000 vendors in our program ranging from everything from air conditioners to zoo information. The program gives residents confidence when they hire someone, knowing that we recommend them."

HOA works closely with PORA on the program, Boynton said, therefore residents can call either organization to get an updated list of available vendors in the area.

The service not only helps residents, but businesses also reap the benefits of being registered with

HOA and PORA.

But Tom Albrecht of Albrecht and Son Painting in Youngtown said residents shouldn't just pick a name from the list and assume the company is reputable. Although his business has been listed with the organizations for the past 12 years, he said residents using the service should ask detailed questions before making their decision.

"HOA has been very good to me," Albrecht said. "And there are a lot of people in Sun City getting ripped off by people, so in that respect, the list is good. But a lot of the time, residents always go for the lowest bidder rather than who can offer quality work."

Albrecht said if residents consider who offers the best service for the money, more people will be satisfied with the work they pay for.

And Boynton agreed that just because a vendor is on the list, it does not guarantee satisfaction.

"Being on the list does not ensure that there won't be problems with one of them," Boynton said. "But residents know that the problem will be resolved by us. And if it's not resolved, then we will pull them from the list."

Ray Kirwan of PORA said every vendor on the list has been reviewed by the organizations to ensure their business practices are in good standing and people have been satisfied with their work.

"We check them out ourselves," he said. "And then if we don't receive any complaints about the vendors we refer, we assume everything is OK with them. If someone calls us and complains, we will check out what can be done to fix the situation."

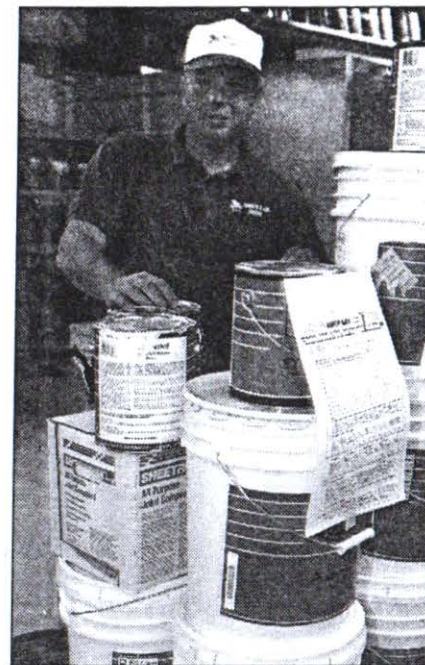
The Better Business Bureau of Arizona advises seniors to err on the side of caution before hiring any home improvement personnel, specifically being leery of itinerant salesmen, which is where the HOA/PORA program can help out.

"The BBB recommends practicing caution when approached by door-to-door home improvement contractors," said Amy O'Brien of the BBB. "Many of them operate illegally and may try to take advantage of people, especially seniors."

Most often, according to data compiled by the BBB, home-improvement scam artists target a specific location, then move from house to house offering their services. They usually ask for some money up front from each home approached, and then leave the area with the money.

By not giving in to such sales pressure on the spot, the BBB reports, residents will allow themselves the chance to research and choose a reputable company.

"What (HOA and PORA) have are really great," Fern Evans of HOA said. "It really gives people the



STEVE CHERNEK/DAILY NEWS-SUN

Tom Albrecht owns Albrecht and Sons painters based in Youngtown.

opportunity to choose someone that won't try to cheat them."

The program is free and available to all residents of the Sun Cities, regardless of whether they are members of HOA or PORA. HOA can be reached at 974-4718. PORA can be reached at 214-1646.

John Sokolich can be reached at jsokolich@aztrib.com or at 876-2526.

Daily News-Sun • Friday, Sept. 14, 2001

HOA struggles to fill board

JOHN SOKOLICH
DAILY NEWS-SUN

With the national community leaping to aid terrorist victims in any way possible, a lack of volunteers in another respect is plaguing the Sun Cities.

Resuming business after the three-month summer break, the Sun City Home Owners Association turned its attention to elections Thursday, reporting that finding candidates for open seats on the board was a difficult task and community participation is at an all-time low.

"I think it's just ridiculous," said Ed McCrea, HOA president. "In a community with 42,000 people we can only find five candidates for the board."

Board member Bob Kortright said in addition to having a lack of candidates, volunteerism in Sun City also is low.

"Unless this thing can be turned around, we are going to have to curtail some of our services," he said. "And in Sun City, which was founded on volunteers, it's obvious that something just ain't working here."

Kortright said many local organizations have been studying the problem, but no hard-and-fast solution has been reached. He said although Sun City residents

seem to lead active lives and turn out for national elections in record numbers, they choose not to volunteer as much nor have a strong voting record on local issues.

Gerry Unger of the board agreed with Kortright and said the community has a voting record of 80 percent in national elections, but when it comes to local issues it is considered a good year if 6 percent of the population turns out.

"The election system used to work better when we mailed people ballots, but that just isn't cost-effective anymore," he said. "With something like that, it is costing us \$1 per vote, and we just can't afford that anymore."

Sun City residents can vote through absentee ballots or by going to a particular voting station. None of the voting, however, is done by mail.

"If something isn't done about this, then we should scrap another election system and find a way to just appoint members," Kortright said.

That idea was rejected by other board members, though many expressed their concern that the election system does need some work.

Although little other business was discussed at the meeting, committee chairman gave several updates.

In his report, Gordon Rosier said there are many residents still working hard on shutting down sand and gravel operation in the Agua Fria basin.

Ione Boynton, HOA executive secretary, also gave a report on a motion passed earlier in the year that asks for donations from groups who use the HOA offices for meetings.

"I was told that putting a dollar figure in front of a donation will lead to a lot of tax problems," she said. "I think it's something we should get rid of, and I think I should return the money that we've already gotten in."

The board agreed unanimously with Boynton, and the donation was rescinded from all contracts for using HOA rooms.

Thursday's meeting was considerably shorter than previous HOA meetings because of the lull in activity in Sun City for the past few months.

The meeting was originally scheduled for Tuesday, but was postponed because of the terrorist attacks in New York and Washington, D.C. Before Thursday's meeting started, Ed McCrea asked for a moment of silence for the victims.

The next HOA meeting is 10 a.m. Oct. 9 at the organization's offices on Coggins Drive.

Home Owners group raises dues

INCREASE: Singles bear brunt of first bump in 8 years

JOHN SOKOLICH
DAILY NEWS-SUN

Trying to pull itself clear of the red, the Sun City Home Owners Association on Tuesday approved raising annual dues beginning Jan. 1.

Approximately 19,000 members will be affected by the increase of \$3 for single members and \$2 for couples. The hike will raise the rates from \$5 to \$8 for singles and from \$10 to \$12 for couples.

"We've been in the red for two years now," said Ed McCrea, HOA president. "Our expenses are going up, our operations are going up and we just need the money to stay afloat."

The motion to increase the dues was made by Director Ed Anderson, who said the increase was discussed and mulled over for quite a while before an actual dollar figure was agreed upon. The increase marks the first time in eight years that the HOA has increased its rates.

Although the motion passed, it was opposed by Director Bob Kortright, who said the board should work harder on trying to get new members rather than penalizing the current ones with higher fees.

"I think there will be some people who don't want to pay the higher dues rates and stop their membership," he told the board.

McCrea agreed that some people would probably drop their memberships, but the increased revenue from the dues will make up for the few who decide to quit.

"We need the money now," McCrea said. "We can't wait for other programs to get new members."

A report by HOA Executive Director Ione Boynton earlier in the meeting showed that membership had dropped by about 900 this year. She attributed the drop to the number of new homeowners who are given a one-year trial membership in the HOA but decline to renew.

As a result, a second motion passed by the board Tuesday ended giving newcomers a free trial membership and shifted efforts to holding monthly membership drives. The goal of the motion, according to Director Fern Evans, is to boost the HOA's presence in the community and show residents the benefits of becoming members.

The third motion the board passed will provide the HOA booklet, deed restrictions and volunteer form to all new residents moving into the community. The mailing has the same goal as the membership drives, Evans said, and allows for a greater volunteer base, which many agencies report has been dwindling in Sun City for the past year.

Board members have been working to increase the volunteer base in the community, with slow success, Kortright said.

Other business discussed at the HOA meeting included an update on the Vulcan Materials plant in El Mirage, which HOA has been fighting to close down. Director Gordon Rosier said he is investigating proposing clean-air legislation to lawmakers next year. The legislation would severely impact the mining operations in the Agua Fria River, he said.

"We are trying to develop a clean-air concept," he said. "We have a lot of support from residents in surrounding communities, and I think it's something that this area should show support for."

Details of the clean-air legislation were not available.

SUN CITIES INDEPENDENT OCT. 17 - 23, 2001

Home Owners Association raises membership dues

First increase in eight years

By Mike Russo
Independent Newspapers

Sun City Home Owners Association board of directors voted last week to raise the organization's dues, effective Jan. 1.

It is HOA's first dues increase in eight years.

Dues for an individual will rise from \$5 to \$8 annually and the rate for couples will increase \$2, from \$10 to \$12.

"We have been in the red for two years," explained Ed McCrea, president of HOA's board of directors.

"We are running pretty close to \$20,000 in the hole,"

said Vice President Gerry Unger.

"The last time we raised dues was 1993," Mr. McCrea said.

"Without the dues increase it will be difficult to continue operating," he added.

"(HOA) is the best bargain in the world for what we do," Mr. Unger said.

HOA membership is down more than 900 from last year, according to Ione Boynton, executive director.

She explained that much of the decline was due to a purg-

ing of the membership rolls and deleting those who were not current in their dues payment.

HOA's current membership includes about 5,000 individual members and 6,600 couples, according to director Ed Anderson.

Director Bob Kortright, who cast the lone dissenting vote, would prefer to see HOA try some measures to increase membership, resulting in greater revenue, before raising dues.

The board also approved a motion to eliminate the introductory six-month, free membership.

The dues hike follows a similar action taken by Sun City West's Property Owners and Residents Association board of directors, which approved a \$2 increase during its Sept. 25 meeting. It was PORA's first dues increase in 10 years.

The increase, which takes effect Jan. 1, raises the per household resident annual dues from \$6 to \$8.

Sun City voters reject Registry

11% TURNOUT:
Unofficial results
indicate support
of current policies

JOHN SOKOLICH
DAILY NEWS-SUN

Sun City voters chose to keep the community's recreation centers running in the same direction Tuesday, electing candidates with views similar to the current

board.

