

# SILVER RIDGE IN ACTION



A PUBLICATION OF THE SILVER RIDGE HOMEOWNERS' ASSOCIATION, INC. ORLANDO, FLORIDA

SILVER RIDGE - A DEED RESTRICTED COMMUNITY

## ANNUAL MEETING MOVED TO APRIL 22, 1999

The Association attempted to hold its annual meeting and election on Tuesday March 9, 1999, at the Oasis Community Church. A quorum of the Association's members could not be established at the meeting, in person or by proxy. This put the Association in a bit of a quandary since we could not, legally, conduct any of the Associations pressing business.

To ensure that this situation will not happen at the next meeting, the board of directors has authorized a drawing, to be held at the April 22<sup>nd</sup> meeting. To be eligible for this

drawing, you must own a home in Silver Ridge, and enter either by attending the meeting or, sending/ mailing in your proxy in advance of the meeting. The winner's name will be randomly drawn from all eligible entries. **The prize is a \$50.00 Home Depot gift certificate. This drawing is for members (homeowners) of the Silver Ridge Homeowners' Association only.** Sorry, but only one entry per household. Members of the Silver Ridge Board of Directors are not eligible to win.

### From the Association's President – *by Johnny Greene*

Our annual meeting this past March 9<sup>th</sup> unfortunately did not materialize due to our lack of a quorum. (Not enough people showed up.) What we had instead was a very rousing discussion about many important issues. The most important of these items discussed was the proposed Silver Star Road widening.

Silver Star Road is slated to be widened from the current two lanes to four lanes (in addition to turning lanes). The Silver Ridge Home Owners Association (HOA) is involved to the extent that the Florida Department of Transportation (DOT) has moved to take a portion of our community property under the *eminent domain* laws. This "taking" consists of a strip of land that will bring Silver Star road very close to our front wall. Unfortunately, this will also mean that about 45% of our beautiful entrance island will be affected.

Because of the complexities involved with these *eminent domain* cases, the Board decided to secure the services of one of this area's premier *eminent domain* attorneys, Mr. Kenneth Clayton. Mr. Clayton attended our March meeting to avail himself to any pertinent questions that our homeowners may have had. After a brief introduction of himself and his firm (Clayton & McCulloh) he brought us up to speed with regards to our case and told us what we could expect in the near future. He then took questions from the floor.

It seemed that the greatest concern of those in attendance was whether or not this road widening would mean that we would get that much needed traffic light installed at the intersection of Silver Ridge Drive and Silver Star Road. Mr. Clayton remarked that it was not currently in the plan and probably would not be installed due to other considerations such as the proximity it would have to the (proposed) traffic light at the intersection of Apopka-Vineland Road and Silver Star Road. Mr. Clayton agreed that the best way to get this traffic light that we all so desperately want is to contact the responsible county and state

### SILVER RIDGE IN ACTION

is a quarterly publication of the Silver Ridge Homeowner's Association, Orlando, Florida.

**Eric Oelschlager, Editor**

Silver Ridge In Action is intended to promote awareness and community spirit within the Silver Ridge subdivision.

Suitable articles and letters may be submitted for publication to:

Silver Ridge In Action  
Silver Ridge Homeowner's Assoc.  
C/o Don Asher & Associates  
52 E. South Street  
Orlando, FL 32801-3396

Submitted articles may be edited.

Officials directly. The board enthusiastically supports this grass roots approach and urges all residents of Silver Ridge to start writing, calling, e-mailing and faxing these individuals and organizations. We would like to kick this effort off by providing the following:

Traffic Engineering Department  
4200 S. John Young Parkway  
Orlando, Florida 32839  
ATTN: Mr. Ching

(407)836-7890

Also,

The Honorable Robert "Bob" Sindler  
Orange County Commissioner, District #2  
201 S. Rosalind Avenue  
Orlando, Florida 32801

(407)836-7350

\*\*\* **OTHER USEFUL NUMBERS** \*\*\*

Florida Power (Burned out lights)	629-1010
Zoning (Code Enforcement)	836-5505
Community Policing	629-8400
Orange County Sheriff (Speeders)	836-3700
Traffic Engineering (Potholes)	836-7890

**Upcoming Monthly Board Meetings**

The monthly Board meetings are now being held at the meeting room at the Orange County Public library, 7210 W. Colonial Drive (near Olive Garden, at the Home Depot shopping center.)

