

<https://mesaoakshoa.com/important>

Dear Homeowner,

This has been a year of significant improvements for the HOA, including: restructuring of outsourced functions (contractors), significant cost reductions, legal compliance improvements, and improvement of HOA functionality and transparency. **The complete version of this letter may be read at <https://mesaoakshoa.com/important>** ; please view all the details there. This printed letter is abbreviated.

❑ TO DO : Electronic Notifications Consent Form

Texas State law allows us to substantially improve accessibility of HOA functions and make significant cost reductions by making invoices, meeting notices, and other communications electronic. **If you enroll into Electronic Notifications, your HOA dues will be reduced by \$30 per year.** Please fill out the Notifications Consent form, then either:

- a) Scan or take a picture and email us the filled form via email to info@mesaoakshoa.com.
- b) Print the form and mail it to us.



❑ TO DO : Homeowner Census

The HOA must periodically perform a homeowner census to assure all resident information is correct. Please accomplish the attached “ELECTRONIC NOTIFICATIONS CONSENT FORM / HOA HOMEOWNER CENSUS FORM / WEBSITE MEMBERSHIP ENROLLMENT Form”.



❑ TO DO : Constitution & Homeowner Bill of Rights

Homeowners must vote to introduce a new Homeowner Constitution and Bill of Rights which returns power to the homeowner by amending governance documents. It restricts HOA authority to only a few items. It protects against authoritarian governance by corporate ownership or future overreaching HOA boards.



❑ TO DO : Billing / HOA Dues

We are no longer using a third party billing provider because it comes with dependency, privacy issues, and escalating yearly cost. Instead, billing will be sent electronically if you opt-in. **If you enroll into Electronic Notifications, your HOA dues will be reduced by \$30 per year.** Payments will now be done either via:



- a) ACH bank-to-bank electronic transfer (free, see <https://mesaoakshoa.com/important>). The HOA’s bank info is: Routing Number: 114916103, Account Number: 3003020200
- b) Bill Pay (free to you, details at <https://mesaoakshoa.com/important>)
- c) Postal Mail – mail a check to our new HOA mailbox: Mesa Oaks Homeowners Association, 1248 FM 78, Suite 102 PMB 4103, Schertz, TX 78154-2466.

Homeowners attempting to pay on time will not be assessed late fees during the transitional period.

HOA Assessments (dues) are:

- **Normally \$260 per Year / \$130 bi-annually**
- **Enrollment into Electronic Notifications Consent will reduce dues by \$30 yearly.**
- **Paying the year in full in advance will reduce dues by an additional \$30 yearly.**
- **Your possible total adjusted HOA assessment can be \$200 per year.**

Expect further reductions in the future from re-negotiated contract amounts.

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☺ **New HOA Website, Chat, Social Media**

We have launched a new HOA website at <https://mesaoakshoa.com/>. It has a public side and a private side accessible only to residents. Access to the private side is granted only through the attached “COMBINED ELECTRONIC NOTIFICATIONS CONSENT FORM / HOA HOMEOWNER CENSUS FORM / WEBSITE MEMBERSHIP ENROLLMENT Form”.

The website has links to a **realtime chat** for all homeowners and co-habitants, **social media forums and groups, service request forms**, notifications of HOA events such as meetings, advertising garages sale, telling others about your lost dog, coordinating a social event, ask for help fundraising, etc. It’s a way to communicate to all homeowners without reliance on privacy invading, surveillance society third party big-tech platforms.

Note from the HOA Servant President

A greatly expanded version of this letter is at <https://mesaoakshoa.com/important> . There’s a lot more for you to be aware of. This letter is short to save money on unnecessary printing and mailing costs.

