

# Attention Beech Creek Neighbors

It's time to PAY ATTENTION! The Beech Creek HOA board has spent over \$12,500 of your money to eradicate our butterfly garden and they are considering updating the by-laws to make changes that may affect your property rights.

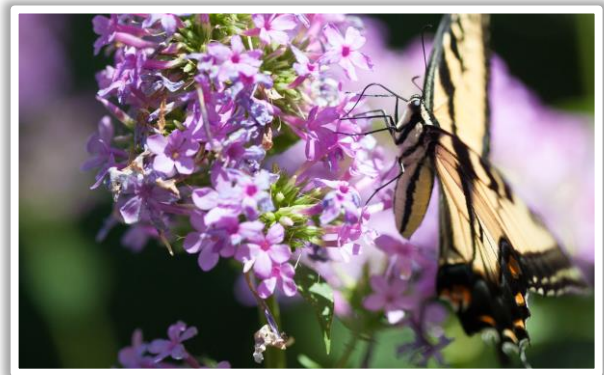


## What Is Going On?

Our family has lived in Beech Creek for over 20 years. We love this beautiful community, and we have felt so lucky to raise our kids here in a safe, friendly environment where neighbors take care of neighbors. Our daughter and son have greatly benefited from the kindness of other caring families who treat our children as their own. We have always felt the same about the other neighborhood families, and I want this community to continue to be an enjoyable place to grow up.

But in recent times something has changed to make this community less welcoming and neighborly. It started for us in September 2017, when we began receiving letters from the HOA attorney on behalf of the board. The board demanded that we replace our entire garden, which has been in place for over a dozen years with all turf grass. Although we have followed the Architectural Guidelines, we've been cited for "unapproved changes" even though the HOA President advised us in a community meeting in 2011 that the board had "no interest in" our garden.

Because we love our garden and specifically planted it to help pollinators and the broader environment, we tried to work with the board while still retaining our flowerbeds. We also tried to interpret the vague demands by trimming some plants. But in response, we continued to receive



letters that failed to provide any further guidance. In the course of this extraordinarily difficult situation, we have spent thousands of dollars defending our property rights and the environment.

Opinions are my own. Janet Crouch. 10895 Beech Creek Drive, Columbia, MD 21044.

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After nearly a year of disconcerting letters from the HOA attorney, we finally had a hearing in September 2018. After pleading for a response for months, we finally received a notification in May 2019.

## You Might Be Next

Based on our experience over the last 20 months, we have learned a lot about the power wielded by the HOA's management company and attorney, the lack of transparency and accessibility on the part of the HOA board, and the arbitrary nature of board decisions.

We have also learned that we are not going to be the only targets. During the hearing in early September 2018, we asked why our yard is being singled out. The Board president responded that there are many other homes the Board is concerned with. We are just the first that they decided to focus on.

I don't want anyone else to have to go through the nightmare that we've experienced. Because of the complaint of a single neighbor who is offended by our butterfly garden, we do not feel comfortable in our own home. We have been repeatedly tormented since this began. In addition to the aggressive letters, individuals have frequently parked in front of our home, taking pictures of us and our yard. The HOA attorney even charged the association \$290 to drive by our home and make his own assessment of our property. What in the world is going on here? This harassment has been ongoing, continuing even after our hearing. We complained about this in our hearing, and at another board meeting, but the board members shrugged their shoulders, seeming to indicate that they had no idea what we were talking about. We have photographic evidence.

## The Truth about Our Garden

The neighbor whose complaint triggered HOA action has falsely portrayed our property as attracting rodents and mosquitoes. To the contrary, gardens like ours support native



ecosystems that keep rodents and mosquitoes in check, and we provided evidence of such at the hearing. Unlike turfgrass, which quickly becomes waterlogged and can harbor mosquitoes, the roots of native plants are more effective at stormwater management; they act as sponges that remove water from the surface and filter it down into the ground.

Our plants also provide other important services to the broader community. The flowers, seeds and leaves attract hummingbirds, cardinals, chickadees and other birds who all prey upon insects - including mosquitoes - across the neighborhood.

Meanwhile, the neighbor's yard is doing a disservice to the community, with eroded turfgrass and invasive species that have been prohibited for planting in new Howard County communities since 2010; they are also banned in many places across the country because of their proven attractiveness to mice and Lyme-disease-carrying ticks. The neighbor has also had pots of standing water under the deck for months on end—a breeding ground for mosquitoes.

If you would like more information about how to avoid such public health hazards through responsible environmental stewardship, I am happy to share the wealth of information from local, state and national entities, including the Columbia Association, the

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## Lack of Access to and Transparency by the Board

In my experience, the current communication process separates community members from those who are supposed to represent us, and who have significant power over our lives and property. Although I am now a board member, I've been advised by the American Community Management representative that all communications with other board members on this matter must be funneled through her as a "courtesy" to the Board. As one of your Beech Creek board representatives and the only representative who lives in the single-family home section of our community, I want you to know that I am here to assist you with any community-related matters.

The Beech Creek By-laws require member meetings to be held in Howard County, yet we had to drive to Hanover in Anne Arundel County for our hearing. The election meetings are in Anne Arundel County. When I asked why, I was told that no one ever comes to the meetings anyway. I know it is difficult to find the time to engage in the HOA but I hope this helps you understand how much it truly matters. Because the HOA president "gives the Board members the summer off" the next meeting is not scheduled until August 6, 2019. Please consider attending to ask questions and see what the Board finds to be important. As a reminder, here's a link to the American Community Management website: <https://www.communitymanagers.net/>. ACM is located at 7484 Candlewood Rd. Suite H, Hanover, MD 21076.

## Draft HOA By-Laws

I find the draft Beech Creek by-laws alarming, as well as the Board's discussion about going door-to-door to get people to sign documents. Among the 89 pages of legalese, there are some proposed changes that you should be aware of: 1) Do you have pets? Having two dogs larger than 30 pounds is prohibited; 2) Do you have a pitbull? You may not any longer if the Beech Creek HOA has its way. The draft amendments prohibit them; and 3) How about a playhouse, a swingset, basketball hoop or a flower bed or two? Those could be gone too. **The board will likely tell you that they have no intention of harming anyone and that they are simply updating outdated documents. Don't buy it, because guess what? Their "updates" take more of your property rights and the Board president's previous public statements about having "no interest" in our garden were clearly a lie.**

## Who Is in Charge Here?

**WE ARE!!** Do you really want to live in a community beholden to a board who supposedly represents your best interests yet is willing to spend huge amounts of your money to defeat environmentally friendly practices? To put it in perspective, the annual approved budget for 2017, 2018, and 2019 is \$80,373 per year. **From November 2017 through March 2018, the Beech Creek HOA has spent over \$12,500 to eradicate our butterfly garden...over 15 percent of the annual budget on one family's garden.** And it is not over yet.

## Let's Work Together

We all have a vested interest in working together to ensure that property values in the Beech Creek community remain high and that we follow the established community guidelines. Based on our experiences over the last 20 months, the Board appears to be moving in a litigious direction rather than working cooperatively with their neighbors to resolve issues at the lowest level. This not only increases legal costs for the community, it fails to bring appropriate and timely resolution to any concerns. Let's work together, as neighbors, to ensure that our community treats its members with decency and respect.