



Greater Mission Bend Area Council On-Line Newsletter

Providing a Voice for the Citizens of Greater Mission Bend

GREATER MISSION BEND AREA COUNCIL UP-DATE

April, 2010

Comments from the President

Mike Martin - President

We are headed into spring and have several events planned or in the works. In addition, there is a serious challenge being directed at our HOAs which, if successful, may do more to destroy the investment you have in your home than an army of termites.

First, the one event that is far enough along to talk about. The Greater Mission Bend Area Council began three years ago with a community meeting held at the Community Volunteer Fire Department on Bellaire. It was a typically warm summer evening in June and the bay of the fire station was full of citizens eager to get an update on security issues in the neighborhood. Speakers included Fort Bend County Judge Bob Hebert and numerous officials from local police departments, including the Harris County Sheriff's Department, Fort Bend County Sheriff's Department and area constables.

It was an interesting and informative meeting and, as noted above, was actually the beginning of what

has gone on to become the Greater Mission Bend Area Council.

Well, as they say, the time has come to do it again. Plans are as yet incomplete, but some time this summer, we will again hold a community meeting at the fire station to provide an update on security matters in the Greater Mission Bend Area. Stay tuned, and pass the word on to your friends and neighbors.

HOAs Under Attack

On another front, we must talk
(Continued, Pg. 2, Col. 1)

Another Greater Mission Bend Area Council Sponsored Event

HOA Board Training Class

Saturday, April 24th, 2010

8:30 am- 2:00 pm (Lunch Provided)

Community Volunteer Fire Station

16003 Bellaire Blvd. @ La Entrada (Addicks Clodine & Bellaire)

All area HOA Board Members

&

HOA Management Companies are invited

Guest speakers and subjects will include:

HOA Manager

Sherri Carey - High Sierra Management, Inc.

HOA Attorney

Kathy Terry has been a practicing attorney represented HOA's since 1991 and currently represents approximately 40 associations.

Judge

Judge R. Jack Cagle was elected as presiding judge of Harris County Civil Court at Law No. 1 in November, 2000.

Up-Date on Legislative Issues Relating to HOA's

At the Last legislative session there were numerous bills that attacked the power of the HOA to enforce deed restrictions and collect dues.

Sherri Carey will update us on those bills and issues.

Community Association Management

Marjorie Jean Meyer, CMCA, PCAM, Vice President of Associa - The Leader in Community Association Management.

Cost per person (Includes Lunch):

(Please Make Checks Payable to Greater Mission Bend Area Council)

- \$15 - GMBAC Member HOA's
- \$25 - Non - GMBAC Member HOA's
- \$25 - Management Companies

RSVP and payment required in advance.

Lunch will be ordered based on RSVP and payment.

RSVP:

Greater Mission Bend Area Council

P. O. Box 720692

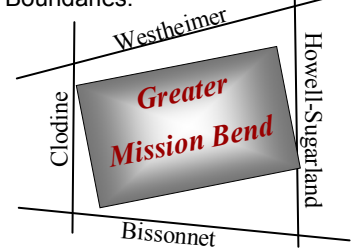
Houston, Texas 77272

www.gmbac.com

information@gmbac.com

Donna Kinerd - 713-410-6696

The Greater Mission Bend Area Boundaries:



Newsletter Ideas Welcomed!

Please email
pictures & articles to:

GMBACouncil@SBCGlobal.Net

This will be a monthly newsletter filled with information that relates to the Greater Mission Bend area as well as "News You Can Use!".

GMBAC Contact Information

Email

To receive Newsletters & Up-Dates, please send us your email address to:

GMBACouncil@SBCGlobal.Net

Mailing Address

P.O. Box 720692

Houston, Texas 77272

Join the LinkedIn Group

<http://www.linkedin.com/>

Join the Facebook Group

<http://www.facebook.com/>

Fax Number

713-634-2861

Website & Blog

www.GMBAC.Com

(Continued from Pg. 1, Col. 1)

about a challenge facing our homeowners associations. We all know that disasters such as fire, wind, water, or even termites can destroy our homes. That is why we have homeowners insurance and pay for a fire department – to protect our biggest investment from such unpleasant events. But, there may be a challenge we as homeowners are facing, which has the potential to be just as devastating to our homes and our communities.

