



Keswick on the River
Homeowners Association
Frequently Asked Questions

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Section 1: Introduction

The Keswick on the River (KOTR) Homeowners Association (HOA) and the Board of Directors would like to take this opportunity to welcome you and your family to Keswick on the River community. We are confident that you will enjoy this beautiful community for many years!

To ensure the community is maintained to a high standard, and as required by the City of Edmonton, MLC has established a Homeowners Association in the Keswick on the River Community. The KOTR HOA is a not-for-profit organization that manages and maintains assets owned by the HOA for the benefit of Keswick on the River residents. Elected board members volunteer their personal time and effort in ensuring the community quality standards are maintained.

As a property owner in the community of Keswick on the River, you are a member of the KOTR HOA.

Homeowners often have questions about their community. We strongly encourage you to take the time to review the Encumbrance registered against the title to your property and the KOTR HOA Bylaws. A copy of the Encumbrance ought to have been provided to you by your lawyer upon purchase of your property. A copy of the KOTR HOA Bylaws can be found on the KOTR website.

Listed below are some of the frequently asked questions regarding the KOTR HOA.

Section 2: Keswick on the River Homeowners Association

Q. What is the Keswick on the River Homeowners Association (KOTR HOA) and why was it established?

The KOTR HOA is a not-for-profit company governed by the *Societies Act*, RSA 2000, c S-14. It was created to ensure that certain features and amenities of the community are maintained and managed for the long-term use and enjoyment of its member residents. The KOTR HOA may set a desired course for the use of common areas, such as the community's landscaped areas, and helps ensure their financial sustainability over time.

As part of the Keswick on the River area development plan, MLC designed features to enhance the visual appearance of the community.

These features are not maintained by the City of Edmonton, beyond basic grass maintenance and snow removal. As part of the development permit approval process, the City required an HOA to be put in place to maintain these features. An encumbrance is registered at land titles on each property within Keswick on the River.



Q. How is the HOA governed?

The HOA is governed by the *Societies Act*, RSA 2000, c S-14 and bylaws, and administered by an elected Board of Directors, currently made up of SEVEN (7) residents. The Board of Directors are volunteers and do not receive payment from the HOA for their services.

Q. How are the Board of Directors elected and how long is the term of office?

The members on the Board of Directors are elected by KOTR members annually at the Annual General Meeting (AGM). Each board member must be a member in good standing at the time of his/her election and throughout the term of office. Membership on the board is strictly a volunteer position and time is taken away from their professional and personal commitments for the community. Each term is for ONE (1) year.

The HOA strives to build and maintain an inclusive and respectful culture free from harassment or negativity. Any instances of disrespectfulness, harassment or bullying nature will not be tolerated.

Q. How many homes are there in Keswick on the River?

There will be approximately 725 homes in Keswick on the River after full completion of the community. The 2022 Budget was prepared based on 616 homes that have taken possession.

Section 3: Community maintenance and common areas

Q. Doesn't the City maintain all of the common space?

Yes, the City of Edmonton owns and is to maintain common or park space (known as Municipal Reserve). However, their program is large and diligence to our community may not be to the expectation of our residents. Throughout the history of Keswick on the River's development, additional maintenance has been provided to compliment the City's efforts. The HOA will have the opportunity to do the same moving forward.

Q. What seasonal maintenance does the HOA perform?

As the HOA only owns the land under the main entry fountain, the HOA is not required to perform landscaping or snow removal maintenance in the community. All other common property within the community is owned and maintained by the City of Edmonton.

However, in order to enhance our community, the HOA will arrange for enhanced soft landscaping in addition to the mowing provided by the City of Edmonton. This includes, but is not limited to, seasonal and fall maintenance, lawn mowing, planting & maintenance of annual flower beds, regular weeding, pruning of shrubs, fertilizing and watering. Mowing and manicuring "turf areas" around constructed wetland and storm water management facilities are included. The cost of this additional community maintenance is covered by the HOA fees.



The HOA is not responsible for winter maintenance, including roadway sanding, plowing, residential blading, ice control and snow removal. The roads and sidewalks on bus routes are cleared by the City of Edmonton. If there is a concern regarding the winter maintenance of roadways, please contact the City of Edmonton at 311.

Q. What hardscape inspection does the HOA perform?

Subject to the Bylaws, the HOA performs regular inspections and maintenance when required of all stonework and brick and wood screen fencing on major roadways and walkways.

