

a separate attorney, separate bank accounts, and independent audits. After gaining the first goal, an independent counsel, Moore is now virtually taking over every single committee, dominating discussion and procedure of committees with perfectly able chairs. Have you noticed that Moore loads every committee with her favorites, Paulus and Freshley — neither of whom can be counted on for support of pre-election ideals and goals. They have, in fact, proven themselves spokesmen through which the voice of Janet Price is heard. What gives? What happened to the majority view?

Case 4: Look at virtually all previous board members who have tolerated the actions of PCM as they awarded (according to e-mail originating with Janet Price) roughly \$6 million in incentive plan payouts since 1996.

It is no wonder that residents become discouraged and hopeless. Time after time they elect reform-minded directors who change into mindless functionaries, marionettes operated by the strings of PCM. We need to stand up and shout the words of Howard Beale in the movie Network, *“I’m mad as hell, and I’m not going to take this anymore.”*

Disputing HOA Chg

Are you in a dispute with your association over assessments, fines, or other charges?

Then you have a new legal tool to use under a law that became effective in January.

Assembly Member Mike Feuer's bill, AB 2846, is now chaptered into law. It lets homeowners pay any disputed charge under protest and then take the dispute into small claims court (as long as the dollar amount doesn't exceed the jurisdiction of small claims court, i.e. \$7500.)

"Disputed sums" include not only assessments, but, says the law, also "fines, penalties, late fees, collection costs or a monetary penalty imposed as a disciplinary measure" or any other HOA charge.

If you think, for example, that a fine or an assessment was

improperly levied, then Civil Code 1367.6 lets you pay it under protest and then set the matter before a small claims court.

"Improperly levied" might mean, for example, a special assessment imposed through a fraudulent election process. To read the bill go to the following link:

http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2801-2850/ab_2846_bill_20080928_chaptered.pdf

When you go to this link, be SURE and read the analyses of the bill, because it will give you more information about the new law, the need for the law, and how to use it. An analysis is done every time a bill is heard in committee and when it goes to a floor vote.

Use your BACK button to locate the bill analyses.

At this same website location (under VOTES) you can find out whether YOUR state representative - Assembly Member and Senator - voted FOR the bill or AGAINST it. (Do you know who your state legislators are? If not, go to the CCHAL homepage and key in your zip code to find out.)

The legislation became law thanks to a campaign by the California Alliance for Retired Americans (CARA) -- the sponsor of the bill -- in partnership with the Center for California Homeowner Association Law (CCHAL).

AB 2846 was supported by the Judicial Council, the policy-making body of the California courts; Consumers Union, nonprofit publisher of Consumer Reports; the Ventura Superior Court Self-Help Legal Access Center; AND homeowners like you. The Governor signed it in September 2008.

Remember to call or write Mike Feuer to thank him for carrying AB 2846. His phone number is 916.319.2042; address is Room 3146, State Capitol, Sacramento 95814. He is now chair of the Assembly Judiciary Committee and is deeply committed to Access to Justice issues.

Question??

Why have the Gate Guards been instructed to refuse to answer questions asked by any Third Mutual Director? The Gate Guards have been instructed to refer them to Jerry Storage!