

Miscellaneous Questions

"Will my water be turned off if I don't pay my dues?"

No, it won't.

"What are the benefits of not paying my dues?"

You will get free lawn care in the complex, and for your lot if you live in an unattached unit, free snow removal; free trash pick-up; and free water if you are in an attached unit. You also get a lien filed against your property after about five months of not paying your dues.

"Will a lien be filed against my property if I don't pay my dues?"

Sure will.

"How many rental units are there in Quivira Falls?"

As of currently there are 50 to 60 units either being rented or owned by persons not living in them. That is between 9.7% and 11.7% of the total units. The general rule of among lenders is that 30% is the dividing line between a residential and a rental development.

"Why did the Board pay off and give bonuses to previous employees without the slightest fight?"

In August 2008 there were two permanent long-term employees with accumulated benefits who were terminated when The Tiehen Group began managing Quivira Falls. Their termination pay was negotiated based on the employee policy manual, written promises made by the previous Board president, and compensation for the number of years of employment at Quivira Falls. There were eight seasonal employees that were hired with the written understanding that they would receive a bonus if they stayed at Quivira Falls from April through October 2008. They were released on the 15th of August. They took their claim for their bonus to the Kansas Labor Relations Board who mandated that Quivira Falls pay them a pro-rated amount of their promised bonus.

"Why does Quivira Falls spend our money on Pancake feeds, Burger Bashes, Ice Cream Socials, and various other social occasions in the Club House?"

The Association does not pay for these events. They are self-supporting by the committees that put them on. The Association has on occasion fronted the cost of some events but has been repaid from the proceeds of the event. The social events sponsored by the Board are paid by contributions from the Board members. The monthly newsletter was also self-supported by the advertising it contained.

"Why are homeowners not allowed to speak or ask questions at Board meeting?"

Any homeowner may speak or ask questions at any Board meeting with the exception of Executive Board meetings. There is a special time set aside for general questions or comments at the beginning of the regular Board Business meeting. Member questions or comments pertaining to the topic being discussed are often solicited during the business portion of the meeting.

Until January 1, 2011, when KS58-4600 became effective, those members in arrears with their dues and fees were not allowed to speak at Board meetings. Since the implementation of the law governing Homeowners Associations in Kansas any member of the Association is allowed to speak at any public meeting of the Association during the time set aside for public comment..

"Why are homeowners not allowed to make repairs to their houses themselves without being threatened by a lawsuit?"

There is a process that must be adhered to when exterior self-repair is done. This is to ensure that Association standards are maintained and that the work or repair is of a quality acceptable to the Association. A lawsuit would only result if the work or repair does not comply with the Standards set forth in the Governing Documents or the Architectural Control Committee Guidelines and the homeowner fails to make corrections requested by the Association.

"I heard there was an investigation by Overland Park Police Department looking into allegations of embezzlement by the Association Board. What happened to it?"

Nothing. The investigation ran from June through October of 2009 and was dropped for lack of evidence to support the allegation of fraud or theft.