Of the five members elected to the nine-member Recreation Centers of Sun City board of directors, all came from the group that supports current board policies and were supported by the Concerned Residents of Sun City group.

Winning three-year seats on the RCSC board are: Norm Dickson with 3,035 votes, Doug "Bud" Hantke with 2,873 and Jim Frederick with 2,872 votes

Taking one-year seats on the RCSC board are: Art Little with 2,828 votes and Gene Zylstra with 2,785 votes.

In the parallel Sun City Home Owners Association election, six candidates were vying for four three-year seats on the board. The HOA winners are: Marge Murphy with 2,565 votes, Jim Corcoran, 2,556; Phyllis Roach, 2,463 and Arne Bidstrup, 2,191.

Little said the board can get back to working for the

community.

"I greatly appreciate the vote," he said. "They made a statement on what they would like to see at the rec centers. This is a statement for the people of Sun City. They want progress. This is the group to do it."

In the more hyped election, 10 candidates were bidding for five seats on the RCSC board. The election was one many officials called the most important in Sun City's history.

With an average voter turnout for the previous three years of just less than 6 percent in community elections, voters came out in force this year with nearly 11 percent casting votes — some 21,859 selections on 4,629 ballots.

Throughout the day, voting remained brisk at all community polling stations, where the voting outcome favored the concerned residents' group by a margin of a little more than 2-1.

Before the results were

announced, Little had said the election would determine if Sun Citians want to move forward or backward.

"This election will determine it," he said. "If people want to keep moving ahead, they know who to vote for."

This year's RCSC election came with one of the fiercest rivalries in the community's 41-year history.

Two groups of candidates faced off against each other:

See 11% turn out, A3

OVER

Elected to HOA board:



Bidstrup



Corcoran



Murphy



Roach

From A1

one running on the grounds of change, the other on the premise of keeping things moving ahead on the same track.

The heated contest raised awareness of the community election, to the point of prompting some long-time residents to come to the polls after absences of several years.

"I just came out to show that Sun City is doing the right thing and that the board should continue to do what they're doing," said Ronald Goldsmith, a seven-year resident who hasn't voted since 1997. "We can either live in a nice community or have one that gets run down to hell."

Doris Wilkenson came out to vote this year after a six-year absence.

"It's been a while," she said. "But at least this year there was an effort made to tell residents about the election rather than hiding it."

Wilkenson said she was not going to announce who she was voting for, but she admitted she likes the way Sun City is making improvements for its membership.

Election day was not without its hitches, though.

Earl Wille, a Sun City resident for the past six years, was blocked from voting because his property was in his wife's name — not his.

"I don't understand it," he said. "I pay \$130 a year to belong to the rec centers and then they ban me from voting. I voted last year

without a problem, and then this year they tell me I can't. They complain that they don't get a good voter turnout and then they ban people from voting."

RCSC bylaw Article 2, Section B1, states, "non-owners are not entitled to vote." The section further states non-owners can have access to RCSC membership cards, but the privilege of voting will not be extended to them.

The election also had some problems with broken machines, but the entire counting process came

under the direction of the Maricopa County Elections Department. While the votes were being tabulated, observers from both community parties were allowed to watch.

No matter the complaints or rivalry in this year's election, community members are considering it a success.

"We got people to come out and vote," said Nick Salamone, an RCSC candidate backed by the Formula Registry. "The issues brought people out to the voting booths. That's the important thing."

John Sokolich can be reached at jsokolich@aztrib.com or at 876-2526.

'We got people to come out and vote. The issues brought people out to the voting booths. That's the important thing.'

**Nick Salamone
RCSC board candidate**

Election results:

STAFF REPORT

The following is a rundown of election results from the Sun City Home Owners Association and Recreation Centers of Sun City elections held Tuesday.

All numbers include early-voting and absentee ballots.

HOA results:

Total votes cast for the six candidates:

Individual HOA candidate results:

- Arne Bidstrup — 2,191 votes
- James Corcoran — 2,556 votes
- Mary Januchowski — 2,022 votes
- Marge Murphy — 2,565 votes
- Phyllis Roach — 2,463 votes

- Patrice Stolz — 1,665 votes

RCSC results:

Total votes cast for the 10 candidates:

Individual RCSC candidate results:

- Lou Abdullah — 1,448 votes
- George Bischof — 1,595 votes
- Norman Dickson — 3,035 votes
- Ken Fetha — 1,368 votes
- James Frederick — 2,872 votes
- Doug Hantke — 2,873 votes
- Art Little — 2,828 votes
- Jack McManamon — 1,563 votes
- Nick Salamone — 1,492 votes
- Gene Zylstra — 2,785 votes

Daily News-Sun • Friday, Dec. 14, 2001

Home Owners Association names officers

MOTION: Request to seek court order to enforce CC&Rs passes unanimously

JOHN SOKOLICH
DAILY NEWS-SUN

Ed McCrea opened the Sun City Home Owners Association board of directors meeting Thursday morning, but Gerry Unger closed it.

Coming out of Tuesday's community election with three new directors and a re-elected incumbent, the board welcomed them and elected officers.

Seated on the board because of Tuesday's results were Arne Bidstrup, James Corcoran, Marge Murphy and incumbent Phyllis Roach.

Board members stepping down from their posts are Ethel Gross, Bob Kortright and Fern

Evans. None of the exiting members ran this year.

After Thursday's election of officers, McCrea turned his gavel over to Unger, while Ed Anderson assumed the vice presidency. McCrea was elected second vice president, Roach was elected secretary, while Murphy was elected treasurer.

"This has been a good year for us," McCrea said. "I want to thank all the exiting board members for their hard work, and I hope that we can continue to work to be a good organization for the people of Sun City."

For the past year, HOA has been active in cleaning up messy yards in the community and lobbying the state Legislature for stricter regulation of the mining industry in the area.

At Thursday's meeting, Kortright — in his last official action as an HOA director — moved to get a court order to remove a

dilapidated vehicle and golf car from a residence on Del Webb Boulevard.

Kortright said the owner of the vehicles has refused numerous requests by HOA to move the cars, and further refused to sell the vehicles to the association for \$300, even though the vehicles are violating the community's conditions, covenants and restrictions.

"The vehicles aren't worth anything, but (the resident) doesn't want to move them," Kortright said.

The HOA encountered a problem trying to exercise its power to remove the vehicles, as skeptical area towing companies wouldn't do the job because of liability concerns. A court order to remove the vehicles, however, would allow the county to do the job or would relieve the towing companies of liability, said Blaine Donaldson, an HOA

adviser.

The motion to try to get the court order was approved unanimously.

Other board business Thursday centered on housekeeping items, such as finalizing submissions to the community newspaper and gathering ideas for the coming year.

In his first action as president, Unger asked directors to think about which committees they would like to serve on next year, but no appointments were made.

"There are a lot of important committees out there, and I want to get a feel for who would like to serve on each of them," he said.

The HOA office will be closed Dec. 24, 25, 31 and Jan. 1 for the holidays.

The HOA's next public meeting is scheduled 10 a.m. Jan. 8 in its offices at 10401 West Coggins Drive.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

SUN CITIES INDEPENDENT

DEC. 19-25, 2001

Voters reject 'pro-membership' candidates

Turnout was heavier than recent years

By Mike Russo
Independent Newspapers

Two divergent factions seems to have stirred the interest in Sun City and produced a larger than normal turnout for this year's Recreation Centers of Sun City, Inc. and Sun City Home Owners Association board of directors election.

A total of 4,627 ballots, or 10.9 percent of the RCSC membership, were cast in the election. That was nearly as many votes as generated in the two

pervious elections combined.

"This was one of the largest turnouts in recent years," observed Tom Whiston, RCSC director and chairman of the RCSC Elections Committee, prior to announcing the election results Dec. 12 at Lakeview Recreation Center.

Voter turnout in 2000 was 2,449, which was down from 1999's 2,875.

Early voting was popular among Sun Citians with 1,979 ballots being cast prior tot the designated Dec. 11 election day.

Despite inclement weather on Dec. 11, another 2,648 voters turned out.

The race for RCSC seats was quite spirited with the candidates aligning themselves into two factions — "pro-membership" and "pro-board" — with five candidates from each camp seeking a seat on the board.

The former group asserted that the current board has improperly spent RCSC funds, has hired unqualified people

See ■ ELECTION, Page 10



Marge Murphy, left, and Phyllis Roach congratulate each other on their election to the Sun City Home Owners Association board of directors. Also elected to the board were Jim Corcoran and Arne Bidstrup.

OVER

and taken power away from the members.

Apparently, voters did not buy that argument as none of the "pro-membership" candidates won election.

Norm Dickson received the highest vote total, 3,025, and was joined in earning a three-year term on the board by Doug "Bud" Hantke, 2,873, and Jim Frederick, 2,872.

The next two highest vote-getters were elected to one-year board terms. They were Art Little, 2,828, and Gene Zylstra, 2,785.

George Bischof garnered the most votes among the "pro-membership" contingent, 1,595. He was followed by Jack McManamon, 1,563; Nick Salamone, 1,563; Louis Abdullah, 1,448; and Ken Fetha, 1,368.

Directors whose terms are expiring are Bob Briscoe, Marge Murphy, Harold Boudrie, Mr. Hantke and Mr. Little. The latter two men have been serving as appointees and were eligible to seek election to their own terms on the board.

RCSC board President Jerry Swintek expressed his satisfaction with the election's outcome.

"Although a vocal minority seemed to criticize many decisions made by the board this past year, we are grateful that the members of the Recreation Centers of Sun City, Inc. took the time to educate themselves on the issues and the dedicated service that the board has put forth," he said.

"Everyone needs to remember the board members are volunteers who have chosen to live in Sun City because they believe it is the greatest community," Mr. Swintek continued. "The problems we face as a board do not always have pleasant solutions. The board members, however, are first and foremost members of the RCSC and residents of Sun City, and our decisions, while not always supported by everyone, are made with what we believe is in the best interests of the Recreation Centers."

Being elected to three-year terms on the HOA board were Marge Murphy, 2,565; Jim Corcoran, 2,556; Phyllis Roach, 2,463; and Arne Bidstrup, 2,191. Also competing for seats were Mary Januchowski, 2,022; and Patricia Stolz, 1,655.

HOA terms expiring were those of Fern Evans, Ethel Gross and Bob Kortright, as well as Mrs. Rach.



