

Andover Glen Gazette

MAY 2012

WWW.ANDOVERLGEN.ORG

For article submissions,
items to sell, or other
newsletter requests

contact

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A Note From Our Treasurer

Dear Andover Glean Residents,

The Annual Assessment is due by July 1, 2012.

The annual assessment in the amount of \$340.00, (not formally approved at this date), will be due the first day of next year's fiscal year, July 1, 2012. I'll be sending out a billing statement around the first week of June to each of the 99 individual households. As in past years, I will not cash the checks received until the first week of July.

I ask, request, implore, and beg that all homeowners pay the dues by July 1, 2012. Monthly rebilling is very time consuming process that is only required for those who don't pay on time during the month of June. Last year, only 58 of 99 households paid on time. The next month only 11 more paid. The last wasn't paid until December and that was after three personal visits to the household. I spent over 70 total hours last year attempting to collect our annual dues. That seems a lot for any volunteer. About 45 of those hours were due to the rebilling situation.

Each month the assessment is late a \$3.40 late charge is billed, (1% per month). That doesn't seem to hold anyone back for paying on time. If the process is the same this year, I'll go to the Board, next year, and attempt to get a "real" late charge; hopefully somewhere about 10 times the current amount, per month.

In summary, please pay, on time, during the month of June, 2012. Make your Treasurer a happy camper, this year.

Dick Moore, Treasurer

Andover Glen's Community Garden

To AGHA current and prospective Community Gardeners,

Did you know there are still plots available in the community garden? Norm Alt has taken over as our Community Garden Coordinator, which includes collecting dues and applications, assigning plots, watering schedule, etc.

If you are interested in getting in on this good gardening opportunity, please contact Norm ASAP — plots will be awarded based on when check is received, and the deadline for application is May 15.

There is even compost available, and feel free to add compost material to the "Pre-Compost" bin, preferably in hand-sized pieces or less.

Thanks, Norm Art, [303-437-3968](tel:303-437-3968)
14193 E Layton Drive

AGHA Community Garden Plots





Enjoying coffee in February!

Andover Common Grounds Coffee Club

Do you know there is a monthly coffee just for our neighbors here in Andover Glen?

On the last Friday of most months during the year we gather at a different neighbor's home for coffee and breakfast fare. It is a chance to meet our neighbors, catch up on news and see what interesting projects are improving their houses.

If you would like to be in-

cluded on the email announcements just send an email to mlhanson-consultant@comcast.net. If you prefer not to receive the invitations, but are interested in attending check out the Gazette at www.Andoverglen.org.

We are also looking for neighbors to be hosts. Contact Deb Jones, our board social chair, at debsew79@msn.com. Or M. L. at the email above or by

phone at 303-627-4044 and volunteer for one of the following dates:

May 25
June 29
August 31
September 28
October 26

We hope to see you soon!

From Your Social Committee

Andover Glen
HOA Board
Meeting
Wednesday,
May 16,
7—9 PM
Shalom Park



Andover Glen Garage Sale

**Fri. and Sat.
June 1st and 2nd**

The Andover Glen Garage Sale will be Friday, June 1st and Saturday, June 2nd. We moved the date to correspond

with Woodgate's Garage Sale. The Garage Sale will be well advertised, so be ready for those early shoppers. I have noticed in the past years that people start coming around as early as

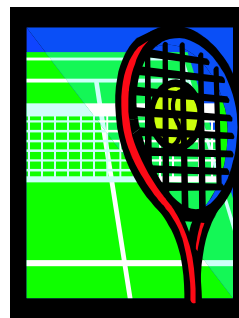
7:00 a.m. on Friday!

If you have any questions, suggestions or concerns, please contact me at debsew79@msn.com.

Debra Jones

Tennis Court Update

Thank you to all of those who responded to our informal tennis court survey. We are happy to have received 45 responses, or over 45% of the Andover Glen community. Based on the survey, 82% of the responders want the courts repaired, with 18% wanting them demolished.



