

ISSUE #1

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community. This often includes major plant and tree replacements and other expenses not typically covered as part of the reserve account. You will notice on the budget that there is a separate line item for reserve funding. A reserve account has been established to maintain the capital improvements that exist within the association. Some examples would be the community center, common area walls, private streets, etc. An independent company is contracted to prepare this analysis. The company specializes in identifying the components and computing the estimated life of them. The study also provides an estimated maintenance and replacement schedule for the components along with the replacement/maintenance cost.

Q: Who runs the Homeowners Association?

A. Five elected volunteer residents make up the Alegria HOA Board of Directors. They set policy and approve contractors to perform work for the community, set the budget, and initiate legal action.

A management contractor provides three onsite staff that handle day-to-day tasks involving common property maintenance, community management and lifestyle activities. Other contractor staff located offsite provide additional support related to assessment billing, cash deposits and payments, financial reports, legal notices and advice, storage of HOA records and further as-needed HOA management support.

The Board of Directors oversees the general level of contract performance by the management company and decides when to ask for additional professional services beyond the scope of ordinary operations.

Q: Who is the Board of Directors for Alegria?

A: A board of five residents has been elected by the homeowners. The names of and contact information for the current board members are available at www.alegriahoa.org.

Q: What is the name of the management company and how can I contact them?

A: Your management company is Associated Asset Management (AAM). AAM's onsite Community Director is Lisa Pelech, who can be reached at lpelech@associatedasset.com or by calling 505-404-8702 or by visiting her office in the Community Center while she is onsite. AAM's onsite Lifestyle Director is Elisha McWilliam, who can be reached at emcwilliam@associatedasset.com by calling 505-404-8702 or by visiting her office in the Alegria Community Center. The on-site Administrative Assistant is Alex Lewis, who can be reached at 505-404-8702 or email alewis@associatedasset.com.

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE

BOARD & COUNSEL REVIEW

Sec. m (p. 4): Covenant prohibits the display of U.S./State flags or political signs on an owner's property in violation of federal and New Mexico common-interest community protections.

Statutory / Legal Reference: 4 U.S.C. § 5 Note (Freedom to Display the American Flag Act of 2005) & NMSA 1978, §§ 47-16-1 to 47-16-19 (New Mexico Homeowners Association Act) & 16.61.32 NMAC (NMREC HOA Disclosure Rules)

Statutory Comparison: Under the Freedom to Display the American Flag Act (4 U.S.C. § 5) and New Mexico Homeowners Association Act principles (NMSA 1978, §§ 47-16-1 et seq.), an association may not prohibit a lot or unit owner from respectfully displaying the flag of the United States or displaying political/election signs on the owner's exclusive-use property, subject only to reasonable, content-neutral size and placement rules.

CURRENT WORDING IN DOCUMENT:

ay be placed in the budget to provide for the general upkeep of the community. This often includes major plant and tree replacements and other expenses not typically covered as part of the reserve account. You will notice on the budget that there is a separate line item for reserve funding. A reserve account has been established to maintain the capital improvements that exist within the association. Some examples would be the community center, common area walls, private streets, etc. An independent company is contracted to prepare thi

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

Consistent with 4 U.S.C. § 5 and the New Mexico Homeowners Association Act (NMSA 1978, §§ 47-16-1 et seq.), nothing in the community documents shall prohibit the respectful display of the flag of the United States or the State of New Mexico, or the display of political election signs on an owner's lot or unit, subject to reasonable size and placement guidelines.