In the last legislative session, over 100 bills were introduced to weaken or destroy the ability of your homeowner's association to protect your community, and in doing so, protect your home. Now I understand that no one likes paying your HOA assessment each year. I know I don't like to write that check, but I do so willingly because the alternative is too scary to fathom. Let's remind ourselves what an HOA does to earn the money we pay each year. And let's begin by remembering that the HOA isn't "them". The HOA is "us." We are the HOA. We contract with the HOA to provide services which benefit our community such as maintenance of common areas, pool maintenance and upkeep and the operation of many of the street lights in our various neighborhoods. In addition, the HOAs are charged with the responsibility of enforcing deed restrictions, which keep our neighborhoods from sliding into despair and then into urban blight.

If that last statement offends anyone, then ask yourself what would happen to your neighborhood if your neighbors could do anything they choose with their house. Anything! Would you like to have your neighbor's house turned into an auto repair shop. We have just such a problem with a house on Winkleman right now. I won't give an address but for over a year, one HOA has been battling a local resident who operates an auto repair shop in his driveway each weekend. For the moment, the HOA has prevailed and this activity has stopped. But what would happen if the HOA had not approached the owner and explained the deed restrictions and results if continuing violations continue. Would you want this happening on your street? There are many such activities which the HOAs address regularly. If the volunteers on your HOA board did not dedicate their time and energy to this thankless task, what do you imagine the outcome would be to our community.

Space does not allow me to list all the many challenges these HOA boards face routinely. Suffice it to say they are our last defense against the process of urban decay, which stands just outside the boundary to our community. In order to function, the HOA neces-

sarily assesses a fee, which is collected annually. If a homeowner does not pay this assessment, then the HOA begins a process of attempting to collect the money owed. For the most part, this is not a heavy-handed process. From my experience, the HOAs bend over backwards to work with property owners who might be facing a financial hardship and are not able to write a check for the money owed. It is only after extended efforts to collect this money are unsuccessful that the HOA reluctantly turns to the legal process and files a lawsuit. No one wants to file a lawsuit against a neighbor. Remember the board members are our neighbors who volunteer their time and serve without compensation. So when the decision is made to file a lawsuit to attempt to collect the money owed the HOA, it is a serious decision and a responsibility the board members do not take lightly. In essence, it becomes neighbors suing neighbors, and no one enjoys that process.

Once a lawsuit has begun, the HOA will file a lien against the property in question. This lien protects the interests of the HOA, and ultimately your interest as a homeowner. If matters are not resolved then eventually this process can end up in a foreclosure proceeding in which the property is sold to settle the debt. This is an extreme outcome and happens very rarely; but it is an essential part of the process to ensure that the fees which allow the HOA to operate are collected. This is exactly the same process used by other taxing districts such as school districts and counties. There are legal safeguards built into the process to protect homeowners against abuse by an HOA (or a school district). In the end, it is the power to foreclose on a property which protects the interests of the community and ensures that your property values do not become victim to the destructive processes of urban decay. We did not move into this community to end up living in a ghetto; and it is the HOA which protects our interests as homeowners.

Thank goodness the process exists and is available to the HOAs by virtue of state law. Remember, we do not have any kind of zoning in the counties wherein our community lies. Were it not for this power, imagine what would happen to your neighborhood.

Enter the State Legislature

Do not take that power for granted because it is under assault in the Texas Legislature. During the last legislative session, over 100 bills were introduced to remove or severely restrict the power of HOAs to protect your investment in your home. If the power of the HOA to levy and collect assessments is taken away by the legislature then it will only be a matter of time before Mission Bend and surrounding communities decline to the point where few of us would want to live in this community.

PLEASE NOTE, this legislative onslaught is

not only directed at Mission Bend. It is directed at HOAs around the state. Where will you move, assuming you can sell your property once this all begins? And make no mistake about it, if this legislative agenda starts up in the next legislature, it will very likely succeed on the next try. Forewarned is forearmed, indeed.

Our local legislator, The **Honorable Hubert Vo** introduced a bill in the last legislative session which would have the effect of prohibiting your HOA from foreclosing on properties when owners do not pay their HOA assessment. We were shocked to find out about this initially. It is unthinkable that Mr. Vo, who has stood shoulder to shoulder with us as we stared down TxDOT, would introduce a bill which could destroy the very fabric of our community. Our shock turned to incredulity when we saw the tidal wave of legislation proposed by Mr. Vo's pals in the Texas House.

