

## **WHOA, Inc.**

### **Frequently Asked Questions (FAQ's)**

Last Updated 09.16.2020

#### **1. What is the Woodlands Homeowners' Association?**

The Woodlands Homeowners' Association (WHOA) is a legal entity; a non-profit organization created to manage and maintain the Woodlands housing development which includes the maintenance of common areas of the community. Typically, these "common areas" consist of things like pavilions, playgrounds and landscaping. The WHOA was set up by the developer of the community with a set of rules called "Declaration of Covenants, Conditions, Restrictions and Easements" hereafter referred to as the Covenants. It allows a developer to end their responsibility over the community, typically by transferring ownership of the association to the homeowners after selling. The primary functions of the WHOA is to enforce and ensure that these Covenants are adhered to by the individual homeowners and to collect periodic assessments from homeowners. The guiding principles of these Covenants are to proactively protect the interests of the entire community and to help maintain property values and the quality of life within the community.

#### **2. Is membership optional?**

No, the WHOA is an active association incorporated under the laws of the State of Georgia. When you purchased your home, during the closing you signed forms acknowledging that you understood you would be joining an HOA, and would 1) pay annual assessments, and 2) accept/abide by the WHOA Covenants.

#### **3. What if we weren't told this was a homeowners' association?**

While seeking out this information is the buyers' responsibility, the developer is also aware that agents may have inadvertently failed to reveal that homes on the market in our neighborhood are part of an HOA. While the developer regrets any hard feelings this may have caused, this is a matter between the buyer and the agent(s). Consequently, to try to help minimize 'surprises,' the developer has provided builders and agents with a *Closing Review Form* as part of the documents to be completed by the homeowner at closing. In addition to the Covenants themselves, The Closing Review Form discloses to the buyer our status as an active HOA and of their responsibilities, to include compliance, when they become homeowners in the Woodlands.

#### **4. Where can I get a copy of the Declaration of Covenants, Conditions, Restrictions and Easements?**

These documents are available for viewing or download on the WHOA website at [www.whoahouston.com](http://www.whoahouston.com).

**5. Does the WHOA Have any employees?**

No, the WHOA has no employees. Members (homeowners) serve voluntarily without compensation.

**6. Does the WHOA own any property?**

Yes, the WHOA has two detention ponds, two parks/pavilions and three entrances into the Woodlands development.

**7. What do annual assessments pay for?**

Annual assessments are, in part, the basis of the WHOA's budget which is designed to reflect upcoming debts such as accountant services, legal fees, insurance, utilities and landscaping.

**8. Are WHOA fees and assessments mandatory?**

Yes, WHOA fees and assessments are mandatory and must be paid if someone buys a property in the association. Don't forget, when you purchased your home in the WHOA you agreed to pay your annual assessment when signing your settlement papers. If, for example, you disagree with how your WHOA may or may not be handling the business of the association, that does not justify withholding all or a portion of your required annual assessment.

**9. Is there a grace period and reminders for paying the WHOA assessment?**

No, the association counts on the assessments being paid on time in order to cover association costs. Additionally, there isn't funding to pay for additional mailings to those who don't pay on time. Assessment due dates are contained in the Covenants. Also, assessments invoices are mailed out in advance and due dates posted on the WHOA website, [www.whoahouston.com](http://www.whoahouston.com).

**10. Can I pay my WHOA assessments online?**

Yes. Go to [www.whoahouston.com](http://www.whoahouston.com) and click on "Pay Assessment" for your subdivision. Paying online, assessments are \$360 plus a \$14 convenience fee. Should you choose not to pay the convenience fee, you can always mail your assessment to: WHOA Houston, Inc., P.O. Box 6678, Warner Robins, GA 31095. If mailing, please include your home address with your payment. Assessments are due no later than December 1<sup>st</sup> of each year.

**11. What happens if you don't pay your WHOA fees/assessments?**

Failure to pay by the due date automatically results in a lien being placed on the property and delinquent charges being applied to the original assessment. All homeowners should pay the assessment immediately upon receipt of the billing in order to avoid liens and delinquency charges.

