

Brian D. Montague

From: Gail Daigle [Gaild@koetjeinsurance.com]
Sent: Wednesday, April 14, 2010 1:00 PM
To: Brian D. Montague
Subject: Admirals Cove Homeowners Association - K045255

Attachments: Rogerfinalletter.pdf



Rogerfinalletter.pdf
(179 KB)

SCAN TO
Claim # K045255
Coverage/DJ
Pay / Reserves
Investigation
Damage
Legal
Reinsurance
Invoices

Brian,
Attached is letter Joanna Weeks mailed to Law offices of Bell & Ingram, Roger Close's attorney.

Gail L. Daigle
Client Services Supervisor
Commercial Accounts
Koetje Insurance
Div of Whitfield's United Insurance Agencies, Inc.
775 NE Midway Blvd.
Oak Harbor, WA 98277
360-675-5916
FAX 360-679-2698

-----Original Message-----

From: Sue Blouin
Sent: Tuesday, April 13, 2010 5:06 PM
To: Gail Daigle
Subject: FW: letter to roger attorney

can you put this in ams and also submit to claims dept. thanks.

-----Original Message-----

From: JoAnna Weeks [mailto:joanna.weeks@gmail.com]
Sent: Tue 4/13/2010 12:19 PM
To: Sue Blouin
Subject: letter to roger attorney

Sue, this is a copy of the response letter to Roger's attorney for your files.

Thanks!

JoAnna

JoAnna C Weeks, President
Admiral's Cove Homeowners Association (ACHOA)
1182 Dewey Dr
Coupeville, WA 98239
Office (360) 678-7119
Mobile (425) 349-1212
skype: sailorgal

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 9.0.801 / Virus Database: 271.1.1/2808 - Release Date: 04/12/10 23:32:00



P.O. Box 366
Coupeville, WA 98239

April 12, 2010

Mr. Bruce R. Bell
Bell & Ingram Law Offices
2918 Colby Avenue, Suite 201
Everett, Washington 98026

RE: Roger Close

Dear Mr. Bell:

Admiral's Cove Homeowners Association is in receipt of your recent letter dated April 2, 2010, regarding your client Roger Close and your noted concerns as to "how we are conducting ourselves". You may be assured that there is nothing "going on" here that has not been disclosed to the entire community. As you have noted in the documents provided by Mr. Close, we understand that we have some legal matters to be resolved.

As your client knows and as evidenced by the information that we have made available to all the property owners—this Board is attempting to be as transparent and democratic as humanly possible. We have conducted a comprehensive "due diligence" process and are committed to making a final decision based on facts, fairness and sound legal analysis—which is our duty under the Bylaws.

We have hired two legal firms to represent us in getting our Home Owners Association established and Bylaws worked out. Your client was one of the originators in supplying part of that documentation, so he is very much aware of what we are working with. We have been advised that there is sufficient case law to warrant the need for the property owners of Admiral's Cove to continue in their efforts to support "Tract A" of the plat records of Admiral's Cove Homeowner's Association. This includes the shelter, playground, pool, the lake, beach rights, and private road.

The Board wanted to survey the entire owner community of Admiral's Cove to provide input to our determination as to which direction the community would like to proceed. We have given all property owners a postmark deadline of April 15 to return the survey, which is a prepaid postcard survey. Our independent teller committee will be tallying the results of the survey and will present the results to the community at large on the 27th of April. Those results will help determine what our next course of action will be.

Unfortunately, the attorney firm that we hired initially said we could allow opt-outs. Due to the pressure from your client to make sure we were being transparent before our dues invoices were due to be paid, we made that announcement before a final determination was made by the attorneys. In a subsequent meeting and after more legal research of case law studies, our attorneys advised us that we have a strong case to continue the Association as it has been constituted. They indicated that, should it be reviewed by a court, that there is a strong probability that we would prevail due to the 40 year history of the organization and its membership in operating as an HOA.

In closing, we will send a final determination letter to all property owners, once a vote of the current board makes a decision that is acceptable to the majority of property owners.

Thank you for your time,

Sincerely,

JoAnna Weeks
President
Cc: ACHOA Board members