For his part, Mr. Vo has not responded to requests to address our community's concerns. You might say we have been stonewalled. We remain eager to discuss this matter with Mr. Vo, but to do so he must respond to our requests for a meeting. We have no interest in talking to Mr. Vo through his legislative assistants. Mr. Vo has not responded to us as of the date of this publication.

There is so very much more which we need to say about this matter. We will do so in subsequent postings and newsletters. You will be shocked to find out just how this is already playing out in our local courts, where judges are already refusing to hear suits filed by local HOAs attempting to collect money owed. As they say, stay tuned and we will have more information for you shortly. And hopefully by then we will have heard from Mr. Vo. It is much better to get information first hand than to have it relayed by staff members. Again, stay tuned.

Mike Martin

President

Greater Mission Bend Area Council

mmartin@GMBAC.com

www.gmbac.com

Don't Have a Pool?

Swim at MB Civic Association Pool

The Mission Bend Civic Association is opening its pool registration to residents of other Associations that do not have a pool.

For more information please visit their website:

<http://missionbendhouston.com/index.html>

GMBAC HOA Board & Management Workshop Speakers & Topics

Management

&

Legislative Up-Date



Sherri Carey,
PCAM President
of High Sierra
Management

Sherri is a native Texan and has lived in the greater Houston area for over 16 years. She holds a degree in Journalism, has been in the management industry for over 15 years, and has various accreditations and awards. She has the highest designation in her field, which is the Professional Community Association Manager (PCAM). She also

holds the Association Management Specialist (AMS) and Certified Manager of Community Associations (CMCA) designations. These designations are obtained through many years of service and continued education. Sherri has also been involved in many education related committees in the industry and was awarded Houston Educator of the Year in 2003. Sherri is married with two children and lives in Katy Texas. She and her family were transferred to Denver Colorado during the summer of 2005 and were relocated back to the Houston area in 2007, where she has partnered with the management firm she worked with in Colorado, Colorado Management & Associates, Inc. to start High Sierra Management, Inc.

CAI

(Community Associations Institute)



Margey Meyer,
CMCA, PCAM
Vice President,
Associa and Dean,
Associa University

Margey Meyer, CMCA, PCAM, a Phi Beta Kappa graduate of Florida State University in Tallahassee, Florida and Florence, Italy, has been active in real estate management and construction since 1971. She established Prime Site, Inc., a Houston community association management company, in March of

1980 and sold it to Associa in January of 2001, joining the Associa corporate office as Vice President and Dean of Associa University.

Margey is a member of the national CAI faculty, teaching courses on fundamental association operations, leadership, law, maintenance, finances and communication.

An active volunteer with the Community Associations Institute since 1982, Margey served in a leadership position on the board and executive committee for eleven years and at one time or another chaired almost every committee and council that existed, including the Foundation for Community Association Research. Margey conceptualized a recognition program for management companies that culminated in the implementation of the Accredited Association Management Company designation program. She currently serves on the Government and Public Affairs Committee.

Attorney



Kathy Ann Terry,
Attorney at Law

Education

South Texas College of Law, Houston, TX, J.D. 1988, American Jurisprudence Award, The National Dean's List

University of St. Thomas, Houston, TX, B.A. Sociology, 1981, Dean's List.

Professional Activities and Memberships

Houston Bar Association, State Bar of Texas, Real Estate, Probate and Trust law Section, Family Law Section, U.S. District Court for the Southern District of Texas, Houston Bar Association Legalline Volunteer, Houston Bar Association Habitat for Humanity 100 Home Volunteer, Former Author/Speaker at Practical Medicare and Medicaid Skills in Texas Seminar, Former member of Lawyers in Public Schools, Former member of Houston Bar Association Adopt-A-School Committee.

Firm Background

My firm's name is The Law Offices of Kathy Ann Terry and I was formerly with the law firm Curry and Terry. My practice focuses on real estate, civil litigation, estate planning, corporations and probate. I have been providing legal representation to homeowner associations since 1991 and currently represent approximately 40 associations. The majority of the associations I represent are in the southwest part of Houston and Harris/Fort Bend Counties.



