

DRACET COUNCIL – SECOND BULLETIN

APRIL 14, 2019

In spite of the slow start from the beginning of January, and the ongoing teething issues in February, the efforts and work to improve Devtraco Villas continues steadily. However the pace is still slower than the Council had imagined it would be at the end of March.

There have been some successes:

- Security checks and communication with both vehicular passengers and pedestrians have improved
- The DRACET car stickers have been distributed to help improve security
- JSA has started to clear, clean up and beautify the front of the estates.
- JSA has removed a significant amount of plant and other trash from around the estates. There are plans to remove the remaining plant material and trash in the estates soon.
- A first phase of clearing and cleaning of the recreation plot
- A flyer noting four options available for payment of fees and levies
- Increased communication on the DRACET – General platform
- The collapsed drains from the June 2018 rains are slowly being repaired.
- Council, with the help of some members and Devtraco Limited staff are tackling the potential estates flooding issue to find answers, hopefully before the rains begin.

Breaking in new protocols in a community in which the members have behaved All residents need to help maintain these improvements by helping with the enforcement of related protocols and bye-laws. As an example looking out for security staff to follow the check-in protocols when we are at the gates We also need to anticipate, ask the uncomfortable questions, plan our future, and implement sustainable solutions for the future, and not just react to events, and or give up and accept further physical and relationship deterioration of the estates as our lot.

DRACET Council is committed to ensuring that this future orientation becomes part of its activity. This focus will help achieve a more positive change and sustainable future for our estates and its stakeholders.

The current rate of payment is quite low, at just 50% of the households paying their fees. The situation is worse for the lighting system levy, at a payment rate

of 12%. In addition, the repayment of pre-2019 arrears are being recouped at a slower pace.

Because of the low fees and levy payment rate, the following are not yet in place:

- Most of the estate is still in darkness, the lighting infrastructure in disrepair
- Estates roadways are in a poor condition
- Directional signage and Notice Boards are either non-existent or in disrepair.
- Removal of unsanctioned plants and gardens, and construction debris in the common areas has not been completed.
- Work on the common areas including maintenance and replanting of the gardens are continuing. There has been no fumigation yet in the estates.
- The supervisory team from JSA, JSA Office and Office Equipment, permanently dedicated to Devtraco Villas has been assembled but not yet arrived.
- Fee Collection and Informational and Administrative Support have not been effectively done.

Council members and Lane Reps have heard from many residents about these specific issues and others not yet enumerated above.

Many of the complaining residents are paid up and are baffled that these services are not working as promised. Households that have not paid up are the ones preventing the paid up ones from receiving the services they were promised. They are causing an inconvenience and it is simply unjust and wrong.

Over past years, some members have been able to get away with non-payment of estate management fees, even for as long as five years!! This state of affairs is simply untenable because it is irresponsible.

All owners of properties in this estate signed on to live in a gated, private estate community, and as per the title deed they signed directly, or that was passed on to them in a resale transaction.

DRACET Council is adamant about the need for households to pay all of these fees and levies, for the following reasons:

- Residents ought to be aware that these fees represent the true cost of operations and critically needed developments for the estates, which have been neglected over the past decade.
- The fees are required to pay for the current services enjoyed by owners, tenants and other residents.
- These fees and levies are also needed for major repairs in the estates.

**APRIL 14, 2019
DRACET COUNCIL NOTICE
TO ALL OWNERS, TENANTS AND RESIDENTS**

OVER PAST YEARS, SOME MEMBERS HAVE BEEN ABLE TO GET AWAY WITH NON-PAYMENT OF ESTATE MANAGEMENT FEES, EVEN FOR AS LONG AS FIVE YEARS!! THIS STATE OF AFFAIRS IS SIMPLY UNTENABLE BECAUSE IT IS IRRESPONSIBLE.

