

# VILLAGE PALOS VERDES

## HOMEOWNERS ASSOCIATION

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March 23, 2010

Dear VPV Homeowner(s):

### **Litigation Settlement Reached**

The Executive Legal Committee (ELC) of the Board of Directors, on behalf of the Association, reached an agreement to settle litigation in the Vartanian et al vs VPV and the Griffing et al vs VPV court cases. The two notices of settlement have been posted on the VPV web site at: [villagepalosverdes.org](http://villagepalosverdes.org). The settlement agreement is currently being drafted and the full terms will be available to homeowners when the process is complete. Thank you for your continued patience in this regard.

Submitted on behalf of the VPV ELC

### **Construction Start**

The construction start date for the Exterior Renovation Project will soon be announced and all homeowners will be sent a copy of the preliminary construction schedule. Once the notice to proceed has been issued to the construction consultants and contractors, the agreed start date will be well publicized to VPV homeowners and the surrounding community. Homeowners are urged to review the Repair and Restoration Policy in advance of construction to ensure that the responsibilities of individual homeowners are clearly understood and adhered to, avoiding the potential for delays and additional costs. A copy may be obtained from the VPV web site or purchased through Scott Management.

### **Special Assessment HOA Loan Program**

The HOA Loan to assist homeowners with financing the Special Assessment has not yet been finalized. Details of the loan will be made available once it is completed. The Executive Loan Committee and the Board of Directors will make every effort to obtain the best possible terms in securing this loan. Due to the nature of this type of financing, this loan program may be more costly to individual homeowners than other forms of traditional individual financing. The HOA Loan should be regarded as a short term solution for individual homeowners who do not have other credit sources available at this time.

For homeowners intending to participate in the HOA Loan program, the deadline to provide your property's title description page was March 19, 2010. If you have not yet provided Scott Management with a copy of that document, it is imperative that you immediately fax, hand-deliver, or e-mail a copy to Ariel so that your individual commitment document can be created in time to meet next week's deadline to have notarized copies turned in with your first \$600 payment. Assessment accounts for homeowners failing to take these actions will be automatically assumed to be paid in full prior to April 15, 2010 and statements and fees will be reflected accordingly.

### **Special Assessment Balance Due April 1, 2010**

Homeowners are reminded that the balance of the special assessment is due April 1, 2010. Payments not received before April 15, 2010 will incur the standard late fee. Please note that the late fee will apply to the entire balance due, not the previously accepted \$600 monthly minimum payment. For the majority of homeowners the balance due is \$61,000. Therefore, the 10% late fee applied to the total amount due on a balance of \$61,000 would be \$6,100. If there is any concern that a check may be held up in the mail, homeowners are encouraged to deliver checks in person to Scott Management to ensure they are posted in a timely manner.

### **Disclaimer of Affiliation with the Following Service Providers**

The Village Palos Verdes Homeowners Association, Board of Directors, or any agent of the Association, is not responsible for the following services nor does VPV sponsor or benefit directly from these services or the service providers listed in any manner. The specific services identified below are offered directly to VPV homeowners and are communicated in this document as a courtesy. In the late summer and fall of 2008, other service providers scheduled specific presentations to VPV homeowners regarding reverse mortgages and other financing options. The following services are presented with the same intention of helping VPV homeowners readily obtain information to help make informed decisions regarding the financing for the special assessment.

### **Special Assessment Funding Individual Tax Advice Offered to VPV Homeowners**

VPV resident Rick Merrill is offering his services (on a complimentary basis) for homeowners who are confused about the special assessment financing loan options and their potential tax implications. Rick is an enrolled agent before the IRS and a recent Cal Berkeley graduate. You can reach him directly at (310) 373-2622.

### **Individual Homeowner Traditional Financing Options Presented**

Matt Hadnett, Principle of South Bay Equity Lending, will be available to VPV homeowners on the following dates. South Bay Equity Lending offers individual financing for high loan to value properties and has success working with credit challenged clients. They have direct access to 10 different banks, providing the ability to obtain the most competitive rates.

Saturday, April 3, 2010 at 10 a.m. at the VPV North Pool

Wednesday, April 7, 2010 at 6:30 p.m. at the VPV North Pool

Matt will be on location at these times for a minimum of 30 minutes and will stay to meet with all homeowners who attend and have questions regarding financing options. If you prefer to meet with Matt at an alternate time, you may call him directly at (310) 516-3444 to schedule a personal appointment. Matt is a local Riviera resident and is proud to provide personal service to VPV homeowners.

### **Rules and Regulations Update**

The Rules and Regulations Committee has been busy working on revisions to this important governing document. If you have a suggestion for a rule addition, or revision, please submit it in writing to Scott Management prior to April 9, 2010 so that it may be reviewed and considered for incorporation. Individual homeowner input is valuable to this process and all homeowners are encouraged to participate by first reviewing the current Rules and Regulations (available on the VPV web site at: [villagepalosverdes.org](http://villagepalosverdes.org)) and submitting suggestions for improvements. The draft of the revised document will be reviewed and approved by the Board of Directors prior to distribution to homeowners for the established 30-day review period.

### **The Association's Process for Dispute Resolution**

The established process for resolving a dispute between individual homeowners and the Association is the Internal Dispute Resolution process (IDR). If a homeowner has a specific dispute with the Association, the issue should be first submitted to the Board of Directors in writing, requesting to meet using the IDR process in an attempt to resolve the dispute. If IDR fails to resolve the dispute, California law, Civil Code sections 1369.510-1369.590 dictate that the Association offer the homeowner the opportunity to engage in Alternative Dispute Resolution (ADR) before a homeowner or the Association can institute legal action for injunctive relief, or injunctive relief together with a claim for less than \$5,000. (This requirement is not applicable to small claims court actions.) Unfortunately for VPV, none of the five law suits brought against the Association during the past 18 months followed this process before filing claims, which proved to be additionally costly to the entire Association. Copies of the IDR and ADR policies are included as part of the information package mailed to all homeowners each November with the Association's Annual Disclosure. The documents are also posted on the VPV web site.

On behalf of the VPV Board of Directors