Judge R. Jack Cagle

Many people know Judge R. Jack Cagle as Cactus Jack Cagle. Whichever name you know him by, you should know he is a skilled and experienced legal scholar with deep roots in our community. He was elected Judge of Harris County Civil Court-at-Law No. 1 in a special election in November

2000. Voters returned him to office for full, four-year terms in 2002 and 2006.

Since taking office, Judge Cagle has presided over more than 650 civil jury trials involving a wide spectrum of matters. He has been recognized for excellence in his service by several organizations. Among those honors are:

- Civil Judge of the Year Award from Police Officers Looking Into Courthouse Excellence, Inc. (P.O.L.I.C.E., Inc.) - 2001
- Amicus Award from the Mexican American Bar Association of Houston - 2003
- Houston Police Officers Union Civil Judge of the Year - 2004

Judge Cagle, who graduated from Rice University with a triple major and from Baylor School of Law, started serving the public even before he finished law school. As an intern for the McLennan County District Attorney's Office, he participated in case work on the notorious Lake Waco murders and on cases involving the infamous killer Henry Lee Lucas.

Judge Cagle has been married to his wife, Janet, for 27 years. They have three children.

Judge Cagle is an avid outdoorsman who enjoys backpacking, canoeing and hunting. He also enjoys playing bass guitar, reading classical literature and watching football.

What Else Has GMBAC Been Up To Lately?

- Working with the County Sheriff to address the street racing on Westheimer
<http://www.ultimatealief.com/2010/02/safety-main-topic-sheriffs>
- Working with WPTRA on the flooding issue in Clayton, Sec. 1, 2.
- Working with TXDOT to get the lights back on at Alief Clodine and Hwy 6.

GMBAC Board Members

- Donna Kinerd**
Clayton, Sec. 1, 2
*
- Chuck Machauer**
Clayton Woods
*
- Veronica Rogers**
Great Oaks South
*
- Michelle Gabel**
Keegan's Ridge
*
- Wayne Thompson**
Kingsbridge Com. Assoc.
*
- Kingsbridge Village**
Jodie James
*
- Bob Leitner**
Mission Bend Civic
*
- Mike Martin**
Mission Bend HOA
*
- Christine Clark**
Mission Bend North, Sec. 3
*
- Joyce Nible**
Mission Bend South
*
- Kevin Jackson**
Parkside @ Clayton Park
*
- Dianne Williams**
Wingate HOA
*
- At Large Members**
Winetta Billings
Terry Blair
Bert Garner

**Non-Emergency
Harris Co. Sheriff**
713-221-6000

Mission Bend Store Front
281-564-5988

Fort Bend County Sheriff
281-342-6116

Emergency 911

Useful Resources

- **Alief ISD**
<http://www.aliefisd.net>
- **Fort Bend ISD**
<http://www.fortbend.k12.tx.us/>
- **SPCA**
<http://hspca.convio.net/site/>
- **The People Lawyer**
<http://www.peopleslawyer.net/>
- **Harris County Public Health & Environmental Services**
<http://www.hcphe.org/>
- **Report Street Lights out (# on Pole)**
<http://cnp.centerpointenergy.com/outage>
- **Texas Department of Public Safety**
<http://www.txdps.state.tx.us/>

Primary Election Run-Off
April, 13, 2010

Fort Bend Republican Party
<http://www.fbcgop.org/>

Fort Bend Democratic Party
<http://www.fbcdp.org/>

Harris County Democratic Party
<http://www.hcdp.org/>

Harris County Republican Party
<http://www.harriscountygop.com/>

Harris County Voting Information
<http://www.tax.co.harris.tx.us/Voter/voterintro.aspx>

Fort Bend County Voting Information
<http://vote.co.fort-bend.tx.us/WebVoter/default.asp>

**Elected Officials Representing
Greater Mission Bend**

Ft. Bend Co. Commissioner Andy Meyers,
Precinct 3 (281/494-1199)

<http://www.andymeyers.com/>

Harris Co. Commissioner Steve Radack,
Precinct 3 (713/755-6306)

<http://www.co.harris.tx.us/Pct3/>

**Fort Bend County Judge
Robert Hebert**
(281-341-8608)

<http://www.co.fort-bend.tx.us/>

**Harris County Judge
Ed Emmett**
(713/755-4000)

<http://www.judgeemmett.org/>

**State Senator, Dist. 17
Joan Huffman**
(713/662-3821)

<http://www.senate.state.tx.us/>

**State Senator, Dist. 18
Glenn Hegar**
(281/391-8883)

<http://www.senate.state.tx.us/>

**State Rep. Dist. 28
John Zerwas**
(512/463-0657)

<http://www.johnzerwas.com/>

**State Rep. Dist. 149
Hubert Vo**
(281/988-0212)

<http://www.hubertvo.com/>

Texas Legislature Online
<http://www.legis.state.tx.us/>

State and Local Government

State of Texas
<http://www.texasonline.com/portal/tol>

Harris County Government
<http://www.co.harris.tx.us/>

Fort Bend County Government
<http://www.co.fort-bend.tx.us/>

Texas, Our Texas!

