

ANNUAL TERMITE INSPECTION

The annual termite inspection has been set for

Tuesday, October 8, 2024

beginning between 8 and 9 a.m.

**Schedule changes are not anticipated.
Updates, if any, will be posted by the
mailboxes and on the HOA's website.**

Termites are a fact of life in California beach communities because the weather is so moderate. Spot treating takes care of many situations. But in the HOA's experience, it would be unusual for a building in this complex to go for more than ten years without needing to be tented for termites.

California law places responsibility for termites on the HOA. These include periodic inspections, spot treatment, and tenting. All six buildings in the complex are under contract with Harbor Pest Control for termites.

For a yearly fee, Harbor does the following at no additional cost to the HOA:

- (1) An annual physical inspection of the interiors of all units in the complex for termites. The inspection typically occurs in the Fall shortly after contract renewal.
- (2) As-needed physical inspections of individual units in response to reports of termites.
- (3) Spot treatment of individual units in response to termites.
- (4) Tenting of buildings for termites when necessary.

The termite inspections at no cost to the HOA do not include termite inspections sometimes requested when a unit is sold or refinanced.

The HOA and Harbor schedule an annual physical inspection of every unit for termites. The expectation is that all 24 units will be inspected on the same day, but see the alternative below. In most cases, the inspection takes 10 minutes or less per unit.

Inspection Monitor

If the termite inspector discovers potential issues, it is helpful if there is an HOA board member present at the time so that decisions can be made and/or accurate information can be provided later to the full board or to the unit owner. For example, a unit owner who is not present for the inspection may need to be told that termites were found and they need to arrange for Harbor to do a spot treatment. (The HOA doesn't need to get involved in scheduling for spot treatment.) This includes being present inside the unit during the inspection. Owners who would prefer not to have an HOA board member present in the unit during the termite inspection will need to arrange for an alternative inspection.

For units who provide keys or access but will not be present during the inspection, an HOA board member will be present as a monitor.

Board member Andi Hargis (Unit 4536) will be monitoring the inspection this year. You can reach her by phone at (619) 742-8976 or by email at repairs @ wplhoa.org.

Order in Which Units Are Inspected

There is some limited flexibility regarding the order in which units get inspected. Contact Andi Hargis to discuss scheduling no later than October 2.¹

Requests are generally considered on a first come, first served basis.

Requests that have been accommodated in the past:

- (1) Be among the first one or two units inspected.
- (2) Be inspected at any time after 10:00 or 10:30 a.m.
- (3) Be inspected at any time before noon.
- (4) Be among the last couple of units inspected.

Requests for an inspection at any specific time cannot be accommodated.

Alternative Inspections

As an alternative, residents may provide the HOA with a termite inspection report conducted between August 12, 2024 and October 31, 2024. Older reports will not be accepted. The report must be actually received by the HOA no later than November 5, 2024.

Contact Harbor directly to arrange for it to inspect your unit. There is typically no cost for this. Do not put it off to the last minute, as the lead time for inspections can be several weeks.

Inspections other than by Harbor are permitted.² Be aware, however, that a follow-up inspection by Harbor will be required if the inspection shows the presence of termites. The HOA will not pay for termite treatment other than by Harbor. The HOA will not tent any building based on a termite report other than by Harbor.

¹For offsite owners and property managers, send an email to repairs @ wplhoa.org with the name of the point of contact and a contact number. Andi Hargis will follow up.

²If Harbor does the inspection, a written report is not necessary as the HOA can confirm the status directly with Harbor. If anyone other than Harbor does the inspection, a written report is required.

The failure to participate in the complex-wide inspection and/or to submit a timely alternative inspection report may be treated by the HOA as a failure to provide access to the unit and result in a \$250 fine.³ Fines will be imposed at the January 2025 board meeting.

Notify the HOA If No Inspection of Your Unit on October 8

Please let Andi Hargis know if your unit will not be available for inspection on October 8. We don't want to keep knocking on your door if you aren't planning to be there. And we will circle back to your unit on October 8 if you don't answer your door at first – sometimes people don't hear knocking or the doorbell.

Listen for the Inspector

It doesn't do any good for you to be home on October 8 for the termite inspection if you aren't listening for a knock on your door.

Right of Access For Termite Issues

The HOA governing documents give the HOA a right of reasonable access⁴ to each unit in order to carry out its responsibilities. Sometimes, this means residents must take time off work to deal with termite issues. The HOA understands that it can be inconvenient. But the practicalities of trying to maintain a multi-unit condominium complex require that some tasks must be handled on a complex-wide rather than individual basis.

Residents are required to provide access to the interior of every unit for the termite inspection.

Residents can provide physical access to their unit in several ways:

- (1) A resident can be physically present at the unit to provide access to the unit and garage.
- (2) The residents can leave keys with the HOA board member monitoring the inspection (Andi Hargis - 4536). Keys should be labeled to identify the unit and delivered no later than 6:00 p.m. the calendar day before the inspection. They should be picked up promptly following the inspection.
- (3) The residents can leave keys with a trusted neighbor who will be onsite during the inspection. Notify the HOA who will have the keys. Please be sure that the HOA inspection monitor (Andi Hargis) has a daytime telephone number for the neighbor.

³This is NOT a joke. An owner was fined \$250 for failing to either allow access to his unit on the scheduled inspection day or to make arrangement for his own inspection.

⁴In California, the primary factor determining the reasonableness of access to perform maintenance on multi-unit dwellings is the giving of adequate notice. Three days notice will almost invariably be deemed legally reasonable, even if it is personally inconvenient for some residents. Less than 24 hours notice can be reasonable in the event of an emergency.

Resident Imposed Limitations on Access

Any resident-imposed limitations on access must be discussed with the HOA inspection monitor and/or Harbor in advance of the complex-wide inspection. For example, a requirement that the inspector remove their shoes or wear booties over their shoes. It may be easier for the resident to arrange for an alternative inspection.

Animals Must Be Secured During Inspection

Animals must be secured (leashed or caged) during the inspection. No matter how well-behaved you think your dog is, neither the HOA nor Harbor will take the risk that an unsecured dog will not bite. Also, residents should be aware that they are legally liable if their dog bites someone, even if the residents were not at fault.

Just putting the animal in another room, on a balcony, or on a patio is not sufficient. As a practical matter, if a dog will be in the unit during the inspection, an adult who is well-known to the dog must be present. If the presence of an unsecured dog in any way hinders or prevents the termite inspector from completing the inspection, the HOA may treat this as a failure to provide access to the unit and impose the \$250 fine.

Rental Units and Property Managers

A copy of this termite inspection notice is being mailed to each unit that the HOA believes is a rental unit. Tenants and property managers should coordinate between themselves how access to the unit will be provided (or an alternative inspection conducted).