

BALLOT & PROCESS OVERVIEW

What are the Restrictive Covenants (aka Community Covenants)?

The Covenants are rules established by the community's developers nearly 60 years ago and attached to every Whispering Oaks property deed in perpetuity. These common sense rules promote neighborly conduct, mitigate conflicts, and safeguard everyone's property values by promoting neighborhood integrity.

Why is WOHA leading a campaign to amend the Covenants?

The Covenants have never been updated and do not address modern concerns such as Short Term Rental properties. WOHA was asked to lead the initiative and gathered input from the community before partnering with legal experts to develop the current ballot.

Can WOHA legally pursue amendments to the Covenants?

Yes. Any property owner can seek to amend the Covenants. This includes those who are members of WOHA or serve on its Board.

Did WOHA's membership vote to pursue amendments?

Yes. Members attending the Annual Meeting in September 2023 provided overwhelming approval.

Do the Covenants apply to only WOHA members?

No. The Covenants were established years before WOHA formed and apply to all 752 residences regardless of WOHA membership status.

How many Covenant amendments has WOHA proposed?

Seven amendments appear on the current ballot. See below for an overview of each.

What threshold is needed to ratify any of the amendments?

Simple majority approval within a Unit is needed to ratify any amendment within the Unit.

What happens if an amendment fails to secure majority approval within a Unit?

Amendments that fail to secure the required threshold would not take effect within the Unit.

Is it possible some Units will approve amendments that others will not?

Yes. Each Unit will be tallied individually. Therefore some amendments may be ratified broadly across the subdivision, while others may not.

Would this potential variation among the Units create complexity?

Possibly. But the Covenants already vary among the Units.

When would approved amendments take effect within my Unit?

Any amendments which secure majority approval from the property owners within a Unit would become effective for all residences within said Unit shortly after being filed with Bexar County in 2025.

What is a Unit?

The community's developers filed the Covenants with Bexar County in 29 groupings known as Units, and thereby established a contract among the property owners within a Unit. Some Units have lots of households, some only a few.

What is my Unit Number?

Each ballot has a pre-printed address and Unit identification. To verify your Unit, refer to the Restrictive Covenant document attached to your deed on file with Bexar County. WOHA does not have a full list to share.

Is there a benefit to some Covenants mimicking city ordinances?

Yes! Covenants empower residents to resolve lingering violations without relying upon city staff to intervene.

Who enforces the Covenants?

Each property owner is legally empowered to insist that the Covenants be adhered to within the respective Unit. Some residents prefer to rely upon WOHA rather than engage a neighbor over a potentially contentious issue.

How are ballots allocated?

Each property owner may be entitled to one ballot. Therefore its possible a spouse may also receive a ballot. A trust or company receives only one ballot. Only property owners on file with Bexar County may vote.

When will I receive my ballot?

WOHA is distributing ballots in stages. Ballots are mailed to the property owner address on file with Bexar County (visit BCAD.org to view). If you do not receive a ballot before January 1, 2025 please contact WOHA via its website.

How to I submit my ballot?

Completed ballots can be mailed to the address printed on the ballot. WOHA will also conduct a series of Drop-In events where its representatives can answer questions and ballots can be submitted.

Does my spouse need to sign the ballot too?

It's a good idea to collect a signature from a spouse who did not receive a separate ballot.

Can my household vote for each of the proposed amendments individually?

Yes. Check the box to approve or reject each amendment.

Can I modify amendment wording on the ballot or make similar stipulations?

No. You may either accept or reject each amendment as it appears. Any modifications may invalidate your ballot.

How can I obtain a replacement ballot?

Contact WOHA via its website to obtain a replacement ballot. Please provide your name, address, and allow up to 10 days for a response.