<http://www.youtube.com/watch?v=s5UXmzseb2w>

News You Can Use

Greater Mission Bend Area Real Estate Market Report

By Donna Kinerd - Broker

With a great deal of fine tuning of the search criteria in MLS, I was able to determine the sales and leasing activity for the Greater Mission Bend Area. Below is the activity for February, 2010 as it compares to 2009.

February	2009	2010
	Sales Activity	
Total # of Sales	40	46
Total # of F/C*	24	19
Year Built	1984	1982
Non-F/C* Sales Price Per SF	\$58 per SF	\$58 per SF
F/C* Sales Price Per SF	\$38 per SF	\$38 per SF
Days on the Market	90	47
Total Active Sales Listings	191	214
Total F/C* Sales Active Listings	24	26
	Rental Activity	
Total Rented	19	27
Rental Rate	\$.93SF	\$.65 SF
Active Listings	54	54
Price per SF for Active Listings	\$.66 SF	\$.66 SF
Year Built (Active Listings)	1986	1982

* F/C=Foreclosures

For More Information about the Houston Real Estate Market

<http://www.har.com/Newsroom/>



**Solandra Maxima
Golden Chalice
Vine**

Spring is Finally Here By Donna Kinerd

The trees are getting leaves, buds are appearing and blooms are opening. Spring is an amazing time of year.

After being removed from my back yard greenhouse this Golden Chalice Vine surprised me with this large beautiful yellow bloom. It is a part of the Angel Trumpet Family that also produces beautiful large bell shaped blooms in various colors.

The squirrels and birds are singing and very active this time of year. See cute squirrel video below. Turn up the sound.

<http://www.wimp.com/actionsquirrel/>

Wonder Who the Squirrel Trainer Is?

Child & Pet Safe Weed Killer

1 gallon (20%) vinegar; 2 ounces orange oil, 2 T. Ivory dish washing soap (The Ivory is important because it is pure soap and does not break down the orange oil). Shake well and spray on weeds. This has a very short shelf life so make only what you plan to use within 15 days.

If you are unable to open any of the links in this newsletter, copy and past the website address to your browser.

The Innocence of a Child (The Meaning of Love)

'When someone loves you , the way they say your name is different.

You just know that your name is safe in their mouth.'

Billy - age 4

'Love is when you go out to eat and give somebody most of your French fries without making them give you any of theirs.'

Chrissy - age 6

'Love is what makes you smile when you're tired.'

Terri - age 4

The Government Tries New Fix for Mortgage Crisis

http://abclocal.go.com/ktrk/story?section=news/national_world&id=7353543

Beware New Credit card Abuses

Although the [federal Credit CARD Act has reined in some abusive practices](#), the industry has responded by [developing new ones, says a recent study by the Center for Responsible Lending](#). Many of the new charges are buried in the fine print. <http://blogs.consumerreports.org/money/2010/02/credit-card-reform-spurs-new-wave-abusive-practices-credit-card-act-february-22-new-law-inactivity-f.html>

A Tax Win for Downsizing Firms

Laid off workers also gain in a stunning district court decision.

Severance pay given to terminated workers may not be subject to Social Security and Medicare taxes. Workers who had taxes deducted from their severance could get that money back.

<http://www.kiplinger.com/businessresource/forecast/archive/a-tax-win-for-downsizing-firms.html>

12 Ways to Cut Your Taxes

http://money.cnn.com/galleries/2010/moneymag/1003/gallery.tax_breaks.moneymag/index.html

Reminder

IRS Tax Deadline

April 15

For Extension use Form 4868

Internal Revenue Service

<http://www.irs.gov/>

Ten Ways to Feel Better This Allergy Season

<http://blogs.consumerreports.org/health/2010/03/hay-fever-treatments-spring-allergy-relief-tips-10-ways-to-feel-better-this-allergy-season.html>

Health Care Overhaul: What Happens When

A blow-by-blow rundown of when and how the health care bill will take effect.

<http://www.kiplinger.com/businessresource/forecast/archive/health-care-overhaul-what-happens-when.html>