

# SILVERTREE MOJAVE NEWSLETTER & ATTACHMENT

R. Fong's Litigation Disclosure Letter JANUARY – FEBRUARY 2017

## BOARD OF DIRECTORS

Lee Adams	President
Tamela Durant	Vice President
Marilyn Black	Secretary
Anand Bhaskaran	Treasurer

## Management Solutions

Donald Murphy Director  
Cindy Murphy  
Peggy Johnson  
Sebastian Warnke

E-mails received on Saturdays & Sundays will not be addressed and will be deleted, as the office is closed.

## MAILING ADDRESS

Mailing Address: 6200 Buena Vista Drive  
Newark, CA 94560

Telephone: 510-659-8969

Fax: 510-656-4495

New E-mail: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

Web site: [www.ManagementSolutionsHOA.com](http://www.ManagementSolutionsHOA.com)

Office Hours: 1 PM – 5 PM Monday – Friday

Telephone Hours: 10 AM – 5 PM Monday – Thursday  
10 AM – 4 PM Fridays

## EMERGENCY NUMBERS AFTER HOURS:

925-584-4401 or 925-584-4386

Please leave your name, address, association name, contact telephone number, (with area code) and a detailed message.

## Maintenance Vendors for Your Information

- 1<sup>ST</sup> American Air – Duct Cleaning 866-887-3828
- Animal Services – Fremont 510-790-6630
- Tri-Cities Animal Shelter – Fremont 510-790-6640
- Background Checks: [www.criminalwatchdog.com](http://www.criminalwatchdog.com)
- Construction: BTC Construction 408-515-7278
- Four Seasons Pool Service: 510-793-5189
- Fremont Police: 510-790-6800
- Gates: R&S 510-489-6881
- Hauling Firm: Bill Cotton 510-797-0977
- Committee Communications Contact: Anand Bhaskaran at: E-mail: [abanand@yahoo.com](mailto:abanand@yahoo.com)
- Silvertreemohavefremont@yahoogroups.com
- I.M.E. Equities Electric: 650-367-9948
- Killroy Pest Control: 888-545-5769
- Landscape: Serpico 510-293-0341
- Locksmith: Sakane Lock: 510-791-0594
- M.C.C. Financials: (Members Accts) 408-848-5953
- Post Office: Mission Peaks Station 510-226-0195
- Sinclair – Hall Insurance: Ray Hall 888-803-1790
- Towing: All Day Towing / AA Wheat: 510-471-2500
- The Screen Factory: 510-797-1983
- The Vent Cleaner: 800-793-0333  
(Chimneys & Dryer Vents Cleaning)

This vendor list is not an endorsement of the vendors. Should you select one, any invoice or repairs disputes are between you and the vendor and not the H.O.A.

## SILVERTREE MOJAVE CALENDAR

Next Board Meeting is:

Monday

March 13, 2017

7:00 PM

Round Table Pizza

46600 Mission Boulevard

Fremont, CA 94539

(510) 490-0440

See You There!

## NEWSLETTER IS LEGAL NOTICE

Your monthly newsletter is “legal notice” to the membership. If and when possible, notices of work being done throughout the association will be attached to your newsletter, or articles of interest to everyone, as well as, Board Resolutions are placed in your newsletter.

Off-site homeowners who rent their units are required to supply a copy of the monthly newsletter to their tenants, as well, a copy of the association’s governing documents, rules and regulations.

The “Sports Activity” or “Playing in Common Areas” rules has been rescinded as of April 18, 2016.

### 2017 DUES

The dues for 2017 were not increased. There was two proposed budgets for 2017 presented to your Board of Directors. The board voted not to increase the dues for 2017. In error, Management Solutions sent the incorrect budget to Management Cost Controls with a dues increase. If you paid the January dues with the increase, you will get a credit on your member's account for the increase amount, which will show on your February statement. Our sincere apologies for the error.

### LEGAL COUNSEL'S LETTER

Attached is a letter from the association's legal counsel, Richard Fong. If you are attempting to refinance or sell your unit, provide a copy of this letter to your lender or the prospective buyers. This should make it possible to refinance or sell you unit without further questions.

### REVISED RULES

The association's rules have been revised to reflect Silvertree Mojave's Rules without reference to age and gender. They will only refer to resident activities, which could be a liability activity.

The stairways to the units are for upper unit residents access and exiting only. The association's sidewalks are for normal and safe activities, such as walking.

No loose shoes or shoes left in a pile at the front concrete landings or at the front door are permitted. All shoes must be in a tasteful basket. No boxes or shoe racks allowed.

No pots, potted plants, or items are allowed on your patio top header board.

Nothing is allowed on your patios/balconies, other than a small patio table and chairs. Nothing is to be hung above on your patios/balconies such as wind chimes, wind socks, or bird feeders.

