

MINUTES

Special Membership Meeting

November 4, 2023, Farnsworth Hall, 9:00 AM

Welcome: Steve Malone, President

Pledge of Allegiance

Call to Order: Steve Malone, President, called the meeting to order at 9:15 AM

Quorum Confirmation: Ward Jennings, Treasurer, confirmed 226 members were present at the start of the meeting. A quorum, requiring at least one hundred Members, was met.

Increase 2024 Membership Fees: Vote to raise the annual fees from \$190 to \$250 beginning January 1, 2024. Several Members spoke on the need for an increase due to inflation and the rising cost of supplies, maintenance, and repairs. Voting Results: 179 YES - 43 NO

By Law Article XI and Article XII: Steve reviewed the By Law Article XI amendment to delete Section 4 Transfer and Disclosure Fees and Section 9 Age Restrictions and create a new Article XII for Transfer and Disclosure Fees and Age Restrictions. Both Articles were voted on as one single item. Voting Results: 198 YES – 20 NO

There was a total of 222 ballots counted, 11 were missing, 4 had no vote recorded (blank) and 1 was not numbered.

Adjournment: 11:03 AM

Submitted by Joyce Canino, Secretary.

Attachments: Voting Pamphlet, Voting Ballot and Audit Results.



DVRC VOTER PAMPHLET

Motion to Increase the 2024 Annual Membership

Fee to \$250.00.

And

**Amend Bylaws Article XI and Create a New
Article XII**

November 4, 2023

**SUBMITTED BY THE POLICY AND PROCEDURES COMMITTEE AND
BOARD OF DIRECTORS**

**Special Membership Meeting Voting Ballot
November 4, 2023**

Item 1. The Board of Directors submits for approval of the membership a motion increasing the 2024 annual membership fee to \$250.00 per person. Dreamland Villa has not kept pace with the cost-of-living. Our lack of making annual adjustments to our fees has affected the bottom line financially.

Yes _____ No _____

Item 2(a). The Board of Directors submits for approval of the membership, a proposal to amend Article XI. The amendment clarifies what membership is voluntary and the fees for membership provides for access to the social and recreational activities of the corporation. The amendment also deletes the following section of Article XI; Section 4 addressing Transfer Fees and Section 9 addressing Age-Restriction Policies and Procedures are being incorporated in a new Article XII.

Item 2(b). Create a new Article XII. This addition to the Bylaws will clarify the fact that buyers of homes are required to pay the transfer fee and the disclosure fee to compensate Dreamland Villa for its costs to document the names and ages of the new home buyers and the property's occupants ages.

Documentation is required to keep Dreamland Villa a 55+ age-restricted community. This has been an area of contention with many Realtors as Article XI title would imply that all fees are voluntary. The transfer fees and disclosure fees document that the buyers are age qualified for the property being purchased as set forth in the Declarations of Restrictions for each of the properties in the 18 subsections that make up Dreamland Villa.

ARTICLE XI, MEMBERSHIP AND DUES FEES

~~Any fee requested is a voluntary contribution. No fee is mandatory.~~

Section 1. No Change

Rental Properties: No Change

Section 2. No Change

Section 3. No Change

Section 4 to be Deleted and Moved to Article XII. ~~Section 4.~~ New property owners, at the time of escrow closing, shall be requested to pay, in addition to the annual fee, a one-time Transfer Fee. The transfer fee is established to cover the cost of maintaining Dreamland Villa Retirement Community's age-restricted status and may from time to time be modified by the board of directors. Only one transfer fee may be charged for a residence regardless of the number of individuals residing in that residence. The transfer fee is not applicable to transfer of ownership between family members, i.e., spouses, parents, siblings, or children.

Section 54 Change paragraph number only.

Section 65. Change paragraph number only.

Section 76. Change paragraph number only.

Section 87. Change paragraph number only.

Section 9 to be Deleted and Moved to Article XII. ~~Section 9.~~ The Declaration of Restrictions and Amendments thereto, attached to the real property located within one of Dreamland Villa Development's eighteen (18) sections, establishes that Dreamland Villa is a 55+ community, and each dwelling unit shall be occupied by at least one resident aged fifty-five years of age or older, and that no person eighteen (18) years of age or younger shall reside in a dwelling unit for a period longer than 90 days. It shall be the policy of the Dreamland Villa Retirement Community to establish Policies and Procedures to comply with the requirements set forth in the US Department of Housing and Urban Development Housing for Older Persons Act of 1995, Final Rule Effective May 3, 1999, and the Maricopa County Zoning Ordinance, Chapter 10 Overlay Zoning Districts, Section 1006. Senior Citizen Overlay.