Any member is welcome to listen in on the Board meetings. The Board meeting schedule will be posted on the community bulletin board in advance of the meetings.

*Clip and Save this INFO*

**SILVER RIDGE  
HOMEOWNERS'  
ASSOCIATION**

(407) 425-4561

**Board of Directors**

Sam Branch  
{vacant}  
Johnny Greene  
Linda Harrell  
Stewart Harris

**Officers**

*President* – Johnny Greene  
*Vice President*-Sam Branch  
*Treasurer*– Linda Harrell  
*Secretary* – Linda Harrell

**Association  
Management**

Don Asher and Associates, Inc.  
52 E. South Street  
Orlando, FL 32801-3396  
(407) 425-4561  
(407) 843-5169 (fax)

**Board of Directors  
Meetings**

All members are welcome to observe the monthly Board Meetings, held the third Thursday of each month, 7:00 PM, at the Orange County Public Library, 7210 W. Colonial Drive (near Olive Garden.)

**Orange County Sheriff's  
Department**

*Suspicious Activity / Non-Emergencies*  
(407) 629-8400

## Has Your Wood Siding Gone to Rot?

*By Eric Oelschlager*

This information may save you money – perhaps thousands of dollars, and help protect the value of your home. Read it carefully, and begin educating yourself about this problem which faces nearly every homeowner in Silver Ridge.

When was the last time you took a close look at the wood siding on the outside of your house? I know, you're thinking, "My house is concrete block and stucco! I don't have wood siding." It's true that the houses in Silver Ridge are mostly Concrete Block & Stucco (CBS) construction. However, most of the houses also have gables. The gable is the triangular section of the outside wall below the ends of the roof. Most of these gables are covered by hardboard siding, and many of them are starting to rot.

Hardboard siding is a man-made building material which is made of compressed wood fibers and glue. The siding comes in planks and 4' by 8' panels. It was used on many houses built in the late 1980's and early 90's, such as ours. Unfortunately, this material is not suitable for wet climates, such as Florida. It absorbs water and begins to swell, crack and rot. In recent years, thousands of homes around the country have begun to experience failure of hardboard siding.

I first noticed this problem on my own house last spring, after the heavy rains in February followed by months of bone dry weather. I noticed that cracks were forming in the siding, around some of the nail heads and seams. I also noticed that the bottom edge of the siding panels was beginning to swell, rot and crumble.

It was only after I started to make repairs that I discovered that there are many class action lawsuits against the manufacturers of these products. Class action lawsuits are lawsuits filed against a defendant, on behalf of everyone who has been allegedly damaged by the defendant. Some of these lawsuits have been settled, and many property owners who have suffered hardboard siding failure are eligible for compensation from the settlements.

Masonite, the manufacturer of the hardboard siding used on my home, is one of the companies that has been sued and has reached a court settlement. I believe Masonite siding was used on many of the other houses built by General Homes. Apparently, Pulte Homes used a different brand of siding, from what I can tell by looking at some of my neighbor's houses.

### How Do I Make A Claim?

This is not a simple process. Neither the Homeowner's Association nor I can tell you exactly what steps to take, because every situation is different. What you need to do

depends on who made the siding, how bad the damage is, and whether you've already made repairs or replacements. You're going to have to do your own homework! But you might want to work together with one or more of your neighbors to understand this problem better.

You do not need to hire a lawyer to make a claim against a settlement in a class action lawsuit. You're not suing the manufacturer; someone else has already done that on the behalf of you and everyone else who is a member of the class action. But you may wish to get advice from an attorney if you can't make sense of the claims forms or your legal rights as a member of the class action.

Determining the brand and style of siding is important, because you need to know if there's been a settlement, and if so, who to contact to make a claim. Some manufacturers may be honoring product warranties. My advice is to go out and spend 15 minutes really looking at your siding in detail – learn what it looks and feels like – the shape of the grooves, distance between the grooves, the pattern of the artificial grain, the edges and overlapping seams, etc. The brand name may be printed on the inside surface. If you can, go into your attic and try to examine the inside surface (which is probably covered with tarpaper – black felt paper.) Then look up the information in the "Where Can I Get More Information" paragraph below. From that, you should be able to narrow it down to one or two brands. You can then contact the claims administrator, who may be able to provide you ways to verify that you've determined the brand correctly.

