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**VIA EMAIL (to: [sbravo@communitymanagement.com](mailto:sbravo@communitymanagement.com))**

September 20, 2019

Willow Glen Creek Homeowners Association  
Board of Directors  
c/o Community Management Services, Inc.  
1935 Dry Creek Road  
Campbell, CA 95008

**Re: Director Lauren Post's Repeated Violations of Both the Spirit and Letter of the Governing Documents of the Willow Glen Creek Homeowners Association**

Dear Board of Directors:

This letter is to report numerous and continuous violations of the governing documents by Director Lauren Post. The violations referenced in this letter represent an ongoing nuisance against me and a continuous impediment to my enjoyment of the property.

On September 20, 2019, at approximately 5:30 p.m., I observed Director Lauren Post's black cat unattended in the common area bushes outside 1463 Alma Loop. I immediately sent a text to the community manager to help document the situation. I stood at my dining room window, which looks out at Director Lauren Post's dining room window/front door, for nearly ten minutes before I saw Director Lauren Post emerge from her unit **looking** for her cat. Director Lauren Post walked toward my unit, then back around her unit toward the grass area, and then finally found the cat down the walkway toward the clubhouse. I passed Director Lauren Post as I walked to get my mail and as I did, observed Director Lauren Post carrying the cat in her arms.

At approximately 6:00 p.m., Director Lauren Post's other cat walked was in the common area landscaping outside my unit. You can see for yourself here: [URL](#). In this situation, Director Lauren Post did not emerge from her unit.

On September 19, 2019, the community newsletter was sent to residents. In this edition of the newsletter, it literally tells residents, (and the last time I checked, the governing documents define Directors as residents),

**OCTOBER 2019**

**Next Board of  
Directors Meeting**

**PETS IN THE COMMON AREA**

The Association continues to receive complaints of foul odors coming from pet waste left behind in the common areas. Dog/ Cat owners are not picking up pet waste and allowing their dogs to run off leash. Pet violations are a fineable offence and are being strictly enforced. *Owners must accompany their pets while in the common areas.*



Coming outside to **look** for one's animal is – and I cannot stress this enough – **NOT** the definition of “accompany.”

In addition to the two aforementioned incidents, I am also taking this opportunity to report many other violations of the governing documents by Director Lauren Post. The attached chart lists all of those violations.

I am in a unique position because I am the immediate former President of the Board. I have in my possession documentation from three different lawyers who provided advice to the Board about addressing and controlling aggressive animals in the common areas. It is a known fact that Director Lauren Post's black cat has been aggressive toward small dogs and humans on at least two different occasions in the last year. It is also a known fact that Director Lauren Post's other cat is a reported nuisance. Under California law, volunteers like yourselves are not in a position to ignore the advice of your attorney. Failure to control the situation can result in lawsuits against the association and each of you individually.

This is the one and only time I will bring this to the Board's attention. The Board made a decision in February 2019 and informed Director Lauren Post of the levers of discipline it can use against her. The Board was advised by counsel to pause any disciplinary action against Director Lauren Post until the civil matter between she and I was adjudicated. As you know, that matter was disposed of on August 26, 2019.

The next time this issue is addressed will be before a judge. By not controlling this issue; this member and Director; and by not removing Director Lauren Post from the Board and removing her nuisance animals from the property – all of which is advice consistent with several lawyers and is supported by the governing documents – you are harboring and encouraging Director Lauren Post's nuisance against me.

I know the Board has not only the authority, but also the legal and moral obligation, to take action in this matter as quickly as possible. If, by October 4, 2019, the Board has not carried out the discipline actions outlined in its February 2019 decision letter to Director Lauren Post, I am prepared to file suit in Superior Court naming the association and each one of you personally in the action. You are harboring and encouraging a nuisance against me and you are flagrantly ignoring your duties to enforce the governing documents against a sitting member of the Board.

Please do not make me do this. We all have better things to do with our time and money. But, if you insist, I am fully prepared to make my case before a judge or jury based on the information about this issue I have in my possession.

Best,

Daniel Michalek

Enclosure: Listing of Post Cat Violations

cc: Sharon G. Platt, Esq.