

Falcon Heights Condominium Association
Board of Directors – Regular Meeting Minutes
Thursday, May 14, 2026

1. Call to Order

The meeting was called to order at 6:06 p.m.

2. Roll Call / Attendance

Board Members Present:

Anthony Anghinetti (Chair)

Bill Sharp (Vice Chair)

Jacob Aaron (Director)

Brent Hublitz (Director)

Bob Coon (Treasurer)

Dave Tatge (Director)

Greg Zopetti (Secretary) Absent

Also Present: Samantha Mitchell, Managing Agent

3. Opening Statement

The Chairman's Message was presented by Chair Anthony Anghinetti. (See attached.)

4. Reports

Financial Report: Presented by Treasurer Bob Coon. (See attached.)

Maintenance Report: Presented by Vice Chair Bill Sharp. (See attached.)

Landscape Report: Presented by John Bellon regarding landscaping and lawn conditions. (See attached.)

RV Lot Report: Director Dave Tatge reported three spaces available.

Administrative Report: No report

Maintenance Contractor Report: Presented by Paul Monteith. (See attached.)

Approval of Prior Meeting Minutes

The March 26, 2026 and April 30, 2026 meeting minutes were presented for approval.

Bill Sharp made a motion to approve. The motion was seconded by Dave Tatge. The motion passed with a majority vote.

5. Old Business

Policies and Procedures Manual

The Policies and Procedures Manual was revisited following comments submitted by Ms. Howe. A written response was provided. (See attached.)

Resolution 2026-006 – Adoption of Policies and Procedures Manual

Director Dave Tatge made a motion to approve. The motion was seconded by Anthony Anghinetti. The motion passed with a majority vote.

Owner Request – Shop Construction (10529 Schilling)

The Board reviewed the proposal. (See attached.)

Treasurer Bob Coon made a motion to approve. The motion was seconded by Director Jacob Aaron. The motion passed with a majority vote.

6. New Business

Investigation Committee Findings

Committee Chair Bill Cox presented findings regarding Director Brent Hublitz. (See attached.)

Homeowner Modification Request – 10470 McGuire

The modification request was approved. (See attached)

The Board also approved an additional \$125 for rock removal.

Anthony Anghinetti made a motion to approve the additional cost. The motion was seconded by Vice Chair Bill Sharp. The motion passed with a majority vote.

Contractor Letter – Withdrawal of Continued Services

The Board received correspondence from M&T Enterprises regarding withdrawal of continued services. (See attached.)

Amendment to Memorandum of Understanding Between Falcon Heights Condominium Association and Falcon Heights Water and Sewer District

The amendment was presented to allow water disconnection for nonpayment of sewer charges due to increasing delinquencies. (See attached)

Bill Sharp made a motion to approve. The motion was seconded by Dave Tatge. The motion passed with a majority vote.

Firewise Committee Formation

Robert Stroope agreed to assist in forming the committee and determining next steps.

8. Next Meeting

The next regular meeting is scheduled for Thursday, July 9, 2026, at 6:00 p.m.

9. Final Adjournment

The meeting adjourned at approximately 7:15 p.m.

Statement from the Chairman 5.14.26

Tonight, a committee that was formed, will disclose the results of investigating claims of violations of the Code of Conduct by Board member Brent Hublitz. I also want to state for the record what has happened recently, separate from the conduct the committee has reviewed, regarding this very same Board member.

Let me start by saying that shortly before being on the Board and due to harassing behavior, our attorney drafted a letter instructing Brent to stay away from our homes.

A few weeks ago our managing agent called me saying she had just observed him drive by her house, which is miles away and off the beaten path to some extent.

Another instance, about a week apart, she was leaving her home and was driving to Falcon Heights, he was ahead of her having just driven past her home and slowed down to 30 in the 55 zone. When she went to pass him, he increased speed to attempt to keep her from passing.

Today I was notified again that he had just driven by her house as she was leaving to go to work, she did take pictures of his license plate to make sure it's the right person. She went to work at Falcon Heights and drove by his house and verified the plates matched. He was outside videotaping her. She rolled her window down and exclaimed "keep away from my *expletive* house".

In the early afternoon, our managing agent told me the State Police were at the office due to Brent calling them. When we spoke with the State Police, they said he claimed he had no idea where she lived. He claimed he was instead the victim of her harassment due to her yelling at him to stay away from her home.

To further add to the recent circumstances, on April 30 at about 845pm, I was in my driveway with my daughter. This very same vehicle driven by the Board member came to almost a complete stop in front of my home, then rolled away slower than a person walking.

A few meetings ago, when this Board member said he was going to distribute meeting agendas to homes, I told him not to visit my home. He responded "Oh, I'll visit your home," defying the instructions in the letter from our attorney.

As of now, both our managing agent and a female groundskeeper are pursuing restraining orders and or stalking orders against this board member.

These kinds of things aren't just by chance. This is willful behavior with the intent to harass and intimidate.

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05/06/26

Cash Basis

Falcon Heights Condominium Assn.

Profit & Loss

January through April 2026

	Jan - Apr 26
Ordinary Income/Expense	
Income	
4000 · Condominium Fees	263,315.90
4001 · Late Fees Collected	861.95
4002 · RV Lot Fees	3,060.00
4003 · Community Hall Rental	300.00
4007 · Transfer Fees	1,050.00
4010 · Interest Income	59.16
4013 · Filing Fees	72.24
4018 · Fines Collected	3,765.74
Total Income	272,484.99
Gross Profit	272,484.99
Expense	
1000 · Administrative Expenses	
1001 · Liab. Ins., D&O, Bond	7,126.91
1002 · Managing Agent Fees	16,000.00
1003 · Security Gate	1,628.85
1004 · Postage	191.58
1005 · Professional Services	
1005a · Legal Fees	4,543.83
Total 1005 · Professional Services	4,543.83
1006 · Merchant deposit fees	5,606.71
1008 · Fees & Dues	290.00
1010 · Office Supplies	582.16
1011 · Events	40.92
1014 · Bank Service Charges	11.60
1018 · Misc Admin Expense	716.22
1020 · Income Taxes	1,780.00
Total 1000 · Administrative Expenses	38,518.78
1015 · Reconciliation Discrepancies	0.01
1100 · Repairs & Maintenance Expenses	
1101 · General Repair	1,648.22

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05/06/26

Cash Basis

Falcon Heights Condominium Assn.

