Frequently Asked Questions

This "Frequently Asked Questions" document makes no attempt to be all inclusive in listing the requirements in the Declarations regarding assessments, maintenance responsibilities, pets, and other issues. Please review the Declarations for these and other details.

What kind of community is PPHA?

PPHA is a Common Interest Community under Chapter 36B of the West Virginia Code. For W.Va. Code Chapter 36B, visit https://www.wvlegislature.gv/wvcode/code.cfm. It is not a condominium association.

The Declarations and other documents are available on the PPHA website at: www.pphawv.com.

How much is the monthly assessment?

For PPHA Fiscal Year 2023-2024, the assessment is $295.00 per month. The assessment is due the first of the month.

Are there any other fees for new owners?

Yes. There is a one-time New Owner Assessment of two times the monthly assessment. The New Owner Assessment is in addition to the monthly assessment. The New Owner Assessment is to be collected at the time of closing.

How should I make out my check and where do I send my check for my fees?

Checks for the monthly assessment fee, New Homeowner Assessment, and late fees should be made payable to Presidential Place Homeowners' Association, Inc., or PPHA and mailed to the Association's Assistant Treasurer, addressed as follows:

Mr. Eugene M. Garlow, II
114 Matthew Avenue
Poca, WV 25159-9712

What happens if my payment of the monthly assessment is late?

A delinquent Unit Owner must pay a late fee equal to 10 percent of the monthly assessment if his/her monthly assessment is more than 30 days past due. Any payments made are applied to the oldest balance first. The Association may also impose a lien for unpaid assessments.

What do the Declarations say about what the monthly assessment must cover?

The Declarations require that "Regular assessments for Common Expenses shall be made in order to meet the requirements of the Association's annual budget." The term "Common

Expenses" is defined as: "expenditures made or liabilities incurred by or on behalf of the Association, together with all allocations to reserves."

The Declarations also provide that "The Association shall establish an adequate reserve fund to be used to pay for those items which will require periodic maintenance and which the Association is obligated to maintain….In particular, the reserve fund shall be used to pay for those items which may need repairs or maintenance only occasionally but which would be cost-prohibitive to repair or maintain out of any single fiscal year's receipts for regular assessments."

What does the monthly assessment cover?

- Accounting services
- Capital Project Reserve Fund – Exterior Painting every 9 years; roof and gutter replacement every 30 years; and road repair every 5 years
- Entrance lights maintenance/repair
- Gutter cleaning (every 2 years)
- Insurance – Liability for Common Areas, Directors & Officers, and property
- Landscaping for Common Areas
- Lawn care and leaf removal
- Mailbox painting
- Postage/Office Supplies/Printing/Reproduction
- Snow Removal (street)
- State license fee
- Street drains cleanout (annual)
- Taxes – Federal Income
- Taxes – Property
- Termite inspection/control
- Tree maintenance/removal (limited to trees on Common Areas)
- Utilities – Electric (entrance lights)
- Volunteer Executive Board

How is the monthly assessment allocated between operating expenses and capital improvement projects?

The current monthly assessment is $295.00. Of that, $140.00 goes to operating expenses and $155.00 goes to the capital project reserve fund.

What do the Declarations say about the responsibility and Executive Board's authority for setting the monthly assessment?

The Declarations require the Executive Board to set the amount of the regular assessment in advance of the next fiscal year: "The Executive Board shall set in advance the amount of the regular assessment to be paid each month for each Unit for each fiscal year of the Association based upon the Association's budget for each fiscal year."

"After the Executive Board has set the amount of the regular assessment for any given fiscal year, the Executive Board may not increase the amount to be paid each month until the next fiscal year."

"If the Executive Board fails to fix new regular assessments for the subsequent fiscal year before the expiration of any fiscal year, the Unit Owners shall continue to pay the same amount they were paying for such assessments during the preceding fiscal year."

How does the Executive Board go about setting the monthly assessment?

In February and March, the Board begins budget preparations for the next fiscal year.

