



BREAKWATER ESTATES Homeowners Association

NEWS

NOVEMBER 2019

HPS Phone: (302) 227-7878

Board Email: bwehoabod@gmail.com

Website: <https://bwehoa.com>

In This Issue

- New Waste Industries contract
- Proposed covenant amendment
- FAQs about the amendment
- ARC guidelines and instructions
- Moving forward
- New residents
- Friendly Reminders

Board of Directors Election

- **President:** MJ Melah
- **Vice President:** Bill Bonn
- **Secretary:** Brian Eichenlaub
- **Treasurer:** Nichole Davick

Members at Large:

- Mike Forry
- Lana Warfield
- Karen McGavin

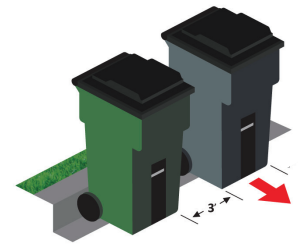


Board of Directors email address:

bwehoabod@gmail.com

Waste Industries update effective November 1st

The Board of Directors for BWEHOA signed a contract with Waste Industries (not to be confused with Waste Management) for a lower rate of \$19.00 per month for their trash collection. The new monthly rate is effective as of 11/1/2019 and is for 1 year. The contract is for 48 months with a 3% increase each year after the first year. In order to keep the lower rate we must maintain the majority enrollment with Waste Industries and we encourage anyone who does not already have Waste Industries to enroll with them for their trash collection. By having one trash collector, we will save wear and tear on our roads. Contact Waste Industries Monday through Friday 8:00-5:00 at (302) 934-1364 or www.wasteindustries.com/contactus to setup your service. Existing Waste Industries customers will be enrolled with the new rate automatically.



Proposed covenant amendment and voting information

The following information, including frequently asked questions (FAQs) should help clarify this important proposal prior to taking a new vote in January 2020. We will submit ballots to all property owners at the beginning of January. You may vote for or against the proposed amendment until the voting deadline of February 15, 2020.



All votes for this amendment must be received by the deadline. If we do not receive a vote from you by February 15th, we will consider your vote closed and will not extend the voting deadline. As always, your vote can be made by regular mail or by email to HPS, or just hand your ballot to one of your Board of Directors. This is an important amendment designed to positively impact all homeowners in our community for years to come. Please take time to review the information. We want to ensure your vote is counted!

Amendment Background

Breakwater Estates has three types of homes.



- Single wide and double wide manufactured homes. Most of our double wide homes are Class C (on a permanent block foundation).
- Modular homes (those homes built with the same Sussex County building codes as stick-built homes). All modular homes are on block foundation and are built off-site as stick-built homes.
- Stick-built homes completely built on site to Sussex County Building codes.

Proposed Covenant Impact to Homeowner

- **New homes:** All new homes constructed within Breakwater Estates shall be “stick-built on site” or a modular home “stick-built” in sections off-site and assembled on-site. Manufactured homes, mobile homes, double wide, triple wide, and/or any home with a metal frame or chassis, with or without wheels, or which has a motor vehicle title or requires a “Class C” rating from Sussex County shall not be permitted.
- **Existing homes/current owners:** In the event of casualty damage by any natural cause, such as fire, wind or flood, to an existing home, which renders a home uninhabitable* the following situations apply. If the lot owner took title to their lot prior to the approval of this amendment, then the lot owner has the option

to replace their manufactured or mobile home with a new manufactured or mobile home so long as it otherwise complies with regular covenant restrictions. After the amendment to the covenants is accepted and enacted, the next homeowner, including heirs, shall be required to replace any home in accordance with the new home covenant restrictions.

** A home shall be considered uninhabitable if the cost to repair the casualty damage exceeds fifty percent (50%) of the home’s fair market value at the time of the casualty or if deemed uninhabitable or non-repairable by any governmental agency, or by the insurance company that insures the home.*

FAQs the board members heard concerning this amendment



1. If this amendment passes, does this mean that if I sell my house, the new owner needs to tear it down and build a stick-built home?

Answer – No. Your house would sell as it always has. If the new owner decides to tear it down, they would need to replace it with a stick-built house. Or if they decide to add an addition to the existing house, only the new addition would need to be stick-built, not the entire house.

