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April 15, 2020

File 10835-001

Mr. Arthur Schwarz
17 Glorieta East
Irvine, CA 92620-1849

Re: *Park Paseo Homeowners Association*

Subject: **Your Request to Receive Copies of an Owner's Architectural Plans and Architectural Committee Meeting Minutes**

Dear Mr. Schawz:

More than three (3) months ago, you were invited to review your neighbor's architectural plans and the related Architectural Committee meeting minutes at the Park Paseo office. You never came to the office to look at the materials, yet you continue to write letter after letter insisting that you have a statutory right to receive copies of the materials.

You do not have a statutory right to receive copies of the materials. Architectural plans are not "association records," or "enhanced association records" under Civil Code Section 5200. The Architectural Committee is not a committee appointed by the Board pursuant to Section 7212 of the Corporations Code, and therefore the Architectural Committee minutes are not "association records" as defined in Civil Code Section 5200(a)(8). Civil Code Section 5210 relates to the time periods for access to records, not the categories of documents that are subject to inspection and copying. As I have already explained, committees created by the Board pursuant to Corporations Code Section 7212 may, or may not, have decision making authority. If a committee created by the Board pursuant to Corporations Code Section 7212 has decision making authority, then Civil Code Section (a)(2) provides that the minutes are subject to inspection and copying permanently. If a committee created by the Board pursuant to Corporations Code Section 7212 does not have decision making authority, then Civil Code Section (b) provides that the minutes for the current fiscal year and the previous two fiscal years are subject to inspection and copying.

In any event, the bottom line is that if you truly wanted to review the materials you would have come to the office to review them. You have not done that. You have also acknowledged that you have no complaints regarding the improvements that were made by your neighbor, and those improvements were made many years ago.

The Association's Board of Directors understandably has no desire to spend more of their volunteer time or more of the Association's resources on this matter. Not as an admission or

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acknowledgment of any liability or wrongdoing whatsoever, and not as an admission or acknowledgment of any of your allegations, assertions or arguments, but simply to bring this matter to a conclusion once and for all, the requested architectural application and minutes are enclosed with this letter.

Management did not charge the Association extra fees related to this matter. Therefore, there are no "billings" from Associa to provide to you in connection with your request to review/copy the documents.

Your request for an IDR and/or an ADR are moot. There will be no IDR or ADR.

Very truly yours,

CANE, WALKER & HARKINS LLP

David E. Cane

DEC:tg

Enclosures

cc: Board of Directors



Park Paseo Homeowners Association

25 Christamon West, Irvine, California 92620

Main: (949) 768-7261 Office: (714) 730-1560

Fax: (949) 206-6706

E-mail: tfenwick@pcmineternet.com



Home Improvement Application (EXHIBIT A)

Section 1: Owner Information

Name: VINCENT CHUANG Date: _____
 Address: 15 GLORIETA EAST, IRVINE CA 92620 Home Phone: 714-730-6269
 E-mail: z040150@cox.net Work Phone: _____
 Home model or plan No. 2144CR Cell Phone: 714-743-1247
 Type of improvement(s) Replace all existing landscaping by drought tolerant plant; apply dripping irrigation; new tiles etc. per attached landscape design.

Section 2: Neighbor Awareness

The intent of this section is to advise the neighbors who own the property adjacent to and in close proximity to the lot of the proposed improvement(s) by requiring their signatures on the Home Improvement Application and their initials on the proposed plans. If the closely affected neighbor(s) residing on the property is not an owner, the address should be provided on the Home Improvement Application and the association will contact the absentee homeowner in writing upon submittal to the Architectural Committee.

Neighbors are encouraged to contact the Park Paseo HOA immediately to express any comments by calling (949) 768-7261, including concerns regarding the proposed plan.

8 Glorietta East
Neighbor's Address
Maureen Eppley
Print Legal Homeowner's Name
Maureen E. Eppley
Legal Homeowner's Signature

13 Glorietta East
Neighbor's Address
SANDRA TUCCIO
Print Legal Homeowner's Name
Sandra Tuccio
Legal Homeowner's Signature

1A Palmatum
~~17 Glorietta East~~
Neighbor's Address
Frank Hamamura
Print Legal Homeowner's Name
Frank Hamamura
Legal Homeowner's Signature

The information shown above and in the plans and attachments are complete and accurate to the best of my knowledge. I understand the association will make a final inspection of the project on my property for conformance to the plans submitted and approved by the Architectural Committee.

