



HSVPOA – a community divided

Description

Backstory

Okay, folks, this is getting worse by the day. HSVPOA is a community divided.

This is what has already happened. HSVPOA Management and the Board of Directors would not let us see the information that should have been available to all property owners. Our Developer, **Cooper Communities, Incorporated** (CCI) asked to see the CEO's employment contract and also wanted a list of members and their addresses and emails, along with other records.

HSVPOA refused to cooperate

Our then Chairman of the Board, Tom Weiss said CCI did not have a proper purpose and refused to share the CEO's employment contract and member list with the Developer. HSVPOA did allow "inspection" of 85 boxes of records, but would not allow copying of these records. By doing this, HSVPOA basically rendered "inspection" of said records to be a useless pursuit. Who could possibly remember every number, line, and word in 85 boxes of records?

We have a right to know how our money is being spent

CCI subsequently filed a lawsuit which was recently awarded in CCI's favor. Judge Robert Herzfeld ruled that CCI's purpose was not only proper, but it was most proper and that all members of the association have a right to inspect records as long as their purpose was proper.

An improper purpose would be if it was suspected a member was going to sell the mailing list or something along those lines. Basically, most purposes are proper, as **[WE HAVE A RIGHT TO KNOW](#)** how our assessment fees are being used.

Inspection includes copying

Judge Herzfeld also ruled that “inspection” of records also implied the records could be copied. Unfortunately, the Judge was not able to include in his ruling that the POA must provide electronic versions of said records, when available, but did indicate that the POA SHOULD be willing to do this.

Is this surprising?

Even though it would be much more economical for HSVPOA to provide electronic versions of these records, POA management has again dug their heels in the ground and is inconveniencing every property owner that desires to inspect records, by making them come down to the POA and turn in the “Records Inspection Form”. The property owner must then wait for a call back for an appointment to inspect the records. This appointment is only granted if the purpose is deemed proper. Did HSVPOA management not read Judge Herzfeld’s ruling? Does any of this surprise anyone?

Records Inspection Form

As already mentioned, HSVPOA management has designed a “Request to Schedule Records Inspection” which must be filled out and signed by any member desiring to inspect Association records. This form serves as a stranglehold on anyone requesting to view and copy HSVPOA records. If you want to inspect the records, this form must be signed. You have no choice. According to the POA, by signing this form, you are signing away your rights to share any information you glean with anyone that is not a Property Owner.

Are they trying to hide something?



Is HSVPOA guarding the crown jewels?

What happens if you accidentally share this information with someone you thought was a Property Owner and then later found out he/she wasn't? Not everyone who lives here owns property. We don't have an **L** mark on our foreheads or wear a shirt that says, "property owner". What happens if you share the information with another property owner and subsequently that second party then shares with a non-property owner? Are you responsible for this? What if you are a property owner, but your wife is not on the deed? Are you not allowed to share this information with her? Is this information so top secret? The lock put on the information makes it seem like they are guarding the crown jewels. What is in there that they are trying to hide?

We are only asking questions

Could it be that the CEO has an unreasonably high compensation package? Is it possible that her bonus is exceedingly high? Could it be that it not only does not take a majority of Board Directors to fire her, but **it now takes almost all of them**? We are only asking questions.

Another big question that might be asked is why would the 2018 Board of Directors agree to such an exorbitant contract?

A public attempt at intimidation?

At the **last Let's Talk**, Director Nancy Luehring said that if they **SAW** the CEO's employment contract online, they would have reason to take recourse. Perhaps she is listening to the same POA attorneys that lost the CCI case.

More intimidation?

We have heard that we now have a situation where information was publicly shared and now this person is being intimidated and being accused of having malicious intent. The person that shared does not have malicious intent but merely believes in a free and open exchange of information and to the best of his/her knowledge, certainly did not share with non-property owners.

Can we say New Urbanism at it's very "best"?

What is happening here is not uncommon in communities that are being taken over by New Urbanism. New Urbanism divides and splits communities. New Urbanism is authoritarian by nature, as evidenced by our New Urbanism Protective Covenants which went from 4 pages to 119 pages of restrictions. In addition, all of our governing documents have been revised/rewritten to support the New Urbanism goals of our CEO. Can we say, "rules, rules and more rules"?

Hello Board – don't make this mistake

If the Board authorizes legal action to be taken against property owners, this will only serve to further divide an already divided community. We don't think that property owners in this community would want their assessment dollars used to sue their fellow property owners for providing information that everyone should have had access to in the first place. If the Board authorizes such a suit, this would be another authoritarian attempt to intimidate and silence property owners.

The past few Boards, cloaked in a veil of secrecy, created the division evident within the community. It is because of this secrecy and backroom policymaking, the community is upset. Board Directors, do you really want to continue down this ill-advised path?

The Board needs to leave property owners alone when it comes to information. This information should have been publicly available from day one.

Where do we live?



Where do we live?

So that brings us to, “**where do we live**”? What is happening here reminds us of some very bad things that have happened in the past in other countries – countries that were taken over by [authoritarians](#). Just our two cents worth. Do your own research.

by Cheryl Dowden

[Max Pixel](#)

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