**FAQs for Comstock Estates HOA**

* How large is this HOA?
  + Comstock Estates has 312 homes. There are no empty lots so this is as big as it gets.
* What are the annual assessments and when are they due?
  + Annual assessments are set by the board of directors during the budgeting process. Currently they are $150.00/yr. Bills go out the middle of December. with the notice of the annual meeting and the proxy votes. Payments are due no later than close of business the last day of January. That gives homeowners approximately 6 weeks to pay.
* What happens if I’m late paying?
  + Our policy says that any late payments, whether for assessments or fines will be charged late fees of $25.00/mos.
  + State law says you are entitled to a one-time payment plan. Talk to the board if you find it difficult to pay on time.
* Why do I have to follow the covenants and the rules?
  + Every homeowner signs papers at closing making them a legal member of the HOA and agreeing to follow the covenants and policies. The full set of covenants and policies are kept on our website so you can download them for your use.
* What are some of the basic rules I need to know?
  + Homeowners are to keep their lots in good shape. Weed and trash free, grass watered and mowed. Dead trees cut down.
  + Trash cans and garbage bags can only be put out no earlier than the evening before trash day and must be put away by the end of trash day. Otherwise all trash cans/bags must be either behind the privacy fence or in your garage. No exceptions.
  + City of Fruita limits pets to 4. Our HOA covenants say you can’t have livestock. So no chickens or ducks (folks have tried).
  + Any vehicle that hasn’t been operational for a period of 2 weeks or more has to be stored either behind the fence or in a garage. Obviously if a homeowner is extremely ill or on vacation there are exceptions made.
* What do I do with my RV/camper/ATVs/hauling trailer/boat?
  + You can only store any of these if they are either stored in your garage or behind a solid 6 ft. tall privacy fence on your property. Otherwise you are going to have to pay for offsite storage. You are allowed a short period of time to load/unload your RV/camper before and after a trip but this isn’t days on end.
  + The city does not allow these items to be parked on the street either. If your RV/camper has slide outs, steps and extension cords blocking the sidewalk that is a danger to pedestrians and you could end up with legal problems if someone is seriously injured. The HOA has no control over on-street parking. If you feel this is a problem then you can call the Mesa County Dispatch and ask that they send a Fruita Police Dept. officer out to investigate.
* I want to have a storage shed.
  + The city has some rules about storage sheds as does the HOA. If it is bigger than 80 sq. ft. then you will need a permit from the city. The city requires a 3-ft. setback from both the rear fence and the side fences. This keeps any snow/rain from flowing into neighboring yards. It also keeps the shed from sitting atop the HOA irrigation lines.
  + You must get approval for the shed from the HOA. To do so you must provide a copy of the permit from the city if the shed is over 80 sq. ft., provide a drawing of your yard and where it will be placed. If you have not done these things the city and the HOA can and have required your shed to be moved.
* I want to paint my house.
  + The covenants are both specific and vague on this.
  + Here’s a specific – “No improvements (that includes painting) can be done without the approval of the HOA.” Here’s another one - “The color combination for the body and trim of a Residence may not be repeated by any other adjacent Living Unit within two

(2) Lots (Lots separated by a street are not considered adjacent).” So, if your favorite color is the same as your next-door neighbor’s home then the HOA will say “No.”

* + Here’s a vague one – “Exterior Colors. Semi-transparent or solid colors in moderate hues only are acceptable,” which leaves some options open. The board tries very hard to fairly interpret this but some homes that have been painted in the past certainly did not follow this covenant. The definition of moderate is as follows – “*of a color*: of medium lightness and medium chroma.” So please don’t bring a color to us that is at the far end of the color swatch and expect it to be approved. Remember, it’s the neighbors who have to look at the exterior of your home far more than you do. You can paint the interior any color you wish.
  + We have had to ask a homeowner to repaint a portion of their freshly painted home because it didn’t meet the covenant requirements. So, do get with the board prior to painting. We are trying to keep home values high in our HOA.
* Does the HOA own my fence?
  + The HOA does own and maintain the fences along Coulson and Ottley along with the fence along the Oaks. All other fences are owned by private homeowners and are to be maintained by them.
* How do I water my lawn?
  + The HOA provides each lot with irrigation water from the Elmwood Lateral Ditch. You can connect an irrigation system to that by a pump or use gravity. Or you may use metered city water if you choose. At times, we have some challenges with the irrigation system and may have to shut it down – we try to post signs at all 3 entrances letting you know when that occurs. Because the problem may be in any yard the HOA has the legal right to enter every yard to deal with the irrigation system when there is an emergency. We will try our best to get in touch with you, especially if you have pets. Please keep your contact information up to date with us for that very reason.
* Barking dogs.
  + The covenant says this – “pet(s) are not kept for any commercial purpose and are not kept in such number or in such manner as to create a nuisance to any resident(s) of the Property.” It is very difficult for the HOA to enforce this and we will ask that you work with the city to get this resolved since they have laws and a clear process on how to move forward. Visit their website for more info. [http://www.fruita.org/sites/default/files/fileattachments/community\_development/pa ge/242/17.33.pdf](http://www.fruita.org/sites/default/files/fileattachments/community_development/page/242/17.33.pdf)
* Can I rent my home?
  + All rentals are to be written leases and have to be for a minimum of 30 days. No vacation type rentals are allowed for less than 30 days. All tenants must agree to abide by the same covenants and policies as the homeowners.
* What happens if a homeowner doesn’t follow the rules?
  + The first contact may be a home visit. The board believes that education leading to

cooperation is our goal. But sometimes that isn’t possible or doesn’t seem to work. So, the homeowner will receive a courtesy letter clearly stating the covenant that has been violated. Included in the letter will be information on how to appeal if they feel this in error (which must be done in writing and within 7 days), a timeline on how long the homeowner has to fix the problem, and what happens if they don’t.

* + If the homeowner doesn’t appeal or the appeal is denied and they don’t fix the problem then there will be a fine charged against the land. The fine letter will state when the payment is due and what the late charges are if the payment is not received in time.
  + Some homeowners seem to be repeat offenders and we don’t continue to send out courtesy letters. If they have received a courtesy letter about a problem within the last year and still keep offending they just get the fine letters.
  + See the Collection Policy on our website for more information about delinquent accounts. <http://www.comstockhoa.net/download/>
* Can the HOA board fix my problems with my neighbors?
  + This may sound like an unusual question but we often get requests to solve some problems that could easily be resolved if folks just spent a few moments talking to their neighbors.
  + Remember that we are not a retirement community and so there are going to be kids and kid’s playsets. Your view may not be like a showplace. That happens in a subdivision. There are no covenants saying your backyard view is protected. All you can do is manage the view from your side of the fence with some creativity.
  + Sometimes the problem is serious and you need the help of the HOA in resolving the issue. Please try to determine which it is before calling on the board. We are all volunteers trying to juggle the needs of all of the homeowners and still keep our families from making us resign. If you need to contact us here’s our email address - [bod@comstockhoa.net](mailto:bod@comstockhoa.net)