

Questions and Answers for the Seawinds Association

Some of the most frequently asked questions: (2023)

Q. Who is the Seawinds Manager?

A. Adriana Albanese of Albanese Hollander, Inc. has been the Seawinds manager since late 2009. She normally visits the Seawinds on Mondays and Thursdays in the morning. She can be contacted at: **386 846-5098 or adriana@albanesehollander.com**

Q. Where do I send my monthly assessment payment?

A. All owners should have received their coupon book from our bank, Synovus Bank. You can either send a check with your coupon directly to Synovus or arrange to have ACH payments made automatically from your own bank to the Seawinds Account at Synovus. Upon sale of your unit please forward your coupon to the new Buyer.

Q. What is the current monthly assessment for 2023?

A. Current Assessment is \$932.00 per month due on the 1st of each month. Late fees will be assessed after the 15th.

Q. When are there Special Assessments levied in addition to the regular monthly assessments?

A. The association tries to collect enough money from all owners to cover the anticipated operating costs each year (i.e., landscaping, maintenance, pool service, electrical, general repairs, insurance etc.) In addition to these operating costs, the association also needs to fund reserve accounts to save for the eventual replacement of the costlier components of the building i.e., Roof, pool, building painting, paving etc. It is often difficult to accurately predict what some of these replacement costs may be 15 or 20 years into the future. The state/county building codes may also change and substantially increase the anticipated costs. Whenever there is a large unanticipated expense or a shortfall in the operating and/or reserve requirements, the association must either collect additional funds from the owners via a special assessment or borrow to cover the shortfall.

Q. What should I do if the elevator isn't working?

A. Contact Manager. Numbers are posted in the main lobby and garage level lobby. **Ensure that both garage level elevator lobby doors are securely closed on windy days.** Do not just let them partially close; they must also latch to prevent air drafts. The air draft on windy days will prevent the elevator from functioning normally. The reason we do not keep them closed on all days is due to humidity build up especially in the summer which is not good for the elevator equipment. Some ventilation is needed.

Q. What do I do if the Front Door keypad is not working?

A. Occasionally the front door keypad may malfunction or need to be reset. Let the manager know if this is happening. We also advise all owners to make sure they have a building key on their keychain for access to the building and stairwells if the Front Door Keypad is not working or if the elevator is not in service. Contact the manager if you do not have a key. Keys may only be issued to the owner on record or at their direction. The same "door" key will work for all main level doors and stairwell door.

Q. Are pets allowed at the Seawinds?

A. Seawinds Declaration of Condominium only allows for a one "lap dog" under 30 lbs. Owners are responsible for cleaning up after their dog and responsible for any damage their pet causes. Pets are never allowed in the pool area and Volusia County do not permit pets on our beach and will issue fines. Do not leave pet unattended on balconies where it may disturb other owners /guests.

Q. When are Pest Control treatments done?

A. Every quarter. The building's handyman/cleaning staff provides access to each unit with unit keys on file in the office. Spraying is mandatory for all units. Our beach location makes it very important to do regular treatments

throughout the building. The association is proactive in preventing any infestations of bugs/bed bugs/rodents etc. --- for this reason it is imperative that each unit owner has a key in the office.

Q. What if I still see bugs after they have made a service call?

A. Call the Manager and tell them your unit number and where you observed pests. The manager will have the Pest control do a follow-up visit.

Q. What is the Smoking Policy at the Seawinds?

A. Florida law prohibits smoking in the common areas of buildings which, at the Seawinds, would include the lobby, hallways, and garage area. There is No Smoking in our Community Room. Owners/guests may smoke in their own units and on their balconies if acceptable to the owner, however, ashes or butts should never be flicked from the balconies or hallways. State smoking laws are designed to prevent people from being involuntarily exposed to secondhand smoke. If smoking on the balcony on a breezy day will send smoke to fellow neighbors, then you may wish to smoke inside your unit instead. Please dispose of cigarette butts in the designated fireproof containers at the front of the building and at the pool. Do not place butts or other debris in planters.

Q. Can a boat or trailer temporarily be parked on the Seawinds parking lot?

A. No, per Seawinds Rules and Regulations, no large trucks, boats, or trailers may be parked on the parking lot at any time. Seawinds has an arrangement with a towing company and those vehicles/trailers will be towed. Signs are posted throughout the parking lot. Please make sure you advise your family and guests of this policy.

Q. Who is responsible for the maintenance, repairs and replacement of unit windows, sliders, and doors?

A. These are considered "limited common elements" for use only by the individual units. Unit owners are responsible for replacements and all repairs and maintenance and are strongly urged to have window and door hardware and tracks serviced when needed. This will ensure smooth operation and help prevent water incursions. If a window needs to be replaced, please contact the manager for specifications. Major damage from a storm is covered by the association's insurance policy. Guidelines for doors and windows replacements can be found at Albanese Hollander Inc website.

Q. What should I do if I notice something is damaged or inoperative in the building?

A. Contact the Manager and they will arrange to have it fixed. Messages for the Manager may also be left in the lock box outside of Unit 103 (Community Room/office). Suggestions may also be left in this box.

Q. What steps must I take when Remodeling or making Repairs in my condo?

A. Owners must follow the remodeling Guidelines which are posted on the Seawinds webpage or contact Manager for a copy. A deposit (check made out to Seawinds Association) must be given to the Manager prior to the start of the project. The amount of the deposit is determined by the type and length of the project and will be listed on the Remodeling Guidelines. Owners must ensure that work is only done between hours of 8 and 5 Mon-Fri excluding Holidays. Workmen must not cut tile in any of the common areas—only in the unit. All debris must be taken away by the workmen and should NOT be put in the Seawinds dumpsters. Waste Mgt. will assess us extra fees for hauling which will be passed to the unit owners.