2. I want to pass my house on to my children (or other family members). If this amendment goes through, do they need to rebuild the house?

Answer – No. However, if they decide to rebuild or add an addition, then yes, they need the new home or new addition to be stick-built.

3. What if my house catches on fire and it is a total loss? Will I then need to rebuild the house as stick-built? I am only insured for a manufactured home. The insurance company will not build a stick-built house. Only an in-kind house.

Answer – In the event of a casualty, either a total or partial loss, then the current owner can replace the house with the type of home that is on their property now. It DOES NOT need to be stick-built.

4. Will this amendment hurt the future sales of homes in our community? Do other communities have rules like this?

Answer – It will be a selling point for most buyers. Several communities have similar building guidelines for homes in their communities with positive results.

5. Why are we doing this at all?

Answer – Homeowners in the community suggested we look into the issue and present the options to the community. Most notably, manufactured homes are not built to last more than 30-40 years. Stick-built homes are better built structures that will last longer and have a better resale value, thus making Breakwater Estates more attractive to potential buyers.

6. Can't we just continue as we are?

Answer – Yes. However, mortgages and insurance companies make it increasingly more difficult to finance and insure manufactured homes, making our community less attractive to potential future buyers.

7. What is the difference between a modular home and manufactured home?

Answer – Modular Homes are pre-built in sections from the factory and transported to the building site, which are built to current Sussex Co. building codes. Manufactured Homes are pre-constructed in the factory on a permanent, fixed steel chassis. They are built to a regional HUD standard for mobile homes. They have wheels which are typically detached once the unit is towed to the residence.

ARC (Architectural Review Committee) guidelines

If you are making improvements on your property you should submit an ARC. Article 4 of the HOA covenants document outlines all restrictions and external appearance guidelines. The covenant document and the Sussex County building and permits document are under the 'documents' section of the <https://bwehoa.com> website. If you are unsure if your improvement requires an ARC, please contact HPS at (302) 227-7878. For your reference, the link to Sussex County building and permits is below: <https://sussexcountyde.gov/sites/default/files/PDFs/CountyRequirements-Permitting.pdf>.



Instructions

Download the application from the HPS Portal at www.infohoa.com or contact HPS at (302) 227-7878. Once you successfully log into your account, go to the "Documents" tab in the top right-hand corner, then "Community Information" and the application is listed as "BKE - Application for Exterior Alteration."

Moving Forward

Breakwater Estates Board of Directors have signed a resolution to change from fiscal year, July 1st, to calendar year beginning January 1, 2020.



Additionally, the board is searching for a law firm to assist with updating the BWE covenants.

Welcome!

New resident: Linda Wieser at 12 Breakwater Drive.



Email questions to: bwehoabod@gmail.com

Friendly Reminders

- **Parking** - Your car(s) must always be parked in your driveway, never on the street, in your yard or on the grass.
- **Email** - Please ensure your email is up to date. Send your updated email address to bwehoabod@gmail.com. Many of our communications go out by email, saving the community hefty mailing fees.
- **Recycling** - dates are every other Monday. All recycling dates are listed on the our website <https://bwehoa.com>
- **Dogs** - All dogs should be leashed when walking the neighborhood and please remember to pick up after your pet.
- **Yard upkeep** - Thanks to all our residents for keeping up with mowing and trimming. This helps with critters and unwanted insects. Also, be aware of standing water on your property that might attract mosquitoes.
- **Street lights** - If you see a non-working street light please notify HPS or Delmarva Power. Simply inform them of the street light number which can be found on the pole.
- **Trash Cans** - If you do not live here full time, please make arrangements with your neighbor(s) to pull your trash can from the street after pick up. The reasons are two-fold: Our restrictive covenants do not allow for trash cans to be left out more than 24 hours, and It advertises that you are not home, which can be an invitation to thieves. If you see a trash can left out after pick up, please be a kind neighbor and put it back. It is little kindnesses like this that make BWE such a great neighborhood!
- **Speed limit** - We all need to remind one another to heed the 18 m.p.h. speed limit.
- **Bulletins** - Be sure to check the bulletin board by the mailboxes. We will have announcements and reminders posted.
- **Part-time residents** - Remember it is a good idea to have a neighbor keep an eye on things for you.
- **Landlords** - If you are renting out your home, please remember you are responsible for what your renters do.