

LAS PALMAS Community Association

Asociación de Dueños LAS PALMAS



Dear Las Palmas Homeowners,

The Las Palmas board of directors would like to take this opportunity to update you since the last communication. It has been three months from the time of our owner assembly meeting. Those owners that participated were a part of the majority that showed great support by overwhelmingly electing to keep the same board intact and provided the board with the direction of moving forward and holding ourselves as owners accountable and understanding that we are not a community living as individuals but as individuals living as a community.

As a community our rules and what we as a majority decide together is what makes us all equal. There are those owners that have a different beliefs and views on the direction of our community. The owner's assembly meetings are the right venue to address those views and beliefs. This is the arena where change can happen.

If you want to make change you do not attack your community and your neighbors without merit on social media, threaten those that serve you and then not pay your fair share of the cost of the community and expect to gain support and sympathy. This is not only shameful but destructive and cowardly behavior. Behavior that is not worth reasoning or understanding. These last few months many of you have come forward and have echoed those same words in confidence.

It is time for all of us to come together. The silent majority that provide the direction of the HOA and the vocal minority. Regardless of our position we all have one common interest. The health and best interest of our community.

The goal of the board is to work with the good owners that may have been misguided or misinformed to get them back on track with their HOA financial obligations and to leave those few alone that choose to follow a trail of self-destruction where their own actions will resolve their matter through the legal course.

As we move forward more and more the HOA focus is to make sure our community also gets back on track financially and operationally and to steer away from those set on destruction. It is time for our community to come together and to be made whole again.

To really think hard about what divided some of us from the majority and to look at all the things that have united us as a community. Those are the things that made us one of the top resort communities on Sandy beach and that is what we need to get back to.

**NEWS
BULLETIN**

Las Palmas Financial Oversight Committee

– one of the items on the agenda at the last owners meeting was to implement a financial oversight committee to assist the HOA Treasurer and finding ways to improve the HOA financial situation. A meeting was held with the Financial Oversight Committee on Monday, April 29, 2019. The meeting reviewed onsite financial information, records and other financial documents.

One of the outcomes of this meeting addressed owners that have still not paid the HOA special subdivision assessment and regular HOA assessments due to using a Mexican court procedure to make payment to the HOA. This process has not yielded any payments to the HOA and it is reported that many owners are using the Mexican court as form payment for their HOA fees but with no success.

Through the work of this Committee a proposal has been made to assist these owners that have been misguided or misinformed and to provide them with a final opportunity where they can make full payment of all assessment amounts in arrears. The HOA Board wants to thank the Financial Oversight Committee members for making an effort to help out the owners in this situation and the HOA.

Because of the work of this Committee, the Board has elected to provide all these owners a final opportunity to make payment without interest and penalties for those owners who have paid the court in full.

On the last page is an official form that will allow owners in that situation to make full payment in either of the two methods of payment that has always been available to all owners: 1) payment in the US through the HOA's Chase account with check made payable to Las Palmas Homeowners' Association and

those funds will be forwarded to Mexico; OR 2) direct payment at our HOA on-site office which will then be deposited into our Mexico bank account that has always been available for your HOA payments.

As always it is important that owners in this position understand it is their responsibility to make their HOA payments accordingly. The deadline for Las Palmas to receive full payment without interest and penalties is May 15, 2019. There will not be any further extensions after this date. *Note: This proposal does not apply to those units in legal dispute or units found in violation of HOA CCRs or policy.*

Building Elevators – the HOA would like to provide all owners with an update on our building elevators. Osvaldo and Alex work very closely with Otis who is our elevator maintenance service provider. Not only does Otis provide monthly service on all four elevators, Otis is on-call 24 hours a day to respond to elevator issues.

Osvaldo has records of all maintenance and services, both monthly and emergency response services performed on our elevators along with a Certificate of Inspection. That being said, Las Palmas is almost fifteen years old and with the almost constant amount of usage our elevators sustain there will be problems.

Las Palmas is not the only resort having these issues. All resorts on Sandy Beach are showing their age in some form or another. Something else to take into consideration is that certain parts for our elevators are not readily available. Otis sometimes needs to



order certain parts, such as sensors and internal electric cards that are not available at their offices in Peñasco.

The Board has discussed with both Osvaldo and Alex about communication with Otis about which parts they recommend we purchase multiples of and keep them on hand at Las Palmas in order to minimize elevator down-time.

Ultimately, the board is working on a couple of proposals for our next owner's assembly meeting on how we can get permanent solutions by looking at options with cost for either a major overhaul or a full elevator replacement.

Legal Ownership Issues- It is important that our community understands Legal ownership of property in Mexico. The legal owner of property in our community is the person(s) or legal entity on the Deed of trust of the property.



If it is determined you are not a legal owner then you do not have the rights and privileges that come with this title. In vernal the majority of legal documents the HOA has come across is compliant, however there are some properties in our community that are problematic and do not have the legal owner information consistent with the information provided by persons. Mexico ownership laws in real estate are different from the United States.

Please take the time to review your legal ownership documents and confirm your specific ownership situation. This is not

something you want to assume or leave for others to check on.

Las Palmas HOA Association goal is to ensure all properties in our community complies with proper legal ownership documentation. This is an important matter for those that find themselves in legal ownership issues and for all of us as a community.

Our HOA attorneys have been completing general ownership audits among our properties to ensure our community is in good legal standing. Please ensure you exercise due diligence with your legal ownership documents on your property and your trust is consistent what your purchase documents otherwise you may face substantial legal issues.

2018 Storm Insurance Claim Update - As discussed at the owner's assembly meeting late January by our Administrator, Osvaldo. An attempt was made to try to file a claim for the community damages sustained by the great storms we experience last year. It has been reported that the claim has not been paid out as our deductible for this claim is too high.

The amount of storm damages was detailed in the special subdivision assessment sent out to all owners on December 7, 2018. Much of this work was done in house to bring down the expense and was at a fraction of what it would have cost if we contracted it out.

Las Palmas Staff - The Board has given clear direction to Alex and Osvaldo to manage HOA staff with a focus on attention to detail to continue to improve our Resort community. At the same time the Board would like to remind owners that our great staff is here to serve our needs. Let's encourage everyone, as it is all our responsibility to keep our community neat and attractive so that Las Palmas owners can continue to prosper.

LAS PALMAS Community Association **Asociación de Dueños LAS PALMAS**

OWNER NAME _____ **UNIT #** _____

AMOUNT DUE: \$ _____ **AMOUNT DEPOSITED:** _____

REASON FOR NON-PAYMENT:

(At least one box must be checked/filled out for late fees and interest to be waived)

- Deposited to Mexican Court
- Other circumstance outside of your control

Payment must be received in full no later than May 15, 2019 or the waiver of late fees and interest will be null and void.

Please note if you have received Violation Letters from ACEF Abogados, are currently involved in any other legal matter with the HOA or are not good standing for any other reason you are not eligible to make payment on your account in this manner. Please contact ACEF Abogados to resolve your situation.

In order for this payment to be considered valid, please sign and date below where indicated.

You will receive a copy of this form once it is signed and a receipt for your payment.

Owner Signature

Administrator Signature

Date

THIS BOX FOR HOA USE ONLY

Late Fees and Penalties Waived: Yes No

If NO please explain: _____

Check # _____

Cash: _____

Receipt # _____