



Tucker Talks – Episode 4

Description

Tucker Omohundro Interview – Tucker Talks about dealing with the HSVPOA – Episode 4 of a 4-part series

Dealing with the POA

This is episode four of the series which reports on the conversation we had with [Tucker Omohundro](#), HSV quality custom home builder. We spent an afternoon seated around Tucker's kitchen table, exchanging lively conversation. If you haven't already, you may wish to start with episodes [one](#), [two](#) and [three](#).

As Tucker has shared, the [HSVPOA](#), for whatever reason, is not always cooperative and easy to work with.

The Architectural Control Committee

Part of Tucker's job, under Cooper, was to oversee the ACC's day-to-day operations. About every 18 months Tucker had to have a talk with the ACC about the way they treated people. Tucker had to reel them back into reality about what needs to happen and not happen in the Village.

"I believe that we really need to get people on the committee that want to promote growth in the village. This unfortunately is not happening."

During the last election a Board candidate came to Tucker and asked him some questions about the Protective Covenants. Tucker advised the candidate, if elected, to vote the old Protective Covenants back in and make necessary amendments. That would go a long way in providing peace. Most homeowners don't know about all the restraints and difficulties dealing with the new covenants and restrictions of the Architectural Control Committee (ACC) because they are not getting permits or trying to build a house or putting in landscaping. Most Villagers are unaware about what they are putting people through."

Tucker and the “T” shaped driveway

When Tucker was building the home where he presently resides, the Architectural Control Committee told Tucker the regulations for his driveway. Tucker drew it on a board and said that this is the way that would look. The driveway would have made a ‘T’.

Tucker laughed and said, “well, good. My driveway will be my initial, ‘T’.”

POA wanted to raise assessments on commercial property

Tucker said, “ten years ago the POA decided they wanted to charge higher assessments on commercial property. You know me. I went down and spoke to them about it and told them they couldn’t do that. It’s illegal to do that.” Tucker explained that commercial property owners are a minority. Cooper is the biggest commercial property owner in the Village. They didn’t put higher assessments on Cooper, only everybody else.

Tucker said, “long story short. We sued the POA. It dragged out for a few years. We won and got our money back. The POA paid our attorney, over \$100,000. I told everyone that I could about it but still a lot of people didn’t know about it.”

Tucker said, “if we told somebody what we have dealt with in the last two years, they would look at us like we were nuts.

POA wanted gift of land in exchange for building permit

“We were trying to get a permit to build a building on privately-owned commercial property. One of the stipulations for us to get the permit was for the property owner to give the POA part of the land so the POA could put a walking trail around the buildings. The POA wanted the property owner to give the POA land in order to get a building permit. Have you ever heard of such a thing?”

Tucker and the property owner had to hire an attorney to get the permit without giving away some of the land to the POA. Isn’t that crazy?”

ACC wants to deny permit because of contractor’s license expiring (they expire every year)

“In December or January, we were trying to get the building permit. My contractor’s license is renewed annually. The POA used the excuse that my contractor’s license would expire in May. So, you’re not going to give me a permit? I can only get my contractor’s license for a year at a time. And I can only renew it when it is due. You’re not going to let me have a permit because my contractor’s license expires before I have the project done?”

POA tried to make Tucker purchase an unnecessary bond

Next the POA told Tucker that he would have to purchase a bond.

A bond is between the owner and builder. It does not protect anyone else. It should be the owner's option.

Tucker said, "they were just coming up with stuff, wanting me to buy a separate general liability policy. The land already has a liability policy on it. If you own land with commercial buildings, it's advisable to carry a liability policy on the land and buildings, which we have.

Cooper did right by people



Cooper Communities, a longstanding and well-respected Developer of Hot Springs Village

Tucker said, "**Cooper** has always done right by people. Years ago, we built a subdivision called, 'Magnifico'. One of the salespeople came to me and said 'Tucker I have some clients that want to buy a house/lot package in Magnifico. The potential buyers are afraid of what is going to be built on the reserve property there. It is not commercial property. It is reserve property.' The salesperson said the clients need assurance that nothing is going to be built on the reserve property. I told the salesperson I could not give her this assurance. The salesperson wanted to know what I meant. I told her I couldn't guarantee something wasn't going to be built on the reserve property. I would be lying if I said that. I would be surprised if something was not built there someday. We grow. The country grows and there is only so much land. Sure enough, that was probably 20 years ago and within approximately 10 years Relyance Bank was built. We were not going to lie to people."

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Written by Cheryl Dowden

Photography by Joe Dowden

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Author

lynn

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