Photo by Mike Russo/Independent Newspapers

Elected to the Sun City Recreation Centers, Inc. board of directors were, from left, front row, Doug "Bud" Hantke and Gene Zylstra; back row, Norm Dickson, Jim Frederick and Art Little.

Mr. Kortright, in announcing the HOA winners, thanked all the candidates and praised the efforts of the election volunteers, who worked under the direction of the Maricopa County Elections Department.

"This was a very smooth-running election in the face of possible contention," Mr. Kortright said.

Mrs. Murphy, who went from

serving on the RCSC board to a term on the HOA board, said she was pleased to be elected to the HOA. "I enjoy serving the community," she said.

Mr. Zylstra, a former HOA director, said, "I am excited to have been elected and look forward to contributing to the board."

He plans to work on improving the communication between

the board and RCSC members.

"I am also interested in controlling the budget," he continued. "People seem concerned about balancing the budget. A lot of people are interested on what the Rec Centers spends its money on."

He also said he would like to see a greater emphasis placed on long-range planning.

HOA wraps up successful year

JOHN SOKOLICH
DAILY NEWS-SUN

It's been a productive year for the Sun City Home Owners Association, and the future looks to be even busier.

Between pushing for a Central Arizona Project water pipeline, cleaning up messy yards, lobbying the Legislature, fighting with the county and trying to stop pollution, HOA still managed to take care of its housekeeping items, such as road issues and enforcement of the community's conditions, covenants and restrictions.

"We've taken on a lot of stuff this year," said outgoing HOA

President Ed McCrea. "It hasn't always been successful, but we've taken on a lot of stuff."

McCrea, who had served as president of the HOA board until earlier this month, said he thinks all the projects undertaken by the association this year go far in helping the community and its residents.

"One of the main things that has been beneficial to everyone in Sun City is the cleaning up of messy yards," he said. "With the help of our foundation, it is something we can continue to do in the future."

The foundation fund was started during the summer by

recently elected HOA President Gerry Unger and executive secretary Ione Boynton. The foundation accepts donations from residents to be used in cleaning up yards. Each clean-up is estimated to cost \$300.

"We never thought it was going to be such a success, but people have just flooded us with donations," Unger said. "It's a big help, too. It allows us to have a revolving fund of cleaning up yards, but having enough money to clean others while the first homeowner is paying us back for the service."

HOA committees have been busy as well this year — especially with water and the

environment.

As the CAP water pipeline issue escalated between the Recreation Centers of Sun City and the Sun City Taxpayers Association, HOA, without getting legally involved in the process, published a book touting the benefits of the pipeline.

The issue went to the courts, with an RCSC victory.

That means a victory also for HOA.

"We took a stand on what we thought would be best for the community," McCrea said. "There was a lot of work done on

the water issue and the book was a big success for us."

On other fronts, HOA took steps to get stricter codes for mining operations in the state — a victory that has yet to be claimed by either party in the battle. In one of the most visible fights by HOA this year, Director Gordon Rosier took on the Vulcan Materials Plant to make it curb its noise, light and air pollution. By the end of the year, legislators were involved in the fight, which is expected to continue well into the future.

"We are not going to stop," Rosier said. "This is something that isn't going to go away. We will fight to show that mining plants in the Agua Fria River are not compatible with a senior residential community."

The battle has been going on since March with HOA battling Vulcan, with little change. Vulcan opened its doors to HOA members and has tried to curb some of its early morning noise, but Rosier said until the plant is closed down, the fight will

continue.

Because of the mining concerns, HOA attracted two new members to its board of directors: Arne Bidstrup and James Corcoran, who both live next to the plant.

"I'm interested in the board because of the environmental issues in the community," Bidstrup said.

HOA is not looking to ease any of its battles in the coming year, but is readying to take on even more environmental issues, Unger said.

"One of the things we are hoping to do is coordinate with Sun City West for a water committee with some long-range planning," Unger said. "We want to ensure that we have a water-conservation program."

As for other programs and issues HOA is expected to take on this coming year, Unger said it's up in the air at this point.

"Off the top of my head, I'm not sure," he said. "I would like to continue what we've been doing and listening to what the community wants."

John Sokolich can be reached at jsokolich@aztrib.com or at 876-2526.



ED MCCREA, outgoing HOA president: "We've taken on a lot of stuff this year. It hasn't always been successful, but we've taken on a lot of stuff."

Daily News-Sun • Wednesday, Feb. 13, 2002

Sun City HOA vice president resigns

JOHN SOKOLICH
DAILY NEWS-SUN

The Sun City Home Owners Association lost a member this week.

Ed Anderson, a long-time director on the board resigned his vice presidency of the board citing that his rheumatoid arthritis was not allowing him to concentrate on HOA duties. Late last year Anderson underwent surgery on his hand to ease some of the pain, but it wasn't enough to allow him to stay aboard.

"He's had a lot of pain, and it was just too much for him to continue," said Gordon Rosier, HOA vice president. "It's too bad."

At the HOA regular meeting Tuesday morning, President Gerry Unger read Anderson's resignation letter, which stated that he would

be participating in an Arizona State University study to help his condition.

As a result of the resignation, the vacant seat was filled by Mary Januchowski, who ran for the board but lost the election late last year.

Januchowski retired to Sun City in 1991 after working as a manager in special services in the residential division of AT&T. She has been a member of several area clubs and has given many hours of volunteer service.

Rosier accepted the nomination to become HOA's vice president, a position formerly filled by Anderson.

The main business conducted by HOA at the meeting centered around a Sun City resident whose car was set ablaze earlier this year.

Barbara Spudic's car, which has

been an area of contention for the HOA board, was set on fire, but the Maricopa County Sheriff's Office is not actively leading an investigation into it because Spudic never filed a complaint for the fire.

HOA has been trying to get the car removed from Spudic's driveway for the past eight years because it is breaking the community's deed restrictions. It was last registered in 1994 and has been in disrepair since.

"But I don't care whose car was set on fire, it should be investigated," Rosier said. "Arson is a crime and should be investigated whether the owner makes a complaint about it or not."

Other business discussed by HOA board members is a meeting scheduled for 1 p.m. Feb. 21 about

the railroad crossing upgrades set to take place at 103rd and Grand avenues.

The meeting is a collaboration between HOA, the Sun City Posse, Sun Health, the Sun City Fire Department, the Sun City Taxpayers Association and the Sun City Condominium Owners Association to discuss options available for the crossing.

Upgrades to the intersection are scheduled for later this year, and the meeting will plan routing options for the area once constructions starts.

The next HOA meeting is scheduled for 10:30 a.m. March 12 at the HOA office, 10401 Coggins Drive, Sun City.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

HOA embarks on spring sweep

CLEANING: County support helps board remove eyesore, plan for more car towings

JOHN SOKOLICH
DAILY NEWS-SUN

With a little county backing, the Sun City Home Owners Association is cleaning house — or driveway in this case.

Last month the Maricopa County Planning and Zoning Department ruled that a burned-out, junked car parked in a Sun City driveway was breaking a community and a county ordinance. The car, owned by Barbara Spudic on Del Webb Boulevard, was ordered removed by March 29 or fines would be imposed. The car was removed Tuesday.

"In light of what happened with Mrs. Spudic's car, it shows that HOA is here to assist individuals and have the county's backing to do so," said Gordon Rosier, HOA vice president.

Before the county helped resolve

the issue, HOA had tried unsuccessfully for five years to get the car removed. HOA officials offered money to buy the vehicle from Spudic, wrote letters to have her voluntarily move the car and finally threatened to have the car towed.

"The problem we had is no towing company was willing to tow the car because of liability concerns," said Gerry Unger, HOA president. "With the county backing us, liability is no longer a concern."

Unlike HOA, the county has the ability to legally order a car to be towed without liability concerns.

Now that one car has been successfully removed, HOA is setting its sights on other parking violations in the community. One is at the home of Morton Reich, who lives on Pleasant Valley Road.

Resident complaints about two vehicles parked in the carport at his Sun City home have inundated HOA, but until this point the organization had little county support to take action against Reich for the violations.

"Now there is a whole new emphasis to further define the community's response to these

violations," Rosier said. "We've been begging the county for support for many years and now that we have it, we are going to use it. We have a number of complaints coming in, which shows that people want to have their communities up-kept to the standards HOA has been working for."

Reich declined to comment on the car issue this week, saying only that every time he talks to the press, he "gets in more and more trouble."

In a letter to the county about Reich, HOA officials wrote in part: "The community of Sun City has established definable and measurable aesthetic land use standards, and desire these standards and values be enforced through their CC&R's. Mr. Reich's responsibility to the community and his responsibility of property management is currently being established. With the removal of his junk cars, his responsibility to the community will be properly acknowledged."

The letter was sent to the county earlier this week. There hasn't been an update on what procedures if any will be imposed to remove the cars.

Trying to remove the cars is not the first battle HOA has had with Reich, who has been jailed in the past for failure to follow the community's deed restrictions. In the past case, Reich refused to replace the worn-out roof on his home. The issue dragged out through much of 2000 and finally ended with a new roof put on the house at the end of the year.

The rule of not having junked cars in the community is enforceable through county zoning Ordinance 2310, No. 9, Section E, which states: "Not more than one unregistered or inoperable motor vehicle shall be stored on any lot or parcel of land within any rural or residential zoning district and such unregistered or inoperable vehicle shall be stored such that it cannot be seen from any public or private street right-of-way."

HOA officials said it will be a long process sifting through the complaints they have received about junked cars and messy yards but, they maintain, each concern will be answered and some sort of resolution will be found.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

SUN CITIES INDEPENDENT APRIL 3-9, 2002

HOA to step up CC&R enforcement

Complaints have nearly doubled in past year, official says

By Mike Russo
Independent Newspapers

The Sun City Home Owners Association Land Use Committee will begin to more strictly enforce the community's CC&Rs, according to Gordon Rosier, chairman of HOA's Land Use Committee.

The stepped-up enforcement effort will be made as a result of an ever-increasing number of complaints filed, Mr. Rosier noted.

For the four-month period, October 2000 through January

2001, HOA opened and closed 1,436 complaints, according to Mr. Rosier.

"Complaints nearly doubled over the same four-month period the previous year," Mr. Rosier said.

"It is very definitely an increasing problem," Mr. Rosier said of violation complaints. "We are receiving more and more calls demanding our CC&Rs be upheld."

