

WEST POINT LOMA OWNERS ASSOCIATION, INC.

PROPERTY ADDRESS:
4532-4578 WEST POINT LOMA BLVD.
SAN DIEGO, CALIFORNIA 92107

BOARD @ WPLHOA.ORG

CORRESPONDENCE TO:
4542 WEST POINT LOMA BLVD.
SAN DIEGO, CALIFORNIA 92107-1243

August 22, 2026

Dear Owners:

As you know, our condominium complex is located in the flight path of the San Diego Airport. Over the past few months, the HOA, complex residents, and the airport's Quieter Homes program ("QHP") have been discussing how to retrofit our units to mitigate noise.

I.

Some of the QHP proposals for our complex are straightforward. Windows and sliding glass doors will be replaced with ones that are visually similar on the exterior but have far better sound reduction capability. The existing wood front doors will be replaced with ones that are comparable (although not wood grained). Seventeen of the twenty-four units in the complex have opted to have this work done.

One of QHP's proposals is more complex. It has suggested air conditioning ("AC"), the thinking being that windows and doors can be kept closed to keep out sound.

For rear units (4548-78), the air conditioner condenser unit would be placed in the unit's backyard. This is "exclusive use common area."¹ The HOA Board has the legal authority to approve this sort of use. It has already done so, conditioned on owner's written agreement to be entirely responsible for the AC system once installed.² Five rear units have opted for AC, six rear units have opted not to install AC, and five units are not participating at all in the QHP.

For front units (4532-46), however, the air conditioning condenser unit cannot be placed in exclusive use common area. Instead, it must be placed in the decorative shrubbery facing West Point Loma Blvd. This is "general common area" presently used only as decorative landscaping. Four front units have opted for AC, two front units have opted not to install AC, and two front units are not participating at all in the QHP.³

¹Only the unit owner can use "exclusive use common area," but the HOA has authority to regulate that use.

²The details of the Board's approval are posted on the Quieter Units page of the HOA's website.

³All three of the current member of the Board own front units. Two are opting to install AC, one is not.

The HOA Board does not have the legal authority, acting alone, to approve semi-permanent use of general common area for front unit AC condensers. Section 4600 of the California Civil Code requires approval of at least 67% of all units (seventeen of twenty-four).⁴ The HOA Board solicits your affirmative vote to allow placement of AC condensers for front units in the general common area.

Factors for you to consider:

- (1) The area to be taken up by each AC condenser is 10 to 12 square feet (a bit more than a three foot square). The condenser will be screened from the street. The locations are presently shrubs.
- (2) AC is being installed at no cost to the HOA beyond adjusting the landscaping. QHP is paying for all parts, labor, and permits required for professional installation of the AC.
- (3) All maintenance, repair, and operating costs for the AC will be the unit owner's responsibility, not the HOA's. The unit owner will be required to execute a written agreement to reflect this responsibility and to ensure that it will apply to subsequent owners.
- (4) Owners of front units will be required to reimburse the HOA for some of the legal and related costs it incurs. The HOA will receive no other monetary consideration for allowing this use of the regular common area.
- (5) The option to install AC through QHP is open to all front units, whether in the current phase (2026-27) or in a subsequent phase (2027 or later). If approval is granted now, a vote will not be needed for future AC installations in general common area in full conformity to the QHP proposal.
- (6) The option to install AC through QHP in exclusive use common area is open to all rear units, whether in the current phase (2026-27) or in a subsequent phase (2027 or later).
- (7) The AC proposal from QHP was prepared by a licensed architect, complies with applicable building codes and permit requirements, and will be installed by licensed contractors. Nothing in the Board's prior actions or in this request for approval should be considered to authorize installation of AC in any other location or context.

⁴Please note that the percentage applies to all units, not just units participating in the vote. A failure to vote is equivalent to voting "no."

II.

The requested approval is time-sensitive. Unit owners opting for AC have made commitments to QHP and may incur financial penalties if approval is not granted.

Enclosed are a response form and a self-addressed, stamped envelope. The HOA requests that you complete and return the response form immediately. Responses may be mailed or may be hand delivered to any Board member.

There is no formal deadline for voting. Solicitation will continue until there are either seventeen responses in favor, eight actual responses against, or it becomes apparent to the HOA no further responses are likely to be received. The HOA hopes to wrap things up before the Labor Day weekend.

As previously stated, a failure to respond at all is treated as a vote against the proposal. If you are considering voting “no,” please consider speaking with a Board member. The HOA will be following up with non-responders.

III.

Additional information about QHP is posted on the HOA’s website: <https://wplhoa.org/Quiet.html>. Questions about AC as it relates to our complex can be directed to the Board at board@wplhoa.org.

Sincerely,

Board of Directors
West Point Loma Owners Association, Inc.

WEST POINT LOMA OWNERS ASSOCIATION, INC.

Shall the Association's Board of Directors be authorized pursuant to California Civil Code 4600 to allow use of the general common area between units/buildings 4532-34, 4536-38, 4540-42, and 4544-46 respectively and West Point Loma Blvd., currently used for decorative landscape purposes, for placement of air conditioning condensers for such units? Precise locations and other details to be in conformity with the July 2026 proposal from the Quieter Homes program of the San Diego Airport.

_____ YES

_____ NO

Unit Number: _____

Date: _____

Owner Signature: _____

Print Owner Name: _____

Note: If title of record to the unit is in a trust or business entity, indicate the capacity in which this response is signed. For example, "John Doe, Trustee of the Doe Family Trust."