One piece of advice applies to everyone's situation. Make sure you keep accurate records of every thing you do – write down the dates, keep receipts, etc. From what I can tell, this is a very slow process, and you need to track every detail so you can remember it months, or maybe even years later. In my case, even the date I first called the Claims Administrator is important, because it defines the date I learned about the settlement, which affects what kind of claims I can make. Make photocopies of all claim form paperwork before you send it to the claims administrator.

I also recommend that you do not repair the damage until you get your claim settled. Normally, the HOA encourages you to fix problems as quickly as possible. However, it's much easier for you to prove what brand of siding you have, and how bad the damage is when it's still installed on your house. However, you must make any temporary repairs needed to stop water from leaking into your house and causing further damage (this is only common sense.)

Patience is also important. You need to fill out the claim forms carefully. (It took me far longer to fill out my claim

form than it took to fill out my income tax forms!) I sent my claim form to the claims administrator in February. So far, I've only received a postcard that acknowledges that they got the form, and that they will contact me to schedule an inspection.

#### What If I Already Replaced the Siding at My Own Expense?

If you already replaced rotted siding, you may still be eligible for cash damages from one of these settlements. However, you will have to be able to prove that you had damaged hardboard siding, and prove who manufactured it, to the satisfaction of the organization (usually a law firm) that is managing the settlement for that particular manufacturer's siding. Proving the brand of the original siding may be easier for those who own houses built by Pulte, since Pulte is still in business, and may have records of the brand used. Unfortunately, General Homes went bankrupt in the early 90's. Parts of General

Homes' business may have been absorbed into Engle Homes, if I understand correctly. But I'd be surprised if they have records showing who made the materials used in our particular subdivision.

#### Where Can I Get More Information?

I've gotten most of my information from the Internet. A list of Web pages is included in the table below. If you don't have Internet access at home or work, public access Internet terminals are available at the Orange County Public Library, at the Home Depot/Office Depot shopping center. The library staff should be able to assist you in finding the information on the Internet. The table also lists phone numbers where you may be able to get more information on making a claim. **This list does not include every brand of siding involved in class action settlements.**

<b>Hardboard Siding Information Resources</b>		
<b>Siding Manufacturer/Brand</b>	<b>Web Address / Related Information Hotline</b>	<b>Information Available at Web Site</b>
(All brands)	<a href="http://www.siding.ilsweb.com/">http://www.siding.ilsweb.com/</a>	A good place to start your research. Has general information on siding failure. Has links to many other useful web sites.
(All brands)	<a href="http://www.orbitworld.net/johncoby/siding.htm">http://www.orbitworld.net/johncoby/siding.htm</a>	Another good place to educate you about this issue. Has links to many other useful web sites.
(All brands)	<a href="http://www.pacificnwhousing.com/identify.html">http://www.pacificnwhousing.com/identify.html</a>	Information and pictures to help you identify the type and manufacturer of your siding
(All brands)	<a href="http://www.web-access.net/~aclark/frames45.htm">http://www.web-access.net/~aclark/frames45.htm</a>	General information on class action lawsuits, and how to improve your chances for success
Georgia-Pacific	<a href="http://gpclaims.com">http://gpclaims.com</a> 1-888-882-5246	The official site for Georgia-Pacific hardboard siding settlement
Louisiana-Pacific	<a href="http://www.lpsidingclaims.com/">http://www.lpsidingclaims.com/</a> 1-800-245-2722	Official site for Louisiana Pacific Inner-Seal siding claims
Masonite (Hardboard)	<a href="http://www.masoniteclaims.com">http://www.masoniteclaims.com</a> 1-800-330-2722	The official site for Masonite hardboard siding settlement. Masonite may have been used on many of the houses General Homes built in Silver Ridge.
Masonite (OmniWood)	<a href="http://www.kinsella.com/masonite/omniwood.html">http://www.kinsella.com/masonite/omniwood.html</a> 1-800-256-6990	Masonite OmniWood Siding is an exterior Oriented Strand Board lap or panel siding or trim product

#### How Do I Get My Siding Replaced?

Again, the Association can't provide specific instructions. You must learn what replacement materials are available, and the pros and cons of each material. You must decide which contractor to use, or whether you want to tackle the job yourself. If you hire a contractor, be careful to choose an honest and reliable one. Refer to the "Con Artists" article in this issue of the newsletter.

