



*Oak Hammock Preserve Community Owners Association
2901 Oak Hammock Preserve Blvd
Kissimmee, FL 34746*

Dear Mr. Angell,

First and foremost, thank you for providing the Board of Directors with a list of 8 issues you would like addressed. Below are the Association's responses to your inquiry. Your list and the Association's response will be retained as HOA records. It is important to document historical events to give this communication the proper context.

- i. In early 2022, the current Board of Directors informed the community that the stormwater facilities, aka ponds, are the properties of Osceola County and that it intended to return the maintenance of these properties to its rightful owner. The Association also informed the community that the county would be responsible for maintaining the ponds effective October 1, 2023. As you recall, there were multiple community outreach messages and an in-person presentation at a board meeting from the county on their process of reassuming this responsibility. You were included in all these messages and attended the presentation.
- ii. The current board has partnered with the county to inspect the ponds regularly to ensure the areas have been appropriately maintained until the transfer date. For the past 18 years, under the previous Board of Directors in which you were a Board Member, the Association had inappropriately used HOA funds to maintain properties not owned by the HOA more than \$200,000. Again, these ponds are Osceola County's properties, not this Association's. In addition, the Association was unjustly burdened with maintaining a liability insurance policy of up to two (2) million dollars to maintain the ponds. It was discovered by this current board that this policy was neither purchased nor maintained, thus exposing the HOA to further unnecessary liability had a bad situation occur at these ponds.

- iii. The board stands by its decision to return these properties to the county and believes that this action is in the community's best interest.

The county has begun its maintenance program. They have not formally communicated to the board about their maintenance schedule. However, through recent conversations with the county inspectors, the board knows that the county is actively maintaining the ponds. The board is actively working with the county to ensure a proper maintenance schedule is being carried out. However, it does not have jurisdiction over the county and, therefore, cannot dictate what or when is to be done to the ponds.

1. Stormwater Facilities Erosion

Before the transfer date, the board discussed the shore erosion problem with the county inspectors. It was determined that the condition was acceptable as is to them. They recommended patching up a few areas with grass if the Association has the financial capacity to do so. The board assessed its resources and determined that it is not advantageous to do any repair work at this time, based on the erosion experience learned. Any erosion repair performed now would likely wash away due to the rain runoff because we are in the hurricane season. Therefore, it would be a waste of resources with little gain. The current areas of minor erosion do not warrant immediate action, and it would be best to let the county handle it when necessary. The ponds are the county's responsibility; the Association can only recommend or request the county to adhere to its maintenance schedule. Again, as previously stated, they inspected the areas regularly and did not ask us to address any erosion issues. Rest assured that the Board will monitor the ponds periodically and work with the county to address any issue that may come up.

2. Noise ordinance

Our governing documents contain a noise ordinance warning. However, a violation must be sent first, which must be witnessed and/or recorded by a community member(s) or the management company. If the violation continues, the Association can fine the property owner, which will not take effect until after a hearing with the Fine Committee. However, there is an Osceola County Noise Ordinance, so a phone call can also be made to the Sheriff's Office. If you witness a violation, please report it to the Management Company or call law enforcement.

1. Parking

Our Declaration, Section 7, prohibits trucks, buses, trailers, or other commercial or recreational vehicles, and no mobile home, motor home, house trailer, camper, van, boat, boat trailer, horse trailer, motorcycle, motor scooter, moped, all-terrain vehicle, go-cart or other recreational vehicle or the like shall be permitted to be parked or stored on any Lot unless the same shall be parked or stored entirely within and fully enclosed by a garage. Additionally, parking on a temporary or short-term basis shall mean and be defined as parking on a non-recurring basis and for a single period not exceeding forty-eight (48) hours in duration. Any commercial, recreational, utility, or other vehicle parked, stored, or used in violation of these restrictions or in violation of any rules and regulations adopted and promulgated by the Association concerning the same may be towed away or otherwise removed from the Property by or at the request of the Association and at the sole expense of the owner thereof. This applies to the driveway of a property.

It should be noted that the county has jurisdiction over all streets within the community. Therefore, the HOA cannot enforce or have the authority to dictate who can park on the street and when. As a result, the HOA cannot have vehicles towed from the street. However, it can issue violations leading to fines. If you witness a violation, don't hesitate to contact the Management company so they can issue the violation.

