

March 14, 2024

To: Villas of Parkshore- Board of Directors

Lou Malzone-Greg Salvadore -Katy Weidenmiller-Chris Davitt-Linda Hively

Re: VOPS Paint Project -Common Paint Contractor

The VOPS Board has been in the process of selecting and putting in place a contract with a painting contractor for our villas since at least **2022**.

When our villas were painted in 2015, all units were painted through arrangements put in place by the then HOA Board to the common painting contractor do all the units which certainly contributed to both consistency in painting schemes in appearance and quality... and presumably owners benefited from value pricing based on scope on the project including all the 43 units. Also all units were painted in a compressed period of time avoiding a lengthy period in which differential appearances existed.

From time to time during and since 2022, I recall having learned from the Board that discussions with Elias Brothers Painting were ongoing but never a contract was executed and then in **May 2023** the Board announce that Elias chose not to continue with the project.

In those discussions, I understand the Contractor was not concerned about the actual color selection and also recall

being told the color could be selected a very short time in advance of work commencing.

As these negotiations were ongoing between Board and Elias, it was apparent to me that the Board had in its possession the quotations for each unit but for some unknown reason.. this important cost information was not being shared with property owners.

Finally on Friday **Feb 16 2024** VOPS owners received a communication from the board via Anchor titled “PAINT UPDATE **dated Feb 19 2024**” !!!which included spread sheets dated **Sept 14 2022** indicating individual unit pricing. .but the 3 page contact from Elias indicated their proposal was based on Page #1 proposal **December 6 2023** Page #2 proposal **September 12 2022** Page #3 proposal **Sept 12 2022** ..none of which were provided to VOPS owners.

Also it is noteworthy that we received a communication record of the Town hall Meeting **April 4 2023** which included comments from the Sherman Williams representative Troy stating ***Elias Brothers use brushes , not spray and Elias Brothers has a seven year guarantee***, There does not appear to be anything in the Elias proposed contract regarding brushing vs spraying or any provision to provide a 7

year guarantee which is a significant positive feature in considering acceptance of any proposed contract.

This HOA communication required those intending on accepting Elias quote to send 50% deposits to Anchor by **Mar 8 2024**. And **according to Elias a signed contract is needed to be received by Elias on or before tomorrow Mar 15 2024 in order to hold prices**

Also two active painting contractors currently doing units in the VOPS were identified with contact phone numbers which was noteworthy that **Board now appeared to be directing owners to consider options other than Elias!**

On Tuesday **Feb 20 2024** we received a further communication from HOA via Anchor titled PAINT MEMO SPREADSHEET UPDATE **FEB 21 2024** which was described as being updated pricing correcting errors which again included spread sheets with same date being **Sept 14 2022**

As time when on... starting even before the paint vote.. a few property owners have already painted their units with owner selected painting contractors... which is provided for in our bylaws (5.4). It is noteworthy that yes unit owners can utilize their own painting contractors, but bylaw also states *“provided the contractor so selected painted the dwelling units simultaneous with the painting of the other units (5.5b)*

Summary

Since 2022 our Board has failed to put in place a common painting contractor

Since 2022 Board has.. rather than diligently negotiating a common contract to paint the units... has directed their energy to pressuring the paint committee to rush a decision on a paint scheme and then subsequently certain board members bullied owners to vote for whitewashing units without a trim color.

I would anticipate the Board has successfully abdicated its responsibility to put in place a common contractor which has become apparent to me... that was their plan ..

- when Board President and two other Board members proceeded with their own contractors and painted their units in advance of establishing a common contract
- when Board President stated at the Feb 7th Board meeting that he is proceeding with painting his unit and paying an additional **\$1500.00** to use his selected contractor which was signal that he did not support suing a common contractor and also confirmation he and probably other Board members had the Elias quotations months in advance of being released to VOPS members on Feb 16th.

- when the last letter to owners provided contact information for two painting contractors active in the community.

As deposits for those intending to use Elias were to be sent to Anchor by **Mar 8** and Elias proposed contract deadline to be signed is by tomorrow **Mar 15**, I forecast we will receive notification soon that our HOA Board has failed to put in place a common painting contract.



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cc various VOPS property owners.