The board will use the input to make a decision on the tennis courts at our May 16th meeting. As always, we encourage all members of our community to attend the meeting.

- Bob Stracy

Andover Glen Resident Education Corner: What Do Owners Do with Their Properties After Filing Bankruptcy?

By: Brianna L. Schaefer

With bankruptcy numbers still on the rise, questions continue to abound regarding the impact an owner filing for bankruptcy has on an association... especially when it comes to collection of assessments.

Bankruptcy is a means by which a person (which can be an individual, partnership or corporation) seeks relief from debt. If a bankruptcy is successful, a person is no longer responsible under the law for the payment of pre-bankruptcy debt. There are generally two types of bankruptcies that associations deal with; Chapter 7 and Chapter 13.

Chapter 7: Liquidation. The Chapter 7 bankruptcy is referred to in the Bankruptcy Code as being a "liquidation." The idea is that the debtor's assets are sold to pay the debtor's debts (the money the debtor owes to creditors). Sometimes that actually happens. Most often it does not, because when the debtor's exempt property is taken off the "bankruptcy table", there is nothing left to liquidate (that is, to sell) to generate the money to pay the debt. The end result is usually a debtor in a Chapter 7 bankruptcy wipes out all of the debtor's debt and the creditors typically get nothing.

Chapter 13: Wage Earner Plan. The Chapter 13 bankruptcy is sometimes referred to as a wage earner plan or a repayment plan. It gives the debtor who has a regular income the opportunity to pay his creditors. Before Chapter 13 was added to the Bankruptcy Act, debtors who wanted to do that had to file under the very cumbersome Chapter 11. The Chapter 13 bankruptcy is considerably more simple and user friendly. It allows debtors to pay all of their creditors all of the money owed, some of the money owed, or none to some and some to others.

When a debtor files a bankruptcy, whether an association will be able to

collect any money typically rests on:

1. Whether the association is a secured creditor. A secured creditor is one who has a lien on property, such as a recorded notice of delinquent assessment.

Whether the debtor continues to own the property in an association community.

One question that our attorneys hear frequently is: What happens when an owner decides to "surrender" their property in a bankruptcy?

In a bankruptcy, an owner can choose to surrender or give up the property to eliminate the debt. This is almost always the case in a Chapter 7 and is becoming more common in Chapter 13 as well. Surrendering the property means that the debtor is giving up the property to the bankruptcy estate and the association will lose its standing as a secured creditor. If this is the option they choose, the bank will initiate a public trustee foreclosure to begin the process of taking the property back. In the current real estate and economic climate, this process can take in excess of a year. In terms of assessment collection, this usually means that the association will not be included for repayment in the Chapter 13 bankruptcy plan and the debt will be eliminated in a Chapter 7, leaving the owner no longer personally responsible for any amounts that they owed prior to filing bankruptcy. Although this is, at times, very frustrating there is good news: federal bankruptcy law states that even if an owner intends to surrender their property to the bank they continue to be responsible for the HOA dues and fines that come due after the bankruptcy filing until the home is sold at the foreclosure sale and legal title to the property changes to the bank. Collecting these assessments can sometimes be challenging but at least the association is left with the option of pursuing the debt from the individual, should they decide that it would be prudent to do so.



The other option for a debtor is to "retain", or keep the property. If this option is chosen, the association maintains its status as a secured creditor, the debtor accepts responsibility for the debt, and all of the money owed to the association as of the date of the bankruptcy filing will be included for repayment in the Chapter 13 plan. This is great news for the association, as it will be paid in full (albeit over the life of the plan, which is typically 5 years). The debtor will also continue to be responsible for keeping up with current assessments payments as they come due.

Some owners who file bankruptcy indicate that they will surrender the property, but then continue to live in the property while the bankruptcy is pending. Again, while this is potentially very frustrating to the association, remember that until legal title changes hands, owners also continue to be responsible for the upkeep of the property; mowing and watering the lawn, keeping weeds to a minimum and otherwise complying with the standards set out in the covenants. If the owner is not in compliance, the association may still use the covenant enforcement process, including the imposition of fines (although it may not take steps to collect the fines until the bankruptcy is finished).