Q. Who is responsible for the Boulevards?

A boulevard is the portion of City property between the curb or road's edge and the adjacent front property line. Boulevards may also border sidewalks, multi-use trails and alleys.

In accordance with the City of Edmonton Bylaws, residents are responsible to care for the boulevard, alley and driveway crossing adjacent to their property line.

This means, as a homeowner, you are responsible for the maintenance of the boulevard landscaping in front of your home to the curb. If you are a corner lot, you are additionally responsible for the flankage boulevard along the side of your property to the curb. Maintenance includes mowing, watering, fertilizing, weed control and replacement, should the grass die. During the winter months you are responsible for the snow removal from the sidewalk in front of your home and, if on a corner lot, the flankage sidewalk.

The HOA will maintain the boulevard at the entrance to the community, including the main entry fountain.

Section 4: Homeowners Association Annual fees

Q. What does the HOA annual fees cover?

Your annual HOA fees pay for the following, non-exhaustive amenities:

- Maintenance: Fountain, entry treatments, spring and fall cleaning, landscaping features, planting & Maintenance of annual flower beds, regular weeding, pruning of shrubs, fertilizing, and watering.
- Common property utilities/water and electrical for fountain and lighting of Keswick signage around the community.
- Professional Fees: Legal counsel, accountants, auditors, and contractors as necessary.
- HOA operational costs: utilities, website fees, software subscription, insurance, printing, postage, AGM and etc.
- Community enhancements: example includes costs associated with set-up, take-down and lighting of the community Christmas tree.



- Remainder of unused funds will flow into the reserve fund.

No portion of your HOA fees goes towards the HOA board members.

KOTR members will receive an expense Budget annually, along with the invoice for the HOA fee, indicating how the HOA has allocated expenses for the upcoming fiscal year. A copy of the Budget will also be posted on the KOTR HOA website. Audited Financial Statements will be made available prior to the AGM for members to view actual costs spent for the year.

Q. What is the reserve fund? Why do we have to contribute into this fund?

Maintaining an adequate reserve fund ensures the financial health of the community. Any funds that are not spent automatically flow to the reserve fund to pay for future costs, such as fence, fountain repairs, and unexpected costs. A robust reserve fund also helps minimize future annual HOA fee increases and assessments.

Q. Where can I see the breakdown of cost spent for the year?

Members of the community will receive an Invoice, Budget and a letter describing payment options every year. Year-end Audited Financial Statements will be made available to community members prior to the AGM. The AGM will allow time for the HOA to explain actual costs spent and to answer questions. Remaining funds not spent for the fiscal year will be contributed to the reserve fund.

Q. Why is GST charged?

The HOA is required to collect and remit GST to Canada Revenue Agency (CRA) if HOA revenues exceed the \$50,000 threshold each year. This requirement has been specifically confirmed by the CRA.

Q. Do all members in the community pay the same HOA fee?

Yes. The Encumbrance registered on the title to each property in KOTR does not provide for differing fees based on location. In other words, all homeowners in the Banks, the Estates and the Valleyside pay the same HOA annual fee. All residents, regardless of where they live in the community, enjoy and have access to all common space areas within the community.

In addition to the HOA fee, residents of the Banks pay a condo strata fee to a bare land condominium corporation. This additional condo fee is not governed or collected by the HOA.

Q. Can I opt out of the KOTR HOA fees?

No. All properties in KOTR that have the Encumbrance registered on title are part of the HOA and are legally required to pay the HOA fees. Please see the [Maps and Guidelines section](#) for the community boundaries. A current copy of your Certificate of Title and/or the Encumbrance may be ordered through a [registry agent](#).



If you do not pay the HOA fees by the deadline set by the HOA, your invoice will be sent to the Law office representing the KOTR HOA for collections. In accordance with the terms of the Encumbrance, all costs of collections will be added to the original HOA annual fee.

Q. Can I pay late KOTR HOA Fees without going through the lawyer?

If you have failed to pay the HOA fee by the deadline set by the HOA, you will receive a letter from the Law office representing the KOTR HOA in regards to your late payment and collections. Payment will have to be made directly to the Law office. Please contact the Law office, as indicated in the letter, for further details.

Q. When is HOA annual fees due?

The current HOA board was elected on November 29, 2021 and is the first elected HOA board for KOTR. As 2022 is the first fiscal year, the board required extensive time commitment away from professional and personal commitments to set up the HOA operations. Due to technical difficulties, the 2022 invoices will be mailed out to the community by the end of May 2022. **The due date for payment of the 2022 HOA fees is August 1, 2022.**

The fiscal year runs from January 1st to December 31st. Moving forward, the HOA aims to have annual fee reminders sent out by the end of November, with HOA fees due January 1st of each year.

