

CRESTWOOD HILLS ASSOCIATION
986 Hanley Avenue
Los Angeles, California 90049

Re: Tree Committee Procedure

Dear Neighbors:

The Crestwood Hills Association Tree Committee was recently contacted by a member of the Crestwood Hills Association identified as the “view” party above regarding trees on the property of the owner identified as the “trees” party above. Views of the Los Angeles basin, coastline, hills and canyons, and sky are an important part of what makes Crestwood Hills a special place to live. This is why the Tree Committee exists. This letter is a summary of the Tree Committee process.

Background

The Covenants, Conditions and Restrictions for the Crestwood Hills Association provide that no trees or shrubs may be maintained in excess of six (6) feet in height without the prior written consent and approval of the Association. The Crestwood Hills Association Tree Committee is an instrument of the Board of the Association.

Contact and Investigation

If contacted by a member of the Association, the Tree Committee will issue a “Findings Letter” on the following conditions: (i) the view party is a member in good standing of the Association (ie. the view party owns a home within the boundaries of the Association properties and has paid dues in the current year); (ii) the trees party owns property located in Crestwood Hills; (iii) the view party signs an agreement in the form required by the Association and pays a non-refundable processing fee of \$75; and (iv) the view party has contacted the trees party and attempted, in good faith, to resolve the matter by mutual agreement. The Tree Committee encourages neighbors to work together to preserve views and to resolve issues consensually. If the matter cannot be resolved the Tree Committee will thereupon contact both parties and will view the trees from the view party’s home.

Findings Letter

After conducting its investigation the Tree Committee will issue its Findings Letter. The Findings Letter will describe the trees in question, will state whether they comply with the CC&R's, and if they are not in compliance it will state what trimming or removal will be required to bring them into compliance with the CC&R's with respect to the view party's property. Typically the Findings Letter will also include a photograph that includes a depiction of the level at which the trees should be maintained.

Enforcement

Neither the Tree Committee nor the Association will bring legal action to enforce the CC&R's with respect to tree issues. However, the view party may do so and the Findings Letter may provide the basis for a claim.

The Tree Committee has found that tree and view-related issues tend to be similar throughout the community. See Exhibit A for commonly asked questions.

Tree Committee

Crestwood Hills Association

Exhibit A

COMMON ISSUES

Trees Party

“The trees have been on this property for a long time and no one complained.”

Answer: Because the Association does not police the height of trees or the obstruction of views, it is up to the view party to contact the Association and the failure to do so, even for a period of many years, is not a waiver of the view party's right to a view. Noncompliant trees do not become compliant because no one notices or no one complains, or just due to the passage of time.

“My neighbor has lots of tall trees on his/her property – why should I have to trim mine?”

Answer: Your neighbor is entitled to a view free of obstruction by your trees regardless of whether there are trees on his/her property. Those trees may not obstruct anyone's view. Or another neighbor (or you) may ask that your neighbor trim them and your neighbor will be obligated to do so.

“There are tall trees all over the neighborhood – does that mean that the CC&R restrictions on tree height no longer apply?”

Answer: The restrictions still apply. Some of the trees you see are not within the Association boundaries. Some do not obstruct views. But views are an important part of what makes Crestwood Hills special and if we allow them to be blocked we all suffer.

“Trimming my trees will injure or kill them – I have a letter from an arborist to this effect.”

Answer: Trees are remarkably resilient. We have seen many such letters, yet we have never seen a tree die when trimmed, even when the trimming is extensive. Additionally, if trimming is not feasible the trees can be replaced with more appropriate trees or shrubs.

“I need my trees for privacy reasons.”

Answer: Plant hedges! Hedges are dense and provide excellent screening and also reduce noise. The trunk of a tall tree provides very little privacy and the bushy part of the tree at the top, which blocks your neighbor's view, provides none.

“I just trimmed my trees two years ago.”

Answer: As indicated above, trees can grow very quickly. If annual trimming is an inconvenience, removing the trees is an option. However, if you like the amenity of trees on your property you need to keep them trimmed to a level that does not interfere with your neighbors' views.

View Party

“Can you call my neighbor and tell them to trim their trees?”

Answer: The Tree Committee will issue a Findings Letter, but we are not your spokesperson or advocate. Before we become involved we expect you to contact your neighbor, communicate what you are requesting, and work in good faith to come to a neighborly resolution.

“My neighbors are bad people and we have many disputes over various issues.”

Answer: The Tree Committee only addresses view issues. We make our determination based on the view, not the personalities of the individuals involved or other issues between them.

“I have a petition signed by several neighbors, all of whom have a problem with the trees.”

Answer: The Tree Committee only addresses issues between two properties at a time. We cannot, and do not purport to, view trees from every conceivable angle and make a global determination as to whether every view from every vantage point is affected.

“My neighbor trimmed the trees but not to the level specified in your report.”

Answer: If you request, the Tree Committee will do a follow up report to determine whether trimming was conducted in conformity with the Findings Letter.

“My neighbor received your report but still refuses to do anything.”

Answer: We find that most tree/view issues are resolved amicably. It is in your neighbor's interest to be cooperative since their own view is likely important to them and they live in the same community. However, in the rare instance where your neighbor refuses to cooperate you may need to retain the services of an attorney to enforce the CC&R's.