

Bull Run Unit 1 HOA Board of Directors Meeting

Location: 2724 Breton Ridge Drive

Purpose: Lawyer Evaluation of BRU1 & MRA Documents plus other items

Director Attendees: Phil Ross, President
David Beverly, Dir.
Bruce Gillander, Dir.
David Ray, Dir.
William Stimmel, Dir.

Resident Attendees: 7 residents (see attached)

Call to Order Time: 7:01pm

Reading of Previous Minutes

The BoDs had been remiss in reading & approval of previous minutes for:

- 3 BoDs meetings
 - 8 Feb 18
 - 29 Mar 18
 - 18 Apr 18 (closed meeting)
- 2 ACC meetings
 - 7 May 18
 - 4 Jun 18

The minutes had been previously distributed to the BoDs, so a cursory reading of all minutes was done for the edification of those residents who were present.

Motion to approve all minutes as read: Bruce Gillander

Second: David Beverly

Vote: All in favor of approval of minutes as read

Hire Lawyer to Review BRU1/MRA Documentation

Jeremy Anderson of Anderson/Givens Attorneys at Law provided an opinion to the Barrington Park COA that the payment of Master Association Assessments as imposed by Byron Block, Developer, was not enforceable since at the time of the Declaration Mr. Block did not own any of the properties. Andrew Elekes of TPAM, Barrington Park's and BRU1 HOA's managing agent passed that information along to the BoDs. Pres. Ross & Dir. Ray contacted Anderson by phone and obtained a quote from Anderson for \$225.00 (1 hour) to review our documents and provide an opinion on our status with the MRA. Since BRU1 HOA pays approximately \$720.00 annually for our share of the MRA 2018 budget and BRU1 HOA has not received any benefit whatsoever for that cost, it is worth the assessment by Anderson. Also, Pres. Ross investigated the timing of events and found that only Bull Run Unit 3 was still under Developer Block's Directorship at the time of the incorporation of the MRA and signing of the MRA Bylaws on 23 June 17.

Approved at 13 Nov 18 BoD Meeting

Motion to hire Jeremy Anderson of Anderson/Givens PA to evaluate BRU1 HOA & MRA documents: Dave Ray

Second: Bruce Gillander

Vote: All in favor of hiring Jeremy Anderson for documentation review

Past Due Assessment Collections

According to the latest statement from TPAM, BRU1 HOA's managing agent, there are 5 residents with past due assessments:

- Pooja Kapoor at 2652 Breton Ridge Dr. \$2,693.96 for multiple years plus penalties
- Stephen Smith at 2657 Breton Ridge Dr. \$2,243.71 for multiple years plus penalties
- Todd Carter at 5700 Sumter Hill Ln. \$375.00 for 2018 only
- Zhu He at 2689 Breton Ridge Dr. \$375.00 for 2018 only
- Anand Kothandan at 2645 Antietam Tr. \$374.18 for 2018 only

The two residents with the largest amounts past due currently have liens placed against their property (these were obtained under the auspices of HOAMI, BRU1 HOA's previous managing agent). All five have had letters and registered letters sent very recently to no avail.

During the contact with Jeremy Anderson, Ross and Ray discussed the use of Anderson's services in recovery of past due accounts. Anderson/Givens provides that service for no cost until monies are recovered, then the attorney's fee is collected.

Motion to utilize the services of Jeremy Anderson, PA, to collect the two large past due accounts: Dave Ray

Second: Bruce Gillander

Vote: All in favor of hiring Jeremy Anderson to collect those two past due assessments

Motion to have 3 Directors personally contact the other 3 residents with 2018 past due assessments: Phil Ross

Second: Dave Ray

Vote: All in favor of 3 Directors contacting the residents with outstanding assessments

2019 Assessment and Penalties

In the past, HOAMI, had not been very aggressive in collecting past due assessment. Many people paid late in previous years and did so in 2018. The CC&Rs for BRU1 HOA state that assessments are due on 1 January of each year and that a \$25.00 per month late penalty may be added to the assessment in Article VIII, Sections 7 & 8. The Bylaws for BRU1 HOA in provide for an interest penalty that may be applied after 30 days past the due date in Article XI.

Pres. Ross would like to schedule an HOA meeting in November, 2018 to review the 2019 budget and assessment fee (current assessment of \$375.00 annually will have to be reduced to stay within the new limits for reserve funds) to give residents adequate notice by law of an assessment change. Letter should go out to residents shortly after the meeting stating that the assessment is due on 1 January 2019 and payable by 31 January 2019 without penalty.

The BoDs discussed an escalating penalty program after the end of January to persuade residents to pay promptly. The program would follow this schedule:

- 1 January: Assessment is due
- 31 January: Assessment is payable with no penalty
- 1 February: Letter to remind resident of past due assessment
- 15 February: \$25.00 added to assessment as late penalty for month of February
- 1 March: \$25.00 added to assessment as late penalty for month of March
- 1 April: \$25.00 added to assessment as late penalty for month of April
- 1 May and beyond: \$25.00 added to each month as late penalty plus the maximum annual interest of 18% as allowed by Florida statutes (1.5% per month)
- 1 July: Turned over to lawyer for collection

Motion to provide escalating penalties for late payment of annual assessments as described above: Dave Ray

Second: Bruce Gillander

Vote: All in favor of the above schedule of penalties for late payment of assessments