I did my own repairs, and it was a tremendous amount of work. Even with the help of neighbors, friends and relatives, it took several long weekends. I even had to rent scaffolding to work on the higher points on the house safely. (Have you ever tried to hold a 4' by 8' sheet of plywood while standing on a ladder, ten feet above the ground?) But at least I learned to confront and partially overcome my fear of heights!

Calendar of Upcoming Events		
Date & Time	Event	Location
Fri. April 16, 10:00am – 6:00pm Sat. April 17, 10:00am – 5:00pm	Hispanic Business Expo '99 <i>Featuring 200 booths from local and national businesses.</i>	Orlando Expo Center 500 W. Livingston Street Orlando
Fri. April 16, 10:00am – 8:00pm Sat. April 17, 10:00am – 8:00pm Sun. April 18, 10:00am – 8:00pm	The Central Florida Home & Garden Show <i>Featuring 400 exhibit booths &amp; 60 seminars</i>	Orange County Convention Center 9800 International Drive Orlando, FL
<b>Thur. April 22, 7:30pm</b>	<b>Silver Ridge Homeowners' Association Annual Meeting and Election</b>	<b>Oasis Community Church 2332 N. Hiawassee Rd. Orlando, FL</b>
Sat. April 24, 11:00am – 1:00pm	Free Tree Seedling Giveaway Sponsored by Orlando Utilities Commission	Publix (Metrowest) 2435 Hiawassee Rd

### The Authority of the Association

*Editor's note – You live in a community with a mandatory Homeowner's Association, which collects mandatory annual dues. For the sake of the whole community, the Association also has legal powers to restrict how you use your property, and how you take care of it. This article from the Orange County Homeowner's Association (OCHA) Newsletter may help you understand some of the powers and responsibilities of the Association. As the article points out, it is in everyone's best interest that the Association educates its members about these matters, which is why we have reprinted this article.*

*Reprinted with permission, OCHA News, April 1999*

*By Teresa Jacobs*

Over the past year I have received several heartbreaking phone calls from homeowners who failed to pay their dues and are faced with the choice of paying substantial legal fees or losing their homes. Having served as treasurer for my own association, I recognize the need to collect these dues in a timely fashion, but these calls still trouble me. In one case a woman called me who had recently been divorced. Her ex-husband had declared bankruptcy and was behind in child support payments; hence she had failed to pay her homeowners association dues. **She wrongly assumed that no great harm could come from failing to pay her yearly assessment in a timely fashion. By the time she called me, a lien had been placed on her home, her corresponding legal obligation had risen to nearly a thousand dollars and she was facing foreclosure.**

I suppose what really troubles me is that situations such as this can frequently be avoided through better communication. **All too often homeowners don't understand that the boards of mandatory associations are charged with a very real and very binding fiduciary responsibility to collect these dues - from all members, and generally on an equal basis. Likewise, few homeowners understand just how much authority the association has under the law to collect these dues - an authority that usually includes the ability to place liens and to foreclose on the property.** Frequently, a simple phone call from a board member is all that is

necessary to collect unpaid dues. However, we have grown accustomed to avoiding direct contact, choosing instead to distance ourselves by sending a letter. I'm not suggesting that letters aren't appropriate, in fact they are absolutely necessary, but if you start with a friendly phone call explaining the board's obligation to collect all dues and the steps the board is required to take to insure collection, then follow-up with a letter, you'll collect from most members who can afford to pay. Unfortunately, those who can't afford to pay the association dues can't afford to live in the community the association represents. In fairness to all parties involved, many of the problems that mandatory associations experience occur because very few people who buy into a mandatory association have any idea what they have committed to. Frequently the first time a potential homebuyer is aware of the existence of an association is at the time of closing. And anyone who has ever bought a home knows what an absurd process closings are. I'll never forget closing on my first home. Remembering the seemingly wise advice of my father who always said, "never sign anything that you haven't read or don't fully understand" I set out to read the first document placed before me. Before I had finished the third word of the second sentence, 43 more documents were presented in rapid succession. The clock was ticking, the pressure was mounting and I was about to undergo a mind blurring experience that left my fingertips numb, my head spinning and my father's advice not much more than a faint echo. I left the closing a proud owner of my first home but I couldn't help but wonder if my father had ever really bought a house himself.

