

Fall 2022

# THE SWEET BRIAR QUARTERLY

The Official Newsletter from your POA

## UPCOMING DATES

- October 29: Autumn Neighborhood Party, Chili Cook-off, Costume Contest, 4:00p at the Pool Parking Lot
- October 31: Trick-or-Treat from 6:00pm-8:00pm
- November 24: Happy Thanksgiving!
- December: Neighborhood Lights Contest

## NEIGHBORHOOD HIGHLIGHTS

- Phase 1 of 3 walking path repavement project has been completed. We look forward to applying for another \$5,000.00 grant from the City of Fishers to help fund the 2023 portion for next spring.
- Cara Harvey completed the sensory path on the new pavement as part of her Gold project for Girl Scouts. Thank you so much for your hard work and dedication to making our park an interactive space for our youngest patrons!
- On October 12, we held our annual member meeting. 2023 is shaping up to be another exciting year! Some highlights include:
  - Conducting a 30 Year Reserve Study to help better plan for the financial future of Sweet Briar
  - Investing in a management software program to help create a neighborhood database with accounting software included. Each home will have a portal where you can pay your annual assessments. We hope to have electronic voting rolled out in the next year too!
  - Phase 2 of the walking path will continue in 2023
  - Planning for a new playground has begun with an anticipated install of 2024 or 2025. The park committee will be spearheading this project.



Photo: Kourtnei Steorts  
Heavenly Daze Photography

## AROUND THE POND

Sweet Briar has a new committee! Josh McDermott and Brad Carr have kindly stepped up to help the neighborhood with our beautiful pond. They have already added new plants to the pond that will help encourage a safe habitat for the bass fish to live and breed. Additionally, they are working on a plan to help reduce the carp in the pond. The carp love to destroy the habitat of the beloved bass so we need to resolve this issue. Stay tuned for more information next spring. Welcome aboard Josh & Brad!

## 2023 ASSESSMENTS

In February we will be mailing out the annual assessment letters. For 2023, your annual assessment will be \$450.00 and are due by March 31st. The increase in assessments will help cover the costs of inflation with the pool and grounds, additional tree removal on 131st street, a reserve study, management program for the neighborhood, and saving for new playground equipment. You can review the budget on our website under 2022 Meeting.

## POOL NEWS

Thank you to everyone that donated water, Clorox wipes, and popsicles for our lifeguards this year. Your support is really appreciated. A special thanks to the Lang family for all the treats given to the guards throughout the summer. Also thanks to the lifeguard staff for your hard work this year!

-Loree

## FISHERS FIRE DEPARTMENT VISIT



## A NOTE FROM THE PRESIDENT

Hello Neighbors!

Earlier this year we conducted a survey to find out what matters to you in our neighborhood. It was overwhelmingly obvious that we want a stronger community in Sweet Briar. It is also one of the reasons I wanted to step into this role as well. I want us to live in a place where our relationships and sense of belonging matter. My hope is that we can incorporate more events in our neighborhood that create a space for us to be known, make new friendships, and create lifelong memories.

I would love to start a Community Involvement Committee where a group of people want to take the lead create these kinds of experiences for Sweet Briar. If this sounds like something that interests you, please reach out to me at [sweetbriarpoa@gmail.com](mailto:sweetbriarpoa@gmail.com). -Julie

### BOARD MEMBERS

President: Julie Kane  
Vice President: Loree Marroquin  
Secretary: Jerica Hernandez  
Treasurer: Sherry Taulbee

