



WHITE HORSE PARK COMMUNITY ASSOCIATION, INC.  
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The White Horse Park (WHP) Community Association Board of Directors (BOD) understands that it is our principal responsibility under WHP By-Laws Article VI Section 1 to manage and control the affairs of the association and under (c) Enforce and cause the Association and its members to perform and to abide by provisions of the Declaration and the By-Laws.

The Worcester County Commissioners, following a non-recommendation by the County Planning Commission, has ruled not to accept the text amendment application by Mr. Hugh Cropper on behalf of his clients and association members Sally Connolly and Sue Naplachowski.

The members of the current BOD have been serving since June 2019, or less, and we do not have the luxury of experience in dealing with either the community or the county on the residency issue. Nevertheless, we have been working tirelessly, for the good of our community, and we intend to institute an enforcement effort to address violations of the WHP Declaration which prohibits primary residency in our community. This has been made clear at our Town Hall Meeting in August, and we spoke, again, about our plan during the open board meeting on September 21, 2019.

While the number of days and/or time of year individuals can spend time in White Horse Park differ in the Declaration and County zoning code, we believe the prohibition of primary residency is the key topic at hand. Primary residency was emphatically stated in the original zoning certificate issued to the developer of our community and should be the main focus of enforcement. The conclusion of primary residency is actually easily determined with research through a readily available paper trail. The prohibition of primary residency is therefore easily enforceable. It is also a common thread in our community declaration and in the county law.

The BOD and its employees will maintain a list of community members who claim their White Horse Park unit as their primary residence. These people are deemed not in good standing. We will maintain a list of those whose primary domicile is in question for a variety of reasons. Those in question will have the opportunity to prove that their primary domicile is elsewhere. If that proof is not received in a timely fashion, those owners will be deemed not in good standing. We will also maintain a list of those owners who rent their units year-round thereby creating primary residences for their tenants. This action also causes one to be out of good standing. A notice will follow, to those who are in violation, and to those who are suspected to be in violation.

By-laws of White Horse Park Community Association, INC Article II Definitions state;

(Member in Good Standing means member who is not delinquent in any Association assessment or other obligations, who follow WHP rules and regulations, and whose actions are not detrimental or inappropriate to the Association).

WHP Bylaws Article III Section 5 state;

(The Board may suspend the voting rights, the right to participate at any meeting of the Board and/or Association, the privileges to use the common areas and any other rights of any member for:

(a) any period during which any Association assessment or other obligation, as provided in the Declaration and these By-laws, remains unpaid, and

(b) the period of any continuing violation of provisions of the Declaration and these By-laws, by such member, and after the existence of said violation has been declared by the Board. and

(c) any member whose action or conduct is detrimental or inappropriate for the Association's welfare, and

(d) a period be determined by the Board, for repeated violations of the By-laws or of the rules and regulations of the Association).

The WHP BOD hereby notifies all owners of White Horse Parks Declarations article prohibition on primary residency and of the consequences (stated above) for violation as permitted by the WHP Declaration.

Those owners who claim primary residency in our community are in violation of White Horse Park Declaration III Land Uses, 3.1 paragraph 3,

(no campsite shall be the primary and principle residence of the owner, or any other occupant thereof, it being the express intention of the Declarant that each campsite be used and occupied for camping and recreational purposes only by a single household). The Board will allow those using White Horse Park as their mailing address, or those self-reported, to prove they are not in violation as noted and that they reside elsewhere.

Under guidance from the Declaration, those owners whose primary residence is established in White Horse Park shall be subject to suspension of; voting rights, the right to participate at any meeting of the Board and/or Association, and the privileges to use the common areas and any other rights. The suspension will be reconsidered once compliance is proven. This is the gentle approach, chosen by our BOD, at this time, to demonstrate definitive action for non-compliance. We can explore other options, if need be, but it is our hope that this initiative will be successful.

Those owners who rent their units as the primary residency of their tenants will be declared in violation as well and will be advised to immediately cease and desist. Those owners shall also be subject to the suspension of voting rights, the right to participate at any meeting of the Board and/or Association, the privileges to use the common areas and any other rights of any member. If permanent rentals continue White Horse Park will seek a court order to enforce the declaration on those landlords.

The White Horse Park Board of Directors intends to cooperate and collaborate with Worcester County to ensure a unified approach to the issue of primary residency in our community. Therefore, we will be totally transparent and provide, to commissioners, any and all fruits of our ongoing investigation and efforts as they are produced.

Definitive action in this manner will impact WHP primary residency and its membership in a decisive way. It will bring about the change needed to bring WHP into compliance with the longstanding provisions of Worcester County law which only allows seasonal occupancy and with which Worcester County has mandated WHP come into compliance. The WHP BOD sincerely hopes that these actions will begin to restore law, order, and civility within our community while they prevent the ultimate decision to close White Horse Park in the off season.

Sincerely,

WHP BOD