



Homeowner's Association FAQ

Located in Southeast Edmonton, The Hills at Charlesworth is a progressive new community that incorporates the most desirable features of today's most innovative developments. As part of owning a home in this new community, there is a non-profit corporation responsible for additional upkeep and maintenance of enhanced amenities within the community. This legal entity is *The Hills at Charlesworth Homeowner's Association*.

Who is The Hills at Charlesworth Homeowners' Association?

The Hills at Charlesworth Homeowners' Association is a non-profit corporation responsible for additional maintenance of enhanced amenities within the community. The Hills at Charlesworth Homeowners' Association is entitled to collect annual membership fees and all homeowners are automatically members of the association.

Cantiro Communities Charlesworth Ltd. will operate, maintain, and manage the Hills at Charlesworth enhanced amenities, as well as the Homeowner's Association until the non-profit corporation is turned over to a board of elected resident representatives. The bylaws of the HOA determine that the HOA will be turned over to residents when the community reaches 90% of its occupancy/development. The Hills at Charlesworth Homeowners' Association will then continue to carry out the responsibilities without the involvement of Cantiro Communities.

Why was The Hills at Charlesworth Homeowners' Association established?

The Hills at Charlesworth HOA was created to provide funds to uphold the aesthetic standard for our community, once development infrastructure and common spaces become the property of The City of Edmonton. The HOA intends to provide immediate value to its members through the development and maintenance of shared community spaces within the community. The intent is to provide a level of service that is above and beyond the infrequent maintenance provided by the City of Edmonton to keep the community looking its best, to protect the investment and enjoyment of the community for all residents.

What are the responsibilities of The Hills at Charlesworth Homeowners' Association?

The Hills at Charlesworth Homeowners' Association upholds the image of the development and works to preserve the investment of every home in this progressive subdivision. The Homeowners Association is responsible for the maintenance only of the following enhanced amenities:

- (2) Repurposed sea can containers (Structure only)
- Custom Rain arbor system including 500-gallon cistern
- Community Gardens and Rain Gardens
- 200m Ice Ribbon and RinkWater System

The Ice Ribbon requires seasonal winter maintenance (Oct – April) which includes (but is not limited to) the initial flooding of the designated skating area, periodic flooding over the winter months as needed, ongoing snow clearing of the ribbon and safe access from seating area(s) to the skating area. Please remember that the use of the Hills at Charlesworth Ice Skating Ribbon is "at your own risk" as there will be no attendant available.



In addition, the homeowner's association will be responsible for all utilities associated with flooding the ice ribbon along with lighting of the entrance features and decorative lighting within the plaza over the winter months. Decorative lighting within the plaza will be at the discretion of the Hills at Charlesworth Homeowner's Association.

All solar and wind powered lighting, solar playground, bench seating and garbage receptacles provided in the park and around the neighbourhood are the responsibility of the City of Edmonton.

What seasonal maintenance does the HOA perform?

Spring/Summer: Landscaping maintenance of park boulevards, entrance features, entrance median, community gardens, plaza landscaping, & greenway features.

Fall/Winter: Periodic shared use path snow clearing (snowfall > 10cm), plaza snow clearing, skating ribbon flooding and maintenance.

Who is responsible for the boulevards & median maintenance?

The City of Edmonton is responsible for all municipal infrastructure, which includes medians, boulevards, and walkways. In certain common areas of the community the HOA will maintain amenities to a higher standard than typical City of Edmonton maintenance crews. This includes (but is not limited to) enhanced mowing schedules, weed removal, fertilization, etc.

Who is responsible for snow clearing on roadways?

The City of Edmonton is solely responsible for snow clearing on all residential roads. In newly developed areas (that have not been turned over to the City of Edmonton), the developer clears snow on roadways at their sole discretion. The HOA is not responsible and does not operate any roadway snow clearing activities in the community. If you have an issue with snow/ice on residential roads, please contact the City of Edmonton's 311 service.

What is the legal structure of The Hills at Charlesworth Homeowners' Association?

The Hills at Charlesworth Homeowners' Association is a non-profit corporation registered under Part IX of the Companies Act. The Articles of Association declare who can be a member of the association, rules for conducting meetings and electing executives, purposes and powers of the association, etc.

Restrictive Covenant and Encumbrance Agreements have been executed between the association and the developer (registration evidencing the agreement are filed against all lot titles). The encumbrance imposes an annual fee to be charged to each homeowner in The Hills at Charlesworth. These fees provide the operating funds necessary for the association to carry out its functions.

Does the HOA enforce the architectural restrictive covenant registered on each lot title?

No, the only people that have legal rights to enforce the restrictive covenant are the homeowners that also own property registered with the restrictive covenant. For example, if someone builds a garage that is not finished in a similar design and material to the house, it would be up to the owners in the area to intervene. If



the garage builder/owner does not respond to the complaint, then it would be up to those owners who made the original complaint to obtain legal assistance.

Is the HOA notified of a change in home ownership?

No, it is up to the new homeowner to contact the HOA and notify of the change in ownership. When selling your home, you should notify your lawyer and the realtor. When purchasing a home in the community you should ensure that your lawyer checks that there are no outstanding HOA fees for the home you are purchasing.

What is the amount of the HOA Fee and when is it due?

The HOA fee is currently set at \$210.00 (\$200 + G.S.T.) and is due at the beginning of every calendar year. The HOA will send out invoices by mail notifying homeowners when the fees are due. The fee is subject to change annually.

Why do we pay GST on HOA Fees?

The Hills at Charlesworth HOA, while a non-profit (but not a registered charity), requires G.S.T. to be charged on annual HOA fees due to CRA regulations around membership benefits and the amount of revenue received from the HOA dues exceeding the taxable supply limit (\$50,000).

How can I get involved in the Hills at Charlesworth Homeowners Association?

Once the HOA is passed over to residents (at 90% build out), members will take over the HOA board and operations. If you would like to get involved prior to this threshold, please contact Cantiro Communities (info@cantiro.ca)