An effort to amend the HOA governing documents to serve the community on the parking issue better was attempted early this year. You may recall a proxy was mailed out to every community member to amend our Declaration and Bylaws. As a result, the Board received just over 30 proxies back. For the Board to change the HOA governing documents, a minimum vote of 90% of community members is required. Unfortunately, there were not enough votes to allow the amendments. Our record indicates that you voted against the change to these governing documents.

The board is forming a Parking Committee to address this issue in the community. Efforts are slow, but the board hopes it will gain momentum when more owners sign up to be on the committee. The board recommends your participation and engagement with the committee.

2. Tree Trimming

Tree trimming has been performed and continues to be performed as deemed necessary. Over the last few months, warm weather has rapidly increased the vegetation growth in our area. The Board knows tree trimming is needed and will begin obtaining bids shortly after completing a site survey. The board asks all community members if they encounter dead and/or dying low-hanging branches in public walk areas maintained by the Association to please let us

know, and an immediate inspection will be performed. Please specify where the tree is located and what trimming is needed to facilitate quick response. A photo of the location is helpful.

3. The official date the county took over the maintenance of the ponds was October 1, 2023. Please also see the response in item 1 above.

4. Community Communication & Renters

This board's goal is to be transparent in its operations to all members. Efforts have been made to communicate with the community on HOA matters quickly. However, the board knows it has not been effective using Jedi's email push process. There have been reports that some owners have not received outreach messages. The board intends to fix this issue in the coming months.

The Association is developing a community website, which will be coming online shortly and available to everyone. This website will improve communication with all members and allow the board to initiate direct communication on demand. Additionally, HOA updates will be done via a monthly newsletter. It is expected that communication will improve with the implementation of these projects. Please stay tuned, we will roll them out shortly.

The board is enforcing the current Rental Resolution. All owners who lease their property must inform prospective tenants about the Bylaws and ARC Guidelines in their lease agreement. Tenants must acknowledge the HOA regulations and pass a background check performed on all tenants over 18 years of age. It is noted that the current rental agreement needs improvement, and the board is amending it to fit the community better. The updated rental agreement will be implemented upon the vetting process by legal. The revised rental agreement will be released for use upon publication.

1. Management Company

The Association currently retains Jedi Management as the Management company. Jedi Management is a vendor, and they implement the board's decision. While there have been challenges working with Jedi, they are the management company until further notice. Therefore, the board is operating per the Florida Statute 720 for HOAs. Efforts are underway to interview other management companies to find a better fit for the community. Once a workable solution is found, the board will communicate with its members.

It may appear that the Association does not have a management company because Jedi has stopped attending meetings. This is because the community has

requested that meetings be held later than 5:00 p.m. so members can attend the meetings. As you know, the meetings are now from 6:30 pm to 7:30 pm. Since this time is outside their business hours, 5:00 p.m. to 6:00 p.m., they will charge the Association \$375 per hour for their attendance. They refuse to amend their contract to the later hours, and the board doesn't feel the charge is justifiable. Jedi has not provided the Association with value-added when it comes to meetings. Hence, the board has decided to hold meetings without Jedi in the community's interest.

Just as a reference, there is no legal requirement for an HOA to use a management company, and currently, approximately 38% of HOAs in Florida are self-managed. Please see the Florida Statute 720 which addresses state-mandated requirements that govern an HOA's operations.

2. Screen doors at the front door

Per our architecture guidelines, screen doors are not allowed at the front door. The board knows that there are property owners who have installed them. However, it is noted that some of these were installed before this current board. That said, the goal of the Association is to maintain property value and enhance safety for community members. The board does not intend to be impervious to an owner's desire to enhance their property. While the guidelines discourage such installation, any owner with proper justification could apply for an exemption so long as the installation does not affect the home's aesthetic. The Association has the Architecture Committee to review such a request.

The board hopes it has addressed all your concerns. The Association appreciates receiving constructive feedback and ideas to improve the community. The board encourages you to get involved in the committees and to help the Association with HOA matters for the betterment of the community. Feel free to contact us to discuss this opportunity further.

Regards,

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