



SHELTER BAY'S HOMEOWNERS ASSOCIATION (HOA)

Frequently Asked Questions

Buying a home in Shelter Bay includes automatic membership in the homeowners association (HOA), called Shelter Bay Community, Inc. There are rights and obligations that come with being a member of Shelter Bay. The information below attempts to give you a basic understanding of what membership in Shelter Bay may involve. In addition to the information provided below, you should review the Shelter Bay governing documents and consider seeking the assistance of legal counsel to answer any questions you may have. You can also direct specific questions to the Shelter Bay office.

1. What is a Homeowners Association (HOA)?

Washington law defines a homeowners association as a legal entity in which each member is an owner of residential property which is subject to the HOA's jurisdiction as a result of certain recorded governing documents. The Washington HOA Act, RCW 64.38, provides more information.

2. Does the Shelter Bay community have an HOA?

Yes. The HOA is called "Shelter Bay Community, Inc.", and it is a registered corporation in the State of Washington.

3. What are Shelter Bay's governing documents?

The principal governing document of Shelter Bay is the Declaration of Protective Covenants. This document provides for protections and restrictions placed on the property. Other governing documents include the Shelter Bay Community, Inc. Articles of Incorporation, Bylaws, and Rules and Regulations.

4. Am I required to be a member of the Shelter Bay HOA?

Membership in the Shelter Bay Community, Inc. HOA is required for all homeowners in the community. The Declaration of Protective Covenants (governing document) make such membership mandatory. This document is essentially a legally binding contract between the owner/members and the association. If you have questions about your legal rights and obligations as a member of the HOA, you should consult an attorney.

5. How does membership in the Shelter Bay Community, Inc. HOA affect the ownership of my home?

By virtue of your membership, you have various rights and obligations as described in the governing documents. These may include restrictions on the use of your property, architectural controls on future improvements of your property, and the obligation to pay assessments, also known as dues, to the HOA.



6. Who oversees the Shelter Bay Community, Inc. HOA?

Shelter Bay is governed by a volunteer board of nine (9) directors, elected by the homeowners. The Board's responsibilities and its powers are identified in the Bylaws. In addition, there are working committees, comprised of community volunteers appointed by the Board. These committees include: Building, Communications, Facilities, Finance, Greenbelt/Lot, Harbor, Rules, Safety & Social/Recreation. Shelter Bay is self-managed, and directly employs a Community Manager, as well as administrative and maintenance staff, who work on the premises. The Manager is responsible for the day-to-day operation of the community within the authorized budget and policy parameters as approved by the Board of Directors.

7. How does Shelter Bay enforce the governing documents?

Various committees, along with a community compliance officer, are charged with enforcement of specific aspects of the Declaration of Protective Covenants. Fines can be levied against members for violations of the covenants or general rules and regulations. In addition, a homeowner can be required to pay for damages or other associated costs caused by the violation. There is tiered appeals process, with the Committee at the first level; the Rules Committee at the second level, and the Board at the top level. It is the homeowner's responsibility to read, understand and adhere to the HOA's governing documents.

8. What happens if I do not pay my assessments?

The Declaration of Protective Covenants gives Shelter Bay Community, Inc. the power to place a lien on your home or take other legal action if you fail to pay properly levied assessments. If you do not bring the assessments current, this could result in a foreclosure of your home by the association. Non-payment of assessments may also render you ineligible to vote in community elections.

9. What is the difference between a HOA and a condominium association?

A condominium association is a specialized type of HOA, created under different statutes than those which apply to HOAs. Shelter Bay Community, Inc. is not a condominium association.

10. What amenities are provided by Shelter Bay?

Shelter Bay has many amenities, including: a community office, a clubhouse/banquet hall, two outdoor swimming pools, tennis/pickleball courts, two picnic shelters with BBQ's, a 9-hole par-3 golf course, a private marina, a storage lot, a private beach, a children's playground and park/open greenbelt areas.

11. Do I automatically get a marina slip when I become a Shelter Bay resident/member?

No, as there are only 317 slips for the 914 residents. However, members take priority over non-members on the waiting list, and members also enjoy a reduced slip moorage rate. The marina waiting list is maintained in the Community Office.