### PET RULES

- Residents with pets are required to pick up their pet's waste immediately afterwards and dispose of it in a tied baggie. The landscaper's will NOT do this. It's an automatic \$250.00 pet waste fine per pet, per occurrence.
- No pet is permitted to be left outside on its own to roam about freely in the common areas, tied up in any of the common areas, etc. All pets, including cats must be on a leash and under the owner's control at all times within the common areas of the association. It's an automatic \$250.00 per violation.
- Two pets, per unit are allowed. (i.e. one dog and one cat).
- No birds or farms animals are permitted.
- No pets are permitted to be left out on balconies or patios unattended.
- No large dogs and/or aggressive dogs. Dog size allowed is not more than 25 lbs.
- No dog is permitted to bark constantly, as this is a noise disturbance violation and owners will be fined accordingly. Please do not allow your dogs to bark constantly. You may want to purchase an anti-bark collar to avoid a violation letter and/or possible fine. It's a \$50.00 noise disturbance fine, per occurrence.

### HOLIDAY DECORATIONS

By now, all holiday decorations and lights should be taken down and all Christmas trees should have been out at the trash enclosures by January 15, 2017. Anything that is still up during management's next site inspection, the member's account will be fine and assessed \$50.00 for non-compliance.

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PARKING RULES & POLICY

ALL DAY TOWING

2436 Whipple Road –Suite 2

Hayward, CA 94545

510-471-2500

Please remember that all residents are only permitted to park two (2) vehicles within the association and one of the vehicles must be parked in the deeded carport space to the unit and the other in the common area parking and must be registered by completing the Resident Registration and turned into Management Solutions, annually.

- If you have more than 2 vehicles, you must park the others on the street. All vehicles must be listed on the Resident Registration form.
- All vehicles must be moved every 96 – hours.
- All vehicles parked in deeded carport spaces that are being stored, must be kept clean, in good condition, have no flat tires, no oil dripping and must have current license and registration. No exceptions! (They still need to be moved every 96-hours) or off the property. Moving the vehicle to another space will not be okay!
- No damaged or inoperable vehicles are permitted in any space. No RV' s, no commercial vehicles, boats, trailers, or moving trucks.
- No vehicles allowed to be placed up on jacks or have blocks behind the wheels.
- No vehicle maintenance is allowed. (Only exception is: Get it running enough to drive it to a repair shop).
- All vehicle spaces must be kept free from debris and oil stains are to be cleaned up using “Simple Green” to clean them.
- No owner is to dump out their vehicle' s ashtray in any parking space. This is a \$250.00 littering fine.
- No vehicle is permitted to rear-end park into any parking space, as this kills the landscape, as well as, fumes flow into unit' s windows.
- No storing of any items within any parking space.
- Nothing is permitted to be chained to any of the posts in the parking areas.
- No loitering, persons playing in or around the parking areas.
- No revving of vehicle and/or motorcycle engines.
- All motorcycles are to be parked in front of the vehicle in deeded space (if applicable).
- The speed limit within the association is 5 MPH.

First Offense: \$50.00 Fine / Second Offense: \$100.00 Fine / Third Offense: \$200.00 Fine

# SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

## NEWSLETTER

JANUARY – FEBRUARY 2017

### TRASH ENCLOSURES

Please be reminded that absolutely no household furniture or appliances are allowed to be discarded in or around the association's trash dumpster or enclosures. Only your household trash is allowed and it must be in a plastic liner that ties. It's an automatic \$250.00 non-compliance trash fine, plus the hauling fee, if your unit is reported dumping anything other than your normal household trash.

If you have furniture, appliances or mattresses to discard, you may contact Bill Cotton at: 510-797-0977 and he will come to your unit to pick it up for a fee that you pay directly to him. However, you cannot discard these items at the trash enclosures.

Also, if your young resident cannot reach the trash dumpsters lid to open it up, please do not send them out to discard your household trash, as they bags are being left outside the dumpster and the refuse firm will not pick them up or that dumpster for that week.

We thank everyone for their cooperation.

### SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

#### Service Request & Comment Form

January – February 2017

Dear Silvertree Mojave Homeowner,

Please use this form to express your interest to the Board of Directors, report any common area issues, such as lights out or trip hazards, etc. Please either mail, fax or email this form to: Management Solutions – 6200 Buena Vista Drive Newark, CA 94560 (F) 510-656-4495 Email: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Member No: \_\_\_\_\_

(H): \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Make Your Association Dues Check Payable To: Silvertree H.O.A.