Since closings do not provide homebuyers with a reasonable opportunity to understand the implication of owning a home in an association (and since very few homebuyers are likely to spend time reviewing the documents after they close,) it is very helpful to communicate to new members the need to pay dues and abide by the covenants and restrictions. Simply put, "an ounce of prevention is worth a pound of cure!"

## BEWARE! The Con Artists Are Back

*Reprinted with permission, OCHA News, April 1999*

Springtime usually means its time for home improvement projects. Unfortunately, home improvement and repairs can pose many difficult problems and complaints for consumers. Listed below are some guidelines and cautions from the Orange County Consumer Fraud Unit.

**Beware of Con Artists!!**

They May:

- Solicit door to door (and have usually "just finished a job down the street.")
- Arrive in unmarked vans or trucks.
- Have a Post Office Box with no street address or give a street address of a local motel as their address.
- Promise to use your home as a "demonstration model" at a bargain price.
- Offer to work for you only if you will obtain any necessary building permits, which makes you responsible for the work done.

Find a Reputable and Reliable Contractor By:

- Checking to see if your contractor has fulfilled the occupational licensing requirements established by your city, county and the Florida Department of Professional Regulation.
- Determining how long a contractor has been in business.
- Check with local building supply retailers. A contractor who has been in business for a while and has a reputation for using quality materials and paying the bills with suppliers is more likely to "make good" in service.
- Check with the Better Business Bureau (407) 660-9500 and the Department of Professional Regulation (Complaints 1-800-342-7940; Licensing 1-800-342-2837) to determine if complaints have been filed against the contractor or to check his/her license. After checking a complaint history, weigh everything you have learned before jumping into hiring a firm. Remember, don't let this be your only criteria for selection.
- Ask for references and check them out!!

Before Signing a Contract:

- Read it carefully.
- Fill in all the blanks

- Consult your Insurance Agent to see if your repairs and/or additions are covered by your policy.

The Contract Should Include:

- Construction Completion Date
- Contractor's name, address, phone number and license or certification number.
- Precise description of work to be completed and materials to be supplied.
- Any Warranty Agreements
- Any financing information that is required by law or that is part of the transaction.
- Names of those supplying the contractor with labor or materials. Be sure they are insured so that you are protected *against* theft or damage!!'
- All necessary building permits or licenses. Make sure job site will be cleaned thoroughly and that no debris remains after the job is completed.

General Tips:

- Avoid any contractor who requires advance payment.
- Don't sign a work completion certificate until ALL the work is completed to your satisfaction.
- Avoid paying cash.

*If you have any questions regarding home repairs and consumer fraud contact the Orange County Consumer Fraud Unit. (407)836-2490.*

## Decoding Code Enforcement

*Reprinted with permission from OCHA News, February 1999*

*By Beverly Boyer*

There is a recreation vehicle parked down the street. "...My neighbor is turning his lot into a junkyard"... There is an abandoned vehicle on my block, what's the Association going to do about it?"

Homeowners' Associations do have help in correcting violations that occur in their neighborhoods...Orange County Code Enforcement. As the president of a voluntary association, Code Enforcement has proven to be an invaluable tool in the correction of our covenant and restriction violations. Let me give you two examples:

One evening I received a call from a resident stating that his neighbor was digging up his backyard... at night. The next morning stakes were placed indicating construction of either a pool or an addition, neither of which had been approved by the association. Now you don't need to be a rocket scientist to figure out what was going on here.... I made a call to Code Enforcement and discovered that the resident did not obtain the proper permits, a big problem for the property owner. We also discovered the property owner was using an unlicensed

contractor with a history of complaints. The Code Enforcement Officer paid him a visit and the matter was resolved satisfactorily for the County and our association. As expected, the property owner was not happy about being reported to Code Enforcement but realized that we had saved him from some headaches down the road.

