

Dear Homeowner:

Enclosed you will find a copy of ten (10) proposed changes to the Deed Restrictions (“Declaration”) and Code of Regulations (“Bylaws”) for which the Board of Directors for the North Orange Homeowners’ Association, Inc. (“Association”) has approved changes and the Association’s legal counsel has prepared. These proposed amendments, if approved by 67% of the homeowners, will change each of the ten (10) provisions as outlined in the enclosed amendment.

The ten (10) proposed changes are as follows:

1. Prohibition for Sex Offenders (paragraph C)- this amendment will prohibit Tier 1, Tier 2 and Tier 3 sex offenders that are required to register with the county or other agency, from residing in the subdivision as a homeowner or occupant for any period of time. The Tier categories are based on the type and severity of the offense committed based on Ohio law.
2. Short-Term Renting and Leasing- (paragraph D)- Homes may be leased for short-term or transient purposes (as defined in the amendment, i.e. Airbnb, VRBO, etc., no more than four (4) times per year. Board approval must be obtained prior to leasing a home for short-term or transient purposes.
3. Establishment of a lien for nonpayment of assessments- (paragraph E)- The lien provision was already in the Declaration but the amendment provides for “continuing lien” to comply with the Ohio Planned Community Act (Ohio Revised Code 5312), which means that any amounts owed after the lien is filed will continue to add on the balance to be paid in order to release the lien.
4. Indemnification-(paragraph F)- This language amends the Bylaws by adding provisions related to the Association indemnifying (reimbursing) the past and current board members for costs related to legal fees, court judgments, settlement agreements, or civil or criminal lawsuits for any threatened, pending, or completed court actions. If a past or current board member was acting outside the scope of their authority and duties as a board member, then those costs would not be reimbursed or paid for by the Association.
5. Notice of meetings-(paragraph G)- Notice of meetings and other official communications from the Board to the homeowners may be sent via e-mail if a homeowners has provided the Board with an e-mail address for the purposes of receiving notices from the Association.
6. Quorum for homeowner meetings-(paragraph H)- the quorum requirement for the homeowners’ meetings (annual meeting or special meeting) is lowered to those present in person or by proxy at the meeting.

7. Adjournment of meetings- (paragraph I)- homeowner meetings may be adjourned with a majority vote of the homeowners present at the meeting.

8. Number of Trustees-(paragraph J)- the number of Trustees on the Board will be five (5) with three (3) year terms. After this amendment is recorded the terms will be staggered so that no more than two (2) Trustees' terms will expire each year.

9. Qualifications of Trustees-(paragraph K)-All Trustees must be members of the Association and cannot be delinquent in assessments or a party to any litigation or claims filed against the Board, Board members, or the Association. Absentee ballot, electronic, or mail voting is permitted and the highest number of votes are the winners of the election. If there is a tie, the winner is determined by flipping a coin, drawing straws, drawing names, etc.).

10. Board meetings-(paragraph L)-There must be at least four (4) regular Board meetings, one each quarter of the year, with the Board determining the time, place, and location of the meeting.

THERE IS A BALLOT FOR CASTING YOUR VOTE FOR EACH OF THE PROPOSED AMENDMENTS ON THE LAST PAGE OF THE AMENDMENT.

Please return a completed and signed ballot indicating your approval or disapproval of the amendment no later than _____, to Nataleigh Dillon, Capital Property Solutions P.O. Box 630, Worthington, Ohio 43085. If you have questions regarding the use of the ballot or voting on the amendment please reach out to Nataleigh at (614) 481-4411.

Each Homeowner is encouraged to take the time to review the proposed amendments before casting his or her vote. **Please be sure to cast your vote for each of the proposed changes on the ballot.**

Sincerely,

The Board of Directors for North Orange
Homeowners' Association, Inc.