

Palisair Home Owners Association

A NON-PROFIT CORPORATION

P.O. Box 901

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The association itself is a "Tract Committee" under the Declaration of Restrictions covering Tracts 15944, 15948 and 19890, and operates as such through its Board of directors and its Officers

PHOA BOARD MEETING SEPTEMBER 18, 2017 MINUTES

I. Vice President Howard Weisberg called the meeting to order at 7:05 p.m. at the home of Leila and Faryan Afifi. Present: Brian Bradford, Diana Ungerleider, Howard Weisberg, Suzanne Weisberg, Roger Broderick, Dawn Hill and Chuck Emerick. Absent: Francine Kirkpatrick and Miriam Schulman.

Also present: Kim Bantle and Richard Blumenberg.

Guests present: Jesse Martin (owner, 1124 Las Pulgas Rd.), Jason Massaband (architect for 1124 Las Pulgas Rd), Rob Lekstrom (developer for 1124 Las Pulgas Rd), Jonathan Weisberg, Chris Fabian, Ani Issaian, Ingrid Kern, Lee Silverton, Marion Ball, Julie Slutzker, David Schultz, Rachel Schultz, Debbie Streiber, Andrew Streiber, Arturo Gonzalez (property manager for Ms. Streiber), Dr. Michael McCall (friend of Ms. Streiber), Georges Vernez, Alex Gabayan, Victoria Gabayan, Doug Baron, Shirley Ohari, Leila Afifi,

II. General Comments None.

III. Approval of 8-14-17 Minutes Minutes from the previous meeting were reviewed and were approved as written.

IV. Treasurer's Report

a. Bank Balances Chuck reported that checking account balance is \$17,595.03 and reserve account balance is \$24,533.00 He distributed the current Balance Statement and Profit and Loss Statement and reviewed with Board.

b. Delinquent Dues He reported that there are currently 16 home owners in arrears, owing \$15,053.45 in unpaid dues.

c. Use of legal firm for collection of unpaid dues dues Howard reviewed the history of the PHOA 2011 CC&R revision that instituted mandatory dues for the PHOA, and explained that the Board has a fiduciary responsibility to collect unpaid dues, in accordance with the Davis-Stirling law. Many attempts have been made by past Boards to request that homeowners pay, with little or no response.

The current Board has sent out two mailings, following the procedure that the Davis-Stirling law provides for HOA collection of past due assessments (dues), late charges, and interest. We sent pre-lien letters to delinquent owners in August. We also sent a second letter in early September, explaining in clearer language than in the pre-lien letter that the Member can request, in writing, a private (Executive Session) meeting to arrange a Payment Plan, and offering Members an opportunity to do so without their cases being turned over to a law firm for collection at this time. We have now collected about 40% of the total amount due going back to 2012.

Emerick explained the process by which the law firm Witkin & Neal could handle further collection, with all costs being paid by the delinquent homeowner. This process is too technical, time-consuming, and stressful to be continued by unpaid volunteers.

Howard recommended that files of the Members that are in arrears and have not requested Payment Plan meetings be turned over to Witkin & Neal for collection. Board discussed and several home owners expressed opinions. Home owner David Schultz spoke about the Board's proposal to use a law firm to collect unpaid dues, and urged the Board to not take such action.

d. Vote Howard moved that with the exception of three home owners who requested hearings, the work of collecting unpaid dues be assigned to Witkin Neal; Chuck seconded; 3 in favor, 4 opposed; motion failed.

V. Membership and Governance

a. CC&R Rewrite Postponed.

b. For Sale and Escrows No report.

c. Executive Committee/ Executive Report No report.

d. Annual Mailing to Membership Howard, Chuck and Diana will meet to discuss mailing, budget and other required documents.

VI. Plans Committee

b. Under Review (September report):

i. 1124 Las Pulgas Rd. (Martin) PHOA consulting architect Richard Blumenberg reviewed the plans for a remodel and addition. He found no issues with the plans. The addition is below 15 1/2 feet from the original grade as the homeowner is digging down. The owners have agreed to install story poles to determine whether or not there is a view blockage. Those are to be installed soon. A site visit and neighborhood meeting will be scheduled once the poles are in place.

b. Under Review (no report this month):

i. 1055 El Medio Ave.- Chapin No report.

ii. 1160 El Medio Ave. - Gonzales No report.

c. Under Construction:

i. 1341 Las Canoas- Koch No developments.

ii. 1261 Las Lomas Ave. - Rothman No developments.

VII. Landscape Committee

a. To be reviewed this month:

1000 Las Lomas Ave. (Streiber) Suzanne reviewed history and read tree complaints submitted by two homeowners. Owner's son requested that she be allowed to postpone tree trimming until the winter when the tree is dormant. Suzanne moved to schedule a violation

hearing, which will be held in Executive Session, to evaluate whether there is a CC&R violation; Bradford seconded; 6 in favor, 1 abstained. Meeting will be arranged.

b. Backlog- no report this month:

- i. 949 Las Lomas Ave. - Thomas**
- ii. 1034 Las Lomas Ave. -Vernez**
- iii. 1261 Las Lomas - Rothman**
- iv. 1170 El Medio - Gallagher**
- v. 1200 El Medio - Barber**
- vi. 1216 Las Pulgas Rd. - Wellwood**
- vii. 1148 Las Pugas Rd. - Darvish**
- viii. 16037 Anoka Dr. - Ohari**
- ix. 1177 El Medio Ave. - Emerick**

VIII. New Business/ Old Business None

The meeting was adjourned at 9:10 p.m.

Next meeting: **October 16, 2017** (third Monday of the month)

Respectfully submitted,

A handwritten signature in cursive script that reads "Diana Ungerleider".

Diana Ungerleider, PHOA Secretary