Profit & Loss

January through April 2026

	<u>Jan - Apr 26</u>
1103 · Maint. Supplies	1,254.82
1104 · RV Lot Repairs and Maint	5,371.35
1105 · Buidling Maintenance	557.50
1106 · Park Maint and Supplies	470.43
1108 · Contract Labor	1,600.00
1109 · Annual Maint. Contract	56,540.00
Total 1100 · Repairs & Maintenance Expenses	67,442.32
1200 · Landscape Expenses	
1201b · Upkeep, Fertilizer	281.92
1201c · Alley/Gnrl Cleanup	828.00
1201d · Irrigation	3,586.80
1201e · Tree removal/Trim	-800.00
Total 1200 · Landscape Expenses	3,896.72
1400 · Utility Expenses	
1401 · Garbage	29,812.56
1402 · Computer and Internet	1,421.97
1403 · Gas	
1403a · Gas-Community Center	501.70
1403b · Gas-Office	276.97
Total 1403 · Gas	778.67
1404 · Electricity	
1404a · Street Lights	1,415.78
1404b · Security Gate	172.11
1404c · Office	204.88
1404d · Community Center	317.82
Total 1404 · Electricity	2,110.59
1405 · Telephone	145.93
Total 1400 · Utility Expenses	34,269.72
Total Expense	144,127.55

Falcon Heights Condominium Assn.
Profit & Loss
January through April 2026

	Jan - Apr 26
Net Ordinary Income	128,357.44
Other Income/Expense	
Other Expense	
1500 · Capital Improvement Projects	711.78
Total Other Expense	711.78
Net Other Income	-711.78
Net Income	127,645.66

Falcon Heights Condominium Assn.
Profit & Loss Budget vs. Actual
January through April 2026

	Jan - Apr 26	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4000 · Condominium Fees	263,315.90	276,000.00	-12,684.10	95.4%
4001 · Late Fees Collected	861.95	1,400.00	-538.05	61.6%
4002 · RV Lot Fees	3,060.00	2,985.00	75.00	102.5%
4003 · Community Hall Rental	300.00	700.00	-400.00	42.9%
4007 · Transfer Fees	1,050.00	2,450.00	-1,400.00	42.9%
4010 · Interest Income	59.16	24.00	35.16	246.5%
4013 · Filing Fees	72.24			
4018 · Fines Collected	3,765.74	440.00	3,325.74	855.9%
Total Income	272,484.99	283,999.00	-11,514.01	95.9%
Gross Profit	272,484.99	283,999.00	-11,514.01	95.9%
Expense				
1000 · Administrative Expenses				
1001 · Liab. Ins., D&O, Bond	7,126.91	9,540.00	-2,413.09	74.7%
1002 · Managing Agent Fees	16,000.00	16,000.00	0.00	100.0%
1003 · Security Gate	1,628.85	1,880.00	-251.15	86.6%
1004 · Postage	191.58	100.00	91.58	191.6%
1005 · Professional Services				
1005a · Legal Fees	4,543.83	8,000.00	-3,456.17	56.8%
1005b · Accounting Fees	0.00	0.00	0.00	0.0%
Total 1005 · Professional Services	4,543.83	8,000.00	-3,456.17	56.8%
1006 · Merchant deposit fees	5,606.71	5,970.00	-363.29	93.9%
1008 · Fees & Dues	935.00	1,200.00	-265.00	77.9%
1010 · Office Supplies	582.16	640.00	-57.84	91.0%
1011 · Events	40.92	450.00	-409.08	9.1%
1014 · Bank Service Charges	11.60	37.00	-25.40	31.4%
1018 · Misc Admin Expense	716.22	600.00	116.22	119.4%
1020 · Income Taxes	1,780.00			
Total 1000 · Administrative Expenses	39,163.78	44,417.00	-5,253.22	88.2%
1013 · Investment Mgt Fees	0.00	225.00	-225.00	0.0%
1015 · Reconciliation Discrepancies	0.01			
1100 · Repairs & Maintenance Expenses				
1101 · General Repair	1,648.22	2,000.00	-351.78	82.4%
1102 · Painting	0.00	0.00	0.00	0.0%
1103 · Maint. Supplies	1,254.82	1,400.00	-145.18	89.6%
1104 · RV Lot Repairs and Maint	5,371.35	500.00	4,871.35	1,074.3%
1105 · Buidling Maintenance	557.50	400.00	157.50	139.4%
1106 · Park Maint and Supplies	470.43	500.00	-29.57	94.1%
1107 · Snow Removal	0.00	2,000.00	-2,000.00	0.0%
1108 · Contract Labor	1,600.00	1,600.00	0.00	100.0%
1109 · Annual Maint. Contract	56,540.00	55,340.00	1,200.00	102.2%

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05/06/26
Cash Basis

Falcon Heights Condominium Assn.
Profit & Loss Budget vs. Actual
January through April 2026

	Jan - Apr 26	Budget	\$ Over Budget	% of Budget
Total 1100 · Repairs & Maintenance Expenses	67,442.32	63,740.00	3,702.32	105.8%
1200 · Landscape Expenses				
1201b · Upkeep, Fertilizer	281.92	0.00	281.92	100.0%
1201c · Alley/Gnrl Cleanup	828.00	600.00	228.00	138.0%
1201d · Irrigation	3,586.80	0.00	3,586.80	100.0%
1201e · Tree removal/Trim	-800.00	2,000.00	-2,800.00	-40.0%
Total 1200 · Landscape Expenses	3,896.72	2,600.00	1,296.72	149.9%
1400 · Utility Expenses				
1401 · Garbage	29,812.56	30,000.00	-187.44	99.4%
1402 · Computer and Internet	776.97	640.00	136.97	121.4%
1403 · Gas				
1403a · Gas-Community Center	501.70	500.00	1.70	100.3%
1403b · Gas-Office	276.97	350.00	-73.03	79.1%
Total 1403 · Gas	778.67	850.00	-71.33	91.6%
1404 · Electricity				
1404a · Street Lights	1,415.78	1,460.00	-44.22	97.0%
1404b · Security Gate	172.11	200.00	-27.89	86.1%
1404c · Office	204.88	460.00	-255.12	44.5%
1404d · Community Center	317.82	400.00	-82.18	79.5%
Total 1404 · Electricity	2,110.59	2,520.00	-409.41	83.8%
1405 · Telephone	145.93	200.00	-54.07	73.0%
Total 1400 · Utility Expenses	33,624.72	34,210.00	-585.28	98.3%
Total Expense	144,127.55	145,192.00	-1,064.45	99.3%
Net Ordinary Income	128,357.44	138,807.00	-10,449.56	92.5%
Other Income/Expense				
Other Expense				
1500 · Capital Improvement Projects	711.78			
Total Other Expense	711.78			
Net Other Income	-711.78			
Net Income	127,645.66	138,807.00	-11,161.34	92.0%

Falcon Heights Condominium Assn.
Balance Sheet
As of April 30, 2026

	Apr 30, 26
ASSETS	
Current Assets	
Checking/Savings	
Checking and Savings	
120 · Operating Checking WF	8,918.46
124 · WF Reserve Savings	5,474.88
Total Checking and Savings	14,393.34
Investment Accounts	
126 · Investment CDs- TD Ameritrade	
126E · Cash/Cash Alternatives-CDs	1,087.77
126G · Wells Fargo CD 12 month	200,337.50
Total 126 · Investment CDs- TD Ameritrade	201,425.27
Total Investment Accounts	201,425.27
140 · Petty Cash	
141 · HOA Petty Cash	504.14
142 · Events Committee Petty Cash	526.40
Total 140 · Petty Cash	1,030.54
600 · Discrepancy Account	755.00
Total Checking/Savings	217,604.15
Accounts Receivable	
800 · Accounts Receivable	-15,355.00
Total Accounts Receivable	-15,355.00
Other Current Assets	
820 · Undeposited Funds	350.00
850 · Market Appr/Depr Investment CDs	-229.70
860 · Pre Paid Construction Cost	970,477.03
Total Other Current Assets	970,597.33
Total Current Assets	1,172,846.48
Fixed Assets	
910 · Furniture & Fixtures	2,658.49
911 · Accum. Depreciation	-14,693.97
912 · Buildings	20,097.50
913 · Land	192,163.92
914 · Building Improvements	-23,580.85
916 · Community Capitol Improvements	178,674.15
917 · Equipment	10,670.00
Total Fixed Assets	365,989.24
Other Assets	
915 · Community Hall Deposits	-200.00
Total Other Assets	-200.00

Falcon Heights Condominium Assn.