As a result of the increased demand from homeowners that deed restrictions be enforced, HOA will survey the communi-

ty looking for violations.

"Information officers will drive through the community and note where they observe violations," Mr. Rosier said.

"We usually rely on concerned residents (to report violations) but this exercise will be a little different," he continued. "It is our intent to make this a one-time situation, assisting residents, thereby re-establishing the Sun City environment."

Visual inspections were scheduled to start this week, Mr. Rosier noted.

If the IOs notice a violation,

they will inform the property owners and give them time to rectify the situation. If the violation is not corrected, HOA will seek greater county enforcement, according to Mr. Rosier.

"I think we have seen some good examples of county responsibility lately and we want take advantage of that," Mr. Rosier said.

While no one violation is predominant, Mr. Rosier said, although illegally parked recreational vehicles is becoming a growing problem.

"It's cumulative," he said. "I

can't pin it down to one issue; it's yards, it's vehicles, it's RVs."

RVs are only permitted to park on the street or in a driveway for a maximum of 72 hours.

"Yard parking is never permitted," Mr. Rosier said. "Some folks play games, moving their campers and RVs every few days. This is not acceptable."

"The 72-hour rule is for loading and unloading before and after a trip, not to save the expense of storing the vehicles

See ■ CC&Rs, Page 7

properly at the compound," Mr. Rosier added.

"It is frequently a safety hazard to have these vehicles parked in Sun City. Sun City was not designed to have RVs parked all over the place," Mr. Rosier emphasized.

Mr. Rosier speculated on the reasons for some of the increased violations.

"Some of our homes are 40 years old, some with single garages and narrow driveways,"

he said. "Many residents have multiple vehicles. If garages and driveways are not expanded, the vehicles are parked on the unpaved portions of the yards; clearly a violation of the CC&Rs."

"Residents can add a cement extension next to the existing driveway to facilitate additional parking without violating the CC&Rs and without obtaining a building permit," he continued.

Another possible reason for

escalation in violations is the stringent deed restrictions in Sun City.

People move into the community after having lived where CC&Rs are not as restrictive, Mr. Rosier theorized.

Renters not taking pride in the appearance of their residence is another problem, Mr. Rosier noted. "Owners are responsible for enforcing deed restrictions, even if their homes are rented," Mr. Rosier cautioned.

HOA starts cleanup campaign

JOHN SOKOLICH
DAILY NEWS-SUN

Complaints keep rolling into the Sun City Home Owners Association.

The complaints are mainly about deed-restriction violations in the community, and with renewed county support, the HOA is kicking off a cleanup program to address and correct each one.

Sun City is more cluttered than it once was, but the HOA is trying to fix that through strict enforcement of deed restrictions. Whereas the HOA usually relies on concerned residents to notify it of violations, a new program will take the initiative.

During the past four months, there have been 1,436 reported violations in the community. Most have centered on illegally parked vehicles in residential neighborhoods or disregard for the 72-hour rule for parked

recreational vehicles.

Unless the homes and yards in Sun City are upgraded, there are going to be more blatant and numerous deed-restriction violations in these two areas, according to Gordon Rosier, HOA vice president.

"Some of our homes are 40 years old," he said. "Some have single-car garages and narrow driveways, but many residents have multiple vehicles. If the garages and driveways aren't expanded, the vehicles parked in the yard are a clear violation of our CC&Rs."

Because of increased demand from homeowners for enforcement of the community's CC&Rs, the HOA released a statement explaining it will conduct a survey of each Sun City street and home, noting violations and "taking actions to correct" them.

See HOA: House, A5

From A1

The survey program is expected to begin within a few weeks.

"It is our intent to make this a one-time situation to assist residents, thereby re-establishing the Sun City environment as originally intended — a beautiful place to live," Rosier said.

Residents contacted by the Daily News-Sun had mixed thoughts about the crackdown.

"I think it's fine that the Home Owners is taking the initiative to try and clean up the community, but they

shouldn't turn it into a police state," said Andrew Lawson of Sun City. "I agree that people shouldn't be parking their RVs in their yards for weeks at a time, but for people who have working cars parked in their driveways, I don't see the problem."

Andrea Cooke said she feels otherwise about the crackdown.

"I've lived in Sun City going on 17 years now," she said. "There have always been the rules, but now we have people who don't want to follow them anymore."

The HOA has become more active in deed-restriction

enforcement in the past few months, successfully getting the Maricopa County Department of Planning and Zoning to remove a dilapidated car that wasn't running parked at a residence on Del Webb Boulevard in violation of deed restrictions for six years.

"With the county supporting us, we now have the opportunity to enforce the deed restrictions that people have been violating," Rosier said. "We are not trying to play cop. We're just making sure people are following the rules so that the community is a beautiful and enjoyable place to live for all residents."

For misparked cars, Rosier said the only solution is to move them so they are not in violation, but many of the smaller problems, such as weeds causing messy yards, are easily fixed by the homeowners.

"Our referral service is able to provide homeowners with names of yard workers who will eliminate the problem," he said.

For the referral service, call the HOA office at 974-4718.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

Daily News-Sun • Wednesday, June 12, 2002

HOA reaches contract with new attorney

JOHN SOKOLICH
DAILY NEWS-SUN

In its final meeting of the season, the Sun City Home Owners Association signed on a new attorney and took steps to ensure it follows open meeting laws.

Dan Curtis of the Scottsdale-based law office of Curtis and Cohen was at Tuesday's HOA meeting and agreed to serve the organization's legal needs.

HOA has been using the law firm in the age-overlay case against Mary Scott's 9-year-old granddaughter, who has been living in Sun City for the last year in violation of community deed restrictions.

The contract for Curtis and Cohen allows for free phone advice to HOA as well as five free letters per month. The contract specifies

the law office will be on retainer for \$200 a month, which is \$50 less than a previous retainer fee for the same law firm.

The two-hour meeting concentrated HOA several items. The group is not scheduled to meet again until mid-September.

One of the final projects for the year was an update to bylaws, proposed by HOA President Gerry Unger, so the association will have in writing its rules governing open meetings.

"We are already having open meetings, but we wanted to update our bylaws so that everything is squared away," he said.

The bylaw update states that all HOA meetings are open to members except for meetings related to the following situations: "for personnel, legal, litigation and/or enforcement

of association documents or rules."

The bylaw updates, which reflect the gist of state open meeting laws, are scheduled to be voted on in September.

The meeting also saw a bit of political campaigning as Peoria Mayor John Keegan introduced himself, saying he would like any support he could get from the Sun Cities in his quest for a congressional seat.

Keegan talked about his efforts to get the Sun Cities better represented in the Maricopa Association of Governments.

Unger said he was glad Keegan stopped by, but said HOA will not endorse candidates. He said individuals on the board can vote for whomever they wish in political races, but HOA is a non-political organization.

Although HOA had its last meeting of the season, it will still be working on a handful of projects throughout the summer, including issues with messy yards and various, minor deed restrictions, according to Director Jim Corcoran.

The biggest issue HOA is tackling this summer is the case of Scott's granddaughter. The county has granted the granddaughter a 14-month stay in the community, which HOA has appealed on grounds that it could set a precedent for future violators.

Scott has said the girl is planning to move out of the community by August.

HOA will be available for referrals during the summer months; residents may call 974-4718.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

Daily News-Sun • Wednesday, June 12, 2002

Lobbyist wanted by Sun Cities

STAFF REPORT

On Tuesday the Sun City West Property Owners and Residents Association and Sun City Home Owners Association on Tuesday morning approved funding to hire a lobbyist to represent the interests of the retirement communities.

PORA and HOA approved giving \$4,500 each toward the \$45,000 that would be needed to hire lobbyist Gretchen Jacobs, a Phoenix-based lawyer.

Under the proposal, the recreation centers of Sun City and Sun City West would be responsible for 40 percent each. Recreation centers' governing board members have agreed to vote on the issue in the near future.

The lobbyist would only address issues that affect both retirement communities..

PORA may back out of the agreement at any time, and if either of the recreation centers does not approve the motion to hire Jacobs, the deal will fall through.

The formal contract will not be written up until all four organizations agree to share the cost.

"The fact that we can drop out at any time is a benefit to us," said PORA President Randy Fuller.

Fuller said Jacob's responsibilities will include representing the Sun Cities on issues such as Loop 303 and county concerns. "We know they can handle things we cannot," he said.

PORA Director Noah Murphy said he is against lobbyists in most cases but believes in this instance hiring one would benefit Sun City West.

"I am against our elected people being controlled by lobbyists," he said. "But we need lobbyists for these problems."

Those problems, Murphy said, include sand and gravel operations in the Sun Cities and construction of the El Mirage Road extension in Sun City West.

JUNE 19-25, 2002

SUN CITIES INDEPENDENT

HOA Board approves sharing referral list

By Mike Russo
Independent Newspapers

The Sun City Home Owners Association Board of Directors voted unanimously last week to share the organization's referral list of contractors and vendors with other neighboring HOAs, for a fee.

Over the years, HOA has compiled a lengthy list of vendors and contractors who do business in Sun City and now other HOAs want to tap into that valuable resource.

"HOA has a list of about 2,000 vendors and contractors," said Gerry Unger, HOA president.

Coyote Lakes has inquired about HOA sharing its list, explained Ione Boynton, HOA executive director.

"We get calls from Coyote Lakes, Westbrook Village and Peoria," Mrs. Boynton said.

"HOA receives about 500 calls per week with a significant number of them for referrals," Mr. Unger said.

Mr. Unger mentioned that HOA's contractor referral pro-

gram has about 2,000 names in its data base.

Contractors and vendors register with HOA, for a \$5 annual fee, and when residents call in for a referral, HOA provides three names.

"We don't recommend anyone and we don't recommend price," Mr. Unger said. "We just give referrals."

In order to remain in good standing with HOA, contractors and vendors must resolve disputes with customers.

"If a valid complaint cannot be resolved we don't want to run the risk of anyone else possibly being take advantage of, so they are dropped from the list," Mrs. Boynton explained.

"There are so many reputable business operators in this area who want to be listed, we don't have to keep any lemons," she said.

Sharing the list with other HOAs would be no problem, according to Mrs. Boynton. "When we update our list each month, we would just make a copy on a disk for them," she said.

Although the specific fee has

not been negotiated, a monthly charge of \$100 for the service has been discussed, according to Mrs. Boynton.

Mr. Unger sees the arrangement as being very valuable to Sun City and HOA.

