

# VILLAGE PALOS VERDES

## HOMEOWNERS ASSOCIATION

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December 4, 2009

Dear Homeowner(s):

The VPV Board of Directors offers the following updates on a variety of VPV business related items. The Board would like to be able to communicate on a more regular basis and extends an invitation to homeowners interested in volunteering to prepare a monthly newsletter. This would help us to communicate on a more regular basis and could possibly even add a "light side" and some Hollywood Riviera news for our community. If you are interested in helping, please contact Ariel Hess at Scott Management Company, 310-370-2696, Ext. 17.

### Tree Trimming

VPV's landscape contractor, GS Brothers, will be performing the bi-annual tree trimming on December 14, 2009, weather permitting. Homeowners are reminded to safeguard their pets and also be advised that contractors may need to access deck and patio areas of units to clear debris.

### Annual Election of Officers

Homeowners are reminded to return their election ballots for the annual election of officers directly to the appointed inspector of election, HOA Organizers using the specific secret ballot envelopes provided. A special meeting for the purpose of this election will be held at the Palos Verdes Inn, 1700 S. Pacific Coast Hwy, Redondo Beach, CA 90277 on December 10, 2009, 6:30 p.m. sign in and 7:00 p.m. call to order.

### Litigation Update

Vartanian vs VPV: A settlement was not achieved in this matter through the Mandatory Settlement Conference proceedings. The Association will continue to aggressively defend these claims while settlement discussions continue. The Motion for Summary Judgment (MSJ) has been re-filed and will be heard on 2/19/09. The MSJ papers will be posted on the website as soon as they are available.

Griffing vs VPV: The plaintiff's request for a preliminary injunction was denied by the court and the annual election of directors is proceeding. The lawsuit is still pending. When additional information becomes available, it will be posted on the VPV website.

Silverberg vs VPV: A settlement agreement was reached in this matter however the associated documents have not yet been signed by the Judge. Once the final documents are made available, they will be posted on the VPV website.

### Exterior Renovation Project

Work planned to be performed by sub-contractors for the Exterior Renovation Project was recently re-issued for updated bid pricing. Due to the on-going litigation, the new bids have not yet been released to the Exterior Renovation Committee and the Board for review and approval. Preliminary indications from the construction consultants point to some cost reductions being realized through this re-bid process however the overall impact to the project budget is only a fraction of difference to the bids received last December. This cost adjustment will help the Association to manage the work within the approved budget and within the planned construction schedule, reducing the risk for any potential secondary assessment.

The Board has authorized some limited destructive testing and detailed repair planning for areas which need to be firmed up in the repair plan. Making use of the available time until the litigation is resolved, these activities will allow Professional Services to perform some investigative work and create a detailed repair plan for specific areas which were to be addressed when the demolition had begun. Homeowners will be advised in advance if any work is to be performed within their immediate vicinity.

***REMINDER: VPV fireplaces are not sufficient for wood fires. Please DO NOT burn wood in your fireplace as it causes a significant fire hazard.***

### **Holiday Decorations**

It is a festive time of year and VPV is already adorned by brightly colored displays in many units. Homeowners are cautioned to use safe practices when installing decorations and be courteous by not infringing on neighboring units with obtrusive lighting. You are also reminded that the Associations Rules and Regulations require all decorations and lights be removed by February 1st.

### **Unauthorized Use of Mailboxes**

Homeowners have previously been advised that it is a Federal offense to put unauthorized documents in mailboxes. Such actions could impose punishment by fines up to \$300.00 for each and every offense. Homeowners are encouraged to abide by this law and are also asked not to place paper items loosely on doorsteps could then litter the community. Mailing lists of VPV homeowner addresses are available for purchase from Scott Management. The US Postal Service states the following: "*Postage must go through the United States Postal Service and be delivered for it to be valid postage and therefore acceptable in the mail receptacle. A flyer cannot be placed in a mailbox after putting a stamp on it unless the item was actually mailed. According to Sect. 508.3.1.3 of the Domestic Mail Manual: No part of a mail receptacle may be used to deliver any matter not bearing postage, including items or matter placed upon, supported by, attached to, hung from, or inserted into a mail receptacle. Any mailable matter not bearing postage and found as described above is subject to the same postage as would be paid if it were carried by mail.*" Complaints of these activities need to be directed to the local US Post Office.

### **Assessment Auto-Payment Adjustment Reminder**

Please be reminded that as of January 1, 2010, monthly regular assessments are increased to \$360. If you currently pay via an automated payment system, please ensure that you enter the revised amount for payments to ensure your account is maintained in a current status.

### **Window Replacement Granted to Individual Owner**

A homeowner requested the right to replace the windows in their specific unit with double-pane windows of the same exterior aesthetic as the existing windows. This request has been approved by the Board with the understanding that the work will be at the owner's expense and that the windows will be replaced as planned during the Exterior Renovation Project. Choosing to perform this work in advance of the renovation shifts the liability for any leaks or damages onto the responsibility of the owner. Replacing the windows during the renovation will ensure the approved construction techniques are used and that warranties for materials and workmanship remain intact. All homeowner requests to perform alterations to common areas must be submitted to the Board. The Architectural review process will be used to evaluate all requests. Please be sure to submit your request well in advance to insure you can begin your improvement on schedule.

### **Questions from the Community**

The following recent inquiries were submitted to Scott Management and the Board of Directors and may contain general interest to other homeowners. If you have a specific question regarding VPV business, please submit it in writing to Scott Management so that it may be addressed in the most effective manner.

**Question:** Are there any repairs being done at all before the renovation?

**Answer:** *There has been no change in the adopted process of managing common area repairs, implemented a few years ago. The Association continues to address "life safety" repairs as a priority. All repairs are performed in the most cost-conscious manner available especially with respect to temporary repairs for items planned to be included in the Exterior Renovation Project.*

**Question:** What is the status regarding re-bidding the Exterior Renovation Project?

**Answer:** *Sub-contracts associated with the Exterior Renovation Project were issued for re-bid in late August / early September 2009. Due to the ongoing Vartanian litigation, the new bids have not yet been released to the Exterior Renovation Committee and Board for review and selection. Once the bids are awarded, the results will be communicated to the HOA.*

**Question:** What monies will the Board use to make the mortgage payment (for foreclosed properties?)

**Answer:** *The foreclosure process provides multiple options for the Association to consider. As part of their fiduciary responsibilities, the Board will perform their due diligence in respect to evaluating the related fiscal impacts to the Association and will not speculate in regard to future business decisions involving this process.*