Balance Sheet

As of April 30, 2026

	Apr 30, 26
TOTAL ASSETS	1,538,635.72
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
950 · Accounts Payable	3,695.23
Total Accounts Payable	3,695.23
Other Current Liabilities	
955 · Accrued Expenses	10,135.00
Total Other Current Liabilities	10,135.00
Total Current Liabilities	13,830.23
Long Term Liabilities	
Ghost Ridge Roofing Contract	-25,000.00
Total Long Term Liabilities	-25,000.00
Total Liabilities	-11,169.77
Equity	
1601 · Retained Earnings	1,052,162.33
3000 · 311 - Opening Balance Equity	-3,077,674.44
960 · Reserve	369,900.00
970 · Opening Balance Equity	3,077,771.94
Net Income	127,645.66
Total Equity	1,549,805.49
TOTAL LIABILITIES & EQUITY	1,538,635.72

Facilities & Maintenance Report

HOA/Community: Falcon Heights. **Reporting Period:** April- May

Prepared By: Paul Montieth - Facilities Management Contractor **Date Submitted:** 05/14/2026

Distribution: Board of Directors and Community Members

1. Executive Summary

- During the reporting period, the Facilities & Maintenance team completed routine upkeep and corrective repairs across common areas, addressed resident-reported issues, and advanced planning for upcoming projects. Various over grown bushes and trees in front yards have been trimmed throughout the Community and is still in process. Irrigation has been turned on and we are working diligently to adjust, repair and replace sprinklers and pipes. As we turned on the irrigation we have had to repair a few broken pipes, replace sprinkler boxes and broken sprinklers. As reminder, please make sure that anything put into the ground is clear of any pipes and refrain from adjusting or turning on and off water at valves, boxes, etc. We are implementing a new watering schedule this year. It is a soaking method which will be intervals of watering as opposed to a constant. This will allow for more water to be absorbed into the soil and less run off and less water. Once we get the lawns back and strong this should also help choke out the weeds. Please be patient as all of this is a time-consuming process but we are doing our best to get everyone as fast as possible. **Notable highlights include:** Irrigation and continued clean up. We will still continue to be focused on common areas, laying new rock, applying grass seed as needed to bare areas keeping roads and sidewalks clear. We have begun mowing as well. We will have blades set a bit higher per standards to ensure strong and healthy lawns as we anticipate a hot summer. We will continue to do fence repairs. For fence repairs, we want to remind everyone we only repair fences. Homeowners are responsible for any painting and/or staining. Weed sprayers came out in April and have applied 2 sprays. Clean up of the east and west side of the front entrance was done. Overall site conditions are good and the crew continues to complete tasks to maintain safety, appearance, and function of the community and common areas.

2. Open Items and Follow-Up Needed

The following items remain in progress or require additional time, parts, vendors, scheduling, or approvals:

- Irrigation
- General Landscaping and Maintenance
- Fence Repair

3. Upcoming Projects and Planned Work (Next 30-90 Days)

Planned projects and larger work items under consideration or scheduling:

No major projects at this time other than fence repairs and general landscaping and clean-up.

4. Safety, Compliance, and Risk Notes

Items observed or addressed that relate to resident safety, liability reduction, or compliance:

- **Hazards Corrected:** Low hanging tree limbs.
- **Hazards Pending:** We will still be correcting sidewalks as time permits.

Submitted By: Paul Montieth Facilities Contractor

Greener Lawns in the forecast

The grounds care people have an uphill battle but are determined to overcome the challenging conditions of suffering lawn health.

With an unusually dry winter, inherently tough soils, many south facing slopes in full sun all day, frequent drying winds and several poorly designed irrigation systems, actions are underway to provide lawn greening solutions.

Here are some best management practices to be implemented this growing season and in the seasons to come:

- Adjust and reposition sprinkler heads; remodel our weakest sprinkler system zones
- Increase watering duration *on a temporary basis* to recharge soil moisture levels
- Elevate lawn mower cutting heights to promote longer grass blades and shade soils
- Apply nitrogen fertilizer for grass density as irrigation deficiencies are improved
- Implement lawn renovation techniques for improved turf quality on difficult sites
- Add more shade trees to shield our most vulnerable areas over the years to come

As these remedies are underway improvements will appear gradually; some tasks will take several years to complete. Please be patient while these affordable actions build healthier lawns during this steady course of continuous and practical improvements.



To: Falcon Heights Board of Directors

From: Samantha Mitchell, Managing Agent

Re: email from Judy Howe presented at the March 26, 2026 meeting.

This letter is submitted in response to the email sent by homeowner Judy Howe directly to Board Member Brent Hublitz, which was subsequently read aloud in open session on March 26, 2026 without prior review by the full Board.

This action was improper. It is not appropriate for a single Board member to introduce and read a document into the record during an open meeting without first providing the full Board an opportunity to review the material in advance. Doing so undermines the Board's ability to act collectively, denies Directors the opportunity for informed consideration, and disrupts the integrity of the meeting process.

Board members are expected to operate as a unified body, with all materials intended for discussion or inclusion in the record distributed in advance to ensure transparency, consistency, and fairness. Introducing new information in this manner places the Board at a disadvantage and is inconsistent with established governance standards.

Additionally, communications from homeowners should not be directed to individual Board members for unilateral presentation in open session. All such correspondence should be routed through proper channels so it can be reviewed and, where appropriate, included on a meeting agenda or distributed to the full Board in advance.

Going forward, it must be clearly understood that no document, correspondence, or communication will be read into the record during an open meeting unless it has first been provided to all Board members with sufficient time for review.

This expectation is necessary to maintain proper governance procedures, protect the integrity of Board deliberations, and ensure that all Directors are able to fulfill their responsibilities in an informed and orderly manner.