### KEEP IN TOUCH

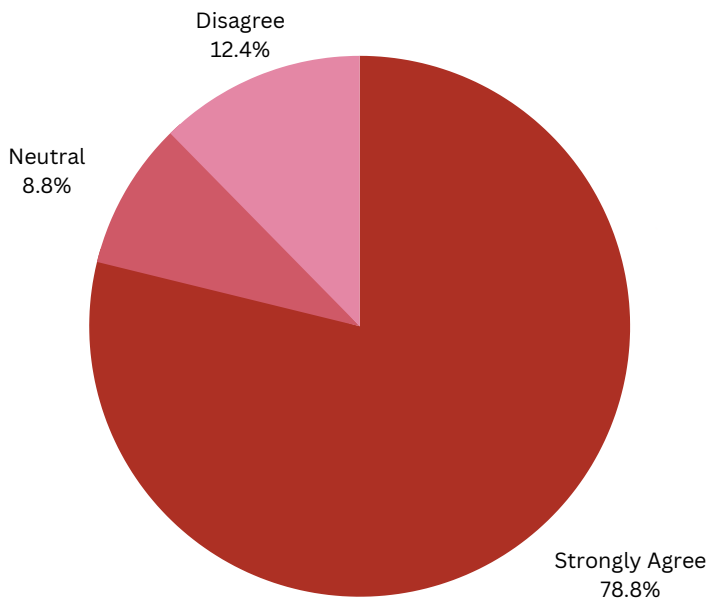
To keep up on the latest happenings, send us your current email address!

# RENTAL RESTRICTIONS RESULTS

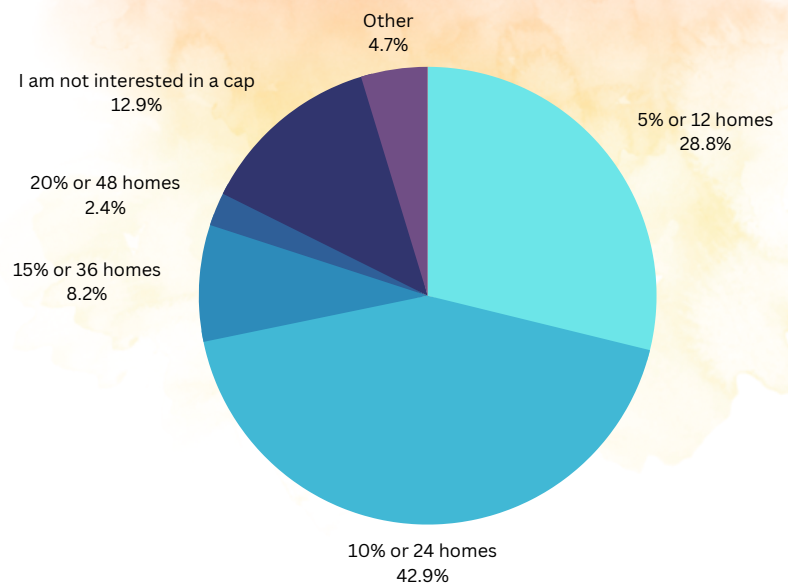
Thank you for your participation in the Rental Restrictions Survey. We had 170 participants. Next, we will bring the amendment back to you for a vote. Stay tuned for updates on the final draft and voting dates!

We had some great comments below and the proposal for these amendments are made based on Indiana law and what the Board felt would best represent our community. Please refer to the Town Hall recording on our website to help answer some of these concerns.