The Board requests proposals from the Association's contractors for the next fiscal year. From time to time, the Board also requests proposals from other contractors for large line items, such as lawn care and snow removal.

If a capital improvement project is scheduled within the next couple of years (for example, exterior painting), the Board also requests a proposal in today's dollars to see if the Association's reserves are on track.

The Board reviews the operating expenses in the budget line item by line item in light of the proposals received and year to date actual expenses and current budget and determines if any changes or adjustments to the current budget are needed.

For the cost of capital projects, the Board generally uses the actual cost of the project the last time it was undertaken. The exception is the roof. In 2010-2011 when the roof was replaced, the Association was grossly underfunded, necessitating reallocating some of the funds reserved for the road, a special assessment of $3,600 per Unit, and a lien on one Unit. The roofing contractor said that his bid should have been double what he bid, and the next lowest bid was double what the contractor bid. That is the number being used for the roof going forward.

Next, the Board turns to the inflation rate for the capital improvement projects. The Board researches the inflation rate on the U.S. Labor Department[1]s Bureau of Statistics' website. The Board decides on an inflation rate to be used for capital improvement projects for the next fiscal year.

The Board then seeks the advice of Unit Owners' with an accounting, banking, or other financial background to determine if the inflation rate that the Board proposes to use for capital improvement projects is reasonable and appropriate. Based on their advice and the information on the U.S. Labor Department[1]s Bureau of Statistics' website, the Board then determines the inflation rate to be used on the CIF projections and PPHA Analysis for capital improvement projects for the next fiscal year.

The Board then determines the interest rate that the Association expects to earn on its funds during the next fiscal year.

The difference between the inflation rate and the interest rate then determines if the monthly assessment increases, decreases, or stays the same for the next fiscal year.

What are the capital improvement projects for which the Association reserves funds and what is the frequency used for the capital improvement projects?

The Association reserves for exterior painting every 9 years, roof and gutter replacement every 30 years, and road repair every 5 years. The frequencies to be used for these capital improvement projects are based on recommendations by the builder, contractors, engineering firm that has inspected the road periodically and warranties and were voted on at past annual meetings.

Who is responsible for problems unique to a particular Unit?

Problems unique to a particular Unit are the responsibility of the individual Unit Owner. See 1995 and 2005 Annual Meeting Minutes. Examples of problems unique to a particular Unit include but are not limited to: damaged siding; leaking skylight or roof leak; surface water runoff or drainage; broken, cracked or sunken sidewalks and driveways; gutters.

What documents are Unit Owners' required to have on file with the Association's Secretary?

All Unit Owners are required to file with the Association's Secretary copies of the Declarations Pages for their homeowners' policy and the first page of their deed.

Are pets allowed?

Yes, but all pets must be kept indoors in a Unit or "restrained by a leash or other restraint while outdoors on any portion of the Property [or] Common Elements." The Unit Owner responsible for a pet must immediately dispose properly of any animal waste created by the pet while outdoors on any portion of the Property or Common Elements.

Do I need approval to change the landscaping and plantings around the exterior of my Unit?

Unit Owners are responsible for the landscaping and plantings around the exterior of their Unit, e.g., weeding, pruning, mulching, and removal of dead trees. No landscaping or planting may be done on any Unit unless and until the Unit Owner submits to the Executive Board a written proposal describing the landscaping or planting to be done and receives written approval from the Executive Board; however, once approval has been obtained for a planting bed in one year, approval need not be obtained to replant the same bed in a similar fashion in subsequent years.

May I park my vehicle in the street?

The Declarations prohibit continuous or habitual parking of any motor vehicle on the street and further provide that no Unit Owner may obstruct the Common Elements, including the street, in any way. Unit Owners should park in their driveway or garage and should make their driveway available for their guests and other invitees. Except for occasional guests, deliverymen, and workmen, vehicles should not be parked on the street. No vehicle should be parked opposite the entrance to any driveway without the Unit Owner's permission. The street needs to be kept free

and clear at all times for ingress and egress by residents, mail delivery, emergency and delivery vehicles, snowplow in the winter, etc. Additional parking is available along Presidential Drive.