"I think we are headed in a

direction of working more closely with other retirement communities," Mr. Unger said.

"We are trying to cooperate with other communities; not be isolated," he continued, noting that Sun City has a reputation of being an isolationist community.

Kyl representative returns to Sun City

NANCY GILLIAM: Official communicates constituents' concerns she hears at HOA office to senator

HAYLEY RINGLE
DAILY NEWS-SUN

Sunday, Sept. 10, 2000

Questions about Social Security, veteran's benefits and the Internal Revenue Service were among the top concerns of Sun Citizens when an official from Sen. Jon Kyl's office came to the Sun City Home Owners Association office last month.

Nancy Gilliam, a Kyl representative, said she was glad 18 residents came in August prepared with problems they were experiencing or help they needed with federal issues.

Gilliam has been coming to the HOA office for a couple of months, but until last month no one showed up. She will return 10 a.m. to noon Wednesday for private consultations with those who have concerns about federal issues (it's not relegated to just Sun City residents) or who need help on a Social Security or veteran's case.

"In my opinion, the presence of Sen. Kyl's office benefits Sun City by having access to problems they may have with government agencies," said Blaine Donaldson, HOA president. "Nancy is extremely knowledgeable and does a good job of following up on cases."

Gilliam updates the senator on what she hears in Sun City.

"I am keeping the doors open by giving feedback to (Kyl)," Gilliam said.

Gilliam is able to handle personal constituent cases.

Some of the questions Gilliam received last month included Social Security questions, such as older residents going back to work who are on social security and what they should do.

"Some people were owed Social Security money and they weren't getting it," Gilliam said. "Others were denied

IF YOU GO

■ **WHAT:** Representative from Sen. Jon Kyl's office will be available to answer questions on federal issues

■ **WHEN:** 10 a.m. to noon Wednesday

■ **WHERE:** Sun City Home Owners Association office, 10401 W. Coggins Drive in Sun City

No reservations are needed. Come prepared with pertinent paperwork if necessary. Call Nancy Gilliam at 602-840-1891, check out the Web site at www.senate.gov/~kyl or e-mail at info@kyl.senate.gov.

veteran's benefits and didn't know whether or not they should appeal."

IRS questions were also asked, such as residents who didn't understand the way their taxes were done.

"We usually get responses from the (various) agencies in 30 days," Gilliam said. "However, sometimes Social Security cases take up to two years."

Some are interested in government grants, or have questions about frauds they have come across.

"One woman said she got a letter saying she won money but would have to send \$5,000 for a handling fee to collect it," Gilliam said. "I try to help them with these types of problems."

Another common question is about "notch babies," a term used by some people to describe Social Security benefits received by those born between 1917 and 1921.

"A lot don't understand it, and once I show them the formula they understand it better," Gilliam said.

Medicare and prescription drugs are also a common issue.

Gilliam also said she encourages anyone who can't come to the HOA office to contact Kyl's office with their questions at 602-840-1891, on-line at www.senate.gov/~kyl or by e-mail at info@kyl.senate.gov.

"We want to keep getting the word out," Kyl interjected.

Hayley Ringle can be reached by e-mail at hringle@aztrib.com or by calling 876-2519.

DAILY NEWS-SUN

WEDNESDAY, SEPT. 11, 2002

Sun City HOA board delays bylaw vote

OPEN MEETINGS: Late alterations cause board to table decision for a month

JOHN SOKOLICH
DAILY NEWS-SUN

A scheduled vote on bylaw changes was tabled by the Sun City Home Owners Association board of directors Tuesday.

The proposed bylaw changes were aimed at updating the rules that were revised just more than a year ago. The main change was to show that HOA meetings are always open to the public. The proposed change states that this was true in all cases except for meetings related to the following situations: "for personnel, legal, litigation and/or enforcement of association documents or rules."

The bylaw updates, which reflect the gist of the state Open Meeting Law, were scheduled to be voted on

Tuesday, but last-minute changes submitted by director Gordon Rosier halted action.

Among Rosier's bylaw changes was requiring that businesses pay an annual membership fee of \$25 to be listed on HOA's referral service.

"We are just not ready to vote on something like this," said HOA President Gerry Unger. "There are some changes in here that need to be reviewed further, and I suggest we wait until next month to do so."

The issue of having businesses be members split the board Tuesday, some stating that such a bylaw was necessary, while others said the change would alienate businesses and therefore hurt HOA's listing service.

"I think it's obvious that we are not going to agree at this point," said director Arne Bidstrup. "What needs to be done, is everybody needs to review these and see which ones they have questions on. Then we can come back next month and discuss this further and have a vote for the

changes."

Rosier, who is on vacation in South Carolina, was not available for comment about the tabled vote.

Alternative ways to enforce deed restrictions on parking violations within the community were also discussed at the meeting.

Director Jim Corcoran said he's been working with the Sun City Posse to possibly have them ticket cars parked in violation of deed restrictions — such as on the street or other than in a driveway. He said ticketing the vehicles will place a monetary penalty on vehicle owners and deter them from parking illegally.

The proposal needs to be approved by the Maricopa County Sheriff's Office, which so far is not keen on the idea. MCSO has repeatedly denied the posse law-enforcement duties because the members are volunteers who are not trained as peace officers.

The more than two-and-a-half hour meeting broached other topics as well, mostly dealing with updates from the summer months, when HOA

did not have formal meetings.

Residents were absent from the meeting — save for former HOA director Bob Kortright — but representatives from the Vulcan Materials Co. in the Agua Fria River were in attendance.

Tom Lowry, spokesman for the mining plant, introduced himself and invited board members to tour the plant at any time to see upgrades that have been made to control dust and other particulates in the area.

"We invite you to come out, and we encourage you to call us if you have any concerns," Lowry said. "Whatever we can help you with, we will."

After the meeting, Lowry said he attended the HOA meeting to allow members a contact between the plant and the community to solve problems that mining might be creating in the community.

HOA's next meeting is scheduled for 10:30 a.m. Oct. 8 at its office on 105th Avenue and Coggins Drive.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

Threats case ends with plea agreement

MORTON REICH: Man charged with making threats accepts psychological screening, 3 years of probation

JOHN SOKOLICH
DAILY NEWS-SUN

A Sun City man accused of making threats against neighbors and Sun City Home Owners Association officials reached a plea agreement with prosecutors Wednesday.

Morton Reich agreed in Peoria Justice Court to undergo a psychological program while serving an agreed-upon sentence of three years' probation.

Peoria Justice Court Judge Lex Anderson said Reich would complete a mental screening or face two months in jail under the agreement.

"If he wants to stay out of jail, then he has to successfully complete the screening," Anderson said. "He also cannot have any contact with the victims."

Details of the psychological program were not released Wednesday.

Phone calls to the Maricopa County Attorney's Office weren't returned Wednesday for further details about the case and plea bargain.

Jason Kalich of the Maricopa County Attorney's Office made the plea deal with Reich, who in turn had a Class 1 misdemeanor charge against him dropped. If a plea bargain was not reached, Reich could have faced as much as six months in jail, a \$2,500 fine and three years' probation.

With Wednesday's agreement, Reich will only face the three-year probation because he acceded to the psychological evaluation-and-treatment program.

Daryl Wimer, lead information officer for the HOA, attended the trial Wednesday and said he was satisfied with the outcome.

"I'm actually quite pleased with the outcome," he said. "He will get the assistance he needs. We still have cases pending against him, which will probably be taken over by the county in the future."

The cases pending against Reich are for violations of Sun City's deed restrictions. The HOA filed complaints about two unusable cars Reich has parked in his carport and that need to be removed.

Deed-restriction enforcement actions, however, were what caused the initial case against Reich two years ago. At that time, Reich was charged with a misdemeanor offense for making threats against HOA officials while talking with a Daily News-Sun reporter about action taken against him for the state of disrepair of his house on Pleasant Valley Road. Since then, repairs have been made to his home, but other violations exist, such as cars parked in violation of restrictions and a messy yard. Reich was jailed for those charges after he didn't follow court orders.

Lawyers from the Maricopa County Attorney's Office worked to reach the plea agreement with Reich after consulting with several victims of the threats.

Reich declined comment about the case.

Reich's plea bargain comes on the heels of other high-profile cases involving the Sun City HOA. In April, the association went to court to get an order to remove a 9-year-old girl from living within the community's borders. A 14-month stay was granted the girl's grandmother, but the nine-year-old has since moved to Peoria.

Earlier in the year, HOA officials successfully petitioned to have an illegally parked car in the community removed at the county's expense.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.



Reich

HOA cracks down on offenders

CC&R VIOLATIONS:

Officials say clean up or go to court

JOHN SOKOLICH
DAILY NEWS-SUN

The Sun City Home Owners Association is cleaning house.

Residents who need their homes cleaned, however, are threatening to take the association to court.

The HOA's land-use committee met Tuesday morning to discuss the backlash it has seen from residents who were informed that their messy

yards are not in compliance with community's deed restrictions. Several of the homeowners who received the letters have threatened to sue if the HOA tries to force a cleanup, to which committee members responded, "Go ahead."

"If they want to rock 'n' roll, then they better do it," said Jim Corcoran of the HOA. "If they want to bring us to court, let them. If not, they better clean up their yards."

At the meeting Tuesday, committee members moved to bring a court action against a residence owned by Patricia Keel in the 10800 block of Crosby Drive. Daryl Wimer,

FYI

■ To report a deed-restriction violation in Sun City, residents can call the Sun City Home Owners Association at 974-4718. When making a complaint, residents are asked to give their name and telephone number, as well as where the violation is occurring.

lead information officer with the HOA, said Keel has refused to clean up her yard, which has been littered with broken construction material, trash and broken appliances for almost two years. He said four letters have been sent to the homeowner — including one from the HOA's attorney,

without action or response.

"We will now take it to court, because our bylaws clearly state she needs to clean up the area," Wimer said. "And we'll go after others who refuse to follow our deed restrictions as well."

One homeowner on the HOA's list, Nancy Brockman, who was cited for a messy yard in the 126000 block of Augusta Drive, had her attorney write to the HOA to explain that the overgrowth is xeriscaping, not weeds. Wimer said he wasn't going to challenge the vegetation issue, but will cite her for

See HOA toughens, A5

From A1

failure to remove several patio appliances — such as grills and tables — that she has wrapped in blue tarpaulins.