Another example, the guy down the street has a car parked in his driveway with missing parts... not driveable or even worse, the car is parked along the side of the house with grass growing up around it!!! You call the owner and he tells you "I'm restoring a classic!" (#\$@&!!) Orange County Code Enforcement is very clear in this matter... Within a residential zoned district, vehicles which are abandoned, disabled or in evident state of disuse may not remain in open view. These vehicles must be repaired, removed from the property or parked within a garage or carport. Violations which are not corrected after notification by the County can be removed by a County contracted wrecker at the direction of Code Enforcement staff. Needless to say, the homeowner moved the car into a recently cleaned and reorganized garage. As an interesting sidebar to this story, the wife of the homeowner was extremely pleased that someone finally convinced her husband to clean out their garage!!

When code violations cannot be resolved through voluntary correction by the property owner the matter goes to a public hearing presided over by Orange County's Code Enforcement Board. The Board receives testimony and physical evidence regarding an alleged code violation from both County Staff and the property owner, as well as from interested public parties. The Board makes a decision based upon information presented to them and renders a finding. When the Board determines that a violation does exist, it renders a specific date by which the condition must be corrected and determines a fine amount to be imposed if the violation is not corrected by that date. Fines cannot exceed \$250.00 per day for the first offense, but may accrue up to \$500.00 per day for repeat offenses.

Utilizing Code Enforcement costs nothing for the Association and reporting violations can be kept anonymous. I would recommend reviewing the Code Enforcement Brochure which includes violations which have shown to be of greatest concern, i.e. recreational vehicles, pool/spa fencing, lot cleaning, etc. This brochure can be obtained on the first floor of the County Administration building. Your Association might want to purchase the County Zoning Booklet for \$13.00, which includes recent amendments and an alphabetic index which makes research easier. You can also call Code Enforcement at 836-5505 for further information.

## ORANGE COUNTY Phone Access Line (PAL)

### Providing 24-Hour Access to Orange County Government

*Reprinted with permission from OCHA News, March 1999*

Citizen and Customer satisfaction has always been a primary goal of Orange County. To provide efficient service to its residents, Orange County has introduced a new automated citizen information access program to the growing list of services offered to the citizens of Orange County. Orange County PAL (phone access line) was implemented in September.

This state of the art service provides 24-Hour automated information with 300 topics of interest. The new citizen service is not meant to replace person to person contact, but rather to offer our residents, businesses and visitors a convenient 24-Hour resource to get answers to common questions. However, if person to person service is requested their Information Desk is available Monday - Friday from 8:00 a.m. to 5:00 p.m. by calling 836-5500.

PAL is a great way to access the hundreds of services offered by Orange County Government. It's easy to use. Simply call (407) 836-9700 anytime and dial the four-digit code of your choice. Topics include: 1675 - Energy Saving tips for Homeowners; 1690 - Building a House - Permit; 1720 - Creating a Family Disaster Plan; 1750 - Garbage Pick-Up; 1850 - Schools (Phone Numbers and Orange County School Board Information).

For a complete listing of the hundreds of topics call the Information Desk at (407) 836-6700 to request your copy.

<b>Financial Summary – Income and Expenses 1/1/99 – 3/31/99</b>
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The 1999 year-to-date income and expense figures are shown in the following table:

<b>Income or Expense Category</b>	<b>Actual Income</b>	<b>Budgeted Income</b>	<b>Actual Expenses</b>	<b>Budgeted Expenses</b>
<b>Dues</b>	42413	11499		
<b>Overdue Dues</b>	0	0		
<b>Interest on Dues</b>	177	0		
<b>Interest Earned</b>	0	0		
<b>Misc Income - includes recovered legal fees</b>	10	0		
<b>Landscape &amp; Maint</b>			1540	3125
<b>Utilities (Water, Elec, Phone)</b>			651	950
<b>Misc Expenses</b>			208	250
<b>Reserve Fund Contributions</b>			0	1010
<b>Management Contract</b>			3514	3514
<b>Legal Expenses</b>			2789	500
<b>Insurance</b>			0	1125
<b>Misc Administrative (includes meetings, postage, printing, supplies)</b>			2281	1025
<b>Totals</b>	42600	11499	10983	11499

Silver Ridge Homeowner's Association  
*Silver Ridge - A Deed Restricted Community*  
 c/o Don Asher & Associates  
 52 East South Street  
 Orlando, FL 32801

FORWARDING & ADDRESS CORRECTION REQUESTED