

RECALLING Edgewater Isle South HOA

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September 27, 2007

To: Edgewater Isle South Home Owners' Association
Lynn Hanlon, Jim Newell, Barbara Finnegan, Michelle McLaughlin, Sylvia Morrison and Nick Pargett (Pargett Associaton Management)

CC: Homeowners, Politicians, ECHO, Attorney's, Website Media

Re: Request for Roster in its entirety - Purpose: **RECALLING OUR HOA 2007
100 UNITS**

This is a **legal** and **formal** request for the total list of Edgewater Isle South homeowner's addresses. The privacy form that you sent out doesn't apply to recalling the HOA. My name is even on that form. Many homeowners misinterpreted that form. Of course homeowners want and need to be apprised of data, material and information, that concerns matters of our complex, our homes, our personal sanctuary. Every homeowner has a right to vote. **Voting is the democractic way of a civilized society. By not allowing the voting process is a dictatorship.**

California law states that every homeowner has the right to have every homeowner's address. The California law also states that I must receive the list within ten (10) days. End of story.

ABOUT ONE HALF MILLION DOLLARS A ^{Year} IN MONTHLY DUES
Core reason for RECALL: 68% rise in monthly dues over four years. Our Bay Area community is **outraged** about such high monthly dues. Over this four-year period, there have been stock market problems, an employment crisis, mortgage crisis, and a health care crisis. Homeowners are stressed financially, physically, and emotionally. Homeowners are anguished, frustrated, and angry. Homeowners are depleted psychologically. **THERE ARE MANY OPEN WOUNDS IN THE HEARTS AND POCKETS OF MANY HOMEOWNERS.** There is **NO JUSTIFIABLE JUSTIFICATION FOR a 68% rise in monthly dues. You, our HOA, has created, produced, and directed such high monthly dues that it culminated into two mortgage payments for many homeowners. Edgewater Isle South is in financial PERIL. You, our HOA. ordained yourselves with a cornucopia sense of entitlement.**

Supervisor, San Mateo County, Jerry Hill, called me up and is extremely concerned about the 68% rise in monthly dues over a four-year period. Senator Leland Yee called me up and is as concerned about the 68% in the rise of our dues in a four-year period. Assemblyman, Gene Mullin is very concerned about the 68% rise in monthly dues over a four-year period. Caringly, Assemblyman Gene Mullin is taking this issue and other issues to protect and secure homeowners rights to Sacramento next session. I hope to go to Sacramento next session and share with the lobbyists and the state legislatures what

has been going on at EWI SOUTH due to many of their laws to explain at the next Assembly Session how EWI SOUTH HOA feels **invincible** due to the present Laws.

ECHO, Executive Council of Homeowners Association, received many of my documents in August 2007. They were brought to the attention of Oliver and Tyler. I spoke to Tyler on the phone. I asked Tyler what he feels about a HOA raising its monthly dues by 68% in a four-year period. Tyler told me that 68% in a four year period was **most unusual**. I asked Tyler if in all his years at ECHO, did he ever hear of a HOA raising its monthly dues 68% in four years, Tyler said **no**. **Three important words from ECHO, MOST UNUSUAL and NO.**

ECONOMIC ANXIETY IS ABUNDANT AT EDGEWATER ISLE SOUTH.

The mantra of any HOA should be **COST CONTAINMENT, COST CONTAINMENT, COST CONTAINMENT, COST CONTAINMENT, COST**

Core reason for RECALL: NOT PERMITTING homeowners to VOTE on the issue of whether they want Earthquake Insurance or not. VOTING IS A DEMOCRATIC WAY OF LIFE. NOT BEING ABLE TO VOTE IS A DICTATORSHIP. NOT permitting homeowners to vote HAS A HAUGHTY ATTITUDE RING TO IT.

Edgewater Isle South has become infamous for all the wrong reasons. Our HOA is a classic example of WHAT NOT TO DO. We need to vote on special assessments.

Core reason for RECALL: EARTHQUAKE INSURANCE We are very fortunate to have Joe Totah. Joe Totah lives at Edgewater Isle South. His profession and expertise is in the Insurance field. His interest is in the best interest of our complex. Nick Pargett, Property Manager, ignored Joe's e-mails concerning better earthquake insurance options for our complex. At the August Board meeting, the Board members did not pay attention to Joe's wisdom. We do not need to pay any Insurance consultant when we have Joe. Joe gave out an important paper on the Insurance Agency, that you, our HOA, signed with. The paper states that **" the insurer is not subject to the financial solvency regulation and enforcement which applies to California Licensed Insurers. The insurer DOES NOT participate in any of the Insurance guarantee funds created by California Law. Therefore, these funds WILL NOT PAY OR PROTECT YOUR ASSETS if the insurer becomes insolvent and is unable to make payments as promised."** Joe feels we have more beneficial options open to us with beneficial cost containment. **OUR HOA SHOULD UTILIZE THE PROFESSIONS AND WISDOM OF OUR HOMEOWNERS.** This Earthquake Insurance issue shows the unwillingness of our HOA to identify with the feelings or needs of its members, the homeowners, a core problem. You, our HOA, lacks transparency, a core problem.

Many homeowners now want their Earthquake Insurance payment refunded to them and rightly so.

