

THE PEOPLE DESERVE THE GOVERNMENT THEY VOTED IN OFFICE.

THIS IS NOT TRUE OF HOA, CONDO, ASSOCIATIONS

BECAUSE OF MEMBERSHIP APATHY MOST BOARD OF DIRECTORS ARE NOT ELECTED TO BE REPRESENTATIVE OF THE MEMBERSHIP.

THE BOARDS ARE ELECTED TO REPRESENT THE INDIVIDUAL BOARD MEMBERS, PROPERTY MANAGERS AND WORST THE LAWYER WHO IS SUPPOSED TO BE REPRESENTING THE MEMBERSHIP. ONCE THESE THREE POSITION ARE UNIFIED THE MEMBERSHIP INTERESTS WILL NOT STAND A CHANCE OF BEING REPRESENTED AS THEIR RECORDED DOCUMENTS REQUIRE.

THE FOLLOWING REVIEW IS IN THE OPINION OF JAMES W BURNESON

Mr. Burneson has an extensive background in how HOAs become controlled by officers of the board and lawyers along with professional property managers.

I have met several times with the group of candidates who are running for election to the Board of Directors. For purpose of this report these candidates will be called the “Forrest Group”. (Forest Deyoung, Chu Son, Igor Pleskov and Boris Lipkind).

I have read most of the emails sent between the Board of Directors and the Forrest Group and have reached an opinion of what the membership of this HOA needs to know.

In this website I have Chapters which describe how a Board of Directors will act while trying to control an association for their benefit. See Chapters 14 A, B, C, and Chapter 15.

The following is a list of actions which a corrupt management system will perform to make more money for each of the entities, Property Manager, Board of Directors, lawyer and CPA firms. If this group can get away with it this year it will be worse in the coming years.

GARY TOBEY ESQ.

The law business for HOA ASSOCIATION is the lowest level of representation possible for a lawyer. You see lawyers sign a contract to represent the “association” which in truth it’s the “association” that the lawyer will rape and plunder for his legal fees against the membership. The law firm of Tobey and Toro has been drawing down per month over \$10,000 without an accounting what the legal fees covered. Mr. Gary Tobey issues his legal advice as verbal instruction and refuses to commit his legal advice in writing. When and if this Association sues Mr. Tobey for return of his wrongful receipt of legal fees he will not admit he gave any legal advice to Mr. McConnell and Ms. Moore. These two directors are out on the limb and don’t seem to know it.

Mr. Tobey has allowed the board to refuse giving the Forrest Group records, delinquent membership list for the election, and accounting records. This is a red flag of wrongful hiding of the facts which is the first defense of a crooked Board of Directors. Hide the books.

Every action taken by a Board of Directors must be transparent to the membership. If this rule is not followed the opportunity to steal money from all members is too big a temptation. The only way to get rid of temptations is give in to it. The money is just too easy for all three members' reference herein.

BARRY L. MCCONNELL signs his name as a Professor at the University of Colorado at Denver, Business School. I hope he doesn't teach Business Ethics. He is on the board as Treasurer and Maintenance Manager with a \$3,300 a month payment. This is a conflict of interest being a Maintenance Manager for a fee while serving as an officer of the board. Receiving monthly payments for the additional position of Maintenance Manager is not allowed.

Mr. McConnell claims to be a full time professor and intends to be a board member and on top of that the Maintenance Manager for the Association. Property Managers should include this service as part of their contract without an extra \$3,300 per month fee.

PANSY MOORE

Pansy Moore is Secretary and Property Manager at a salary of \$7,400 a month. This fee is too high for performing the list of actions stated on the contract between this Association and Cams L.L.C. The membership needs to read this contract.

Here again these two positions can't be served by the same person. The Board of Directors must be separate of any contracting work for the same Association.

THERE IS A CONSPIRACY BY THE OFFICERS AND LAWYER WHO ARE FIGHTING TO STOP AN OPEN LEGAL ELECTION.

The appearance of a conspiracy between these two Officers and the association lawyer is over powering and will stand in a court of law. All three must resign starting with the lawyer since his law license is in jeopardy due to his failed conduct in this HOA. His legal decisions do not protect the membership but protect the two officers and lawyer's ability to draw any monthly payment he deems to be worth his input.

The membership of this Association is being taken by three individuals who work to protect each others' incomes to provide services that would not be allowed by an honest Board of Directors.

Members of this Association should attend the scheduled election and ask questions of these three why they are refusing to allow inspection of Association records by the Forest group? You want all the records to be brought to the election meeting for all members to

review three hours before the meeting. The records will include all three years of financial records, minutes of all past meetings, three years of all past correspondence between the board and the membership. An audit of the books for the past 6 years by a public accountant is needed to be the first ordered of business by the newly elected Board of Directors. This should scare this group as to what this audit will reveal to the membership.

CPA accountants that specialize in HOAs audits are predisposed to protect the Board of Directors and never for the membership. Anything provide by a CPA firm will be shaded in favor of the board because the membership never hires CPA firms. The CPA firm always provides a letter of commitment which will state they will never look for anything illegal during their audit. What good is an audit by a CPA? It becomes a white wash of the lawyer's and board of director's actions.

A public accountant can do an audit to prove the books are in balance. An HOA set of books are not complicated and don't need the training of a CPA to perform an audit. The audit will be cheaper and faster by a public accountant. Did the Board of Directors vote to approve the checks in payment to the lawyer, Professor Barry McConnell and Pansy Moore? If the board didn't approve all checks paid for all expenses including these three in the minutes of the monthly board meetings then the money is stolen by the recipients.

This HOAs public image will be damaged if the membership doesn't stop the current two Officers and Lawyer from allowed to continue their dictatory control of \$2,000,000 a year cash flow. Lack of membership control will affect the resale price of the units because of the failure to controlling the board management of the Association.

The sooner this HOA is placed under the control of the Forest Group as new directors the turn around to clean management will occur. The membership must understand they are lucking to have 4 members willing to spend the time to correct the management of Woodstream Falls Condominiums for the benefit of all instead of what is managing the HOA today.