## 1. How do you feel about having an actual cap on our rental homes?



## 2. If you are interested in a rental cap, what percentage are you comfortable with?

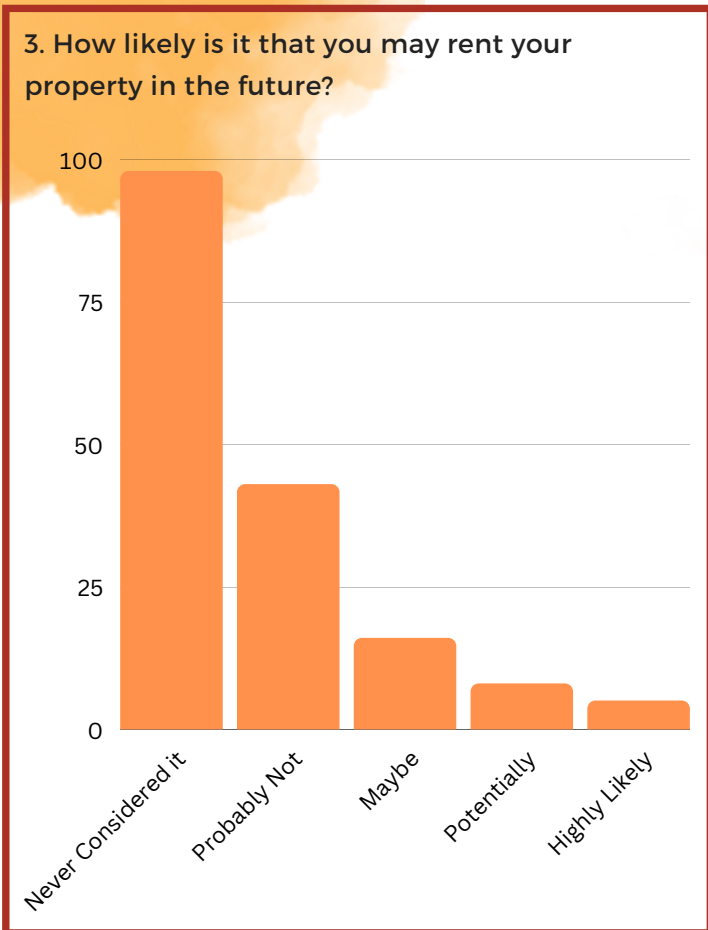


## 2. "Other" Comments:

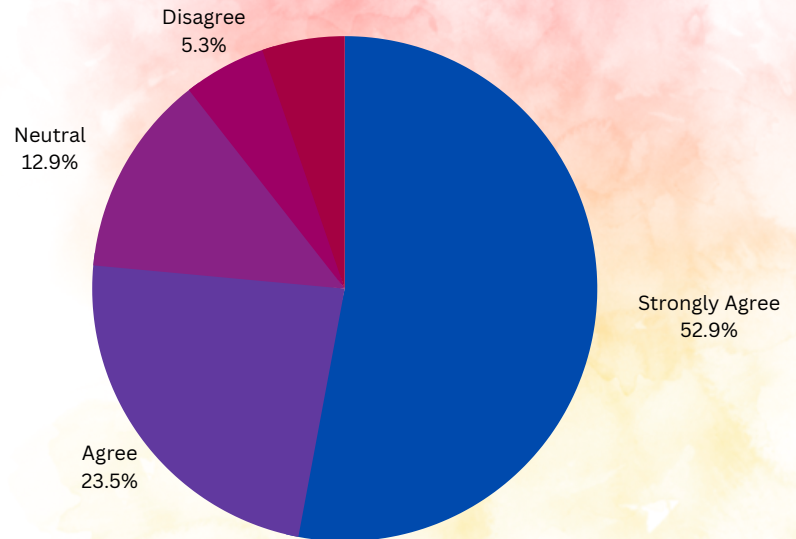
- 40%
- Interested in living in property before renting. Keeps rental companies from buying but allows homeowners living in the subdivision allowed to rent if needed.
- Seem to much like a social enforcement- you are telling me what i can do with a home I own free and clear.
- Maybe 12%
- I'm not interested in a cap but if it passes the percent needs to be higher. 20% with the ownership waiting period would be a compromise.
- I would "compromise" on a 20% cap if the additional 10% were set aside specifically for homeowners who wish to rent their home. This would likely be a very small number of owners but would allow them to keep their property rights intact
- Seem to much like a social enforcement- you are telling me what I can do with a home I own free and clear.
- I would love to have options available. For example, if a caring homeowner upkeeps their property and rents it. That would be ok. However, is it possible for high restrictions on every rental property, such as high standards if rented?
- Is there the possibility of a specific number or percentage per street also (ex 2 per culdesac)?

# RENTAL RESTRICTIONS RESULTS

3. How likely is it that you may rent your property in the future?



4. How do you feel about eliminating the possibility of short term rentals?



5. What other questions or concerns do you have with leasing restrictions?

- Maintenance and upkeep of exterior of home and yard so it maintains “curb appeal” such as weed control, mowing, exterior of home, etc.

