



The Riverview Community Newsletter

A publication for and by the Riverview Community*. January, 2023

An informed community is an enriched community

Community Matters

A HAPPY AND HEALTHY 2023!

• **The Riverview Coffee and Conversation:** January 4, 2023, Wednesday, at 8:30am, in the lobby.
Bring your Cup and we'll fill it!

RSVP if you will be the January volunteer to bring tasty pastries or donuts.

Please send email to RiverviewCommunityNews@gmail.com

• **Mark your calendars:** Annual Board meeting on the 28 Jan, 2023, at 1:00pm.

Thanks to the organizers of the Holiday Party, DA Begley, Trisha Lawton and Geri Kenyon, and everyone who contributed to its success. The centerpiece of our Christmas gathering was the variety of delicious dishes. Thanks to all of our Riverview Chefs!



* This Newsletter is published by a volunteer committee of Riverview residents and owners, it is *not* a publication of the Riverview Board of Directors.



Owners/Resident Contributions

- **Holiday Fund.** From Margy Carraway, Lisa Kelley and Jill Hershfield

We would like to thank all of you who contributed to our Holiday Gift Fund. 70% of the owners and renters contributed in a variety of ways. This year, besides checks and green cash, some chose either Venmo or Zelle and gave a total of \$2540!

Several of you asked how this fund was distributed. Following the practice since as far back as we know, the fund was distributed as follows:

- Waste collectors: \$1000 is divided equally between the collectors. As staffing is difficult, this year two men worked the job which is normally done by three men. They would be given \$500 now and \$500 June.
- Bob and Mary: \$1300 divided between them in proportion to their contract payments.
- Mail carrier: \$40 gift card, as per USPS regulations
- As special thanks to Griff Griffith who rises before dawn, twice a week, to unlock the trash room and for his other contributions to our community. We had enough to include him this year with a gift of \$200.

It is the season filled with giving and spreading joy!!!

And thanks to you, those that make our lives easier and happy throughout the year, felt appreciated by

The Riverview Community.

Happy New Year!!!

From Brian Casey.

This year our community has faced many challenges such as the hurricane. In the new year, can we treat each other respectfully and allow everyone to have their say on the important decisions we must make.

From Tom Leckinger:

While I understand the need for civility in our dealings with each other, I believe integrity in our dealings with each other to be far more important.

Board and Association Matters

- **Update on water intrusion.** The Board President, Ken Altergott, and Director Jone Flanders have informed us that the water intrusion inspection by an engineer, Mr. Ali Mustafa, from Universal Engineering Sciences, was completed on 16 December. The Board is waiting for a comprehensive report from the firm that conducted the inspection. When the Board receives the report, a copy will be sent to all the owners and a meeting with the engineer will be scheduled. At this meeting, the engineer will present his findings and answer question from the owners and residents.

The engineer did not visit all the apartments that had water intrusion as he felt he had sufficient data to write a comprehensive report detailing a building-wide remedy for the water intrusion.

- **HOA is responsible for the windows in our building.** Some of the water intrusion during the recent hurricane has occurred through the windows. Several owners were not clear on whether our HOA is responsible for the windows in general and, in particular, water intrusion that might occur due to improper seals. To answer this question in this context, we have obtained a copy of a letter from our HOA legal counsel, Kevin Edward of Becker and Poliakoff. As stated in this letter, *windows are a HOA responsibility*. A copy of this letter is attached. A comprehensive remedy for the water intrusion should include sealing all windows followed by an appropriate water testing to confirm all leaks were eliminated.

- **Electing a new Board of Directors.** The annual Board meeting on the 28 Jan, 2023, at 1:00pm, is particularly important. At this meeting, a new Board of Directors (BOD) will be elected. The new board will have to address several challenging tasks such as remedying water intrusion into the building and planning for the legally required Milestone Inspection and Structure Integrity Reserve Study. Eliminating water intrusion is of primary importance to all owner because, if not remedied quickly, water intrusion can cause major structural problems for the entire building that would be very expensive to repair later.

The Newsletter Committee is considering publishing a Special Board-Election Issue of this Newsletter with a list of the candidates and their priorities if elected to the Board. We are waiting to receive a list of Riverview owners running for the Board from the management.

Meanwhile, if you are running for the board, please send your statements in support of your candidacy to RiverviewCommunityNews@gmail.com . They will be published on a special Board-Election Issue of the Newsletter.

- **Management:** In the last meeting of the Board on 20 December, 2020, the Board voted to continue with the current management. It was done to facilitate continuity until the new Board takes office.

Neighborhood and General Interest

In an earlier Newsletter, the Manatee County Commission's initial plans to sell the property that houses the neighboring Central Library to developers was reported. The library property belongs to Manatee County but construction of a high-rise building needs rezoning by the Bradenton City Council. A new City Council and County Commission will be assuming office in January 2023. For rezoning, the County Commission needs to make a formal request to the City Council. That request has not yet been received by the Bradenton's Planning Commission.

A citizen group, called Bradenton Concerned Citizens, has been following this issue and organizing to oppose this plan. More details can be found at. <https://bradentonconcernedcitizens.com> .

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Yahoo Mail –

RE: Riverview Association

From: Edwards, Kevin (kedwards@beckerlawyers.com)

To: allflservices@yahoo.com; lvanlandingham@beckerlawyers.com

Date: Tuesday, October 4, 2022 at 06:24 PM EDT

Margaret,

How many units suffered damage? Is there any other damage to the common elements? When there is damage from a hurricane (a "casualty" or insurable event) you don't look at the regular maintenance responsibilities in the Declaration. Rather, you look to the Condominium Act ("Act"), Section 718.111(11), Florida Statutes. The Act provides that whomever is responsible to insure an item against casualty is the party that must pay to repair or replace it.

Section 718.111 (11) (f) 3 of the Act describes those items that the unit owners are required to insure ("Unit Owner List") and thus pay to repair/replace when damaged by a casualty. These items are: (i) all personal property and unit owner installed improvements within the unit or limited common elements; (ii) floor, wall, and ceiling coverings; (iii) electrical fixtures; (iv) appliances; (v) water heaters; (vi) water filters; (vii) built-in cabinets and countertops; and (viii) window treatments, including curtains, drapes, blinds, hardware, and similar window treatment components, or replacements of any of the foregoing which are located within the boundaries of the unit and serve only such unit. The foregoing items cannot be insured by the Association and must be covered in any homeowner's policy (such as an "H0-6" policy).

The Association must have insurance to cover anything that is not included on the Unit Owner List. This includes drywall (wherever located); **windows**; doors; all common elements; all portions of the condominium property as originally installed by the developer (such as sinks, toilets, mirrors, bath tubs, showers, balcony/lanai, carports, garages, etc.); and all alterations or improvements to the common elements that the Association has made or makes. When there are casualty-related damages to these items and the damage amount exceeds the Association's insurance deductible, the Board must file a claim with its property insurance carrier. Any shortfall in insurance (e.g. where insurance does not pay the entire claim or where the claim is below the deductible) is shared by all of the unit owners as a common expense.

Thus, the Association must repair damage to the windows and ceiling drywall. If the amount of damage exceeds the insurance deductible, the Association must file a claim. Whatever is not covered by insurance is shared by all of the owners as a common expense.

Again, please let me know if the Board needs assistance in filing any damage claim. Our firm is affiliated with a public adjusting company, Association Adjusting, and we are able to quickly get you in touch with them to start the repair and claim process.

Regards,

-Kevin