In response to the specific points raised in Ms. Howe's correspondence regarding Resolution 2026-005, titled *Director Authority, Information Access, and Confidentiality Protocol*, the following clarifications are provided:

With respect to Section 3.1, which states that Directors are entitled to reasonable access to records necessary to fulfill their fiduciary duties consistent with ORS 65.771 and ORS 100.480, Ms. Howe suggests that this language should be amended to include homeowners. This concern reflects a misunderstanding of the purpose of the provision. The cited language is not intended to define or limit homeowner rights; rather, it clarifies the scope of access afforded to Directors in the performance of their fiduciary obligations.

Homeowner access to Association records is already clearly established under Oregon law. The inclusion of Director-specific language in this section is meant to affirm that Directors, in carrying out their governance responsibilities, are entitled to request and review records necessary to make informed decisions. As such, the provision is not misleading, nor does it exclude or diminish existing homeowner rights. It simply addresses Director authority within the context of Board operations.

Regarding Section 4, addressing executive session and confidentiality, Ms. Howe raises the question of whether the Managing Agent should be recused from executive session discussions. This concern also requires clarification. The Managing Agent serves in a non-voting, advisory capacity to the Board. Her role in executive session is to provide information, context, and administrative support as requested by the Board to assist in its decision-making process.

The Managing Agent does not possess voting authority and does not participate in Board decisions beyond providing relevant information. Accordingly, her presence in executive session is determined by the Board based on operational necessity and is entirely appropriate when her input is required. There is no governance basis requiring automatic recusal of the Managing Agent from executive session discussions.

For these reasons, the **concerns raised in this portion of Ms. Howe's correspondence are not supported by the governing documents or applicable law.**

Policies and Procedures Manual

Ms. Howe also raises a question regarding the Policies and Procedures Manual, specifically page 6, paragraph 7, addressing the delegation and role of the Managing Agent in overseeing coordination.

This provision is intended to clarify the established operational structure of the Association. The Managing Agent is responsible for the day-to-day administration and management of the Association, including the coordination of vendors and service providers engaged by the Association. *See Resolution 2025-002*

Vendor coordination encompasses all interactions with contractors, service providers, and other third parties performing work or services on behalf of the Association. This includes scheduling, oversight of work, communication, and ensuring that services are carried out in accordance with Board direction and contractual obligations.

This delegation is both standard and necessary for the efficient operation of the Association. It allows the Board to focus on governance and policy decisions, while the Managing Agent handles the administrative execution of those decisions.

Accordingly, this provision does not expand authority beyond what is customary or appropriate but rather clarifies the existing role and responsibilities of the Managing Agent within the Association's operational framework.

Ms. Howe also raises a concern regarding **page 7, paragraph D**, outlining the duties of the Secretary, suggesting that the language should be amended to require the Secretary to provide records and information upon written request from Board members or homeowners.

This is not consistent with the operational structure of the Association. The Secretary is a volunteer Board position with defined governance responsibilities, and it is not the role of the Secretary to manage, process, or fulfill records requests. Nor, does the Secretary have personal access to Association records.

The responsibility for handling document requests rests with the Managing Agent and the Association office. This ensures that all requests are processed consistently, tracked appropriately, and fulfilled in accordance with applicable laws, governing documents, and established procedures.

Additionally, Board members serving in volunteer roles are not required to make their personal contact information available to homeowners. Routing all records requests through the Association office protects the privacy of Board members while maintaining an organized and accountable system for document access.

Accordingly, the current language accurately reflects the appropriate division of responsibilities and standard operating protocol, and **no modification is warranted.**

Concerns regarding **page 11, paragraph 8**, addressing annual meetings, stating that the reference to “Association reports” is too general and should be expanded to include specific items such as a Chairperson’s annual review, profit and loss statements, balance sheets, and detailed expense reporting.

This requested level of specificity is unnecessary. The term “Association reports” is intentionally broad to allow the Board flexibility in presenting relevant information appropriate to each annual meeting.

In practice, the items referenced by Ms. Howe are already part of the Association’s standard reporting. Financial statements, including profit and loss and balance sheet reports, are presented regularly to the Board and made available to homeowners. Year-end financial summaries are also included in the annual meeting materials.

Additionally, updates regarding accomplishments and ongoing projects are routinely provided through Board reports and meeting discussions. Requiring a rigid, itemized list within the manual would create unnecessary constraints without adding substantive value, as these elements are already consistently addressed through established practices.

Accordingly, the current language is appropriate and sufficient, and **no modification is warranted.**

Ms. Howe also raises a concern regarding **page 12**, addressing notice requirements for annual and regular meetings. She notes that three days’ notice may not provide sufficient time for homeowners to plan their schedules and suggests that a longer minimum notice period, such as seven days, would be more appropriate.

While this concern is understandable, the Board is bound by the notice provisions set forth in the Association’s governing documents. The Bylaws currently contain varying notice requirements, ranging from three days to ten days depending on the type of meeting. These provisions cannot be modified by Board policy.

The Board does not have the authority to alter or standardize these notice periods through the Policies and Procedures Manual. Any change to the required notice timeframe would require a formal amendment to the Bylaws, which must be approved by the ownership in accordance with the governing document requirements.

Additionally, the Bylaws clearly establish that the annual meeting is to be held on the first Tuesday in February. This has been a consistent and longstanding requirement, and as such, the timing of the annual meeting is not discretionary. Homeowners are provided with this predictable schedule each year, allowing for advance awareness independent of the formal notice period.

Accordingly, the manual must reflect the existing Bylaw provisions, with the applicable minimum and maximum notice periods remaining in place. While the Board may, as a matter of practice, strive to provide more advance notice whenever feasible, it cannot impose a fixed standard that conflicts with or attempts to override the Bylaws.

For these reasons, **no modification to this section is warranted.**

Ms. Howe also raises a concern regarding **page 14, paragraph E**, addressing emergency Board meetings, specifically the phrase “when a majority of units are principal residents,” and requests clarification as to its meaning.

This language is taken directly from the Association's Bylaws and, as such, cannot be modified through the Policies and Procedures Manual. Any change to this wording would require a formal amendment to the Bylaws, approved by the membership in accordance with the governing document requirements.

The term "principal residents" is generally understood to refer to units that are occupied as primary residences, as opposed to rental or non-owner-occupied units. While the phrasing may not be explicitly defined within the governing documents, it reflects the language adopted in the Bylaws and must be carried forward as written.

The intent of this provision is to allow the Board to conduct emergency meetings by telephonic or remote means when circumstances require immediate action and an in-person meeting is not practical. The use of telephonic communication in such situations is based on urgency and operational necessity.

Accordingly, while clarification of the term may be helpful for general understanding, the language itself cannot be revised within this manual and must remain consistent with the Bylaws.

Ms. Howe raises a concern regarding **page 17, Section 3, Enforcement Hearings and Fines**, specifically Item 2 (Violation Procedures), noting that mediation is not referenced and suggesting that its omission is misleading.

This concern is based on an incorrect assumption. The Association's governing documents do not provide for mediation as part of the enforcement or dispute resolution process. Accordingly, the absence of mediation language in this section is not misleading, but rather consistent with the governing documents.