12. Do I automatically get a storage space in the RV Storage Lot when I become a Shelter Bay resident/member?

No, as there are not enough spaces for all residents. The RV Storage Lot is for use by members only. A waiting list is maintained in the Community Office.

13. What obligations does Shelter Bay Community, Inc. have?

Shelter Bay Community, Inc. maintains common areas, amenities and roads; operates the water and sewer utilities; administers and enforces use and architectural restrictions, adopts budgets and collects assessments and other fees. Shelter Bay is self-managed, and employs administrative and maintenance personnel to oversee the community's daily operations, and relies on assistance from community volunteers.

14. What happens if one of the common areas of Shelter Bay must be repaired or replaced?

Shelter Bay maintains limited reserve funds for out of plan repairs of community-owned assets. In addition, Capital Improvements Projects are budgeted each year, and assessed to members for planned — or emergency — repairs/replacement of facilities.

15. What assessment amounts can be charged by Shelter Bay Community, Inc.?

The current dues and assessments are disclosed at the time a purchase contract is in escrow. The amount is determined by the annual budget(s). If you have questions, you may contact the Community Manager or a member of the Board of Directors.

16. Can assessment amounts be increased?

Assessments/dues can be adjusted based on the annual budget. Shelter Bay's annual Operating Budget and Capital Improvement Projects Budget are approved by the Board of Directors and ratified by the membership in its annual election in May of each year.

17. Are there any special assessments planned for the near future?

Other than the annual Capital Improvement Projects assessment, and Supplemental Rent assessment related to the Master Lease rent, no other special assessments are planned.

18. Can Shelter Bay restrict the types of improvements I can make to my home?

Shelter Bay has certain architectural and design guidelines and restrictions. Members are required to submit plans and specifications to the Shelter Bay Building Committee for approval before making any changes to the exterior or building any additions or other structures. A Building Committee packet contains specific guidelines and restrictions, and may be obtained through the business office or on the website.



19. Are there use rules that might affect my home?

The Declaration of Protective Covenants contain rules relating to trees, landscaping, pets, satellite dishes, clotheslines, fences, parking, home businesses, rental of homes and other issues. You should carefully read this document to understand the nature of these restrictions.

20. As a member of the Shelter Bay Community, Inc., can I rent my home?

Members have the right to rent or lease their real property subject to restrictions in the Declaration of Protective Covenants. You should carefully read this document to understand the nature of these restrictions.

21. When does the Shelter Bay Community, Inc. HOA meet?

The annual meeting of the membership is held in of May each year. Other special membership meetings may be scheduled, as needed. Notice of the date and time of the meeting is provided in advance by officers of the Board. The Board of Directors has regularly scheduled meetings, which are generally held on the third Wednesday of each month in the Community Clubhouse.

22. Can I attend the regular meetings of the Shelter Bay Board of Directors?

Yes. Board meetings are open to all members, and members are encouraged to attend. While members do not generally participate in the meetings, there are opportunities for public comment in which members can ask questions or share concerns. The Washington HOA Act permits the Board to consider certain sensitive topics in private Executive Session.

23. As an HOA member, can I obtain copies of the community's records?

The Washington HOA Act provides that the records must be made available for review by owners/members during normal working hours at the office. In most cases, copies may be obtained, and a copy charge may apply.

24. Does Shelter Bay face any serious financial problems?

As a purchaser of a home, you are entitled to receive a disclosure statement, which will provide you information regarding the financial condition of the HOA and whether it is involved in any litigation. However, you should also question the seller to get a clear picture of the HOA's financial condition.

25. Do the benefits of belonging to Shelter Bay Community, Inc. outweigh the burdens?

That is a question you should consider when purchasing a home that requires membership in HOA. Some of the typical benefits and burdens are described above. Studying the Shelter Bay governing documents is an important step. Consider exploring this question with your seller, real estate professional, attorney and other advisors. You may also wish to speak with neighboring homeowners about the community. In the end, only you can decide whether what you want in a home and a neighborhood matches what this home and this community have to offer.