



THE PELICAN BRIEF JAN. 2012

Serving the Community of Pelican Pointe

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Happy New Year !

Book Club. Our Pelican Pointe Book Club will meet on Friday, January 13, 2012, at 6:30 p.m., at the home of Joyce Berman, # MM105. To be discussed: **Death Comes for the Archbishop**, by Willa Cather. Two Roman Catholic priests from lush "civilized southern France" move to the arid regions of New Mexico to "convert the lost souls" of the Indians and Mexicans who populate the area. The novel quietly depicts the various cultures that exist in the American Southwest and sympathetically shows the values and history of each. All who enjoy reading are welcome. RSVP to Joyce at (303) 322-3713.

Lunch Bunch. Join this interesting group of Pelican Pointe men and women for lunch at at **Golden Shanghai**, our neighborhood Chinese restaurant at 1412 S. Parker Road. The date: Wednesday, January 11, 2012, at 11:30 a.m. Treat yourself to a good meal and sparkling conversation. New faces (and the hungry bodies to which they are attached) are cordially encouraged to attend! RSVP to Susan Million at (303) 316-7190.

Dues increase. The Lord giveth and our 2012 budget taketh. Our Board, in its budget for 2012, proposed a modest increase of \$10 in our regular monthly assessment ("dues"). At our Annual Meeting of Homeowners, on December 5, 2011, the homeowners approved this budget and dues increase by a wide margin. So, effective January 1, your dues will be \$200 per month (or \$250 for Catamaran Club members). Our Manager sent you a letter in mid-December, reminding homeowners who pay their dues via a bill-paying service or financial institution -- to advise that entity promptly of this change.

Other happenings at our Annual Meeting.

New director. Bud Lehman and Frank Parker were elected to three-year terms on our Board. Frank has been a director for the unexpired portion of a former director. These two homeowners, and the other three directors of our Association, will be working diligently for the benefit of all of us. There must be a special place in heaven for these dedicated volunteers.

Special recognition. The Board presented Mary Mulholland, now retiring, with an award for her enormous record of accomplishments in her positions as director, vice-president of the HOA, and chair of our Social Committee. Steve Susman was awarded special recognition for extraordinary services during this past year.

SUSMAN UNLEASHED

by Steve Susman

Your homeowners insurance. The Board and I will continue to beat each of you over the head -- with a rigid rubber hammer, if need be -- about this subject. President Davison and I have stressed the vital importance for each of us homeowners to be certain that **our own homeowners insurance policy is current, and that it contains certain coverages for our protection.**

This admonition is all the more important because our current HOA master insurance policy contains a substantial “deductible” for roof damage caused by wind-and-hail. This could mean that, in the event of substantial damage to any of our buildings’ roofs, from such cause, our Association would have to bear a major portion of the repair costs. Under certain circumstances, this means further that each homeowner may be called upon, by way of a special assessment, to bear all or part of this so-called deductible. The reasons for this potentially costly deductible are many -- but include, for example, huge losses by major insurers from natural disasters in areas far from Colorado; wind-and-hail claims in Colorado and elsewhere; and a paucity of major insurers willing to underwrite casualty risks on condominium and townhome structures. In this insurance-year, our premium for casualty coverage rose dramatically, notwithstanding that certain additional risks were transferred to our HOA. Nonetheless, the following should be helpful to you:

What should my homeowner’s insurance policy cover? First, you should obtain advice from a *knowledgeable* insurance agent. Many agents know how to sell a policy, but have little or no clue how to coordinate it with our HOA’s own coverage. In brief -- *and this isn’t legal advice or professional insurance advice* -- your own policy (sometimes in the industry called an “HO-6” policy), should contain:

- coverage for your lost or damaged tangible possessions;
- coverage for your liability, to augment the liability coverage in the HOA policy (for example, if someone allegedly slips on ice while approaching or leaving your unit);
- some protection if damage to your unit displaces you for a period of time;
- some “building” or “real property” coverage, because some items in your unit may be deemed to be a part of the real estate (for example, attached cabinets, carpets, wallpaper). Generally, the HOA’s policy will not cover the replacement value of the *upgrades* placed in the unit by all owners since inception (for example, cabinets, carpeting, carpet padding, wall coverings, window coverings, counter tops -- not part of the builder’s minimum package that accompanied every unit here, upon completion and initial sale). Since you cannot know with precision all the components and their replacement cost (especially if you aren’t the original owner of your unit), you must not skimp on this coverage. It is an inexpensive part of your premium.
- coverage for your portion of any *deductibles* in the HOA’s master insurance policy. Our present insurance policy has a general deductible of \$5,000, and also a potentially-large deductible for wind-and-hail damage to our roofs, as discussed above.