Section 7.6 of the Bylaws establishes a pre-dispute arbitration requirement, which provides that any dispute or claim arising out of or relating to the Bylaws or Declaration shall be resolved through binding arbitration in accordance with the rules of the Arbitration Service of Portland, Inc. or the American Arbitration Association, as selected by the initiating party. This provision governs the resolution of disputes beyond the Board level and serves as the applicable mechanism for challenging or resolving claims.

For clarity, it may be appropriate to reference this arbitration provision within the Enforcement Hearings and Fines section to ensure that the full dispute resolution framework is clearly understood. However, the omission of mediation language is accurate and does not misrepresent homeowner rights.

Therefore, the amended Section 3 will read as follows:

Hearings may be held as public hearings when issues involve multiple homeowners or general rule enforcement, or as closed hearings when involving a single homeowner matter, delinquent assessments, disciplinary matters, or privacy concerns. Closed hearings shall be conducted in executive session, Board members, Managing Agent, and counsel if necessary. Board decisions are final unless and until a valid arbitration claim is filed. Parties may dispute findings of the Board through arbitration as described in the Bylaws Section 7.6. This provision governs the resolution of disputes beyond the Board level and serves as the applicable mechanism for challenging or resolving claims.

Additionally, Ms. Howe raises a concern regarding **page 19**, addressing the finality of Board decisions, suggesting that the language implies absolute authority of the Board without recognizing the availability of arbitration.

To clarify, Board decisions regarding enforcement and fines are final at the Association level following the conclusion of the hearing and appeal process. However, as provided in the Bylaws, such decisions remain subject to the pre-dispute arbitration provision outlined in Section 7.6.

Accordingly, the language may be clarified to state that Board decisions are final unless and until a valid arbitration claim is filed in accordance with the governing documents. This clarification would accurately

reflect both the authority of the Board and the dispute resolution rights available to homeowners. See amendment above.

For these reasons, while the current language is not incorrect, a limited clarification referencing arbitration may be incorporated to improve transparency and alignment with the Bylaws.

Ms. Howe raises a concern regarding **page 22, Section 5, Item 2**, relating to the annual budget, and suggests that the paragraph should be rewritten to require greater homeowner involvement and to limit the authority of the Managing Agent and Treasurer in the budget preparation process.

This concern reflects a misunderstanding of both the governing documents and the operational structure of the Association. The preparation of the annual budget is an administrative function, not a discretionary or policy-setting function of individual homeowners.

The Managing Agent, in coordination with the Treasurer, is responsible for preparing the proposed budget. This responsibility is consistent with the Association's established practices and is further supported by Resolution 2025-002, which outlines the Managing Agent's duties, including the preparation and presentation of the annual budget to the Board.

The Managing Agent is uniquely positioned to perform this function, as she oversees the Association's financial operations on a continuous, year-round basis. This includes monitoring expenses, contracts, reserve planning, and overall financial performance. As a non-homeowner, the Managing Agent does not have a personal financial interest in the outcome of the budget, allowing for an objective, data-driven approach focused solely on the best interests of the Association as a whole.

With respect to the provision allowing the Managing Agent or Treasurer to convene a budget committee, this language is consistent with the Bylaws and provides flexibility, not exclusion. It allows for homeowner participation when appropriate, while ensuring that the budget process is not delayed or hindered if a committee is not formed. The authority to convene a committee does not obligate its formation in all circumstances.

Importantly, the Board of Directors retains full authority to review, modify, and approve the proposed budget. Homeowners are also provided with access to budget information and may offer input through established channels. The final budget, however, must be based on the financial needs and obligations of the Association, not individual preferences.

Accordingly, the current language accurately reflects the appropriate roles and responsibilities in the budget process, is consistent with the governing documents, and does not require revision.

Ms. Howe raises a concern **regarding page 24, Section 6, Item 4**, addressing confidential and restricted records, specifically noting that the categories of "vendor proprietary information subject to confidentiality" and "banking credentials" are too general and could be used to improperly deny access to information.

This concern is based on a misunderstanding of the intent and application of these categories. These provisions are not intended to restrict lawful access to records, but rather to protect sensitive information while still allowing appropriate review where permitted.

With respect to vendor proprietary information, this refers to materials that are not publicly available and may include confidential business practices, pricing structures, or contractual details provided by vendors. Such information may be maintained in the Association's records and made available for review by Board members and homeowners as appropriate. However, due to the confidential nature of this information, it may be subject to limitations on duplication or distribution in order to protect contractual obligations and vendor relationships.

Regarding banking credentials, this term refers to secure financial access information, including account access credentials, online banking login information, and authorization controls associated with Association financial accounts. Access to this information is strictly limited to authorized individuals, such as designated Board members and the Managing Agent, as approved by the Board through formal action.

Authorized signers on Association accounts are established by Board motion in an open meeting, and such individuals may be granted appropriate access as required to perform their duties. However, the disclosure of banking credentials to homeowners or unauthorized individuals presents a significant security risk and is not consistent with standard financial management practices.

No homeowner is entitled to access sensitive financial credentials, and such restrictions are necessary to safeguard Association funds and prevent unauthorized access or misuse.

Accordingly, these categories are appropriately defined within the context of protecting sensitive information while maintaining transparency in accordance with governing documents and applicable law, **and no modification to this section is warranted.**

Ms. Howe raises a concern regarding **page 24, Section 6**, addressing improper or abusive document requests, and suggests that this paragraph should be removed on the basis that it could be used to avoid compliance with legitimate records requests.

This is not the intent of the provision. The purpose of this language is to ensure that document requests are handled in a manner consistent with applicable law, while also protecting the Association from repetitive, excessive, or abusive requests that do not serve a legitimate purpose.

Under Oregon law, homeowners are entitled to access certain Association records; however, that access is not without limitation. The statute requires that records requests be made for a proper purpose related to the requester's interest as a unit owner. The Association is not required to respond to requests that are duplicative, burdensome, or made in bad faith.

This provision is intended to reflect and enforce that standard. It does not restrict lawful access to records, but rather establishes a framework to manage requests in a reasonable and consistent manner, in line with statutory requirements.

Accordingly, the inclusion of this paragraph is both appropriate and necessary to ensure that the Association can fulfill its obligations to provide access to records while maintaining efficient operations and preventing misuse of the request process.

For these reasons, no modification to this section is warranted.

Ms. Howe raises concern regarding the language in the Bylaws describing the powers and duties of the Board of Directors.

To clarify, this provision is a standard governance statement that defines how the Association operates.

In simple terms, it means that the Board of Directors is responsible for managing the day-to-day affairs of the Association. This includes making the decisions necessary to operate, maintain, and administer the community.

This authority is not unlimited. The Board is required to act within:

- Oregon law
- The Declaration
- The Bylaws

The Board cannot take actions that are restricted by these governing documents, nor can it assume powers that are reserved to the unit owners, such as amending the Bylaws.

Accordingly, this provision does not grant new or expanded authority, nor is it unclear or misleading. It accurately reflects the established legal framework under which the Board operates.