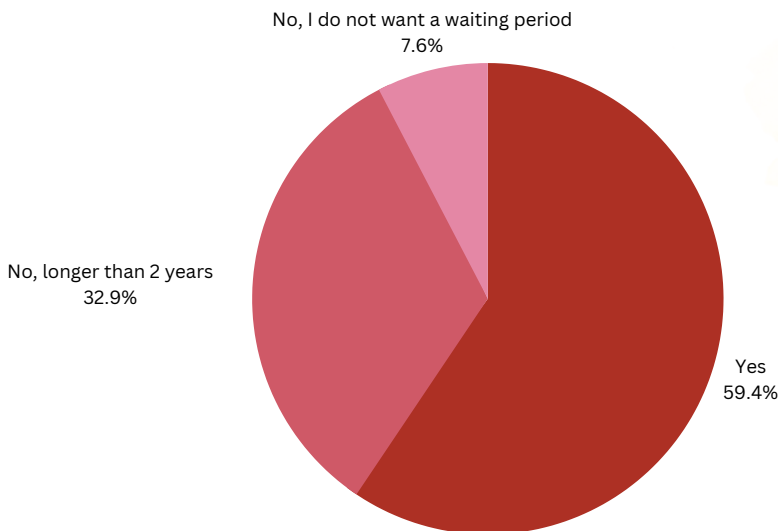
- Short term rentals should be allowed but also have a limit. Perhaps no more than 5 days a month or 45 days in year. This allows for Airbnb or VRBO to occur for events occurring in nearby Indy while not not being allowed all the time.
- I do not feel there is much chance of AIRBNBs in our neighborhood since we are not close to any tourist attraction. As for someone renting one room out this would keep the owner in place, right? Maybe the intention is not that to begin with...
- As long as renters are required to follow by-laws, I don't see an issue.
- This proposal is extremely over reaching. A renter's contract is with the owner and the owner's “contract” is with the board. You are trying to insert the board into the contract between the owner and tenant. Not a good idea.
- Restricting rentals to at least 30, 60 or 90 days is reasonable, 1 year minimum is too restrictive.
- I am concerned that you are trying to influence people instead of remaining impartial and informative.
- There should be a fine for anyone who leases without permission.
- I agree with everything except the no subletting clause. Life happens and I would hate for a renter to have no option to get out of a lease other than break it and get sued. Subletting offers an alternative in case of job loss, job relocation or income change.
- This section seems very restrictive. I think it's too much together. Split this up and create a process for short term rentals to be approved maybe. We are not exactly a destination area so Airbnb should not be a huge request, but I feel we need a process.
- How can we hold leasing companies accountable to our bi-laws? I feel for the tenants that can't enjoy the pool because the company doesn't pay the HOA fee. Can we raise the HOA fee specifically for the leased houses?

# RENTAL RESTRICTIONS RESULTS

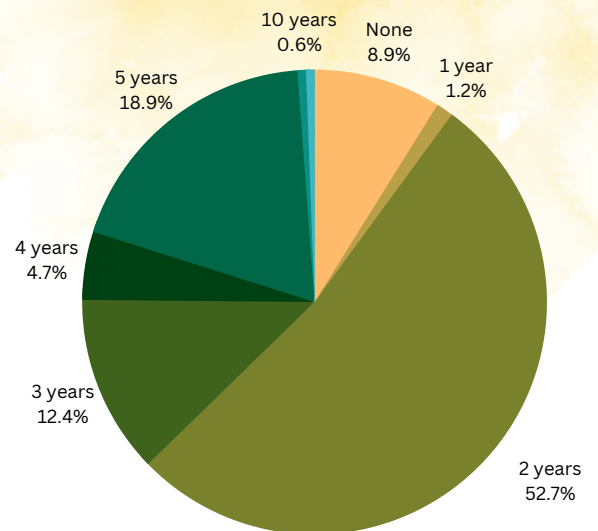
## 5. Continued

- Move 30 day window to 90 days for finding new tenant
- I would still like to see a new homeowner has to live in the home for 3 or 5 years before they can rent it out. This will help get rid of the large rental companies.
- I have lived here for 22 years..hoa does not have the right to tell me I can not rent to my kids.
- There are currently 4 homes on my culdesac (Lamarque PI) that are rentals (as far as I can tell - one for sure, one recently investor purchased, one I believe is investor/rental and one whose owners moved a few month ago and said they were going to use a leasing company to rent it.) This is 4/15 homes significantly more than 10% of my street. How is the board keeping track and identifying rentals? I'm concerned the actual % is far higher than you listed.
- How many Police runs or shootings does it take to get rid of a renter??