Mail Your Association Dues Payment To: Union Bank – P.O. Box 45447 – San Francisco, CA 94145-5447

# SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

## NEWSLETTER

JANUARY – FEBRUARY 2017

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### SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Board of Directors Meeting

March 13, 2017

Round Table Pizza

46600 Mission Blvd.

Fremont, CA 94539

7:00 P.M.

### MEETING AGENDA

- |       |  |           |
|-------|--|-----------|
| I.    | Roll Call of Board of Directors at:                        | 7:00 P.M. |
| II.   | Call Meeting to Order at:                                  | 7:01 P.M. |
| III.  | Open Forum at:   | 7:02 P.M. |
| IV.   | Approval of January 9, 2017 Meeting Minutes:               | 7:30 P.M. |
| V.    | Business At Hand at:                                       | 7:40 P.M. |
|       | 5.1 Member' s Correspondence                               |           |
|       | 5.2 Attorney Correspondence                                |           |
|       | 5.3 Contractor Items                                       |           |
|       | 5.4 Miscellaneous Items                                    |           |
| VI.   | Review of 01/31/17 & 02/28/17 Financials at:               | 8:15 P.M. |
| VII.  | May 8, 2017 Meeting Agenda Items at:                       | 8:25 P.M. |
|       | 7.1  |           |
|       | 7.2  |           |
|       | 7.3  |           |
|       | 7.4  |           |
| VIII. | Meeting Adjourned at:                                      | 8:30 P.M. |
|       | Next meeting is: The Annual Meeting – Monday – May 8, 2017 |           |
|       | 6:45 PM Sign-In / 7:00 PM Meeting Begins                   |           |
|       | Round Table Pizza – 46600 Mission Blvd.                    |           |
|       | Fremont, CA 94539  |           |

**FONG & FONG**  
A PROFESSIONAL CORPORATION

2161 HARBOR BAY PARKWAY  
ALAMEDA, CALIFORNIA 94502-3019  
Telephone: (510) 748-6800  
Facsimile: (510) 748-6822

RICHARD FONG, JR.

Direct Dial: (510) 748-6800 Ext. 103  
Email: rfong@fonglaw.com

January 17, 2017

Members, Silvertree Mojave Homeowners Association, Inc.

Re: litigation disclosure

Dear Silvertree Members:

As reported to you in August 2016, the Silvertree Mojave Homeowners Association, Inc. ("Silvertree"), its Board of Directors, individually and as members of the Board of Directors and Don Murphy, your manager, also individually and d/b/a Management Solutions ("Silvertree Defendants") have all been sued in the United States District Court of Northern California by Domenica Lewis; Jarrold Lewis; Domenica Lewis as the guardian ad litem for their minor children and themselves and all others similarly situated; and Project Sentinel, a California Non-profit corporation on behalf of itself and the general public.

The case was filed on June 24, 2016, and bears Case Number 4:16-cv-03581. The case states it is a Class Action Complaint for Violations of the Federal Fair Housing Act, California Fair Employment and Housing Act, Unruh Act, and for Breach of Fiduciary Duty. They have demanded a Jury Trial. The essence of the case is their claim Silvertree allegedly discriminates against children in the application of its rules and regulations.

The defense of the lawsuit has been tendered to Farmers Insurance ("Farmers"), Silvertree's insurance company. Farmers issued Silvertree's liability insurance policies. Farmers has accepted and agreed to pay the cost of defending Silvertree and all of the named defendants. Therefore the cost of paying for the law firm representing the Silvertree defendants is being paid for in its entirety by Farmers and Silvertree is not contributing to this cost. Further, if any financial liability is imposed against the Silvertree defendants, it was be the result of negligence and certainly not intentional discrimination against children. Accordingly the settlement or judgment, if any, should be paid by Silvertree's two Farmer's insurance policies: its general comprehensive liability and Directors and Officers liability policies.

A response denying all of the substantive allegations of the complaint (lawsuit) was filed. All of Silvertree's rules and regulations are age neutral. They do not refer to children or the age of an individual. The plaintiffs are taking the position that because the rules were enforced against children more often than adults, they therefore discriminated against children. The position of the Silvertree defendants is the rules and regulations were enforced without regard to age, but on the basis of complaints and reports of violations. Silvertree cannot control the age of individuals who violate its rules and regulations. Accordingly, the Silvertree defendants are vigorously defending against any and all claims of wrongdoing. The complaint is unclear on the magnitude of the financial relief the plaintiffs are claiming they are entitled and therefore the

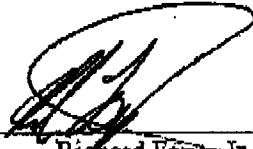
extent of Silvertree's liability, if any, is unknown.

