



VIA REGULAR U.S. MAIL
and E-mail: jellis@shumaker.com

January 19, 2024

Jonathan J. Ellis, Esquire
Shumaker Loop & Kendrick LLP
101 E Kennedy Blvd Ste 2800
Tampa, Florida 33602-5150

Re: Point Brittany Administrative Corporation, Inc.
Our Matter No: 10493-001
Your Clients: Danielle and Timothy Jenkins and Kevin Conzone
Response to Demand Letter

Dear Mr. Ellis:

As you know, this firm represents Point Brittany Administrative Corporation, Inc. (the “Association”), and this correspondence is provided in connection with your demand letter sent on behalf of Danielle and Timothy Jenkins, Kevin Conzone, and other owners dated December 21, 2023, regarding the commercial buildings and directing the Association to respond to each concern within thirty (30) days.

I. Requisite Voting Threshold to Alter the Commercial Buildings

Your letter demands that the Association provide sufficient documentation to support its position regarding the voting thresholds needed to demolish and rebuild the commercial buildings and/or cease and desist any alterations until the individual condominium associations vote to approve the alterations pursuant to their individual declarations.

Your letter asks for a legal opinion regarding the requisite voting thresholds in the event the Association elects to alter the commercial buildings. The Association does not intend to share the conclusions of its conversations with legal counsel.

II. Reserve Studies and Reserve Accounts

Second, you indicate that your clients have concerns regarding the Association’s reserve studies and reserve accounts and noted that you mailed a concurrent request to inspect official records of

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the Association and submitted a letter of written inquiry regarding these concerns. On December 29, 2023, our office provided instruction on the means to access the official records maintained on an online repository maintained by the Association's management company, as well as, to coordinate inspection of physical records not kept on the online repository at a mutually convenient date and time. Following coordination with representatives from your office, the Association's manager provided copies of responsive emails and a thumb drive with additional responsive records.

Additionally, on December 29, 2023, our office acknowledged receipt of the written inquiries and advised that the same had been submitted to our office for legal opinion. Accordingly, a substantive response is forthcoming and will be provided within the sixty (60) day timeframe outlined in Section 718.112(2)(a)2., Florida Statutes.

III. Excelaron Contracts

Third, you indicate that there are concerns related to the Association's relationship with Excelaron and contracts entered into between the parties, and noted that you mailed a concurrent request to inspect official records of the Association and submitted a letter of written inquiry regarding these concerns.

As stated above, timely access for inspection and review of the Association's official records was made available and coordinated. In addition, receipt of the written inquiries related to this concern has been acknowledged and a substantive response is forthcoming, in accordance with statutory requirements.

IV. Special Assessments

Lastly, your demand letter indicated that your clients are concerned about the management of special assessments. Information related to levied special assessments and annual budgets is contained within the official records of the Association, which were made available for inspection.

Sincerely,



Kelly Baker, Esquire
KAB/cm

cc: Colleen R. McInerney, Esquire (*via email only*: cmcinerney@shumaker.com)
Point Brittany Administrative Corporation, Inc. (*via email only*)