

# **ASHWOOD LAKES HOMEOWNERS ASSOCIATION OF BREVARD, INC.**

**February 29, 2016 at 6:00 PM at Grace Fellowship Church**

## **Meetings Minutes**

### **Status Update to Open Violations Meeting**

**Directors Present: Brian Hume, Bernard Fischer, Arvedra Simmons, Stacey Owner, Chuck Cihal, Pat Dodsworth, Lynn Hudson and Marie Simoneau.**

**Absent: Michele Pennington**

Call To Order: Brian Hume called the meeting to order at 6:06 PM.

**Purpose:** Review open violations files/fines. Findings will be reviewed with attorney. Fischer will coordinate with the Lawyers and report to the board all options the board can take. No legal judgements will be made by the Board.

- 1. 3994 Orion Way:** Violation was sent 9/8/15. Revised Violation letter sent 9/15/15 including additional infraction. Received signed mediation agreement from Owner. Sent renewed statutory offer to participate in presuit mediation on 11/12/15 as Owner's choice of mediator was unavailable without Owner having legal counsel. No response from Owner as to choice of mediator. **No correspondence since 11/17/15. Missing hardwood tree and needs 14 3 gallon plants in front and side of home. Will follow up on mediation.**
- 2. 3886 Montesino Drive:** Violation letter sent 4/8/15. Received letter from Owner's attorney. Responded 5/7/15. Application dated 05/20/15 completed by the owner and submitted to ARC. Approved 5/30/15 and forwarded 6/1/15 giving her until 7/1/15. **Plants and hedges completed during summer, in compliance. May be fined up to \$50 for breach of contract. ARC application was not completed.**
- 3. 4291 Ventana:** Violation letter sent 4/14/15. Contact from/to the owner regarding setback line clarification. On 10/5/15, advised Board of its option of either filing suit for an injunction to force her to comply with any remaining infractions or sending a revised violation letter. **Offer of mediation sent 8/14/15. Bushes need to be cut to 3' with a 25' setback.**
- 4. 3802 San Miguel Lane:** Violation letter sent 8/5/15. Owners' attorney sent his 10/6/15 letter. Responded 10/21/15 that fence needs to be removed. **Owners has fence approval letter, however, fence needs to come down due to age of children. ARC approval should have been received prior to fence going up.**
- 5. 3896 La Flor Drive:** Violation letter sent 10/7/15. **No ARC application approved for landscaping, paint, etc. Consult with attorney.**
- 6. 3811 La Flor Drive:** Violation letter sent 9/8/15. Owner telephoned several times and sent photographs of yard. She advised that years prior they had submitted application and received approval from the ARC for landscaping. We requested copies of any paperwork. Board confirmed yard did not comply with Declaration mandate of a "minimum of 14 3-gallon shrubs

must be planted in the front and side yard of each residence". **ARC to investigate. Consult with attorney.**

7. **4306 Ventana Boulevard, Case No.: 05-2013-CA-034585:** Bank foreclosure was filed in May, 2013. A Case Management Conference is set for 2/16/16. **Refer to SCPM, for follow up.**
8. **3868 La Flor Drive, Case No.: 05-2015-SC-016259:** A Small Claims Court suit was filed on behalf of the Association. The Association obtained judgement on 6/5/15 against owner in the sum of \$2,823.77. **Follow-up with attorney. ARC will address application for paint color deviation.**
9. **3872 San Miguel:** Renting out home. Has received letter to take down fence. **ARC to consult attorney to see is zoning can be used as opposed to property lines for fencing.**

Meeting adjourned at 7:48PM.