Please be advised if you are in the process of selling your home you **MUST** disclose the existence of this lawsuit to ALL prospective buyers. For the time being you may discharge your duty of disclosure by providing a copy of this letter and advising the buyers they have the right to exam and inspect the District Court's file in this matter.

Very truly yours,

FONG & FONG

By: \_\_\_\_\_



Richard Fong, Jr.

RFJ:ml



**SILVERTREE MOJAVE  
NEWSLETTER & ATTACHMENTS**  
APPLICATION FOR POSITION ON THE BOARD OF DIRECTORS  
R. Fong's 1-17-17 Litigation Disclosure Letter  
RESIDENT REGISTRATION FORM

MARCH 2017

**BOARD OF DIRECTORS**

Lee Adams	President
Tamela Durant	Vice President
Marilyn Black	Secretary
Anand Bhaskaran	Treasurer

**Management Solutions**

Donald Murphy Director  
Cindy Murphy / Jaime Voltz: Escrows/HOA Docs  
Peggy Johnson – Office Manager  
McKenzie Johnson.- Office Assistant

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- Silvertreemohavefremont@yahoogroups.com
- I.M.E. Equities Electric: 650-367-9948
- Killroy Pest Control: 888-545-5769
- Landscape: BRI Landscaping 408-515-7278
- Locksmith: Parker Security: 510-659-6939
- M.C.C. Financials: (Members Accts) 408-848-5953
- Post Office: Mission Peaks Station 510-226-0195
- Sinclair – Hall Insurance: Ray Hall 888-803-1790
- Statcomm – Tele-Entry/Directory: 650-988-9508
- Towing: All Day Towing / AA Wheat: 510-471-2500
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(Chimneys & Dryer Vents Cleaning)

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**SILVERTREE MOJAVE CALENDAR**

Next Board Meeting is:  
**THE ANNUAL MEETING**  
Monday

April 10, 2017

Sign-In: 6:45 PM / Meeting Begins: 7:00 PM

Round Table Pizza

46600 Mission Boulevard

Fremont, CA 94539

(510) 490-0440

See You There!

**NEWSLETTER IS LEGAL NOTICE**

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SILVERTREE MOJAVE  
HOMEOWNERS ASSOCIATION

NOTICE OF THE ANNUAL GENERAL MEMBERSHIP MEETING

The 2017 Annual General Membership Meeting of the Silvertree Mojave Homeowners Association will be held as follows:

Date: April 10, 2017

Time: 6:45P.M. ~ 7:00 P.M. Sign-In  
7:00 P.M. Meeting Begins

Location: The Round Table Pizza  
46600 Mission Boulevard  
Fremont, CA 94539  
(T) 510-490-0440

For the following purpose:

- To receive the reports of Officers
- To elect two (2) Directors
- To conduct any other business that may come before the Association

The Association By-Laws requires 33 percent, (36 homeowners) of the members to be present in person or by proxy to establish quorum at the meeting to conduct business. If quorum is not established, due to insufficient ballots, then a second mailer for a continuation meeting, will be sent and a \$25.00 fee will be charged to the member's account who did not return their ballot. By law the HOA is required to have an election inspector oversee the annual meeting elections. The rate for monitoring the annual meeting elections is \$600.00. If the HOA fails to get a quorum the HOA will have to pay for the elections inspector to come to a meeting a second time. So please turn in your ballots or attend the meeting to vote.

If any homeowner is interested in being a candidate, you must be a member in good standing, you must have your name listed on the grant deed/title papers to the unit, you must be current with your association's dues and you must not have any rules violations against you or your property unit

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PET RULES

- Residents with pets are required to pick up their pet's waste immediately afterwards and dispose of it in a tied baggie. The landscaper's will NOT do this. It's an automatic \$250.00 pet waste fine per pet, per occurrence.
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- No dog is permitted to bark constantly, as this is a noise disturbance violation and owners will be fined accordingly. Please do not allow your dogs to bark constantly. You may want to purchase an anti-bark collar to avoid a violation letter and/or possible fine. It's a \$50.00 noise disturbance fine, per occurrence.

TELE-ENTRY / DIRECTORY SYSTEM

At the March 13, 2017 board meeting, your Board of Directors approved the quote from Statcomm Inc., to replace the Tele-entry / Directory system. All names and numbers will be re-coded into the system once everything has been installed. Residents will have new directory codes, which will match part of the member's account number: (Example: 001 J. Smith).

If you do not have your Resident Registration form turned in, you will not be coded into the new directory system once it's installed. Please be reminded only phone numbers beginning with the "510" area code will be allowed to be coded. No other area code numbers are allowed, as they are long distance for the HOA.