Over the last year we have made many changes out of necessity to assure responsible stewardship of the association. We ask that you please bear with us during this transitional period. Our mission is to responsibly operate the HOA while reducing unnecessary workload, improving response and outcomes of core services, assuring privacy of your data, and lowering costs into the future. Nothing the HOA does is difficult. We’re not going to the moon for the first time. However, certain tasks do consume time and we are all unpaid volunteers and neighbors. Also, we are constrained by laws, regulations, policies, contracts, and availability of volunteers, all of which results in things taking longer than people expect. We have done significant work on the procedures and systems of our now fully independent HOA. I firmly believe that we now have a solid platform with a model that is sustainable and scalable into the future. For example, we are greatly leveraging open-source (free) software used worldwide to replace expensive, privacy invading, proprietary commercial products. Our accomplishments are significant but we could certainly do much more with volunteers. Our website has a volunteer section that describes various positions. We also want to push hard in the direction of *community lead initiatives*. In this case, the HOA merely serves as a communications platform letting all homeowners to talk to each other at no additional cost. Together, we can keep the HOA serving its narrow purpose with efficiency, low cost, high transparency, and fast local response. Lastly, I ask that you vote for the HOA Constitution and Bill of Rights. We need to cement homeowner centric language in our legal documents now to avoid mission creep from future boards or outside forces serving their own special interests. I have already fought many of these battles for us. But, these principles of freedom, liberty, privacy, and service to the homeowner need to be institutionalized to prevent natural authoritarianism and tyranny. We need your vote.

- Kind Regards,
Hernán

HOA Servant President
hernan@mesaoakshoa.com

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**COMBINED
ELECTRONIC NOTIFICATIONS CONSENT FORM / HOA
HOMEOWNER CENSUS FORM / WEBSITE MEMBERSHIP
ENROLLMENT Form**

Authority: Section 209.0042 of Texas Code allows us to provide an *alternate method of notifications* to homeowners provided *you opt in*.

SURVEY

Primary Homeowner Full Name (printed, **required**) : Mr. / Mrs.

Co-Homeowner Full Name (printed, **required**) : Mr. / Mrs.

(a homeowner is a person who is legally titled with ownership of the property)

Street Address (**required**):

E-mail Address (**required**) :

(please unblock / un-spam anything from @mesaoakshoa.com. You may need to whitelist us or check spam)

Phone number (**required**) :

ELECTRONIC NOTIFICATIONS

I consent to allow the HOA to provide Electronic Notifications in accordance with Texas Code Section 209.0042.

Circle One (Required):

Yes

No

Signature of Primary Homeowner

Date

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MesaOaksHOA.com Website and Chat Membership:

(Primary Homeowner) Email address to use for website (alerts, notifications) :

You will receive your login and passwords at this address, other members at their address. All homeowners and residents of the neighborhood will be given access.

Additional Household Members to be Granted Access to Website and Chat.
 (also you can fill out “Website Access form” on <https://mesaoakshoa.com/forms/>)

Full Name *Required	E-Mail Address *Required	Phone Number	Relationship to Primary Homeowner (spouse, child, co-habitant, etc.)

Please return this form to the HOA by either:

Please submit these forms by scanning or taking pictures:

email to: info@mesaoakshoa.com

OR...

Postal mail to:

Mesa Oaks Homeowners Association
 1248 FM 78, Suite 102
 PMB 4103
 Schertz, TX 78154-2466

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2024 Vote for Mesa Oaks Constitution & Homeowner Bill of Rights HOA Homeowner Voting Action Required

Purpose: The HOA exists to serve the homeowner. This verbiage provides protection from future corporate encroachment against homeowner rights, freedoms, and liberties. The Constitution lists the only functions the HOA is authorized to execute or regulate. If voted in, this text will amend legal documents to be the ultimate “law of the land”. The text follows.

Constitution

- 1) The authority of the HOA is limited to execute only the stewardship functions enumerated in the Association’s Constitution. The HOA is disallowed from creating any governance instruments, allocating funds, or engaging in enforcement actions not specifically enumerated below:
 - 1.1) Enforcement and ratification of public facing lawn care and land/structure appearance rules.
 - 1.2) Enforcement and ratification of public facing architectural improvements via the Architectural Committee provisions of the DCCRs.
 - 1.3) Maintenance of common areas, abiding by any applicable State law and municipal code, executed in the following priority order: 1) community led cooperative initiatives, 2) third party contracting via the requirements-based lowest bidder process, 3) management service corporation contracting (with 95% homeowner approval).
 - 1.4) Enforcement of deed restrictions.
 - 1.5) Utilization of unpaid volunteers, open-source software, non-commercial organizations, or third party contractors (as a demonstrated last resort) to assist in management or maintenance functions.
 - 1.6) Cooperative initiatives led by residents which are communicated, but not funded by, the Association.
 - 1.7) Maintaining a community online presence equally accessible to all members.
 - 1.8) Interactions with relevant municipal city services which affect the quality and level of services.
 - 1.9) Issuance, collection, and enforcement of assessments consistent only with funding Constitutionally approved association functions.
- 2) When a disagreement arises, a ruling will be made in favor of the homeowner if the homeowner’s reasoning is consistent with the the Bill of Rights and Homeowner Bill of Rights.