Q. What benefits do you receive by paying the annual HOA fee?

Residents benefit by having certain amenities and assets in their community scheduled for enhanced maintenance, which will serve to set Keswick on the River apart from other communities that do not have the ability maintain open spaces to a higher standard. The goal of continued beautification of our community is for the enjoyment of our residents and maintenance of property values.

Q. How can I have assurance that collected HOA fees are used accordingly?

The HOA must remain financially viable and sustainable both in the short and long-term. Containing costs and being fiscally responsible are our top priorities while ensuring a community that is beautifully maintained and a place that we can all be proud to call home.

The HOA board was elected by residents of this community and takes that responsibility seriously. Every board member is also a resident and is required to pay HOA fees. We have a vested interest in ensuring that community quality standards are maintained and that fees are spent prudently and wisely.



Q. What is the HOA fees long term financial sustainability plan?

The HOA is a not-for-profit organization and the annual HOA fees is the only source of revenue. One of the primary objectives of the HOA is to ensure that total costs do not exceed total revenue, in order to reduce the risk of running into a deficit. A portion of the HOA fees collected are therefore placed into the reserve fund to ensure long-term sustainability.

The HOA board is elected every year by residents at the AGM. The term of each board member is ONE (1) year. As such, the HOA board has made decisions for 2022 only, as the next HOA board may comprise of different elected members and may make different decisions. The current HOA board has however taken steps to ensure that a solid foundation is in place for future elected board to use as a template.

Below are a few examples of long-term financial sustainability decisions made by the current HOA board that are also reflected in the 2022 Budget:

- 1) Vetted landscaping contractor to maintain community quality standards. The HOA went through a rigorous tender/bid and negotiation process in order to determine the scope of work that best maximizes the value of every dollar spent. Examples of decisions made are:
 - a. Replacing annuals with perennials where possible. Locations that do not have direct contact to ground soil require annuals.
 - b. Educating and encouraging residents to contact the City of Edmonton when services are not provided. For example, the City has specific turnaround times to remove snow in our community. Holding the City accountable ensures that our HOA fees can be directed to other priorities and needs.
- 2) Going green with direct mail. Paper mailouts are a large expense that members may not be aware of. Earlier this year, the HOA conducted a community email campaign requesting members to enroll in our PerfectMind System. We encourage members to spread the word to fellow neighbours about enrolling. If all members enroll online, we will be able to eliminate the expense of paper mailouts in the future.
- 3) Prolonging the life of assets by conducting regular compliance and safety inspections.
- 4) Starting future discussions to launch sub committees so volunteered members can play an important role within the community.
- 5) Bringing in professional contractors such as legal counsel, accountants and auditors as required to reduce future risk exposures, with the goal of reducing unexpected penalties and/or legal expenses.

Q. How can I stay updated on HOA fees and ensure I make payments on time?

Please regularly check our website www.kotrhoa.ca for news updates.



The HOA uses a software called PerfectMind to send community members annual HOA invoices. Members will also be given the option of making their HOA fee payments online. Please complete the HOA Member Form on the website to be enrolled.

Q. Do I have to notify KOTR HOA if I have sold my home and moved to a different community?

It is recommended that you notify the HOA via email at board@kotrhoa.ca to ensure that we update our system information.

Section 5: Other Community member concerns

Q. Does HOA handle complaints regarding other homeowners' landscaping and winter maintenance?

The HOA is not responsible for individual homeowners' property in regards to landscaping and winter maintenance.

If you have a concern regarding the landscaping or winter maintenance of a fellow resident, we recommend that you discuss the concern with that property owner. Alternatively, please call the City of Edmonton at 311 to file a complaint.

Q. Does HOA handle speeding complaints?

The HOA is not responsible for enforcement of driving complaints. Please contact the Edmonton Police Traffic Unit.

Q. Does HOA handle RV trailer complaints?

The HOA is not responsible for enforcement of community members parking their RVs on the street. Please contact the City of Edmonton to file a complaint.

Q. What complaints should I contact the HOA Board?

We strongly encourage all residents to review their Encumbrance and this detailed FAQ document. It is recommended that residents should discuss issues and complaints with neighbour(s) first. We are all neighbours and hopefully can address most issues in a friendly and effective manner. If this cannot be achieved, then the board suggest that you contact the proper enforcement organization to file a complaint.