Core reason for RECALL: The Board of Directors letter to members (homeowners) dated September 11, 2007, committed a very serious moral transgression. The Board, you, did not debate or criticize my document, dated August 9, 2007. What you, the Board did, was **CONTRADICT** my letter. Every statement the Board made in their first paragraph was **DIAMETRICALLY OPPOSITE** of what I stated in my document. I got so many phone calls from homeowners who are worried about the veracity, the honesty, and the sincerity of our Board. Homeowners are concerned about how they can trust anything our Board says or does. Due to this letter many homeowners feel that the **CREDITABILITY OF THE BOARD IS NO CREDITABILITY AT ALL**. Without trust there is **NO FAITH** in the Board. Without faith there is **NOTHING**. A **RECALL**, of the Board of Directors, is the responsible, fair, honest, and **INTEGRITY** action to proceed with. Shame on you, o **Honesty and respect is the core of a successful HOA**.

When I called Nick Pargett and told him how I felt about the Board's letter. Nick Pargett, Property Manager, told me, "**Moxi, be careful what you write you are libel to be sued.**" Nick Pargett then proceeded **TO HANG UP ON ME**. Second time the Board has threatened me. In their letter, it was stated, "**in which concerns are expressed in an unacceptable and even possibly actionable manner.**" Therefore, I had two attorneys and a clinician read my document and the Board's letter. All three concurred that what the Board stated in their opening paragraph was completely opposite of what I stated. The clinician diagnosed the letter as **NARCISSISTIC** in nature, in contents.

Due to the serious implications of your letter, HOA, I joined the website media. The first paragraph of the Boards letter, what I stated in my document, as well as the 68% increase in monthly dues over a four-year period, no quake vote will be put on the website.

www.edgewaterisle@yahoo.com

Core reason for RECALL: The Reserve Fund should be used for construction, Example of construction, the decks, the siding. **We should not have SPECIAL ASSESSMENTS AFTER SPECIAL ASSESSMENTS FOR CONSTRUCTION**. You, our HOA, are so obsessed with building up the Reserve Fund at the expense of the present. Your mentor, your guru, Attorney Tyler Berding, (Berding & Weil, LLP) from my research and reading, I believe Attorney Tyler Berding would use the Reserve Fund for construction. Why doesn't the Board ask him? From my research on Attorney Tyler Berding, I found him to be very humanistic and caring about the homeowners. **Our HOA lacks EMPATHY**.

In your letter you degraded other Management Associations, other HOA's. There are many avenues to reach the same goals. It will be interesting to hear what other Associations think about your assessments of them. Other Associations might feel that Edgewater Isle South HOA and its Property Manager, Nick Pargett **over estimate their abilities and inflate their accomplishments**.

So you don't want us to compare our complex with others. Are you telling us we can't think? Thinking people always compare. Comparing is healthy. Comparing is a learning experience. Comparing widens our horizons. If we did not compare, we would become **mentally stagnate**. We compare schools, politicians, cars, jobs, medicine, etc.. **Life is**

perpetually comparing. We acquire knowledge from comparing. We become wiser. It seems what you are asking us to do is to become STUPID, become ROBOTS. We will always compare Edgewater Isle South with other Associations. What are you afraid of us finding out? Maybe that we have the highest monthly dues, we do not vote as other Associations do, homeowner's matter. Other HOA's also matter.

Again

Simple fact our Reserve Fund is for construction such as decks, siding etc. We should not be getting SPECIAL ASSESSMENT after SPECIAL ASSESSMENT. Our Reserve Fund grows monthly and we withdraw from our Reserve Fund as needed for construction projects. Our Reserve Fund is also for when we are in a crisis. We don't save our Reserve Fund waiting for the sky to fall. Yes, we need to save. but we also need to live in the present practicing COST CONTAINMENT.

Core reason for RECALL

I was not at the Annual Meeting, but homeowners' stated that the Annual Meeting was very disturbing to them. They felt that the Board of Directors, and Nick Pargett did not listen or hear them. They felt that the Board of Directors did not see them but rather looked through them. When homeowners brought up the fact that Nick Pargett wrote in a 2006 Newsletter that homeowners would be able to vote on the Earthquake issue for 2007, homeowners wanted to know why that never happened. Nick Pargett and the Board of Directors ignored the homeowners' humanism. The Board of Directors negated their homeowners' rights. Homeowners stated to me that they would not be going to next years Annual Meeting for it is futile. **OUR HOA LACKS EMPATHY, a core problem.**

Core reason for RECALL: Trees damaging our cars. Cracks, deep grooves, on sidewalks, due to the roots of the trees uprooting. For four years we have been libel for Law Suits if anyone got injured due to the grooves in our sidewalks. Only within the last year did the sidewalks get mended. However, the roots are continuing to break through the sidewalks. The HOA was to remove the trees and replace them with trees that do not drip sap onto our cars that stain, brand, discolor and blotch them. My car is permanently damaged. You, our HOA, has paid Tree Consultant after Tree Consultant, and you still have not removed the trees. Cost containment would be to have no trees at all and simply have grass. Grass would be eye appealing and practical. I have in my possession a petition that Homeowner's signed five years ago to remove the trees. Three Board members have only one car and park in their garages. Lynn Hanlon, alleged years ago that her tree was dying. Her friend, Carol Fabricant, was on the Board at the time, had the tree removed. If a HOA cannot make a decision about trees, protect cars, people from potential injury, tress falling down then, HOW CAN THEY MANAGE OUR PROPERTY?

IT TAKES A COMMUNITY OF HOMEOWNERS TO RAISE A BOARD.

Due to previous experience, it is to be noted that if anything happens to my property, my fur family, or me my attorney, my family, my friends, and neighbors have a list of people of interest for the authorities to contact.

Morie Posner