Bill of Rights

1. The Constitution and Bill of Rights Are The Ultimate Authority.

The Association is delegated to perform only the functions enumerated specifically in the Association Constitution. Anything not explicitly defined in the Constitution is the irrevocable and irreducible right of the homeowner. If a homeowner disagrees in good faith with any Association rule, that homeowner is

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not obligated to abide by that rule until either an Alternate Dispute Resolution (ADR) or a legal determination is made by a court of law. A homeowner may require both methods. A homeowner is not liable for any fees or other penalties while exercising this provision of the Homeowner Bill of Rights.

2. **Protections for the minority from the majority.**

Unless required by State or Federal law, all Association rules, policies, or other governing instruments will be affirmatively ratified through at least simple majority but ratification may always be overruled by a singular person residing at the property (the minority).

3. **The Right to Security against Foreclosure**

An association shall not foreclose against a person's homestead.

4. **The Right to Resolve Disputes without Litigation**

Homeowners and associations will have available alternative dispute resolution (ADR), although both parties preserve the right to litigate. Under no circumstance may arbitration be a requirement of agreement for any relationship between a homeowner, the Association, or a third party.

5. **The Right to Fairness in Litigation**

Where there is litigation between an association and a homeowner, and the homeowner prevails, the association shall pay attorney fees and related expenses to a reasonable level. Under no circumstance may a homeowner be asked, nor the Association pass a rule, which requires the homeowner to pay for Association litigation.

6. **The Right to Be Told of All Rules and Charges**

Homeowners shall be told—before buying—of the association's broad powers, and the association may not exercise any power not clearly disclosed to the homeowner if the power unreasonably interferes with home-ownership.

7. **The Right to Individual Autonomy**

Homeowners shall not surrender any essential rights of individual autonomy because they live in a common-interest community. Homeowners shall have the right to peaceful advocacy during elections or meetings, or use of common areas without HOA restriction.

8. **Right to Privacy**

The HOA will abide by any homeowner requirements to prevent disclosure of personally identifiable information (PII) to any third parties. The HOA shall not limit services or opportunities to homeowners exercising this provision.

9. **The Right to Oversight of Associations and Directors**

Homeowners shall have reasonable access to records and meetings, as well as specified abilities to obtain oversight of elections and other votes, and to recall directors in the event of exceeding the Association Constitution or Homeowner Bill of Rights.

10. **The Right to Vote and Run for Office**

Homeowners shall have well-defined voting rights and no director shall have a conflict of interest. Voting rights may not be made contingent upon Association defined conditions. A corporation or other non-human legal entity is not a voting member.

11. **The Right to Reasonable Associations and Directors**

Associations, their directors and other agents, shall act reasonably in exercising their power over homeowners within the authority of the Association's Constitution and Homeowner Bill of Rights.

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Constitution & Bill of Rights Voting Form

I vote YES NO to implement the Constitution and Homeowner Bill of Rights.

Printed Name of Primary Homeowner _____

Signature of Primary Homeowner _____ Date _____

Homeowner Address _____

Return Instructions

Option 1

Scan the Constitution and Homeowner Bill of Rights signature page and email them to info@mesaoakshoa.com.

Option 2

Use your cellphone, take clear, well illuminated pictures of the Constitution and Homeowner Bill of Rights signature page and email the photo to info@mesaoakshoa.com.

Option 3

Mail these forms to the HOA at:

Mesa Oaks Homeowners Association
1248 FM 78
Suite 102 PMB 4103
Schertz, TX 78154-2466