"Neighbors have complained about it, and we will go after her if there is not action taken by her," he said.

Wimer said after pending legal battles are completed, the HOA is planning to bring other cases to court against homeowners who fail to heed CC&Rs.

The committee does not have the funds available to bring two court cases to the forefront simultaneously, but officials are hoping to set a precedent by publicizing offenders and taking the necessary action to bring civil suits against offending homeowners.

Arne Bidstrup, an HOA director who attended

Tuesday's meeting, said taking legal action could compel homeowners in violation of CC&Rs to bring their homes into compliance through fear of having fines and penalties assessed against them.

Bill Arthur, a committee member, said he agreed that publication of names is a necessary battle in the war to bring all homes into community deed-restriction compliance.

"The majority of the people are cooperative," he said. "But there are those few who choose not to be."

The HOA is not backing down from potential lawsuits, in part because of its recent court victories in assorted deed-restriction cases.

Last week, a long-time battle with Sun City homeowner Morton Reich was partially resolved in Peoria Justice Court. Reich, charged with making threats to HOA

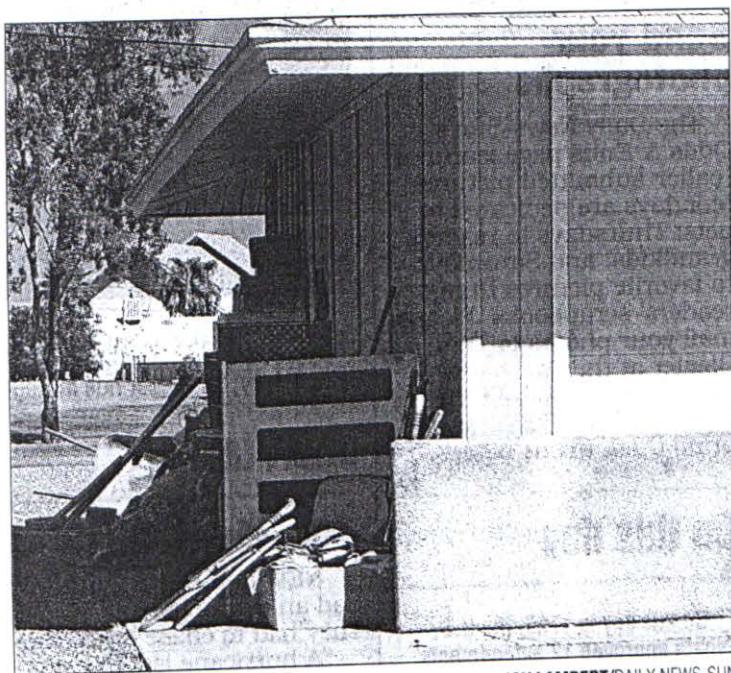
officials after being forced to make necessary repairs to his home, agreed to psychological screening rather than face jail time.

Wimer said there are still pending cases against Reich for his messy yard and illegally parked cars on his land, and community officials are teaming with the county to address those problems.

In April, the association went to court to force a 9-year-old girl from within the community's borders. The case ended with a 14-month stay granted to the girl's family, which has since moved with her to Peoria.

"We are not going to sit back anymore," said Gordon Rosier, HOA vice president. "We will take each case to court, if need be."

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.



JOY LAMBERT/DAILY NEWS-SUN

The Sun City Home Owners Association is getting tough on residents who fail to keep their yards clear of trash.

Commissioners court Sun City HOA members

JOHN SOKOLICH
DAILY NEWS-SUN

Two Arizona Corporation Commissioners firmly insisted to Sun City Home Owners Association members Friday that they could not and would not talk about Central Arizona Project water.

Chairman Bill Mundell and Commissioner Marc Spitzer spoke at the HOA's annual meeting Friday, touting the work the ACC has done to protect residents and seniors from higher utility rates. However, the two would not broach the subject of the proposed water pipeline in Sun City.

"We don't want to come off sounding rude, but we will not talk about that issue because we don't make decisions on subjects without having an open meeting," Spitzer said. "You may not believe this, but we don't talk about cases outside of public meetings. You wouldn't want us to make these important decisions without having a public meeting at the ACC."

Mundell reiterated Spitzer's comments and said ACC rules are so strict that during time between case hearings at the ACC, there are several staff members to whom the commissioners cannot talk without the presence of both parties involved.

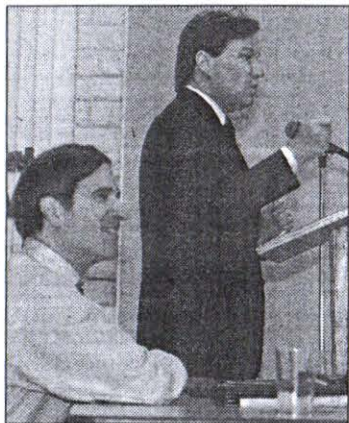
The pipeline issue will be discussed at the ACC

sometime in the near future, Mundell said. At that time, commissioners will hear input from both sides as well as public comments. The ACC then will vote at a later date about the proposed pipeline that is intended to bring CAP water into the Sun Cities for use on community golf courses.

The pipeline issue has been a contentious one that has divided Sun City. The Recreation Centers of Sun City board of directors approved the pipeline without allowing residents to vote on the issue, which prompted the Sun City Taxpayers Association to file suit against the RCSC to force such a vote. Maricopa County Superior Court has refused to rule on the issue, leaving to the ACC the final decision on the pipeline.

CAP aside, about 100 HOA members heard the commissioners talk about ways the ACC has protected seniors from securities fraud and kept utility rates at reasonable levels.

"We've dealt with Qwest and declined to let them raise their basic telephone service an additional \$2.50," Mundell said. "We've also not allowed Qwest to sell people's calling habits to telemarketing companies. We all felt that phone records were a basic form of privacy and we protected consumers from having that



MOLLIE J. HOPPE/DAILY NEWS-SUN

Arizona Corporation Commissioner Bill Mundell addresses the Sun City Home Owners Association as Commissioner Marc Spitzer awaits his turn Friday at the Lakeview Social Hall.

privacy invaded."

Calling an Enron lawsuit against the ACC a "badge of honor," Mundell said he was proud the commission refused to allow the utility company to run the same "risky deregulation plan" as it did in California.

Spitzer said the ACC has been working to protect individuals from falling victim to scams.

"This commission acts, and acts quickly, to stop these kinds of scams," he said. "There have been many fraud cases in the Sun Cities,

and (we've) brought those committing the scams to justice. In many cases, we have shut down these brokers and shut them down before someone has lost their life-savings."

Touting the ACC's success in bringing Arthur Andersen to justice in the Arizona Baptist Foundation's bankruptcy, Spitzer said quick work by commissioners is allowing bilked investors to get back about three-quarters of their investments.

"It's unfortunate that they aren't getting all their money back, but usually in cases like these, the investors get

no money back because there is no money usually left," he said.

The rest of the meeting was dedicated to the work HOA has done throughout the year. In the last year, HOA has toughened its policy on enforcing deed restrictions, taking several residents to court. It also is considering instituting infraction fines.

Several HOA committees have taken on the various industries in the community to better protect residents from pollution. Specifically, HOA committees have sought county, state and federal help to better control pollutants

from the mining industry in the Agua Fria River bed.

HOA President Gerry Unger said the year has brought a lot of triumph, but there is still a lot of work to do. He said community support is key to the HOA's success and announced the association is starting an aggressive membership campaign.

"Put it this way," Unger joked. "We will take credit for everything and blame for nothing."

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

DAILY NEWS-SUN

MONDAY, OCT. 28, 2002

Sun City activist resigns from HOA

GORDON ROSIER: Watchdog led fight against sand-and- gravel operations

JOHN SOKOLICH
DAILY NEWS-SUN

Sun City activist and environmental watchdog Gordon Rosier has resigned from the Sun City Home Owners Association.

The resignation, which has not been made public, was confirmed by HOA President Gerry Unger this morning.

"I don't know exactly why he resigned," Unger said. "I know he has some kind of responsibility in Seattle or something, but I never got a chance to talk to him about it. All I had was a letter on my desk."

Rosier left Sun City sometime last week.

Rosier has been on the HOA board for about two years and was elected vice president of the association earlier this year. As chairman of the land-use committee, Rosier dedicated much of his time to fighting against sand-and-gravel mining operations in and around the Sun Cities. His work led to increased scrutiny of the mining operations and prompted federal agencies to inspect area mines for harmful pollutants.

With Rosier gone indefinitely, HOA director Arne Bidstrup, who led the fight with Rosier against mining, said there will be other changes on the HOA board, but would not comment about specifics.

"At our pre-board meeting in November, there will be other announcements made that will really shake things up, too," he said. "I can't tell you right now what those announcements will be."



Rosier

From A1

Bidstrup said he was not aware of specifics regarding Rosier's abrupt departure from the HOA board, but said he will be missed.

"I think this means that we are in a lot of trouble," Bidstrup said. "I depended on him greatly, and this is a big blow to Sun City and the surrounding communities."

Since Rosier became active in the fight against sand-and-gravel mining operations, his name had become synonymous with anti-mining rhetoric, which came in e-mails, letters and phone calls to county, state and federal officials.

In a pointed e-mail from former Maricopa County Supervisor Jan Brewer, Rosier was described as "harassing" because of his

persistence on getting something done to stop pollution.

The Vulcan Materials Plant in the Agua Fria River was the first subject of Rosier's fight against sand-and-gravel plants. He successfully lobbied officials to change operations times at the plant and opened up a dialogue with plant supervisors for residents to call directly if there were any problems from the operation.

Earlier this month, Rosier was in the process of setting up a meeting between Matt Salmon and Janet Napolitano — the Republican and Democratic candidates for Arizona governor — to get their view on mining operations.

The meeting never panned out because of Rosier's resignation.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

HOA director resigning to pursue fight against mining industry

ARNE BIDSTRUP:
Activist wants to lobby legislators

JOHN SOKOLICH
DAILY NEWS-SUN

Desiring to devote more time and effort to the fight against area mining operations, the chairman of the Sun City Home Owners Association's Environmental Committee will announce his resignation from the group's board of directors this week.

Arne Bidstrup, who has been on the HOA board about a year, said he will continue the fight against mining operations throughout the Northwest Valley. His resignation is effective at year's end.

"I'm resigning because there is a big fight that needs to take place against these sand-and-gravel mines in the state, and my hands are too tied to do anything by the board," he said. "The rules keep from going all-out against these companies, and we need to go all-out."