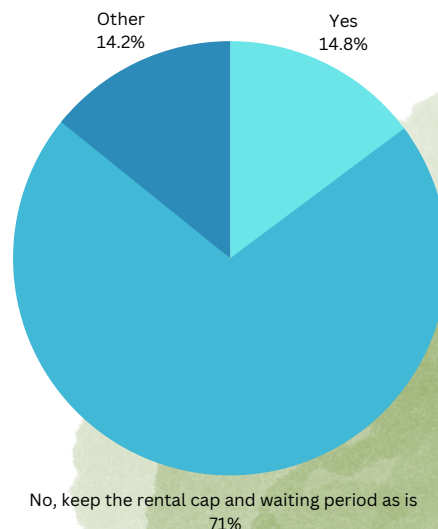
## 6. Do you feel a 2 year waiting period is an adequate time frame?



## 7. What do you feel would be an ideal waiting period?



## 8. Would you prefer to eliminate the rental cap and increase the waiting period?

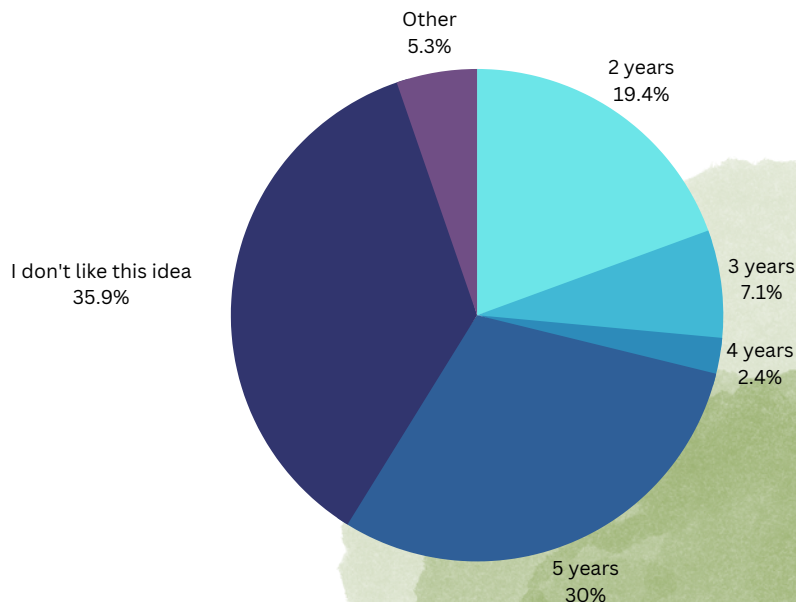


# RENTAL RESTRICTIONS RESULTS

## 8. "Other" Comments

- You can't rent your home. If you already renting your home they can keep doing it. If they sell it the new owner can't rent it out.
- This wording is confusing
- Decrease rental cap and increase the waiting period
- Keep cap and increase waiting period
- Increase the cap, but not eliminate it. And set the waiting period.
- I'm in favor of a 2 year waiting period without a rental cap
- Eliminate cap and leave waiting period at 2 years
- No opinion
- I'm on the fence
- Keep waiting period as 2 years, and eliminate rental cap
- Keep rental cap and increase waiting period to 5 years
- Increase rental cap % and time required
- I'm not sure how I feel about this. I think I am fine with either option.
- Eliminate the cap and rental period
- I can not say no and keep as is because there is no as is now. So I would say get a rental cap and add the waiting period.
- Do nothing
- Years required to live in your home should be higher, at least 5yrs in order to get rid of rental cap
- Keep rental.Cap and increase to 3 years
- Keep rental cap and increase waiting period
- Raise the rental cap slightly, keep the waiting period
- I would like to increase the percentage to 15% if we have a long waiting period