No revision to this language is warranted.

Ms. Howe raises a concern regarding **page 27, Section 7**, Capital Improvements and Procurement, specifically the provision authorizing routine operational expenditures not to exceed \$5,000, suggesting that this grants unilateral authority to the Managing Agent and Chairman without Board review or knowledge.

This interpretation is not accurate. The \$5,000 authorization threshold was formally established in Resolution 2025-002 and defines the level at which the Managing Agent is permitted to engage in routine operational contracts necessary for the day-to-day functioning of the Association.

This authority is administrative in nature and is intended to allow for timely and efficient handling of routine maintenance, repairs, and operational needs that arise on a regular basis. It does not eliminate Board oversight, nor does it transfer ultimate decision-making authority away from the Board.

All such expenditures are made within the approved budget and are subject to Board review through regular financial reporting. The Board retains full authority over budget approval, capital expenditures, and any contracts exceeding the established threshold.

Additionally, these actions are conducted with the knowledge of the Board, even when formal pre-approval is not required for each individual transaction. This ensures operational efficiency while maintaining transparency and accountability.

Accordingly, this provision does not grant unchecked authority, but rather establishes a practical and controlled framework for routine operations, consistent with the Board-approved resolution.

For these reasons, **no modification to this section is warranted.**

Ms. Howe raises a concern regarding page 27, addressing competitive bid requirements, and suggests that additional bids should be required at all expenditure levels, including two bids for projects under \$5,000, three bids for projects between \$5,000 and \$25,000, and four bids for projects exceeding \$25,000.

While the intent to ensure competitive pricing is understood, the proposed requirements are not consistent with standard industry practices and would create unnecessary administrative burden without providing meaningful benefit to the Association.

The current bid thresholds are based on commonly accepted industry standards and are aligned with practical application under Oregon law. Competitive bids are sought when appropriate to ensure that the Association receives quality work at a fair and reasonable cost.

For routine or lower-cost operational work under \$5,000, requiring multiple bids for each project would be inefficient and could delay necessary maintenance and repairs. Similarly, requiring four bids for larger projects

is often not feasible due to the limited availability of qualified contractors, particularly in specialized trades or in a constrained market.

The purpose of competitive bidding is to promote informed decision-making, not to impose rigid requirements that may be impractical or counterproductive. The Board and Managing Agent retain the discretion to obtain additional bids when circumstances warrant, including for larger or more complex projects.

Accordingly, the current language provides a balanced and workable approach that ensures due diligence while maintaining operational efficiency. The proposed increase in mandatory bid requirements would be burdensome, unnecessary, and is not supported by standard practice.

For these reasons, **no modification to this section is warranted.**

Ms. Howe raises a concern regarding page 28, addressing legal fee limitations, and recommends that the language be clarified to more directly reflect the requirements set forth in the Bylaws.

This clarification **is appropriate and consistent with the governing documents.** Accordingly, the provision should be revised to state that, pursuant to the Bylaws, legal fees exceeding \$2,500 for any specific matter require approval by at least 50% of the unit owners, except in cases involving defensive litigation.

This revision improves clarity and ensures that the Policies and Procedures Manual accurately reflects the requirements and limitations established in the Bylaws.

This modification is accepted and should be incorporated into the final document and section 5 on page 28 has been revised to read as follows:

Pursuant to the Bylaws, legal fees exceeding \$2,500 per specific matter require owner approval except where defensive litigation applies. Legal fees exceeding \$2,500 for any specific matter require approval by at least 50% of the unit owners, except in cases involving defensive litigation. The Board may approve legal expenses necessary to defend the Association without owner approval.

Management appreciates Ms. Howe's engagement and the time taken to review and provide feedback on the Policies and Procedures Manual.

However, it is important to note that future correspondence intended for Board consideration should be submitted through the established Association channels. This ensures that all Board members have the opportunity to review materials in advance and that such matters can be addressed in an orderly and consistent manner in accordance with proper governance procedures.

Adherence to these processes is necessary to maintain transparency, fairness, and the integrity of Board operations.

Respectfully Submitted

Samantha Mitchell CMCA

FALCON HEIGHTS CONDOMINIUM ASSOCIATION
RESOLUTION 2026-006
ADOPTION OF POLICIES AND PROCEDURES MANUAL

WHEREAS, the Falcon Heights Condominium Association (“Association”) is governed by ORS Chapter 100 and its recorded Declaration and Bylaws; and

WHEREAS, ORS 100.420 grants the Board of Directors authority to regulate the use, maintenance, repair, replacement, and governance of the Association; and

WHEREAS, Article 3.7 of the Bylaws grants the Board authority to adopt rules and policies governing the administration of the Association; and

WHEREAS, the Board of Directors finds it necessary and appropriate to establish written policies to ensure consistency, transparency, fiduciary responsibility, and orderly governance; and

WHEREAS, the Board has reviewed and compiled policies addressing governance procedures, financial management, elections, records access, enforcement, capital improvements, reserve fund management, communications, and professional conduct;

NOW, THEREFORE, BE IT RESOLVED THAT:

The Falcon Heights Condominium Association Policies and Procedures Manual, dated _____, is hereby adopted as official policy of the Association.

The Policies and Procedures Manual shall supplement, but not replace, the Declaration and Bylaws. In the event of conflict, the Declaration, Bylaws, and applicable Oregon law shall control.

The Board retains authority to amend, modify, or repeal provisions of the Manual by subsequent resolution.

The Managing Agent is directed to:

Maintain the official version of the Manual;

Distribute or make available the Manual to homeowners upon request;

Incorporate future amendments as adopted by the Board.

This Resolution shall become effective immediately upon adoption.

ADOPTED this __ day of March, 2026.

Chairman: Anthony Anghinetti _____

Secretary: Greg Zoppetti _____

X

1 of 2

10529

Schilling

Keelin

Anderson

KJ Unused 23FT x 22FT Double Garage Metal shed

Model: K2223G
Installation instructions are included in the box.

All steel structure double garage metal shed K2223G has the characteristics of high fire resistance, corrosion resistance and long service life. It is mainly composed of steel, including steel structure, steel beam, steel structure, steel roof trusses. Each component is connected by bolts and screws. The roof and walls made of composite PPGI board which is galvanized and polyester painted for preventing rust and corrosion. It is ideal for car garage, workshop or storage.

SPECIFICATIONS

- Overall dimension: 23FT(L) x 23FT(W) x 13FT(H)
- Storage capacity: Approx. 50 bags of
- Main frame: 14 Gauge Trussery 2.3' Square Type
- Sheet Metal Gauge: 26 Gauge
- Two Ramp doors open: 8.5FT(W) x 7.5FT(H) (Excluding doors)
- With one side entrance door
- Roof with reinforcement
- Reference snow load: 130 PSF
- Reference wind load: 175 MPH
- Color: Red-brown
- Beautiful appearance, different colors
- Service life: 10-20 years

Features & Advantages:

- Advanced smart connecting brackets easy for installation.

