



PARK AVENUE HOMEOWNERS ASSOCIATION (PAHA)

Quarterly Newsletter
1st Quarter 2025

IT IS COLD...BUT WE'RE THINKING ABOUT SPRING!

Last year, Joelen Hansen and Kathy Carlson from the Board walked the grounds to assess needed exterior repairs to each home, and are currently developing a spreadsheet to help prioritize and tackle the necessary repairs. We are hoping to review those at our next Board meeting in March.

So, if you have any concerns about the exterior of your home – from gutters, to landscaping, to missing railing parts, to siding, etc. – please let us know so that we can ensure we have a comprehensive list. Email Kathy Carlson at kathycarlson1@comcast.net with the home address and a listing of your concern(s).

Most of these repairs will not be done immediately. We will be establishing a schedule, and for many items, they may require the next several years to conquer. Years have passed where we haven't adequately and systematically reviewed and addressed many areas around the Association, and have an interest in starting now.



SPRING PROJECT THOUGHTS:

- If you plan on doing any major improvements this summer that require a city permit, consider getting it now. You can contact the City of Burnsville by going to their website at <https://burnsvillemn.gov/2042/Permits-Licenses>.
- Remember to contact Joelen Hansen for any exterior changes you plan on making to your home. You have to complete an Architectural Control Form, which is available in your blue packet, or contact Joelen at joelen626@gmail.com to secure and to submit your form. The Board provides approval at their meetings on the 3rd Wednesday of the month, so allow time for this process.
- When doing your garage spring cleaning, consider replacing your window coverings with actual blinds. This will help to maintain an aesthetic that we are all striving for here in the Association.

HEAR YE, HEAR YE, GET YOUR WAIVER DOCUMENT!

As I'm sure you are all aware by now, we have been working on updating our Park Avenue Declaration for some time. The Declaration is important because it lays out the Association's rights and obligations – think of it like the Association's Constitution!

The Park Avenue we know and love, along with its Declaration, was created in 1978. Since the Declaration is an older document, it is in dire need of a face-lift; its language is ambiguous and doesn't adequately address many modern aspects of the Association's operation. Our goal is to make the Declaration more functional and easier to understand.



We have tried to amend our declaration twice, but to no avail. The biggest obstacle has been our outdated amendment requirement. The current Declaration requires that a staggering 90% of homeowners agree on any changes before they take effect. This requirement is a relic of an older, smaller Park Avenue and is one of the main provisions we are trying to update – the provision we are trying to change is preventing us from changing it, go figure!

To prevent Associations like Park Avenue from being held hostage by outdated documents, Minnesota law allows them to ask the courts to lower their amendment requirement to 67%. This is the process we are currently working on. This formal request, called a "Petition" requires that we deliver, or "serve," the important documents to all of the homeowners. To that end, here is what you should expect in the coming weeks:

1. **Waiver of Service:** By this time, all homeowners should have received a copy of a "Waiver of Service" form, along with the Petition documents, by mail and email. Signing this waiver just acknowledges that you have received the documents and that you don't need to be provided additional copies. Signing these waivers saves the Association money, so please submit your waiver to Amanda Rozeboom at arozeboom@sjjlawfirm.com ASAP.
2. **Personal Service:** If you didn't have a chance to sign your Waiver of Service, the Association will send you copies of the Petition through a process known as "Personal Service." All this means is that an individual will knock at your door (if they haven't already) and personally hand you the documents. We are utilizing a company called Metro Legal for this service, so keep your eyes open for them – they are very friendly!
3. **Service by publication:** If we still aren't able to deliver the documents to all of the homeowners, we will attempt to do so by publishing the Petition in a local newspaper. This is known as "Service by Publication." While we haven't decided on the publication yet, keep your eyes open for Park Avenue's name in the headlines (somewhere near the far back of the paper)!

Please note that the official Court Hearing on our Petition will occur on **April 15, 2025, at 9:00 AM** via Zoom. More details are attached to the original Waiver of Service mailing that you have already received.

If you have any questions about this process, feel free to contact hoa@sjjlawfirm.com (the law firm helping us with this process) and they will do their best to get back to you as soon as they can. Thank you for your cooperation as we modernize our beloved Park Avenue!