



Diana Ungerleider <dianaunger3@gmail.com>

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**FW: 1054 Palisair place**

2 messages

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**Di Saia, Steven** <Steven.DiSaia@sedgwicklaw.com>  
To: Diana Ungerleider <dianaunger3@gmail.com>

Thu, Jul 10, 2014 at 8:47 AM

For the file.

Steve

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**From:** Di Saia, Steven  
**Sent:** Thursday, July 10, 2014 8:43 AM  
**To:** 'sasan samimi'  
**Cc:** Ounce Collection  
**Subject:** RE: 1054 Palisair place

Hello Sassan:

Yes, I received your prior e-mail, but have been consumed with work the last two days and just have not had the time to respond. I did see Mehran yesterday evening, however, and talked thru some of the issues that you have raised. Based on your message, I believe that you may have misunderstood the circumstances here in some key ways.

The Board for the PHOA is not the source of the request to have an independent survey done. We are quite pleased with the survey that you did provide and have no grounds to question its accuracy or validity. Rather, it is the affected homeowners, one of which you mention below, who have demanded that the Board obtain this independent survey because they do not accept its validity. In an effort to resolve this dispute and demand, the Board has taken on the cost of having the independent survey done, which will then be distributed to the homeowners in order to validate the work that was performed on your behalf. While we apologize that you have had to go to this extent essentially to defend the propriety of your work, which the Board also has not questioned, we cannot reimburse you for that expense and pay for the additional survey that the neighbors have demanded of us to defend the on-going construction.

I will note, by the way, that the survey that you provided is dated February 12, 2014, a few months prior to my request for the survey. As such, it has always been my impression that the survey had already been completed and you simply obtained a stamped copy of that survey for our use. If that effort, in and of itself, cost you over \$1000, I wish you had raised that fact with us at the time – I had no intention that you shoulder that level of cost to get the document to us in record time and certainly would have put the homeowners off for a period of time to allow you the time to get it at a lesser expense.

If this fact is not accurate, and the survey was in fact done at the time that I requested it, please let me know. One of the issues that the neighbors have raised is that they do not believe that the roof was substantially completed by February and that the measurement is thus rendered further inaccurate. I will note that I have disagreed with them on this matter, by the way. I have been to the site a few times over the course of the last year, and have seen the construction from the street far more often, and believe that the roof was largely sheathed by that point in time.

As for the attendance of your surveyor at the survey to be done, I do not see why his attendance is necessary. The surveyor hired independently by the Board will use the same plans that yours used and measuring from that basis, as well as his inspection of the site. If there is some specific place from which the measurement needs to be taken to demonstrate its accuracy, that information can be provided as well. Now, if you have a concern that the survey will not be done accurately by this new gentleman, and you want have your guy there to insure that the proper instrumentation and practices are used, that is your option, but I do not see it as fair that the Board pay for his attendance. Again, this whole effort and expense, which has been substantial on the part of the Board, has been expended to defend your project from the positions taken by others.

On the plans, I had requested PDFs of the A and C plans, if available, as they would allow the surveyor a chance to see them as soon as possible. If they are not in existence in this format, that is fine; we can give him our paper copy of the plans for review. It was only an effort on my part to provide him the information by e-mail, and hence as soon as possible, so we can move efficiently past this issue.

Lastly, on the issues raised below, I must apologize to you for having to deal with this level of harassment. While I knew that some of the neighbors are less than pleased, I had no idea that it had reached this level. I will reinforce with those within whom we are in contact that such abuse is not proper or tolerable. I had also heard that Mr. Oliver had gone onto the property on his own on at least one occasion and passed that information along to Mehran when I was informed. I will reach out in this regard as well – it is not acceptable conduct.

Steve Di Saia

Chairman, Plans Committee

*Palisair Home Owners Association*

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**From:** sasan samimi [mailto:[sassansamimi@gmail.com](mailto:sassansamimi@gmail.com)]

**Sent:** Wednesday, July 09, 2014 6:50 PM

**To:** Di Saia, Steven

**Cc:** Ounce Collection  
**Subject:** 1054 Palisair place

Hi Steve,

I wanted to make sure you got my email that I sent last night.

Please confirm receipt.

Also I wanted you to know that Mr. Hal has been very abusive towards our workers and delivery people. As soon as a truck shows up to deliver materials he comes out and starts arguing with them and then calls parking enforcement. on several occasions our subs have been given ticket while they were unloading materials.

He has also entered our property without permission.on several occasions.

Please remind him and warn him that next time he enters the property or use aggressive foul language we will have no choice to call the police and file a complaint against him.

Regards,

Sassan

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The information in this email is intended for the named recipients only. It may contain privileged and confidential matter. If you have received this email in error, please notify the sender immediately by replying to this email. Do not disclose the contents to anyone. Thank you.  
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**Diana Ungerleider** <dianaunger3@gmail.com>  
To: "Di Saia, Steven" <Steven.DiSaia@sedgwicklaw.com>

Thu, Jul 10, 2014 at 1:05 PM

Thanks, I'll save it and put it in the file.

Diana  
[Quoted text hidden]