Heavy-duty:

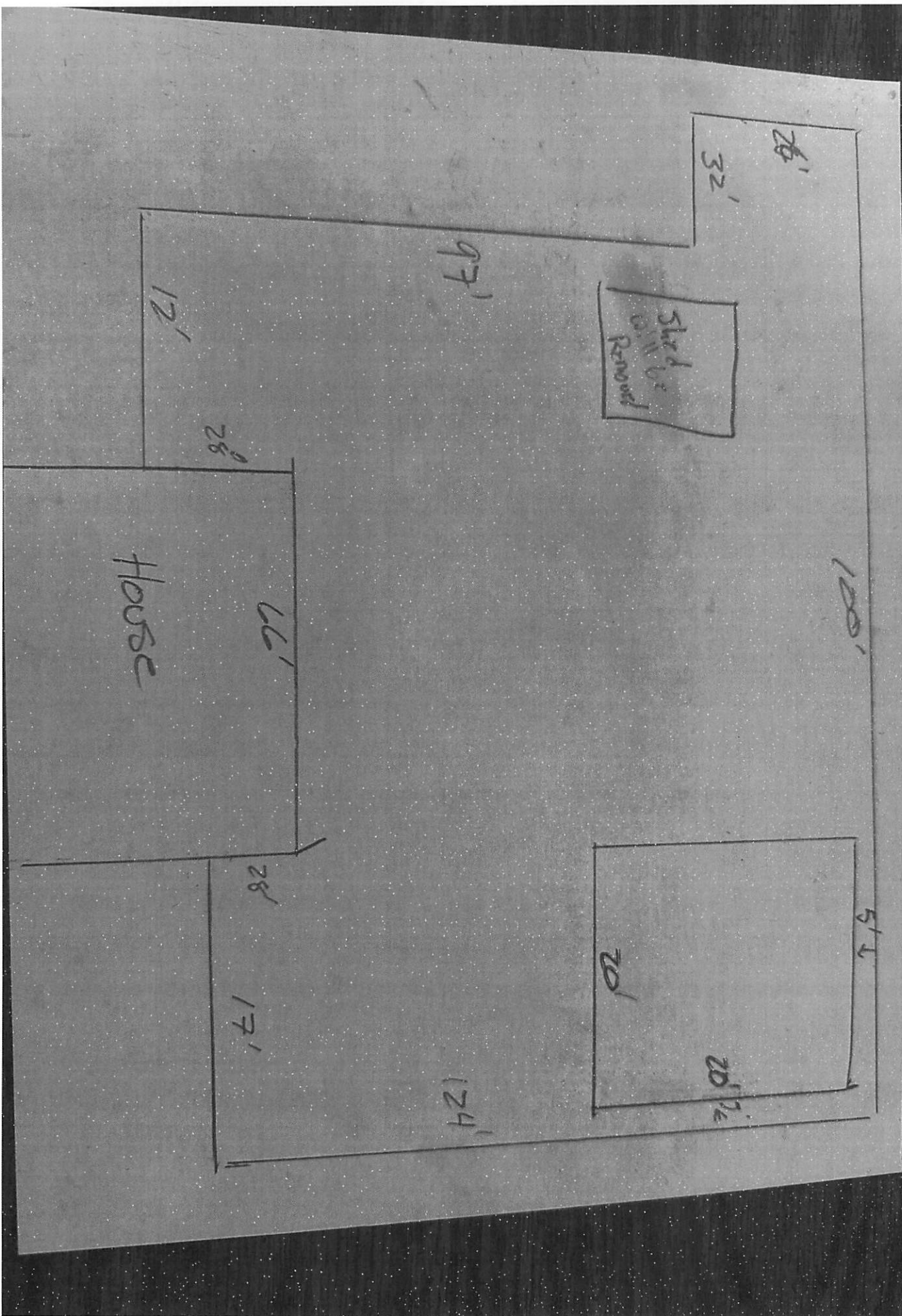
- Use much more thicker material than other competitors at the site.

23FT x 22FT

Heavy-duty

Supplier for Olympic Games

www.kjsheds.com support@kjsheds.com



May 14, 2026

Falcon Heights Condominium Association
Investigation Committee Findings and Recommendation
Regarding Board Member Brent Hublitz

To the Falcon Heights Board of Directors,

The Investigation Committee, established by the Falcon Heights Condominium Association Board of Directors, has completed its review into the conduct of Board Member Brent Hublitz.

Over the course of this investigation, the committee reviewed submitted complaints and supporting documentation, interviewed Mr. Hublitz, staff members, contractors, and other individuals with direct knowledge of the incidents in question, and evaluated the information presented in relation to the Falcon Heights Board Member Code of Conduct and Ethics. The committee was tasked with evaluating the complaints using a preponderance of the evidence standard, meaning the committee determined whether the information reviewed showed that the alleged conduct was more likely than not to have occurred.

After careful review and deliberation, the committee has determined that multiple actions and behaviors attributed to Mr. Hublitz were found to be inconsistent with the standards, expectations, and professional conduct required of a member of the Board of Directors. The committee further concluded that portions of Mr. Hublitz's conduct were unbecoming of a board member and constituted violations of the Falcon Heights Board Member Code of Conduct and Ethics.

The committee found repeated patterns of behavior that created unnecessary conflict within the community, disrupted association operations, undermined working relationships with staff and contractors, and negatively impacted the ability of the Board and management to effectively conduct association business.

While the committee understands that disagreement and differing opinions are a normal and expected part of board service, the committee believes that the conduct reviewed during this investigation exceeded the bounds of professional disagreement and rose to a level incompatible with the expectations placed upon elected directors of the Association.

Based upon the totality of the information reviewed, the Investigation Committee has concluded that Mr. Hublitz is not presently suitable to serve as a member of the Falcon Heights Condominium Association Board of Directors.

The committee respectfully submits these findings to the Board of Directors for inclusion in the official record and for any action the Board may deem appropriate.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Billy J. Cox". The signature is written in a cursive, flowing style.

Falcon Heights Investigation Committee

HOA SUBMISSION PACKET

Leon "Rocky" Meek

Falcon Heights Condominium Association

Subject Property: 10470 McGuire Avenue, Klamath Falls, Oregon

Date Submitted: 29 APRIL 2026 at 10:35 AM

Subject: Request for Common Area Maintenance, Architectural Approval, and Clarification of Denial of Services

Request for Board Consideration:

I respectfully request that this matter be placed on the agenda for the next Board Meeting scheduled for May 14, so that it may be formally reviewed and addressed.

Please refer to attached packet for full details, supporting documentation, and exhibits.

ESTIMATE



ESTIMATE FROM:

Simply Green landscape and property maintenance.

541-331-4997

buffybobmahon@yahoo.com

3635pine grove rd Klamath Falls 97603

FOR:

Rocky Meek

541-887-7692

meekrocky@yahoo.com

Number: EST0024

Date: Apr 26, 2026

Description	Quantity	Unit price	Amount
-------------	----------	------------	--------

Rocky Meek

1

\$1,132.00

\$1,132.00

Work to be performed first phase would be Demo of existing rock and red cedar prepare walkway for new materials .