## 9.If we eliminate the rental cap, what is the waiting period you would like to see?



# RENTAL RESTRICTIONS RESULTS

## 9. "Other" Comments

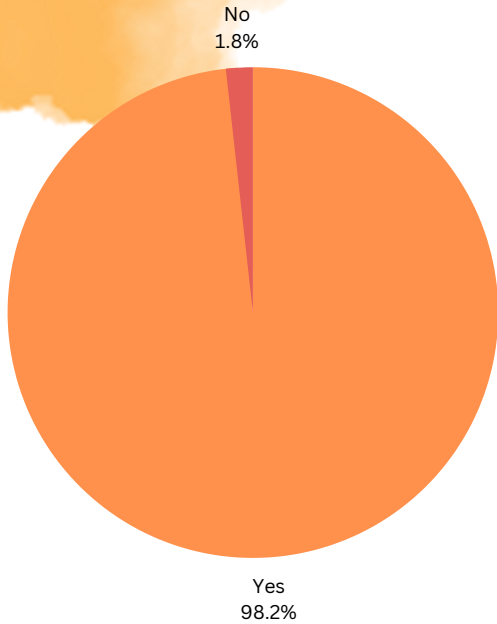
- Don't allow people to rent their home. If you already renting it they can keep doing it. Once they sell it the new owner doesn't have the right to rent it.
- Still don't understand
- I am not a fan of eliminating the rental cap but if we did then I would say increasing the waiting period to at least 4 years but not opposed to 5 years
- 10 years
- None
- Don't eliminate rental cap. I'm retired. I would love to travel more, yet I don't like my home sitting empty. Any solutions forme? Or, others like me?
- 8 or more

## 10. What other questions or concerns do you have about a waiting period?

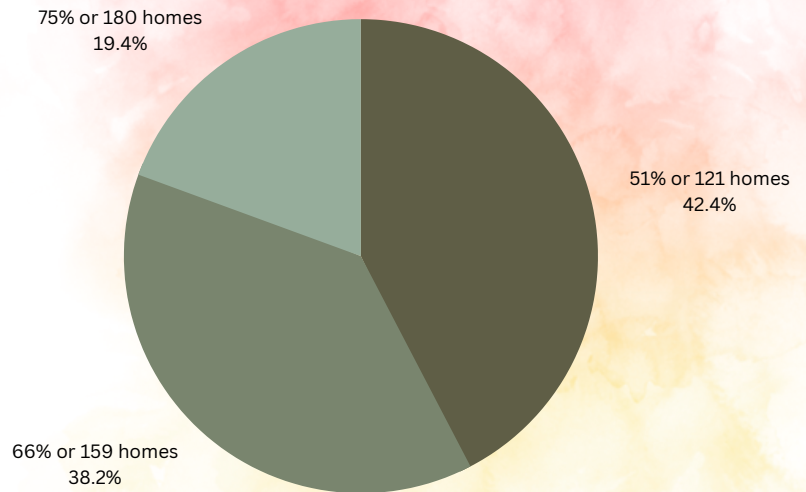
- Renting out homes is bad for the neighborhood. The renters don't have investment in the neighborhood. I have seen where the yard isn't taken care of. For the most part the owner doesn't put in money in the property because it is a rental. It is better for the community to stop rentals.
- I think the waiting period will eliminate investment companies over time and the cap of 10% will be plenty
- Unforeseen circumstances that would require exemption should be available.
- I don't love this idea either, but it's better than a rental cap.
- Someone mentioned a loophole in the town hall about this. I'm not even sure this is accurate but I would like to point out that it is highly unlikely someone would go through the hassle of doing this when there are plenty of additions without rental restrictions to choose from.
- Believe board has too much power over exceptions
- Let people do as they wish with their own property
- I completely agree that a corporation should not be able to read, but our Supreme Court thinks that corporations are people. I'm afraid that anything would be indefensible Against a powerful outside corporation versus just people. I dislike being unable to rent my own house, especially with the eclipse on the way, to keep our corporate entities that are vastly more powerful than people
- No matter how many years you wait to rent, the end result is a community full of rentals, and we get more "rowdy" neighbors, that brings in their friends and crime goes up.
- Does this only apply to units not currently rented out yet?
- We could implement a waiting period but a wealthy corporation could acquire a number of houses and just wait the time with no income. Keep the properties maintained and then move in the very people we are trying to keep away once the time expires. Playing the long game. Then Sweet Briar starts not being so sweet. I vote for the rental cap. We don't need to sell our houses to corporate America. This neighborhood was made for families of a certain class level.
- During the waiting period could the home be occupied by anyone other than the owner?
- A family member, for example?