Vincent Chuang
Legal Homeowner's Signature

Nov. 17, 2014
Date

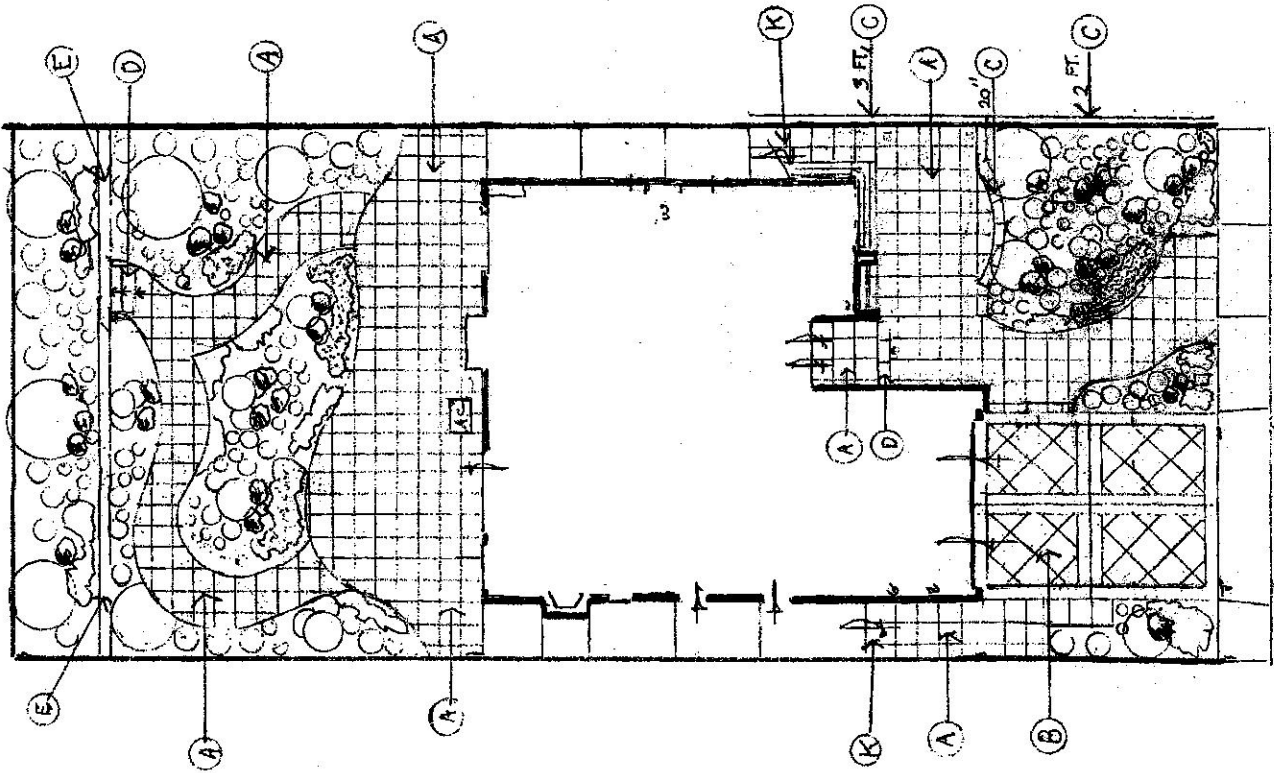
- A QUARTZITE TILE
- B SAWCUT DRIVEWAY
- C STUCCO WALL
- D PRECAST CONCRETE STEPS
- E 2 FT. HIGH WALL
- F Drip irrigation sprinklers
- G Drain Lines SDR 35 where needed
- H Trees low growing or bonsai
- I Shrubs and ground cover to be selected by owner.
- J Remove all existing landscaping
- K Redwood gates
- L Boulders

MR. MRS. VINCENT CHANG
 15 GLORIETA EAST
 IRVINE CA 92620

LANDSCAPE DESIGNER

Jim Hutton
 949-306-9105

SCALE 1/8" = 1 FT.



Section 3: Required Plan Details

Applications must be complete and delivered to the office at least 72 Hours before the Architectural Committee Meeting (last Wed. every month).

1. Location of residence on lot and the dimensions from the lot line (plot plan).
2. Complete dimensions of proposed improvements.
3. Measurements of improvement(s) in relationship to home and lot lines.
4. Description of materials and color scheme (attach color chips and material board).
5. Drawing to show elevations.
6. Floor plan (additions/remodels).
7. Minimum 1/8" scale to be used.
8. Completion Date: 90 days after application approved.

Failure to obtain the necessary prior approvals constitutes a violation of the declaration (CC&R's) and may require modification or removal of unauthorized work at the expense of the homeowner. In addition to Association approval, a permit may be required from the City of Irvine, Building Department, or other governmental agencies. The Park Paseo Homeowners Association will make a final inspection.

HOME IMPROVEMENT DISCLAIMER STATEMENT

My proposed home improvement(s) **will not** result in any future maintenance cost whatsoever to the Park Paseo Homeowner's Association. **All maintenance** of my home improvement(s) **shall be the sole responsibility of myself, my heirs or assigns.** Approval of the Home Improvement Application by the Park Paseo Architectural Committee is not to be constructed as a determination by the Park Paseo HOA, its Architectural Committee, or any other agents or members that the proposed improvements are or are not within the homeowner's property rights with respect to the rights of the individual homeowner.



Legal Homeowner's Signature

Nov. 17, 2014

Date

Applications must be complete and delivered to the office at least 72 hours prior to the Architectural Committee Meeting. The Architectural Committee meets on the last Wednesday of every month in the clubhouse at 7:00 p.m.

**PARK PASEO HOMEOWNERS ASSOCIATION
ARCHITECTURAL COMMITTEE MEETING
NOVEMBER 26, 2014**

NOTICE The Architectural Committee meeting for Park Paseo Homeowners Association was held on Wednesday, November 26, 2014, at the Clubhouse located at 25 Christamon West, Irvine, California.

PRESENT Present: John Barbod
Ernie Jones
Tim Costello

Absent: John McCloskey
Yuri Zaslavsky

Others Present: Tanja Fournier, Board Member

CALL TO ORDER The meeting was called to order at 6:30 p.m.

APPLICATIONS **Review of Applications**

2 Glorieta West The owners submitted a home improvement application to install a pool and new vinyl gates. The committee resolved to **approve** the application contingent upon no change to the height of the property wall.

15 Glorieta East The owners submitted a home improvement application for front and rear yard land/hardscape renovations including the installation of drought-tolerant plants, drip irrigation and tile surfacing. The committee resolved to **approve** the application as submitted.

37 Fortuna East The owners submitted a home improvement paint application to repaint their home in an unapproved scheme. The committee resolved to **deny** the application, and recommend that the Board of Directors review for final decision.

FINAL INSPECTIONS **Final Inspections of Improvements**

None.

ADJOURNMENT At this time, the Park Paseo Homeowners Association Architectural Committee adjourned the meeting at 7:15pm

ATTEST

Name

Date