

The Orchard Estates Home Owner's Association  
Bulletin - November 7, 2011

At the general meeting last Thursday, November 2, 2011, the ballots were counted for the proposed changes to the CC&Rs. Avail received 59 ballots, of which two were disqualified for no signature. Therefore, we had a count of 57 ballots. Since 63 ballots were needed in order for the votes to be tabulated, this ballot became null and void.

Many of you have commented that there should have been two separate ballots, and that the format of the ballot was confusing. We agree. We suspect that this may have been why we did not get the number of ballots we expected. We have conferred with council and we will be sending out the same proposed changes, except that they will be in two separate ballots, so that you can vote for each issue separately.

The two issues are:

- Permitting homeowners to park in their own driveways
- Homeowners may not rent or lease their property for less than 30 consecutive days.

When you receive these new ballots, please send them in as soon as possible so that the board can keep a close count on ballots and follow up on those households not responding.

With regard to the issue of renting, as explained previously, The Orchard Estates has a set of governing documents. These include: Bylaws, CC&R's and Rules and Regulations. Bylaws establish the governing process of an HOA. CC&R's describe the rights and obligation of the membership to the association and the association to the membership. The Rules and Regulations further define the CC&R's. The Rules and Regulations have always further defined rental restrictions with the no less than 30 day rental clause. Any homeowner presently renting for less than 30 days is in violation of the governing documents. This change to the CC&Rs has been

proposed by our legal council to further clarify this issue, since we have had some ongoing violations.

Thank you.

The Orchard HOA Board

### **Your Community Management Company**

Avail Property Management, 51350 Desert Club Drive, #4, La Quinta, CA 92253  
Phone: (760) 771-9546, Fax: (760) 771-1655, email address: [service@availhoa.com](mailto:service@availhoa.com) ,  
Website: [www.availhoa.com](http://www.availhoa.com) . Office hours: 9am to 5pm.

### **Your Board of Directors**

- Sandra Rifman: President
- Jim deBoer: Vice President & Welcome/Events Committee Chair
- Milt Jones: Treasurer & Finance Committee Chair, gate camera liaison.
- John Hinojosa: Secretary, Neighborhood Watch Chair, gate repair liaison.
- Desera Charat: Director & Architectural Committee Chair.

### **Next Board Meeting:**

When: Wednesday, December 7th, 2011 at 6PM.  
Where: Clubhouse, Palm Royale Country Club,  
78259 Indigo Dr., La Quinta, CA, 92253