Gordon Rosier, HOA vice president and chairman of its Land Use Committee — also involved in the fight against

the mines, announced his resignation in October, citing personal obligations.

Bidstrup said his fight against mining operations when he is off the board would be to lobby legislators more actively and build a contingent of support for those lawmakers who support the community's causes.

Under HOA rules, board members cannot endorse candidates or legislators because it is not a political-activist group.

Although Bidstrup said he is remaining as a committee member on the environmental panel, the resignation leaves the HOA with a gap in coverage for the fight against sand-and-gravel operations, specifically in the Agua Fria River bed.

In the last year, the main thrust of the organization has been battling to move sand-and-gravel mining operation away from residential neighborhood. The HOA has been so vocal in its fight that state



Bidstrup

and federal oversight agencies have started testing to ensure the air in the vicinity of mining operations meets quality standards.

Rosier and Bidstrup have been the closest to the issue, as the two teamed start to start lobbying to get the plants moved or shut down.

Alan White, the HOA director appointed to chair the Environmental Committee when Bidstrup's resignation takes effect, said he is concerned about the resignations because they limit HOA's knowledge base on the issue.

"I am not happy about it," White said. "I am jumping in on this without a lot of experience. It's an important issue that needs to be addressed, but it is also a complex issue."

Bidstrup appointed White to the post because he has served on the committee for several months. Bidstrup has the authority to make the appointment because it was made while he was still chairman on the committee.

Since the HOA started its fight against the mining operations' pollution problem —

From A1

in the form of light, noise and air pollutants, close to 100 residents in the Northwest Valley have come forward to register complaints about the operations with the Maricopa County Department of Environmental Services. Even more have registered their complaints at hearings with the Environmental Protection Agency

and the federal Mine Safety and Health Administration.

"The problem is, even with people coming forward and proof being given that there is a pollution problem that is killing seniors, the laws work in favor of the mining plants," Bidstrup said. "That has to change — and it will change. I am taking this fight to the next level, but I cannot do it while being a board member of the HOA."

HOA President Gerry Unger said he didn't really have a reaction to the resignation, because he has not received it yet.

"The only comment that I have is that I haven't received it," he said Monday. "When I do get it, I will refer it to the board."

HOA bylaws do not require a member to get board approval to resign, therefore it cannot stop Bidstrup's

resignation, even in light of Rosier's.

"The HOA, like any other organization, is not dependent on any one individual at any one time for its operations," Unger said. "We will survive, even with these resignations."

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

See HOA director A5

November 6, 2002

SUN CITIES INDEPENDENT

MCDOT to meet with HOA officials

Groups to discuss median changes

By **Mike Russo**
Independent Newspapers

The Maricopa County Department of Transportation plans to meet soon with Gerry Unger, Sun City Home Owners Association president, to discuss the HOA proposal to convert a portion of medians in Phase I to desert landscaping.

"MCDOT intends to contact SCHOA President Gerry Unger

to set up a meeting to discuss program funding options and potential partnerships," said Robert Crowe, MCDOT spokeswoman.

HOA sent a letter to Tom Buick, MCDOT director, on Oct. 9 proposing the county attempt to conserve water by reducing the amount of grassed area in the medians by about 44 percent.

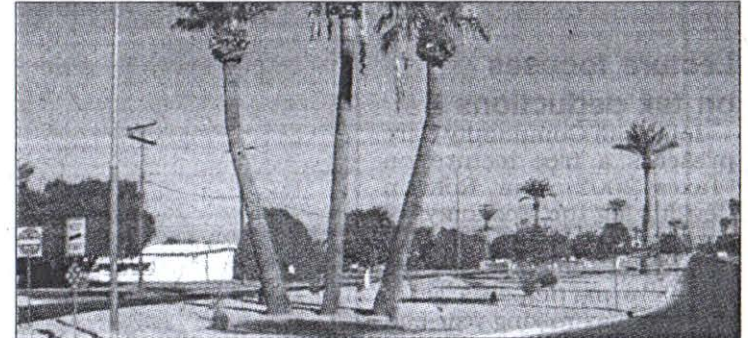
The HOA proposal recom-

mends reducing grass in the medians on Alabama, Peoria, 107th and 111th avenues, south of Grand Avenue.

The average median is approximately 30 feet wide and 600 feet long, or 18,000 square feet, according to Mr. Unger.

The county is in the process of replacing a two-foot wide

See Changes—Page 5



HOA is recommending the county install desert landscaping like this on 107th Avenue, across from Fairway Recreation Center, at the medians in Phase I.

Changes

Continued From Page 1

strip of dirt and weeds around the perimeter of the medians with two-foot wide dirt berms. This will reduce the approximate square footage of grass to 15,000 per median.

HOA recommends a further reduction of grassed area, by widening the berm to five feet and converting 50 feet at the end of each median to desert landscaping.

This would reduce the

grassed area of each median to approximately 10,000 square feet, representing a reduction of 44 percent.

HOA realizes reducing the grassed area by 44 percent will not result in a like water savings, but an appreciable amount can be saved, according to Mr. Unger.

Converting medians to partial desert landscaping will likely require "some special design by someone who knows what the elevations are," according to Mr. Unger. "In some places the median is well above the curb."

Converting the medians to desert landscaping is not a new idea, it was originally proposed in May 1998, according to Ms. Crowe.

A MCDOT report prepared at that time investigated several landscape reconfiguration scenarios and conversion alternatives aimed at water conservation, according to Ms. Crowe. "The report recommended a combination grass/Sonoran desert median landscape reconfiguration alternative," she said.

To accomplish the conversion at that time would have

cost an estimated \$8 million, Mr. Unger noted.

Maricopa County spends \$200,000 a year to water and maintain Sun City medians, according to Ms. Crowe.

HOA recognizes the fact that implementation of its suggestion may cost the county additional money. To offset some of that, the Sun City PRIDES has offered to provide additional labor and HOA would be willing to "make a small contribution in support of the PRIDES, for desert plants and other such approved items," according to Mr. Unger.

He said the proposal has been well received by Sun City residents who have voiced their opinion.

"We have had some feedback from residents," Mr. Unger said. "There are some people on Alabama Avenue who are uptight about present conditions. What I think they want is total rock or gravel; no grass."

"A couple of people have expressed a desire to remove all the grass in the medians," Mr. Unger added.

HOA, county officials discuss medians

Desert landscaping has been proposed twice previously

By **Mike Russo**

Independent Newspapers

Directors of the Sun City Home Owners Association recently met with county officials to discuss HOA's suggestion to convert some of the medians in Phase I to partial desert landscaping, in an effort to conserve water.

Maricopa County spends about \$200,00 annually water-

ing the medians. HOA has proposed to reduce grassed areas in some medians by 44 percent, resulting in a water savings.

HOA sent a letter to Tom Buick, MCDOT director, on Oct. 9 proposing the county attempt to conserve water by reducing the amount of grassed area in the medians by about 44 percent.

The HOA proposal recom-

mends reducing grass in the medians on Alabama, Peoria, 107th and 111th avenues, south of Grand Avenue.

The average median is approximately 40 feet wide and 600 feet long, or 18,000 square feet, according to Gerry Unger, HOA president.

The county is in the process of replacing a two-foot wide strip of dirt and weeds around the medians' perimeters with a

two-foot wide dirt berm. This will reduce the grass area of each median to roughly 15,000 square feet.

HOA recommends further reduction of grassed area by widening the berm to five feet and converting 50 feet at each end of the median to desert landscaping.

This would reduce the grassed area of each median to approximately 10,000 square feet, representing a 44 percent reduction in grass.

HOA realizes that reducing grass by 44 percent would not result in a like savings in water, but an appreciable amount can be saved, Mr. Unger noted.

The organization recognizes that conversion of some median areas to desert landscaping would result in the county incurring additional expenditures. To offset some of that, the Sun City PRIDES have offered to provide additional

See HOA — Page 5

HOA

Continued From Page 1

labor and HOA would be willing to make a small contribution to the PRIDES for desert plants and other necessary items, according to Mr. Unger.

Converting some of Sun City medians to desert landscaping is not a new idea. Study's were done by the county in both 1992 and 1998, but the cost was considered excessive.

"We have received from the county a report of the 1998 study," Mr. Unger said. "We still study the report for a week or so and hopefully have a conclusion on Nov. 25." HOA is scheduled to meet with the PRIDES on Nov. 25 to further discuss the proposal.

Mr. Unger noted the county's 1998 report indicated the conversation to desert landscaping would have cost about

\$4 million, but that included traffic revisions, such as making left-turn pockets and lanes, and modifying the medians to allow for better traffic flows at intersections. "I don't think we are going to analyze that," Mr. Unger said. "We are not studying traffic patterns. We are only studying water conservation."

Mr. Unger said HOA has received comments from several residents, most of whom favor the proposal.

"I have had several letters and phone calls from residents," Mr. Unger said. "Mostly people are complaining the county is not doing its jobs because of poor maintenance and the flood irrigation situation."

Flood irrigation, the practice of saturating the grassed with water, is done about once every three weeks, according to Mr. Unger. "When the county does flood irrigation, water runs down the street, wasting it, and residents get upset.

"Most people don't realize that less water is lost to evaporation through flood irrigation than sprinkling," Mr. Unger said.

Mr. Unger said complaints received by HOA have involved the lack of notification of residents in the area of the medians of the proposed changes.

HOA is only trying to help the county conserve water, according to Mr. Unger.

"The Arizona Department of Water Resources has mandated to the county and the water company (Arizona-American), that they have got to reduce water consumption," Mr. Unger said. "We are trying to help them achieve that."

HOA is seeking input regarding the 1998 county report. Anyone wishing to examine the report may do so at the HOA office, 10401 W. Coggins Drive, during normal business hours, 9 a.m.-3 p.m. Monday through Friday.

SUN CITIES SLATES: PORA, HOA, Sun City Rec Board choose new leaders

MICHAEL MARESH and JOHN SOKOLICH
DAILY NEWS-SUN

Voter turnout in the Sun Cities was low for community elections this year, in what was considered a rather quiet campaign.

Traditionally, the Sun Cities have the highest voter turnout in the state when it comes to national and state elections, but the numbers drop off considerably when it comes to the local elections.

Last year, amid a politically charged campaign in the Sun City elections, residents had voting numbers of about 14 percent, which more than doubled the earlier averages of about 6 percent voter turnout per year for the community elections.

