

CHAPTER TWENTY SIX LETTER TO CHERRY CREEK HOA PROFESSIONALS, LLC. THE PROBLEMS OF THE CROOKED MANAGEMENT OF THE DAM EAST HOMEOWNERS ASSOCIATION.

July 6, 2007

Cherry Creek HOA Professionals, LLC
14901 E. Hampden Ave Ste #120
Aurora, CO 80014

Re: Management of The Dam East Homeowner Association

I expect you have been made aware of my past activities objecting to the management companies' lawyers' and Board of Directors' of this HOA. The purpose of this correspondence is to list the issues and past wrongful acts brought about by all parties involved.

First my opinion of the CAI and most members of this organization is the mafia of the HOA business nationally. You must be aware of a website named AHRC which chronicles the scandals of members of the CAI from California to Florida.

I am very much aware of the double cross by Representative Morgan Carroll in the passage of SB 06-89 which neutered many parts of SB 100.

Having stated my opinion of CAI I will now list the wrongs that makes this HOA one of the worst managed HOA in the State of Colorado. You must be ever vigilant in what actions you take if there is no proof the board authorized the actions by Motion and vote at a monthly meeting and make a part of the minutes that are approved at the following board meeting. You must also be aware there are two District Court Orders that are binding on this HOA. They were issued by Chief Judge Stuart and District Judge Hickman. Jake Hummel probably forgot to give you copies.

In the past lawyers and the management company have approved legal fees without the required motion and vote approving the payments and charges against members of our HOA. By State law a member has the right to designate how his money will be debited if he owes two accounts. This means a member has the legal right to order his monthly payments to be applied to his delinquent assessments and none to the legal fees. CAI tort twisters in their contract with an HOA requires a member to pay the legal fees first and if there is anything left over to be applied to the members delinquent account. I have proof of members trying to pay on their assessments and the lawyer's refusal that all payments must apply to his legal fees first and no payments will be accepted on the delinquent

assessments until all legal fees are paid up and thus the delinquent assessments seldom get paid. This is his how the CAI screws the public.

1. Timothy Moeller of Winzenburg, Leff, Purvis & Payne walked out of our HOA as the Association Attorney with \$60,000 that was never approved by the Board of Directors. He was hired by the President at the time Greg Silva and not by a motion and vote of the Board of Directors. The Board of Directors was made aware of this crime and did nothing about it because of the embarrassment of not knowing about this violation. No one wanted to correct the thief because the membership would know about it.

2. The Treasurer Finn Larsen from 2000 to 2005 signed checks with past President Greg Silva and then President Jake Hummel without Board of Directors approval as required by our Bylaws. Finn Larsen remained on the board as Treasurer illegally for 2006 without being reelected to prevent Jim Burneson from being elected to the board. After Larsen was notified his transgression was known he dropped off the board and the remaining directors tried to make legal all Larsen's votes in 2006 by a motion and vote to ratify the past years votes issued by an illegal director. Finn Larsen is personally liable for all moneys he issued without board approval.

3. Lawyer fees charged Delinquent Homeowners are commingled with the claimed delinquent assessments of that member. This is done to hide the amount of legal fees being charged. The Board of Directors refused to separate the balance of the two charges 1. Assessments and 2. Legal fees. This charges without approval by the Board of Directors by a motion and vote and recorded in the minutes of the scheduled monthly meetings. A homeowner must be told what his delinquent assessments balances are monthly. We are also supposed to receive a monthly statement of what all members balance is as stated in our Bylaws.

4. The current delinquent fees that include lawyer fees are illegal and can't be continued as a charge against the membership since none have ever been approved by the Board of Directors. This management company will be committing a crime in the conspiracy to try to collect reimburse of prepaid legal fees to the crooked lawyers. The approval of these fees came from Earl Johnson of Western States Property Services Inc. Before you listen to Jake Hummel ask to see the approval by motion and vote in the past minutes of board meetings.

The board tried to vote approval of the Check Registry as approval of the batch of checks paid. Approving the Check Register is after the fact and not approving the checks before they are mailed in payment to whomever. Jake is a lawyer he is liable for all actions as a lawyer and all of his opinions are legal opinions of a lawyer not as a lay person who is president. His law license is going to be cancelled by the Supreme Court of Colorado.

5. Jake Hummel as President has been spending General funds paying Rich Johnston attorney and Jeffrey Lane attorney over \$125,000 which cause this HOA to be close to declaring Bankruptcy or raise the monthly assessments from \$70.00 to \$90.00. NONE OF THESE PAYMENTS WERE APPROVE BY THE BOARD OF

DIRECTORS BY MOTION AND VOTE. Jeffrey Lane of Patterson, Nuss & Seymour, P.C. is the scum bag of the litigating business was paid \$30,000 to put Jim Burneson in jail for 31 days under a PPO. Jeffrey Lane then spoke at the annual membership meeting and lied telling the members he was paid \$15,000 which was one year and the next year another \$15,000 he omitted telling the membership. \$30,000 paid Lane without approval by the Board of Directors. The reason Jake Hummel hid this payments by not having it voted by the board was if a motion and vote was made at a board meeting it would have to be reported in the minutes and the membership will learn of the payments. Same thing happened with payments to Rich Johnston and Earl Johnson both fellow members of your CAI. **ALL PAYMENTS MADE WITHOUT APPROVAL BY THE BOARD OF DIRECTORS MUST BE REFUNDED BY ALL WHO RECEIVED THEM AND OR PERSONALLY RETURNED BY THE DIRECTORS WHO ALLOWED THIS THIEF.**

The only way to regain the trust of this membership is to publish every check issued every month in the newsletter. If a \$15,000 check appeared issued to Patterson, Nuss & Seymour, P.C. the membership would immediately question why. If the checks are not approved by the board and listed in the minutes of every board meeting the results are what happened to the Dam East Homeowner Association from 2000 to the present.