Q. Am I required to carry separate Homeowner's insurance for my condo?

A. Yes. It is required by law. Florida Statute 718.111 requires all condo owners to carry a Homeowner's Form 6 Insurance Policy which covers their unit for physical damage due to covered perils, hazards, and liability. It is advised that each owner furnish proof of insurance no more than once each year to the manager. Check with your agent and make sure your policy contains these provisions:

- A provision that the policy is excess coverage over the amount recoverable under any other policy.
- Include special assessment coverage of at least \$2000 per occurrence.
- Unit owners are requested to provide to the association evidence of hazard and liability insurance upon request (but not more than once per year).

Q. *Doesn't the Association carry an insurance policy for everyone?*

A. Seawinds has a master policy insuring only the common property and common areas that are collectively owned by the condo unit owners. Our association's policy covers the external structure of the building and each condo unit, but leaves each owner responsible for the interior (everything from the "dry wall in") As an example, during a major storm, the master policy would cover such things as the building's roof, windows, doors, community room, pool etc. However, if there was damage to individual unit furnishings, wall coverings, cabinetry, carpets etc., your own policy would need to cover those---the association's policy will not cover those items.

Q. *What is the policy of the Association regarding Rental Guests?*

A. Owners are responsible for the actions of their rental guests and any damages caused by them. Owners should protect themselves and the association's property by always requiring a rental agreement and damage deposit. Owners or their rental agents should include a copy of the Seawinds Regulations with any correspondence prior to the arrival of the guests. All owners who rent out their unit are requested by the association to openly display a copy of the Seawinds Rules and Regulations and Pool Rules inside their unit. If you need an extra copy of these, please contact the management company and they will make sure a laminated copy will be placed under your door.

Guests are liable for any damage they (or anyone in their party) cause to the unit or common areas of the building. Guest who fails to comply with Seawinds Regulations or Pool Rules may be asked to vacate the Seawinds.

Management is not responsible for servicing guests of owners.

Q. *What should I do if someone is causing a disturbance or vandalism?*

A. Call 911 or the Sheriff's office. If bodily harm or property damage is occurring, call 911. If someone is breaking community laws such as disturbing the peace or vandalism, the County Sheriff's office will respond. Please note that they cannot enforce the rules of the Seawinds association, which are not local laws. Ie. Quiet hours or Pool Rules.

Q. *Am I required to have a current key to my unit in the Seawinds office?*

A. **Yes**, Florida Statute 718.111 states that the association has the irrevocable right of access to each unit during reasonable hours for maintenance, repairs, replacements of common elements or to prevent damage to the common elements or to a unit. The Seawinds Association requires each unit owner to have a current key in the office for both emergencies and required maintenance, mandatory fire code inspections and pest control. Keep in mind that each unit also has easements in it for electrical/plumbing leading to other units which may need to be accessed by repairmen even if your unit may not be the one requiring work. There are annual mandatory building wide fire sprinkler inspections. If the units are not accessible for this, the association will be fined. Notices will be posted prior to planned entry of units—except for pest control.

Unit keys are locked up in a lock box in the office with limited access. The office is also locked. Failure to provide a current key may result in an additional assessment to owner to pay for "call backs" for repairmen or pest service or for any work delays. In the case of an emergency fire/flood, if there is no key, the association or emergency workers will need to break the door and the owner will need to pay for any door repairs or replacement.

Q. *Where can I find the governing documents for the Seawinds?*

A. Everyone receives a copy of these when they purchase their unit. However, if you have lost or misplaced these, you can find them at <http://albanesehollander.com> under Association's tab. You can also print a new copy from there.

Password: 32176

Q. *What determines which governing document comes first?*

A. Florida State Statute 718 governs ahead of all association documents. It gives the 'minimum' requirements for associations. Simply type "Florida Statute 718" into a search engine to access this rather lengthy statute online. Seawinds Association documents govern in this order.

- Declaration of Condominium

- Articles of Incorporation
- By Laws
- Rules and Regulations

From time to time, associations may seek to amend their documents especially if they become outdated or if new concerns or events affect the association. Usually, an attorney is needed to handle this along with a membership vote of 60 or 75% depending on which document is being amended.

Q. Can the governing documents ever be amended by the membership?

A. Yes. There are various reasons that an association may decide to amend or update its governing documents. Often things become outdated or are not relevant over time. There may be errors in the original document which were not noticed at the time. The original wording may be ambiguous, confusing, or not well written. Changes in local or state law may also make it necessary to change certain documents. Often the wishes of most owners (the% needed for amendments is stated in each applicable document) may dictate the need to amend certain Governing Documents or Rules/Regulations from time to time.

Q. What are the voting rights for Unit Owners?

A. Each unit has the right to one vote. Units that are over ninety (90) days delinquent in their assessment payments cannot vote, which would reduce the quorum of membership needed.

Q. Is the Association involved in any litigation (ie court cases, foreclosures etc.) which could result in a liability in excess of \$100,000?

A. None currently.

Q. Community room usage

A. The community room is not available to rentals. Only owners can use it.

The Association has prepared a welcome package for the new owner. As the closing date approaches, please contact the Manager so you can be included in the condo correspondence and receive a copy of your welcome package. WELCOME ABOARD!