So who pays the “deductible”? “Deductible” is the amount which the HOA’s insurer will deduct from an evaluation of the loss to our buildings. I commend you to re-read our Rules -- especially Section IX (C) on pages 30-31. Generally, these Rules provide that “the party who or which has the primary component which was the source or the cause of the damage, shall pay the deductible.” However, if the “proximate cause of the loss is due to the negligence of a homeowner, family member, tenant, or invitee, the deductible shall be paid by that homeowner.” Four good examples are included in this Rule. It is crucial that you and your agent understand this Rule, since it can have a major financial impact upon you, and can affect what types and amounts of coverage you should carry in your own policy.

It is likely that the Board will soon augment this Rule, in view of the special deductible in its insurance policy for wind-and-hail damage to our roofs. Such additional Rule might impose additional risks upon our homeowners from such specific damage. However, **there is no cause for immediate alarm or panic:** The so-called “loss assessment” provision in typical homeowner policies can provide you with protection in such event, provided that this coverage is in an adequate amount.

‘Tis the season to be jolly. Fa la la la la, la la la la. But it won’t be so jolly if your belongings are stolen. Time and again, we’ve advised all residents to use good judgment and common sense, to reduce the probability of being victimized by persons who think that your possessions should be theirs. Our gates may provide the perception of security when closed. But the reality is that it’s easy for anyone to enter our complex at any time. Even when the entrance gate is closed, one can “tailgate” into our community by following closely a vehicle that is legitimately entering. Recently, for example, burglars stole valuable items from a resident’s garage, including from his cars. The garage door had inadvertently been left open at night. The lesson: Be sure, when closing your overhead garage door, that it closes fully before averting your gaze. Sometimes, the door can “bounce back” into the open position if its bottom edge touches a thin layer of snow or ice on the pavement when it descends. That’s a safety device to prevent the door from closing on someone’s foot, head, or backpack from North Face.

Some people are really crazy; and they walk among us. Recently, the Denver Forestry officials reported to me the following sad tale: At significant expense and effort, they had removed a huge dead tree from the Highline Canal, between the Canal and our perimeter fence, near the southwest corner of our complex. In its place, they planted two new, young trees. Within a very few days, those two new trees had been *sawed off!* A clear case of malice, and evidence of a sick, twisted, probably passive-aggressive personality. We have had *thefts* of our plantings, but at least that is rational. In view of this unwarranted destruction, the officials promised to plant two more new trees there in the spring; but they intend to “fence them off” to discourage a repeat performance of this fiasco.

Can we move to Boca Raton? Skiers love our Colorado snow, and so do those road contractors who have rosy visions of multimillion dollar contracts to expand Interstate 70 to Vail. The rest of us, though, merely want to be able to navigate in the metro area by car, and in Pelican Pointe on foot. Sonny and his crew use their plows and shovels in a prioritized ritual: Our highest priority is to plow a path in the driveways, so you can drive out of and into your garage. Simultaneously, the shovelers try to clear our sidewalks. Finally, the crew returns to the driveways to push snow away from the garage doors. Typically, we use ice-melt (usually magnesium chloride and similar compounds) sparingly, because all such salts are very destructive to our concrete driveways and sidewalks. Of course, this policy is tempered by our ever-present concern for our pedestrians' safety. Ice remains on some of our driveways longer than on others, because of their orientation to the sun. Because the ice is formed there by the pressure of car tires, there are winter periods when there will remain for several days an ice strip "down the middle." Please use some common-sense driving techniques when driving in or out of your garage; it's so easy to lose control and smash into the sides of the garage. However, it's also easy to avoid your car's slipping if you maneuver properly.

January trash pick-up: January 5, 11, 19, and 25.

Recycling pick-up: January 5 and 19.

Denver large item pickup: January 11.

Pelican Pointe townhome For Sale: #LL-104.

Good Help is Hard to Find: **Florist:** Floral Elegance (Christine Gargan), 2364 So. Colorado Blvd., Denver. (303) 753-1082.

Weird behavior:

- The things that come to those who wait may be the things left by those who got there first.
- Flashlight: A case for holding dead batteries.
- The shin bone is a device for finding furniture in the dark.
- If the shoe fits, get another one just like it.
- Those who live by the sword get shot by those who don't.
- The 50-50 rule: Anytime you have a 50-50 chance of getting something right, there's a 90% probability you'll get it wrong.
- Light travels faster than sound. This is why some people appear bright until you hear them speak.

January Board Meeting. This Meeting will be held at 7:00 p.m. at the Lighthouse Clubhouse, on January 16. ALL RESIDENTS ARE WELCOME TO ATTEND.