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PARKING RULES & POLICY

ALL DAY TOWING

2436 Whipple Road –Suite 2

Hayward, CA 94545

510-471-2500

Please remember that all residents are only permitted to park two (2) vehicles within the association and one of the vehicles must be parked in the deeded carport space to the unit and the other in the common area parking and must be registered by completing the Resident Registration and turned into Management Solutions, annually.

- If you have more than 2 vehicles, you must park the others on the street. All vehicles must be listed on the Resident Registration form.
- All vehicles must be moved every 96 – hours.
- All vehicles parked in deeded carport spaces that are being stored, must be kept clean, in good condition, have no flat tires, no oil dripping and must have current license and registration. No exceptions! (They still need to be moved every 96-hours) or off the property. Moving the vehicle to another space will not be okay!
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- No vehicles allowed to be placed up on jacks or have blocks behind the wheels.
- No vehicle maintenance is allowed. (Only exception is: Get it running enough to drive it to a repair shop).
- All vehicle spaces must be kept free from debris and oil stains are to be cleaned up using “Simple Green” to clean them.
- No owner is to dump out their vehicle' s ashtray in any parking space. This is a \$250.00 littering fine.
- No vehicle is permitted to rear-end park into any parking space, as this kills the landscape, as well as, fumes flow into unit' s windows.
- No storing of any items within any parking space.
- Nothing is permitted to be chained to any of the posts in the parking areas.
- No loitering, persons playing in or around the parking areas.
- No revving of vehicle and/or motorcycle engines.
- All motorcycles are to be parked in front of the vehicle in deeded space (if applicable).
- The speed limit within the association is 5 MPH.

First Offense: \$50.00 Fine / Second Offense: \$100.00 Fine / Third Offense: \$200.00 Fine

ASSOCIATION'S ATTORNEY LETTER

Attached to this newsletter is the association's attorney, R. Fong's January 17, 2017 Litigation Disclosure Letter, regarding the ongoing lawsuit filed by Project Sentinel a California Non-profit corporation on behalf of itself and the general public for homeowners: J. Lewis and D. Lewis.

Please keep this letter with your governing documents for future reference. Thank you.

NEW LANDSCAPE FIRM

At the March 13, 2017 board meeting, your Board of Directors approved the landscape proposal of BRI Landscaping. The will begin servicing the association on April 1, 2017. We look forward to working with them.

SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Service Request & Comment Form

April 2017

Dear Silvertree Mojave Homeowner,

Please use this form to express your interest to the Board of Directors, report any common area issues, such as lights out or trip hazards, etc. Please either mail, fax or email this form to: Management Solutions – 6200 Buena Vista Drive Newark, CA 94560 (F) 510-656-4495 Email: managementsolutionshoa@gmail.com

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Member No: \_\_\_\_\_

(H): \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Post Annual Board of Directors Meeting

April 10, 2017

Round Table Pizza

46600 Mission Blvd.

Fremont, CA 94539

8:00 P.M.

POST

MEETING AGENDA

- |      |   |            |
|------|---|------------|
| I.   | Roll Call of Board of Directors at:         | 8:00 P.M.  |
| II.  | Call Meeting to Order at:                   | 8:01 P.M.. |
| III. | Approval of March 13, 2017 Meeting Minutes: | 8:02 P.M.  |
| IV.  | Business At Hand at:                        | 8:10 P.M.  |
|      | 4.1 Election of Officers                    |            |
|      | 4.2 Member' s Correspondence                |            |
|      | 4.3 Attorney Correspondence                 |            |
|      | 4.4 Contractor Items                        |            |
|      | 4.5 Miscellaneous Items                     |            |
| V.   | Review of March 31, 2017 Financials at:     | 8:45 P.M.  |
| VI.  | June12, 2017 Meeting Agenda Items at:       | 8:55 P.M.  |
|      | 6.1   |            |
|      | 6.2   |            |
|      | 6.3   |            |
|      | 6.4   |            |
| VII. | Meeting Adjourned at:                       | 9:00 P.M.  |
|      | Next meeting is: Monday – June 12, 2017     |            |
|      | 7:00 PM Meeting Begins                      |            |
|      | Round Table Pizza – 46600 Mission Blvd.     |            |
|      | Fremont, CA 94539                           |            |

SILVERTREE MOJAVE HOMEOWNERS ASSOCIATION

C/O Management Solutions Inc.

6200 Buena Vista Drive

Newark, CA 94560

Email: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

Application for Position on the Board of Directors

Dear Silvertree Mojave Homeowners,

If you would like to be a candidate for the Board of Directors at the next election for Directors, then please complete this application and return it to Management Solutions either by mail or email. The qualifications: You must be named on the grant deed/title papers, you must be current with your dues, you must be a member in good standing and you must not have any rules violations against your or your property unit. Your name will be included on the ballot if you meet these qualifications. Please email this form to Management Solutions as soon as possible.

