

14 February 2020

Gus Aarnaes
President
Park Paseo Homeowners Association
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Gus;

I didn't see you at the last Board Meeting. I hope everything is alright.

I have a question as to the role that Lynn Wyatt has on both the Board and the Architectural Committee. She seems to be an in-charge type of person but she is not, and can not, be a Board or Architecture Committee member. Her legal role is as General Manager, a position contracted by the Park Paseo Homeowner's Association (PPHOA) Board on behalf of the Park Paseo Homeowner's Association members. What is her role? Can she make decisions independent of Board or Committee member concurrence without approval by either? And, can she speak for the member's, or the member's representatives? I have noticed that she appears to be speaking as both the PPHOA Board Chair and as ts the PPHOA Architectural Committee Chair. I don't believe the Davis-Stirling Act provides for any non-member to speak on behalf of member's of an Association, and yet, that is exactly what she appears to be doing.

The Davis-Stirling Act is quite clear as to who can be a member of any Park Paseo Association Committee or Board. A member can only be someone who has an ownership interest in a home in our community. And the PPHOA Board is an elective position while Committees are appointed positions. In either case, member's of the Board or any Committee must have ownership interest in a home. See §4160, §5105(b). In addition, there is a potential conflict of interest if a Managing Agent, a paid employee of a firm retained by the PPHOA Board to manage PPHOA assets, and election to the PPHOA Board or Board appointed committee.

Can you please explain her position and with what right she has to speak for the PPHOA Board or the PPHOA Architecture Committee.

As an additional interest, no Board Minutes have been posted on the www.parkpaseoirvine.com website since Aug. 2019. Could you see that the Board minutes are posted.

I can be reached by post, email or phone.

Thanks;

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cc: Gus Aarnes, President Park Paseo HOA