# RENTAL RESTRICTIONS RESULTS

11. Are you in favor of adding the ability to vote electronically?



12. What do you feel is a good representation of voters?



13. Finally, Is there any portion of these amendments that would prohibit you from voting yes?

- Lack of a waiting period shorter than 3 years
- To affect property rights, more than a simple majority should be on board with the changes.
- We are worried about use-restrictions in general. We feel restrictions will reduce property value rather than increase it because it would limit the pool of potential buyers. The fact that 24 rentals exist tells me that at least 24 times the investors made stronger offers than owner-occupied buyers. Limiting that option would decrease property values.
- Alternately, we would strongly support setting clear maintenance and behavior standards. Set clear standards and then enforce them through penalty fees. This seems like the original purpose of an HOA. Hold owners accountable, regardless of owner-occupied or tenant-occupied. A system like that is fair and would encourage landlords to pay closer attention to their property or sell if they aren't willing to step up. I believe the HOA is able to pursue foreclosure action against any owner who has a history of unpaid dues, unpaid penalties or repeated violation of bylaws. This approach would improve neighborhood quality without limiting ability for current owners to sell for top-dollar to potential investors. Whether a property is a rental or owner occupied doesn't seem like my business as long as everyone living/owning in the community is held to the same standard.
- Although, with current market conditions, any rental restrictions may not be necessary at all. The market is shifting downward and the national investment companies are posting losses and selling houses, not buying more.
- If there is no cap on rental property.



# RENTAL RESTRICTIONS RESULTS

## 13. Continued

- I would not vote for it as it currently sits and would strongly advocate against it to all my neighbors. A compromise would be to raise the cap to 20% to allow an extra 24 owners to rent their home providing a 2+ year waiting period. Most owners will not rent their home and our rental % would remain low but owners would retain this property right. This is a reasonable compromise and I feel more owners would be willing to vote for it. If you are concerned about out of state investors, this would eliminate that concern. The harsh penalties for CCR violations would likely prevent some of the problems you are seeing with current out of state investors.
- I agree with electronic voting as long as security is in place. Meaning 1 vote per household can be verified and the possibility of the vote being hacked is non existent.
- My property and if I chose or out of necessity would need to rent my property. I do not think this should be governed by an HOA.
- Rental cap
- Suggestion, since rentals cost the HOA more money to track down etc, there should be an additional fee to the annual assessment for non owner occupied homes. Example: investors pay an additional 25-50% annual for the HOA fee. If the HOA fee is 400, investors would pay \$500-600 annually.
- If you remain at simple majority
- I will vote no for every new restriction with zero exceptions
- Again I own my home, not a bank, and you are trying to tell me what I can do with my property. You need grandfather clause- you are opening the association to many lawsuits
- Yes, I might have varying family members live with me from time to time. Is there an exclusion on that topic?
- I fear that such an amendment would restrict ordinary people, but we would be powerless against a large corporation that would sue us since they are technically people, and there's no way we can afford to defend the amendment population against a corporation that is going to have a bottomless pit of money, especially a foreign corporation.
- Not yet. I think we have to do something
- I do not agree with the rental cap as it is presented in the current proposal.