## **12. What is a Lien?**

A lien is a monetary claim levied against a property for unpaid mortgage, taxes, contractor work, or other charges. A lien is attached to the property, not the owner, but legally must be recorded in the property records of the county of residence. If a lien is in place, the property owner has very limited ability to do anything involving the property until the lien is satisfied or removed.

## **13. I pay my assessments, but it appears improvements are slow to materialize in my community?**

Your regular assessments cover a number of items that may not be obvious including items such as insurance premiums, utility bills, bank fees, postage, copies, audits, legal fees, long-term maintenance and capital improvements. If there is something you wish to receive clarification on or if you observe something that is in need of attention, please email the WHOA at [whoahouston@gmail.com](mailto:whoahouston@gmail.com).

## **14. What types of things can the WHOA regulate?**

The WHOA's exact responsibilities and powers can be determined by consulting its governing documents, such as the Covenants. Parts of these will describe the workings of the WHOA itself, but the rest describes what it can do, when and how. Its authority covers things like the maintenance and upkeep standards owners are expected to meet as members of the WHOA. Part of living in the community includes agreeing to keep a home, its lawn and surrounding property in good condition. Rules may limit new construction, so residents need permission if they wish to install a swimming pool, erect a fence or build an addition. Standards may apply to driveways, landscaping and other aspects of a property.

## **15. Are WHOA rules legally binding?**

Yes, WHOA rules are legally binding. The WHOA can potentially fine or file a lawsuit against an owner who violates any restriction, covenant, or rule, as well as hold the owner responsible for any attorney's fees or costs incurred by the WHOA in enforcing that rule.

## **16. How does the WHOA enforce rules?**

While limited to some extent by state and local laws, WHOA rules and regulations are also supported by them. This means that becoming a member involves entering into a legally binding contract. As long as the WHOA stays within its authority and its governing documents comply with state and local laws, courts will usually uphold their actions if an issue gets that far.

Disciplinary actions by a WHOA are typically in the form of fines, but in more serious cases may go as far as a lien on the property. For a sufficient offense, the WHOA may even be able to foreclose on a home, depending on its rules. If an WHOA assesses fines, even incorrectly, it may be better to pay them first and then contest the matter to avoid any late fees, penalties or other consequences.

### **17. How can the WHOA contact me or where do they get my contact information?**

At time of closing you should have completed a “Closing Review Form” which was then sent to the WHOA by your closing attorney or builder. This form contains your name, mailing address, phone numbers, and email address. If you did not complete this form at time of closing, please visit the “Closing Review Form” page on our website to do so now.

### **18. Why do I have to get permission for home improvements?**

If you are making a change to the exterior of your home or a change anywhere on your lot you need to get approval from the Architectural Control Committee (ACC). The Woodlands is under a “Declaration of Covenants, Conditions, Restrictions and Easements” hereafter referred to as the Covenants. When you bought a home in this community you became obligated to abide by the restrictions outlined in the Covenants. Architectural control restrictions are designed to maintain the aesthetic harmony of the community and to protect property values. Over time, residents may like to make modifications to their homes. Without an architectural standard and approval, these gradual changes can easily affect the appearance of the community. By obtaining approval before any improvement is made you can be assured that the community standards are maintained for everyone. This avoids the problems that arise from the construction of improvements and the use of colors or styles that conflict with your governing documents (Covenants). Getting ACC approval is always the safest bet.

You must submit your request in writing or you can make your request via the Home Improvement Request Form on the WHOA website at [www.whoahouston.com](http://www.whoahouston.com).

### **19. What happens if owners make alterations or improvements without the required approval?**

When an owner begins alterations or improvements without required ACC approval, he/she is subject to a variety of penalties under the Covenants and the law. At a minimum, the WHOA can order the owner to immediately cease all work and restore any altered areas to their original state. If the owner does not comply, the WHOA can impose daily fines until the violation is corrected. In addition to the fine, the owner will be liable for all costs of collection including reasonable attorney’s fees.

### **20. I’m concerned that the landscaping at my entrance or a common area near me is not being maintained well or there is trash collecting in the area. Who do I contact?**

Please send an email with specifics to [whoahouston@gmail.com](mailto:whoahouston@gmail.com) and we will reach out to the landscaping company.