This price only includes front half of walk area witch belongs to HOA .

Demo of existing rock and red rock would be 125.00 to completely demo for new work.

So the cost to demo and reinstall new walkway on in front of fence line . Includes labor and materials.

SUBTOTAL:

\$1,132.00

TOTAL

\$1,132.00

Comments

This is only the estimate for HOA side of fence line.

ESTIMATE



ESTIMATE FROM:

Simply Green landscape and property maintenance.

541-331-4997

buffybobmahon@yahoo.com

3635pine grove rd Klamath Falls 97603

FOR:

Rocky Meek

541-887-7692

10774 Wright. Or 97603

Number: EST0023

Date: Apr 26, 2026

Description	Quantity	Unit price	Amount
Rocky Meek Work to be performed first phase would be Demo of existing rock and red cedar prepare walkway for new materials to be installed. Second Face would be to install new metal edging ground cloth prior to finish Stone and pavers. This is an estimate for complete walkway from front of driveway to back of house. This includes all labor and materials delivered and installed.	1	\$1,698.00	\$1,698.00
SUBTOTAL:			\$1,698.00
TOTAL			\$1,698.00

Comments

This is an estimate for complete job from front driveway to back of house.

EXHIBIT G — CONTRACTOR LICENSE & INSURANCE VERIFICATION

Contractor: Simply Green Home Property Maintenance LLC

CCB License #: 251432

License Status: Active

License Type: Residential General Contractor

Expiration Date: July 9, 2026

Bond Coverage: \$25,000

General Liability Insurance: \$1,000,000

This contractor is properly licensed through the Oregon Construction Contractors Board (CCB) and meets all state requirements for residential contracting, including active licensing, bonding, and insurance coverage.

Source: Oregon Construction Contractors Board (CCB) License Lookup



BUSINESS DETAIL

Licensee : **SIMPLY GREEN HOME PROPERTY
MAINTENANCE LLC**

Address : 3635 PINE GROVE RD KLAMATH FALLS
OR 97603

License No. : 251432

License Status: Active

Date First Licensed : 7/9/2024

Expiration Date: 7/9/2026

Entity Type : Limited Liability Company

Phone : (541) 331-4997

Endorsement Type :

Residential General Contractor

Workers' Compensation/Independent Contractor Status : Nonexempt

ADDITIONAL BUSINESS LICENSES AND CERTIFICATIONS

CERTIFIED LEAD-BASED PAINT RENOVATION (LBPR) CONTRACTOR LICENSE: NO
Required to bid and work on pre-1978 residential structures.

OTHER BUSINESS INFORMATION

WORKERS' COMPENSATION INSURANCE INFORMATION

<u>Coverage</u>	<u>Carrier</u>	<u>Policy No.</u>
Employee	BIBERK BUSINESS INS	N9WC337563
Personal Election	None	None

The CCB does not receive automatic notification of changes to workers' compensation coverage status. Current Oregon coverage status can be confirmed through the [Oregon Workers' Compensation Division](#).

LIABILITY INSURANCE INFORMATION ([History](#))

<u>Company</u>	<u>Amount</u>	<u>Expiration Date</u>
GENERAL INSURANCE CO OF AMERICA	\$1,000,000.00	5/15/2027

SURETY BOND INFORMATION ([History](#))

<u>Type</u>	<u>Company</u>	<u>Amount</u>	
Residential	RLI INSURANCE COMPANY	\$25,000.00	Continuous until cancelled
Commercial	None	None	None

ASSOCIATED INDIVIDUALS

Member (Limited Liability Company)

MAHON, ROBERT DOUGLAS

RMI Owner

MAHON, ROBERT DOUGLAS

Click [here](#) to see past associated individuals' names.

ASSUMED BUSINESS NAMES(S)

None

Click [here](#) to see past assumed business names.

[BACK](#)

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this is only and possibility of what we are trying to improve



M&T Enterprise

===== LLC

Falcon Heights Homeowners Association,

M&T Enterprise LLC is respectfully declining to provide any future services to Falcon Heights Homeowners Association. We have provided our company's services over the last 5 years, and this decision was made due to the ongoing hostility of a resident and a new board member, [REDACTED].

We feel that this individual would find a reason to personally attack our name and reputation, since he has been so vocal about doing so to many others. We have been followed on several occasions by [REDACTED] throughout our workday within Facon, flipped off, and recorded on his cell phone several times.

In the event that [REDACTED] is no longer a board member or resident of your community and you would like to obtain our serves please reach out.

Owner of M&T Enterprise LLC

Tracey Cheyne

Tracey Cheyne

AMENDMENT TO MEMORANDUM OF UNDERSTANDING

Falcon Heights Water and Sewer District
and
Falcon Heights Condominium Association

Original MOU Date: January 6, 2025

This Amendment ("Amendment") is made and entered into by and between the Falcon Heights Water and Sewer District ("District") and the Falcon Heights Condominium Association ("Association").

1. Purpose

The purpose of this Amendment is to clarify and expand the authority of the District with respect to enforcement and collection of sewer service fees.

2. Amendment to Service Disconnection Authority

The parties agree that, in addition to the existing provision within the Memorandum of Understanding allowing the Association to request disconnection of water service for nonpayment of homeowners association dues, the District shall have the independent authority to disconnect water service to any unit for nonpayment of sewer service fees.

Such authority shall be exercised in accordance with the District's duly adopted collection and enforcement policies, including but not limited to policies establishing delinquency thresholds, notice requirements, and procedures for disconnection and reconnection of service, as set forth in Falcon Heights Water and Sewer District Resolution No. 2026-001, as may be amended from time to time.

3. Conditions for Disconnection

The District may disconnect water service for nonpayment of sewer service fees provided that:

- The account is delinquent pursuant to District policy;
- The property owner has been provided proper notice in accordance with District procedures; and
- The action complies with applicable laws and public health requirements.

4. Restoration of Service

Water service shall not be restored until all outstanding sewer service fees, along with any applicable administrative or reconnection fees, have been paid in full, in accordance with District policy.

5. No Modification of Existing HOA Authority

Nothing in this Amendment shall alter or limit the Association's existing authority under the Memorandum of Understanding to request disconnection of water service for nonpayment of homeowners association dues.

6. Ratification

Except as expressly amended herein, all terms and conditions of the Memorandum of Understanding dated January 6, 2025 remain unchanged and in full force and effect.

7. Effective Date

This Amendment shall become effective July 1, 2026, coinciding with the beginning of the District's fiscal year.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the dates set forth below.

FALCON HEIGHTS WATER AND SEWER DISTRICT

By: _____
Name: _____
Title: _____
Date: _____

FALCON HEIGHTS CONDOMINIUM ASSOCIATION

By: _____
Name: _____
Title: _____
Date: _____