ARTICLE XII, Transfer and Disclosure Fees and Age-Restrictions.

Section 1. New property owner(s) are required to pay a Transfer Fee and Disclosure Fee at the time of closing. These fees are used for the purpose of covering Dreamland Villa Retirement Community's administrative costs (1) to provide for disclosure documentation to the new property owners as requested by their escrow/title companies and (2) obtain and maintain document that verify the ages of the new property owner(s) and the property's occupant(s). These documents are required to maintain Dreamland Villa Retirement Community's status as a 55 plus age restricted community.

Section 2. The Transfer and Disclosure fees shall be set by the Board of Directors in amounts that do not exceed those authorized by the Arizona Revised Statutes. These fees do not pay for the recreational and social activities offered by Dreamland Villa Retirement Community. These fees do not apply to the purchase or transfer of a membership in Dreamland Villa Retirement Community.

Section 3. At closing, new property owners are required to complete a Verification of Age Affidavit to demonstrate their compliance with their property's Declaration of Restrictions and Maricopa County Senior Citizen Zoning Ordinance requirements, each requiring that at least one occupant be 55 years of age or older. Verification of Age Affidavits must be completed not less than every two years, thereafter. At closing, authorized documents to verify age are set forth in the Maricopa County Senior Citizen Zoning Ordinance stating that Dreamland Villa is a 55+ years of age-restricted subdivision.

Section 4. The Declaration of Restrictions and Amendment thereto, attached to the real property (lots), run with the land and are binding on all persons owning a lot in Dreamland Villa eighteen (18) sections. The Declarations state that each dwelling unit shall be occupied by at least one resident aged fifty-five years of age or older, and that no person eighteen (18) years of age or younger shall reside in a dwelling unit for a period longer than 90 consecutive or non-consecutive days per calendar year. The Declarations also state the Declarations may be enforced by Dreamland Villa Retirement Community acting alone or by the Community together with any of its officers or members.

Yes _____ No _____

**SPECIAL MEMBERSHIP MEETING
NOVEMBER 4, 2023, VOTING BALLOT**

BALLOT NUMBER: 1

**BALLOT: ITEM 1. INCREASE THE
ANNUAL MEMBERSHIP FEE FOR 2024**

**VOTE YES TO APPROVE THE FEE
INCREASE.**

VOTE NO TO REJECT THE INCREASE.

YES _____ NO X

**BALLOT ITEM 2(a) (b). AMEND
ARTICLE XI, DELETING SECTION 4
TRANSFER AND DISCLOSURE FEES AND
SECTION 9 AGE RESTRICTIONS.**

**CREATE A NEW ARTICLE XII,
TRANSFER AND DISCLOSURE FEES
AND AGE RESTRICTIONS.**

**VOTE YES TO APPROVE THE
DIRECTORS' RECOMMENDATIONS.**

**VOTE NO TO REJECT THE
DIRECTORS' RECOMMENDATIONS.**

YES X NO _____

Special Membership Meeting

November 4, 2023

Audit of Ballots

There was a total ballot count of 222. There were 6 ballots missing in the sequence of 1-200; and 5 ballots missing in the sequence of 500-530. I have listed these ballots below. One ballot did not contain a ballot number. This ballot is presumed to be ballot number 200, as the bottom of ballot 199 contains the top half of a ballot which indicates ballot 200.

Ballots missing:

117 500
119 501
121 502
132 502
140 510
142 527

The final count of the ballot measures:

| Ballot Measure | Yes | No | No Vote Cast | Total |
|----------------|-----|----|--------------|-------|
| Fee Increase | 179 | 43 | | 222 |
| Transfer Fee | 198 | 20 | 4 | 222 |

Comments that were on ballots:

1. Good job to the board. (Ballot #135)
2. -Close one of the pools
-Charge fees to use the facility
-No one use facility if don't have key card (Ballot #148).
3. -Close one pool
-Emphasize amenities are necessary to maintain 55+. Many residents think if they don't use amenities they need not pay.
-Get on investors who don't pay and rent to under 55+
-Hit people with loss of property value of no 55+,
-Then I will pay dues gladly (Ballot #150)

Audited by: Nancy Schnoor