### **21. What can be done about a property owner who doesn’t mow their lawn very often?**

If, in the opinion of the ACC, the owner has failed to perform the care and maintenance required and fails to remedy the issue within 10-days of receiving notice, the WHOA is authorized (as per the Covenants) and may choose to force-maintain or mow a homeowner’s property through the

use of a contractor to resolve the issue. The homeowner will be liable for the cost of the contractor's service. Failure to reimburse the WHOA shall constitute a lien against the lot.

**22. Does the ACC patrol the neighborhood looking for violations of the Covenants?**

No. They neither have the time nor inclination to patrol the neighborhood. It is up to each lot homeowner to read and comply with the Covenants.

**23. Who owns and maintains our streets? And, who do I contact to report a street light outage?**

Our neighborhood streets are owned by the City of Warner Robins or the City of Perry depending on where you live. They are maintained by the respective Public Works Department who can be contacted at 478-302-5543 for Warner Robins or (478) 988-2732 for Perry. Any street light outage should also be reported to the Public Works Department of the city in which you live.

**24. How do I report lights out at the neighborhood entrances or common areas (street lights are addressed in the previous FAQ)?**

Please send an email with specifics to [whoahouston@gmail.com](mailto:whoahouston@gmail.com).

**25. Can the public use community amenities?**

Amenities such as parks and playgrounds are for residents and their guests only. Please note that guests must be accompanied by residents at all times.

**26. Can the pavilions in the parks and playgrounds be reserved?**

No. If you choose to use the pavilions, please be courteous and respectful to other homeowners who would like to use the facilities.

**27. Who is responsible for cleaning the parks and playgrounds?**

Homeowners and their guests are expected to police and clean-up after themselves. Trash receptacles are on site and should be used to dispose of any trash. Any problems should be brought to the attention of the WHOA by sending an email to [whoahouston@gmail.com](mailto:whoahouston@gmail.com).

**28. Can I fish in the detention ponds?**

No. The detention ponds are part of the storm water system for the Woodlands. There is no community access with "No Trespassing" allowed and signs posted as such.

**29. Does the WHOA listen/respond to speeding, parking complaints or neighborhood disturbances?**

No. The WHOA has no authority in these areas. It is important for all residents to drive safely, obey traffic laws and be cognizant of children in the neighborhood. Complaints of this nature must be directed by the homeowner to the City of Warner Robins police at 478-302-5378 or the City of Perry police at (478) 988-2800 depending on where you live.

**30. Are golf carts, four wheelers, recreational vehicles, etc., allowed in the neighborhood?**

According to Georgia Laws, golf carts are permitted in neighborhoods and are policed by the local police department. All streets and right of ways in the neighborhood are owned by the City in which you live, NOT the WHOA. Please contact the local police department with any complaints.

**31. Is the association responsible and/or are there rules in place for settling homeowner disputes?**

No. Unless the problem is one causing a common area problem or a direct violation, homeowner disputes should be settled between the parties involved. The WHOA is not here to serve as mediator between neighbors. In any community, whether governed by an association or not, homeowners run into personality clashes, pet problems, and other neighborhood issues. Often, open communication can resolve the problems to the satisfaction of both parties with no hard feelings.

**32. What if I have a problem with loud neighbors or extreme concerns that require immediate attention?**

We suggest that in circumstances that require emergency assistance that homeowners use their right to be safe and call the proper authorities in extreme cases.

**33. Who do I call concerning problem pets in my neighborhood?**

Please try to contact the owner, but if this is not possible or the owner is a repeat offender contact Warner Robins Animal Control at (478) 929-7290 or Perry Animal Control at 478-988-2888 depending on where you live.

**34. What can be done about dog poop?**

Part of the responsibility of pet ownership is to clean up after them. If you are a dog owner, please carry pet waste bags with you on your walks and dispose of waste in your garbage bin when you return home. Please do not report this to the WHOA. Try to contact the owner, but if this is not possible or the owner is a repeat offender contact Animal Control for either the City of Warner Robins or the City of Perry depending on where you live.

**35. Is WHOA on social media?**

No. We have no social media sites, only the website at [www.whoahouston.com](http://www.whoahouston.com).

**36. My packages are being delivered to the wrong home.**

Please contact USPS or the delivery company about this. WHOA does not handle anything related to mail and/or packages.