If you encounter any situation which is strange to you (especially a threat of action by a debtor), you should seek prompt legal assistance. There are many things which can occur in a bankruptcy that are clearly beyond the scope of this article. If you have any questions about bankruptcy and owners who are surrendering property, please contact one of our attorney's at [303.432.9999](tel:303.432.9999).

Important Numbers for the City:

Call [303-627-3100](tel:303-627-3100) to report suspicious activity (APD Dispatch, Access Aurora)

City of Aurora Code Enforcement [303-739-7280](tel:303-739-7280)

Andover Glen Community Dumpster Days

**Sat. and Sun.
June 9th & 10th**

A large 40ft roll-off dumpster will be available on Saturday, June 9th and Sunday, June 10th near AG Park. Just a few friendly reminders, if you have any large tree branches or bushes, please cut them down to smaller pieces. The following items are not allowed in the dumpster; **no toxic wastes like old paint, oil, batteries, tires, etc.** If you have any of these

items, please wait for the City of Aurora Household Chemical Roundup in September. If you have good, useable items left over from the Garage Sale, please donate those items to your favorite charity. I have a couple of numbers listed below if you have donations that you would like picked up from your home. You can call to schedule a pick-up from the Vietnam Veterans of America 1-(800)-775-VETS (8387) and/or ARC (303) 238-5263. Please remember that once the dumpster is full -

IT'S FULL! If we overfill it, the waste management company will not take it. If we overfill it, we **all pay** for another dumpster! The dumpster is for Andover Glen homeowners only and is paid for by your Association Dues. Thanks again for everyone's efforts so we can keep offering this service to our community. If you have any questions, suggestions or concerns, please contact me at debsew79@msn.com.

- Debra Jones



CHILDCARE, PET CARE, AND MISC FOR SALE

BABY SITTING & ODD JOBS: RED CROSS CERTIFIED, 12TH GRADE, NEIGHBORHOOD BABYSITTER. WILL ALSO DO ODD JOBS LIKE HOUSE SITTING, DOG SITTING, WATERING PLANTS. VERY RESPONSIBLE.

SHANNON GUERRA, 303-766-0464.

FOR SALE: RIDE BEHIND BIKE ATTACHMENT (ATTACHES TO FRAME OF ADULT BIKE TO CREATE A TANDEM BIKE FOR AN ADULT AND CHILD). \$50.00 303-627-4761

LAWN MOWING SERVICE: "LAWN MOWING: I AM AN 18-YEAR-OLD STUDENT TRYING TO EARN SOME EXTRA SAVINGS OVER THE SUMMER. I OFFER LAWN MOWING, TRIMMING, AND SIDE-WALK/DRIVEWAY CLEANUP FOR ABOUT \$20 PER WEEK, DEPENDING ON THE SIZE OF THE LAWN. PLEASE CALL ZACH VAUGHAN AT [720-432-7126](tel:720-432-7126)!"

THANKS,
ZACH V.

Denver Free Fun Days

2012 SCFD Free Days

Denver Art Museum

June 2
July 7
August 4
September 1
September 8 (Friendship
Powwow)
October 6
November 3
December 1

Denver Botanic Gardens:

July 26
August 28
October 1
November 2

Denver Botanic Gardens at Chatfield

June 1
July 6
August 3
November 2

Denver Center for the Per- forming Arts

SCFD 10 for \$10
Each Tuesday at 10am,
The Denver Center for the
Performing Arts will release
a limited number of \$10
tickets. Ten seats for every
Denver Center Theatre
Company performance in
the coming week will qual-
ify

(up to 25 shows per week).
www.denvercenter.org/scfd

d

Use code SCFD.

Denver Museum of Nature and Science

June 17
July 2
August 12
August 20
October 14
November 19
December 9

Denver Zoo

November 5
November 16
November 28