Email to: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com) or Fax to: 510-656-4495. Thank you.

Name: \_\_\_\_\_

Lot/Unit Address: \_\_\_\_\_

\_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Optional information about your background and interest in being a Board Member:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_

Homeowner's Signature

# Silvertree Mojave Homeowners Association

Property Address	Member Number
------------------	---------------

## Resident Emergency Registration Form

Please choose a reason for update: <input type="checkbox"/> New Owner <input type="checkbox"/> New Tenant (Move In/Out fee Included) <input type="checkbox"/> Address Change <input type="checkbox"/> Vehicle Change <input type="checkbox"/> Annual Update-No Changes	Please specify resident status: <input type="checkbox"/> Owner Occupied <input type="checkbox"/> Tenant related to Homeowner Relationship: _____ <input type="checkbox"/> Tenant Occupied <input type="checkbox"/> Unoccupied
---	--

Please choose one address for all correspondence, including account statements, Association notices and monthly newsletters. Tenants must be provided copies of Newsletters and notices by the Homeowner or Agent.

**Homeowner** (Must match name on Grant Deed)

Name	Email	
Mailing Address		
Phone	Cell	Work
<input type="checkbox"/> <b>Tenant</b>		
Name	Lease begins	Lease ends
Email		
Phone	Cell	Work
<input type="checkbox"/> <b>Property Management Company</b>		
Company		Agent
Address		
Phone	Cell	Email

Tenants have received and reviewed copies of the following:

- Bylaws**   
  **CC&R's**   
  **Rules Handbook**   
  **Parking Rules**

*Please attach a copy of the lease agreement and criminal background check for all tenants.*

- Move In/Out Fee of \$200 payable to: Silvertree Mojave HOA (Required for any change of occupancy)**

**Vehicle**

Please complete for ALL vehicles in your household including motorcycles.  
*Any vehicle without current insurance or registration is subject to tow at the owner's expense.*

Make	Model	License Plate	Owner

**Resident**

In the event of an emergency, it is important that we have accurate information regarding the residents of the community. Please complete for all residents, including children, and pets living in the unit.

Name	Relationship	Phone number

<b>Pets</b>	<input type="checkbox"/> Dog <input type="checkbox"/> Cat	Breed	Weight	Name
	<input type="checkbox"/> Dog <input type="checkbox"/> Cat	Breed	Weight	Name

Date Completed	Homeowner Signature
----------------	---------------------



**FONG & FONG**  
A PROFESSIONAL CORPORATION

2161 HARBOR BAY PARKWAY  
ALAMEDA, CALIFORNIA 94502-3019  
Telephone: (510) 748-6800  
Facsimile: (510) 748-6822

RICHARD FONG, JR.

Direct Dial: (510) 748-6800 Ext. 103  
Email: rfong@fonglaw.com

January 17, 2017

Members, Silvertree Mojave Homeowners Association, Inc.

Re: litigation disclosure

Dear Silvertree Members:

As reported to you in August 2016, the Silvertree Mojave Homeowners Association, Inc. ("Silvertree"), its Board of Directors, individually and as members of the Board of Directors and Don Murphy, your manager, also individually and d/b/a Management Solutions ("Silvertree Defendants") have all been sued in the United States District Court of Northern California by Domenica Lewis; Jerrold Lewis; Domenica Lewis as the guardian ad litem for their minor children and themselves and all others similarly situated; and Project Sentinel, a California Non-profit corporation on behalf of itself and the general public.

The case was filed on June 24, 2016, and bears Case Number 4:16-cv-03581. The case states it is a Class Action Complaint for Violations of the Federal Fair Housing Act, California Fair Employment and Housing Act, Unruh Act, and for Breach of Fiduciary Duty. They have demanded a Jury Trial. The essence of the case is their claim Silvertree allegedly discriminates against children in the application of its rules and regulations.

The defense of the lawsuit has been tendered to Farmers Insurance ("Farmers"), Silvertree's insurance company. Farmers issued Silvertree's liability insurance policies. Farmers has accepted and agreed to pay the cost of defending Silvertree and all of the named defendants. Therefore the cost of paying for the law firm representing the Silvertree defendants is being paid for in its entirety by Farmers and Silvertree is not contributing to this cost. Further, if any financial liability is imposed against the Silvertree defendants, it was be the result of negligence and certainly not intentional discrimination against children. Accordingly the settlement or judgment, if any, should be paid by Silvertree's two Farmer's insurance policies: its general comprehensive liability and Directors and Officers liability policies.