6. Don't know who the attorney will be to replace Rich Johnston but whoever he is his license is on the line for performing the illegal acts of the past attorneys. Rule 1.13

7. Hiding the books is the only way three lawyers, Property Manager and several Board of Directors are trying to keep from being disbarred and required to refund all the money they stole from 2000 to the present.

8. Transfer Certificate fees can't be charges and pocketed by a Property Manager Company. Bylaws require the Treasurer must issue these certificates and a nominal fee charged for the service. Nominal is \$15.00 and this money must go into our General Fund neither Earl Johnson's pocket nor this property management's pockets. The Board of Directors cannot vote to authorize a management company to collect money that is collected under the name of this HOA and then put it in manager's pockets.

All Management Companies in this State are violating the rule of Felony Thief by charging say \$125.00 per each issued Transfer Certificate and pocketing the money without authorization. In court who are you going to tell the judge that authorized the collection of these fees? The board can't authorize it so it must be GOD is that right? This violation will open a Grand Jury state wide to review all the violation committed by Property management companies which in turn will cause all companies to come under the license control of the Real Estate Commission. Morgan Carroll will not be able to stop this new law when all the homeowners start testifying to a Grand Jury. The cost to the crooked property management companies for all the past violations to include CAI lawyers will be in the millions. You are one step away from join them with this contract to manage The Dam East Homeowner Association.

9. I want a copy of your contract with the Dam East Homeowner Association. As a member this is part of the books now hidden by the Board of Directors. If you hide this contract it is the first evidence of your joining the conspiracy with the present board along with the directors of the past boards. The rule of Estoppel does not apply until the discovery of a crime which hasn't occurred until the books are opened to the membership.

10 I have included a copy of Judge Carlos A. Samour, Jr. Order to deny my request for a court order to open the books. This Judge was scripted ex parte by Jake Hummel what to say in his denial under the guise of protecting three lawyer's law licenses. I will publish this same copy provide you that is edited in blue inserted type. I will be publishing this letter on the website www.court-house.com. The judge is new to the bench and he believed he is protected by law from issuing wrong decisions in his court. What he is not aware of is he is not immune to public opinion as your company is not immune to the same public opinion. I don't believe he will be renewed after 2 years.

11. This letter will be published on the same website stated above. Everything you do or don't do as the management company will be published every month on this website. I suggest you take this letter to an attorney for his opinion on what your risks are by continuing to offer your services to the directors and not to the membership which is what Earl Johnson did from 2000 to the present for Jake Hummel. .

12 Within this week I will be publishing a new website called www.rateyourhoa.com. The Demo model for this site will be the Dam East Homeowner Association with my rating. I will leave Western States Property Services Inc. as the listed property manager for a month and if you are still under contract with this HOA I will change the company to your name now managing this HOA. I am going to solicit all HOAs that you are managing and all those managed by CAI to rate the management and their Directors at "rateyourhoa" on my website. **HOW DO YOU THINK YOU WILL BE RATED BY THE OTHER HOAs?**

13. There are listed at the three Clerk of Records within the 18th District Courts since 1997 to the present 165 lawsuits with the Dam East Homeowner Association listed as a plaintiff or defendant. **NONE OF THESE LAWSUITS ARE LISTED IN OUR BOOKS. NONE OF THESE LAWSUITS WERE APPROVED BY THE BOARD OF DIRECTORS AS BY MOTION AND VOTE AND RECORDED IN OUR PAST MINUTES.**

WONDER HOW MANY CAI LAWYERS WERE INVOLVED IN THESE LAWSUITS POCKETED THE MONEY AND KEPT THE RECORDS IN THEIR OFFICE? I AM GOING TO FIND OUT AND PUBLISH THEIR NAMES ON THE WEBSITE.

There is more to tell like \$36,000 legal fees paid Rich Johnston for suing a member for having a metal chair in her front yard. The lawsuit was never approved by the Board of

Directors nor was the payment of this amount. Thief by receiving money without authorization.

I will leave more for later like next month on the web. I will be at the next Board of Directors meeting and let's see who attends. One of the Board of Directors a Kelsey Quigg hasn't made a meeting in over 6 six months and the Bylaws say he is to be removed. The board doesn't want to do this since they can't find a replacement except for Jim Burneson. Wait till you hear the story about the sex offender elected to the board without anyone but the director knowing he was registered with the Aurora Police.

If you want proof of my claims call and it will provide it in writing or copies of documents from the Board of Directors. I have over 500 letters from 2000 to the present which is a biography of the crimes committed by all directors, lawyers and property managers, (M&M and Westwind Management, Western States Property Services Inc.).

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Blind copies to many.

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