ALL OWNERS OF PROPERTIES IN THIS ESTATE SIGNED ON TO LIVE IN A GATED, PRIVATE ESTATE COMMUNITY, AND AS PER THE TITLE DEED THEY SIGNED DIRECTLY, OR THAT WAS PASSED ON TO THEM IN A RESALE TRANSACTION, THESE PROVISIONS, AMONG OTHERS APPLY:

- MEMBERSHIP IN THE DEVTRACO VILLAS ASSOCIATION IS COMPULSORY. IT IS AKIN TO MEMBERSHIP IN A UNION. NO MEMBER CAN OPT OUT.
- A MAJORITY DECISION AT A GENERAL MEETING OF MEMBERS (OWNERS, RENTERS AND OTHER RESIDENTS) OF THE ESTATES ASSOCIATION IS BINDING ON ALL MEMBERS.
- ESTIMATED MAINTENANCE FEES AND LEVIES REQUIRED FOR MAINTENANCE AND REPAIRS ARE TO BE SHARED EQUALLY BY EACH OF THE MEMBERS (OWNERS/HOUSEHOLDS)
- NON-PAYMENT AND ARREARS REPRESENT ACTUAL DEBTS OWED TO THE ASSOCIATION WITH LEGAL IMPLICATIONS AND RIGHTS OF THE ASSOCIATION TO SEEK REDRESS.

- MEMBERS SHOULD NOT BY THEIR CONDUCT AND/OR BEHAVIOUR CAUSE AN INCONVENIENCE OR BECOME A NUISANCE TO THEIR FELLOW HOMEOWNERS AND OTHER RESIDENTS IN THE ESTATES.
- THREE MONTHS, JANUARY 1 TO MARCH 31, IS A LONG ENOUGH TIME FOR RESIDENTS TO ADJUST TO THE REALITY OF PAYMENT OF THE CURRENT FEES AND LEVIES.
- A NUMBER OF NOTICES HAVE BEEN SENT OUT ABOUT:
 - THE MAKE UP OF THE MONTHLY ESTATE MANAGEMENT FEES OF 200 GHC AND THE LIGHTING LEVY OF 300 GHC PER HOUSEHOLD AND HOW THEY WERE ARRIVED AT; AND
 - COUNCIL'S WILLINGNESS TO NEGOTIATE PAYMENT OF THE PRE-2019 ARREARS. IT IS THE RESPONSIBILITY OF MEMBERS TO SEEK OUT THESE ARRANGEMENTS AND TO MAKE RESTITUTION FOR WHAT THEY OWE.
- THE COUNCIL WILL PUT INTO PLACE NEW MEASURES, IN ADDITION TO EXISTING ONES, TO ENSURE THAT RESIDENTS ARE AWARE OF AND HAVE THE OPPORTUNITY, OR COME TO ACCEPT THAT BY CHOOSING TO RESIDE IN THE ESTATES THEY ARE COMPELLED TO MEET THEIR PAYMENT OBLIGATIONS AS OWNERS AND RESIDENTS IN A GATED COMMUNITY.
- IF A LANDLORD ENTERED INTO A LEASE AGREEMENT WITH A LESSEE, THE LESSEE IS RESPONSIBLE FOR ALL SUCH OBLIGATIONS AS LESSEES ARE DE FACTO RESIDENTS IN THE ESTATE AND ENJOY THE SECURITY AND OTHER BENEFITS PROVIDED AT COST TO ALL RESIDENTS.
- A LESSEE HAS THE OPTION TO PROVIDE CONTACT INFORMATION OF THE OWNER WITH A SIGNED STATEMENT IN WRITING TO THE COUNCIL INDICATING THE OWNER IS RESPONSIBLE FOR FEE AND LEVY PAYMENTS.
- CURRENT OCCUPANTS ARE RESPONSIBLE FOR ALL INFRACTIONS AGAINST ESTABLISHED BYE-LAWS OF THE ESTATES, WITHOUT EXCEPTION.