A response denying all of the substantive allegations of the complaint (lawsuit) was filed. All of Silvertree's rules and regulations are age neutral. They do not refer to children or the age of an individual. The plaintiffs are taking the position that because the rules were enforced against children more often than adults, they therefore discriminated against children. The position of the Silvertree defendants is the rules and regulations were enforced without regard to age, but on the basis of complaints and reports of violations. Silvertree cannot control the age of individuals who violate its rules and regulations. Accordingly, the Silvertree defendants are vigorously defending against any and all claims of wrongdoing. The complaint is unclear on the magnitude of the financial relief the plaintiffs are claiming they are entitled and therefore the

extent of Silvertree's liability, if any, is unknown.

Please be advised if you are in the process of selling your home you MUST disclose the existence of this lawsuit to ALL prospective buyers. For the time being you may discharge your duty of disclosure by providing a copy of this letter and advising the buyers they have the right to exam and inspect the District Court's file in this matter.

Very truly yours,

FONG & FONG

By: \_\_\_\_\_

  
Richard Fong, Jr.

RFJ:ml

**SILVERTREE MOJAVE  
NEWSLETTER & ATTACHMENTS  
RESIDENT REGISTRATION FORM & HOA'S INSURANCE CERTIFICATION**

APRIL 2017

**BOARD OF DIRECTORS**

Tamela Durant	President
Anand Bhaskaran	Treasurer
Ming Chow	Director
Mehul Shah	Director

**Management Solutions**

Donald Murphy Director  
Cindy Murphy / Jaime Voltz: Escrows/HOA Docs  
Peggy Johnson – Office Manager  
McKenzie Johnson.- Office Assistant

E-mails received on Saturdays & Sundays will not be addressed, as the office is closed.

**MAILING ADDRESS**

Mailing Address: 6200 Buena Vista Drive  
Newark, CA 94560

Telephone: 510-659-8969

Fax: 510-656-4495

New E-mail: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

Web site: [www.ManagementSolutionsHOA.com](http://www.ManagementSolutionsHOA.com)

Office Hours: 1 PM – 5 PM Monday – Friday

Telephone Hours: 10 AM – 5 PM Monday – Thursday  
10 AM – 4 PM Fridays

**EMERGENCY NUMBERS AFTER HOURS:**

925-584-4401 or 925-584-4386

Please leave your name, address, association name, contact telephone number, (with area code) and a detailed message.

**NEWSLETTER IS LEGAL NOTICE**

Your monthly newsletter is “legal notice” to the membership. If and when possible, notices of work being done throughout the association will be attached to your newsletter, or articles of interest to everyone, as well as, Board Resolutions are placed in your newsletter.

Off-site homeowners who rent their units are required to supply a copy of the monthly newsletter to their tenants, as well, a copy of the association’s governing documents, rules and regulations.

The “Sports Activity” or “Playing in Common Areas” rules has been rescinded as of April 18, 2016.

**Maintenance Vendors for Your Information**

- 1<sup>ST</sup> American Air – Duct Cleaning 866-887-3828
- Animal Services – Fremont 510-790-6630
- Tri-Cities Animal Shelter – Fremont 510-790-6640
- Background Checks: [www.criminalwatchdog.com](http://www.criminalwatchdog.com)
- Construction: BTC Construction 408-515-7278
- Four Seasons Pool Service: 510-793-5189
- Fremont Police: 510-790-6800
- Gates: R&S 510-489-6881
- Hauling Firm: Bill Cotton 510-797-0977
- Committee Communications Contact: Anand Bhaskaran at: E-mail: [abanand@yahoo.com](mailto:abanand@yahoo.com)
- Silvertreemohavefremont@yahoogroups.com
- I.M.E. Equities Electric: 650-367-9948
- Killroy Pest Control: 888-545-5769
- Landscape: BRI Landscaping 408-515-7278
- Locksmith: Parker Security: 510-659-6939
- M.C.C. Financials: (Members Accts) 408-848-5953
- Post Office: Mission Peaks Station 510-226-0195
- Sinclair – Hall Insurance: Ray Hall 888-803-1790
- Statcomm – Tele-Entry/Directory: 650-988-9508
- Towing: All Day Towing / AA Wheat: 510-471-2500
- The Screen Factory: 510-797-1983
- The Vent Cleaner: 800-793-0333  
(Chimneys & Dryer Vents Cleaning)

This vendor list is not an endorsement of the vendors. Should you select one, any invoice or repairs disputes are between you and the vendor and not the H.O.A.

**SILVERTREE MOJAVE CALENDAR**

Next Board Meeting is:

Monday

MAY 8, 2017

7:00 PM

Round Table Pizza

46600 Mission Boulevard

Fremont, CA 94539

(510) 490-0440

See You There!

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ANNUAL MEETING REPORT

Thank you to homeowners who returned their proxies and those who attended the April 10, 2017 annual membership meeting. There were 65 returned proxies to establish quorum and the annual meeting and elections convened.