This year Sun City had a voter turnout of 4.2 percent. In the elections for the Sun City Home Owners Association and the Recreation Centers of Sun City, just one candidate running was not elected to a post.

In Sun City West, the voter turnout was less than 4 percent for the Sun City West Property Owners and Residents Association. In that election, members elected five new directors Tuesday with incumbents finishing first and second in the voting.

● The Recreation Centers of Sun City

Three of the four candidates running were elected, including one board member who resigned for health reasons earlier in the year.

Art Little, who resigned from the RCSC board in August, won his seat back. The only candidate not winning a seat in this year's community election was Jim Klug.

"I had a lot of unfinished business on the board, so I am happy to be elected again," Little said. "A lot of things I want to do is open-ended, so there is a lot of work for everyone still to do."

Also winning seats were Gayle Schmidt and Jim Kuchler.

Schmidt, who said she wasn't expecting to win, thanked her supporters.

"I'm delighted that I ran and that I was elected," she said. "I hope that I live up to everyone's expectations."

The RCSC's nine-member board of directors is responsible for overseeing the management and policies at Sun City's recreation centers and community golf courses.

The new RCSC members will be sworn in on the board at next month's regularly scheduled meeting. Also announced at that meeting will be the name of the board president for the coming year.

The RCSC president serves in that position from year-to-year, allowing for a change of leadership. Current president Jerry Swintek said he wants to remain in the top position and other board members have shown their support for keeping him in the leadership role.

BALLOT COUNTS

Recreation Centers of Sun City:

- James Klug — 876
- Jim Kuchler — 1,208
- Art Little — 1,191
- Gayle Schmidt — 1,329

Sun City Home Owners Association:

- Paula Hitzeman — 1,002
- Mitzie Neisz — 792
- Rita Roddy — 1,039

- Thomas Stolt — 1,060

- Allen White — 1,086

Sun City West Property Owners and Residents Association:

- Alegro Godley — 313
- Louis Goldman — 312
- Bob Hill — 286
- Bruce Posey — 364
- Dusty Rhodes — 495
- Carl St. Bernard — 246
- Chuck Ullman — 467

SUN CITIES INDEPENDENT

December 11, 2002

HOA submits median plan to county

Not every resident favors the desert landscaping

By **Mike Russo**
Independent Newspapers

The Sun City Home Owners Association is hoping the county will respond soon to its suggestion that a demonstration median be prepared to gauge public response to HOA's suggestion to convert portions of medians in

Phase I to partial desert landscaping, as a water-saving measure.

HOA sent a letter to Tom Buick, Maricopa County Department of Transportation director, on Nov. 26 recommending "a beginning effort be instigated by starting a demonstration section to be completed, in total, rather than scattered general revisions in various areas. With this in mind, we recommend that a section on 107th Avenue, between Clair Drive and Sun City Boulevard, be completed as a unit as early as possible."

HOA has proposed reduc-

ing grass in the medians on Alabama. Peoria, 107th and 111th avenues, south of Grand Avenue, as a means of conserving water and money.

Maricopa County spends approximately \$200,000 annually watering the medians.

"We chose this area particularly for a trial because there are no residences facing 107th in that location," explained Gerry Unger, HOA president.

The average median in Phase I is 40 feet wide and 600 feet long, or 18,000

See **HOA** — Page 5

OVER

HOA

Continued From Page 1

square feet, according to Mr. Unger.

The county is currently replacing a two-foot wide strip of dirt and weeds around each median's perimeter with a two-foot wide dirt berm. This will reduce the grassed area of each median to approximately 15,000 square feet.

HOA recommends further reducing the grassed area by widening the berm to five feet and converting 50 feet at each end of the medians to desert landscaping.

This would reduce the grassed area of each median to approximately 10,000 square feet, representing a 44 percent reduction of vegetation.

HOA realizes reducing the grassed areas by 44 percent would not result in like reduction in water consumption, but it would still provide substantial savings.

Mr. Unger said HOA has received several letters regarding the proposed changes, with the majority

of them favoring the conservation plan.

"We have also received several letters in the mail with additional suggestions," Mr. Unger said.

While HOA has received mostly favorable feedback, there are residents living along Alabama Avenue who oppose the plan.

"The people like the grass," said Lanny Brent, a 9-year Sun City resident.

Mr. Brent said he and many of his neighbors purchased their homes along the medians because they enjoy the greenbelt.

"They do not want the grass replaced with rock or gravel," he said.

"Removing the grass will affect the value of my property," Mr. Brent opined.

Mr. Brent said he recently polled residents in his neighborhood and 35 people favored retaining the grass, four said replacing the grass entirely with rock would be acceptable, three were undecided and five had no opinion. He forwarded the poll results to Mr. Unger.

Leta St. John is another of the Alabama Avenue resi-

dents who opposes the HOA plan.

"I would rather they keep it all grass," she said. "We have little enough grass around here anyway.

"They keep taking things away from us," she continued.

"We want it all green," said another neighbor, Don Gustafson. Don and his wife, Elaine, enjoy peering out the window and seeing the green grass.

The greenbelt influenced the Gustafsons in their home purchase, Mr. Gustafson said.

"A lot of people walk their pets there," Mrs. Gustafson said, adding the couple does not have a pet.

Rather than convert the medians to partial desert landscaping, Mr. Brent suggests water could be conserved and money saved if the county would better maintain the medians.

"There are major cracks in the concrete surrounding the medians," Mr. Brent said. "This allows water to escape and run down the street."

HOA plans foreclosure of Sun City home

PINEHURST DRIVE: Members approve measure on apparent abandoned property

JOHN SOKOLICH
DAILY NEWS-SUN

For the first time, the Sun City Home Owners Association has moved to foreclose on a Sun City house.

At Friday's meeting, HOA members unanimously approved a

motion introduced by Jim Corcoran to foreclose on a home at 9939 Pinehurst Drive. The home already has three liens against it issued by the HOA, two for yard clean-ups and one for painting the house.

"This is an unattended property in the community that hasn't been maintained in years," Corcoran told the other board members. "The neighbors have complained about it and have asked us to do something about it."

Because the house is unoccupied, Corcoran said, the motion to foreclose will not put any resident

out of a home.

"I just want everyone to understand that we are not foreclosing on a property of an old woman in a wheelchair," Director Floyd Brown said. "This is a vacant property."

Board President Gerry Unger said there has not been a person living in the house since as late as 1995, when he first became involved in the HOA.

"This is almost what you would call an abandoned property," he said. "If we don't take some action, all we have to look forward to is cleaning it up three times a year."

Wording for the vote to foreclose on the property strayed from the normal language at the request of Corcoran, who asked that it be voted on as an "unopposed/opposed" decision.

"I've done a lot of soul searching," he said. "I don't think anyone sitting at this table would be in favor of foreclosing on someone's home. That is why I ask that the wording for the vote be changed for this one motion."

The wording was changed and the motion to foreclose was passed after a few minutes of debate.

Unger said the paperwork to foreclose has already been completed and is waiting at the HOA lawyer's office.

"Right now our attorney is just waiting to send out the paperwork, which was contingent on our passage of the motion," he said.

The property in question is listed by the county as belonging to Wilma Tuttle, but HOA officials said she is not living in the home. Officials also said Tuttle does not have a phone number or another address.

See OWNER, A5

"All we have is a P.O. box for her in Sun City," Corcoran said. "Other than that we have no way of getting in touch with her."

Tuttle's home was discussed at an HOA land-use committee meeting in September, but no action was taken.

Corcoran, who is chairman of that committee, said the foreclosure is just a series of actions the HOA is undertaking to keep community properties on par with deed restrictions.

"We will give the violators every opportunity to correct the problem on their own or with our help," he said. "If they choose not to do anything about it, we will start to get tough with them. We will take them to court and, if need be, foreclose on their homes. But that will only be after every other option is exhausted. If they want to rock and roll, let's do it."

HOA picks officers

JOHN SOKOLICH
DAILY NEWS-SUN

New officers were elected in the Sun City Home Owners Association's final meeting of the year.

At Friday's meeting, current President Gerry Unger stepped down as leader and board member to serve as an advisor for the board. The HOA president's term is for one year.

At the meeting, three new board members — Tom Stolt, Rita Roddy and Paula Hitzeman, who were elected Dec. 10, were installed. Current board member Allan White was also re-elected to the board.

All three new members said they were looking forward to serving on the board in the best interest of residents.

"I think it is going to be a lot of

learning," Stolt said.

Roddy said her top concern would be to work for keeping the community's deed restrictions in order.

"I want to work in favor of the people, not against them," she said.

Hitzeman said she would use her experience to work as an asset to the board and community.

New board officials were elected at the meeting as well. The new lineup is:

- President — Floyd Brown.

- First vice president — Jim Corcoran.

- Second vice president — Phyllis Roach.

- Secretary — Tom Stolt.

- Treasurer — Marge Murphy.

John Sokolich can be reached at 876-2526 or jsokolich@aztrib.com.

December 18, 2002

SUN CITIES INDEPENDENT

HOA to proceed with foreclosure of property

By **Mike Russo**
Independent Newspapers

The Sun City Home Owners Association took action last week to remove a long-time burr under its saddle.

During a Dec. 14 special meeting, HOA's Board of Directors approved proceeding with a foreclosure on a vacant property in the 9900 block of Pinehurst Drive.

Ione Boynton, HOA's executive director, said to the best

of anyone's knowledge, HOA has never taken such a drastic step to preserve the community's deed restrictions.

"We have been trying to get this property cleaned up for four or five years," explained Jim Corcoran, HOA director. HOA has previously filed three liens against the property, but it remains an "eyesore," according to Mr. Corcoran.

"In clean-up and painting of the property, HOA has

spent \$1,275 so far," Mr. Corcoran said.

Mr. Corcoran said HOA's attorney recently suggested the organization proceed with foreclosure to rectify the problem.

"HOA will seek a sale of the property so it can be reimbursed for expenses," Mr. Corcoran said.

HOA will also be seeking 10 percent per annum interest on the money it is owed, compensation for legal fees,

and a 10 percent handling charge on the first two liens.

"We already applied for a handling fee on the third one," Mrs. Boynton said. The handling fee on the first two liens would amount to \$50 and \$22.50, she noted.

The next step will be to notify HOA's attorney that the board has taken the action to seek foreclosure. Mrs. Boynton said she did not know how long the proceedings could take.