Re-elected board members Marilyn Black and Lee Adams have resigned from the Board of Directors. Their leadership, knowledge and dedication to the association will be greatly missed. We wish them all the best.

Elected to the Board of Directors are two longtime homeowners, Ming Chow and Mehul Shah. We would like to welcome both homeowners to the board and look forward to working with them for the association.

IRS 70-604 – Passed by majority of member's votes to roll into the 2018 reserves any earned income from the 2017 operating account.

LAWSUIT UPDATE

The lawsuit is in the final stages of settlement. When settled, the association's legal counsel will draft a settlement explanation disclosure letter to be sent to the membership.

ASSOCIATION'S INSURANCE RENEWAL CERTIFICATION

Attached to this newsletter is the association's insurance renewal certification. Please keep this with your governing documents, as you will need to present this to your mortgage lender and/or if you are selling or refinancing your unit.

QUAD SIGNS

Soon the quad areas will have two (2) signs posted in each quad stating; "Residents, including children can access and play in Common Area".

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PET RULES

- Residents with pets are required to pick up their pet's waste immediately afterwards and dispose of it in a tied baggie. The landscaper's will NOT do this. It's an automatic \$250.00 pet waste fine per pet, per occurrence.
- No pet is permitted to be left outside on its own to roam about freely in the common areas, tied up in any of the common areas, etc. All pets, including cats must be on a leash and under the owner's control at all times within the common areas of the association. It's an automatic \$250.00 per violation.
- Two pets, per unit are allowed. (i.e. one dog and one cat).
- No birds or farms animals are permitted.
- No pets are permitted to be left out on balconies or patios unattended.
- No large dogs and/or aggressive dogs. Dog size allowed is not more than 25 lbs.
- No dog is permitted to bark constantly, as this is a noise disturbance violation and owners will be fined accordingly. Please do not allow your dogs to bark constantly. You may want to purchase an anti-bark collar to avoid a violation letter and/or possible fine. It's a \$50.00 noise disturbance fine, per occurrence.

RESIDENT REGISTRATION FORM

If you do not have your Resident Registration form turned in, you will not be coded into the new directory system once it's installed. Please be reminded only phone numbers beginning with the "510" area code will be allowed to be coded. No other area code numbers are allowed, as they are long distance for the HOA.

Please get your forms in either by mail, fax or email to:

Management Solutions  
6200 Buena Vista Drive  
Newark, CA 94560  
Fax: 510-656-4495

Email: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

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PARKING RULES & POLICY

ALL DAY TOWING

2436 Whipple Road –Suite 2

Hayward, CA 94545

510-471-2500

Please remember that all residents are only permitted to park two (2) vehicles within the association and one of the vehicles must be parked in the deeded carport space to the unit and the other in the common area parking and must be registered by completing the Resident Registration and turned into Management Solutions, annually.

- If you have more than 2 vehicles, you must park the others on the street. All vehicles must be listed on the Resident Registration form.
- All vehicles must be moved every 96 – hours.
- All vehicles parked in deeded carport spaces that are being stored, must be kept clean, in good condition, have no flat tires, no oil dripping and must have current license and registration. No exceptions! (They still need to be moved every 96-hours) or off the property. Moving the vehicle to another space will not be okay!
- No damaged or inoperable vehicles are permitted in any space. No RV' s, no commercial vehicles, boats, trailers, or moving trucks.
- No vehicles allowed to be placed up on jacks or have blocks behind the wheels.
- No vehicle maintenance is allowed. (Only exception is: Get it running enough to drive it to a repair shop).
- All vehicle spaces must be kept free from debris and oil stains are to be cleaned up using “Simple Green” to clean them.
- No owner is to dump out their vehicle' s ashtray in any parking space. This is a \$250.00 littering fine.
- No vehicle is permitted to rear-end park into any parking space, as this kills the landscape, as well as, fumes flow into unit' s windows.
- No storing of any items within any parking space.
- Nothing is permitted to be chained to any of the posts in the parking areas.
- No loitering, persons playing in or around the parking areas.
- No revving of vehicle and/or motorcycle engines.
- All motorcycles are to be parked in front of the vehicle in deeded space (if applicable).
- The speed limit within the association is 5 MPH.

First Offense: \$50.00 Fine / Second Offense: \$100.00 Fine / Third Offense: \$200.00 Fine

BRI LANDSCAPE FIRM

BRI Landscaping has begun trimming the bushes and shrubs throughout the association to be trimmed down to 4 feet high and 3 feet apart. This is for safety and security reasons, as recommended by the Fremont Police Department.

BRI's service date at the association is on Wednesday. Please be patient, as they have quite a bit of work that needs to be done and repairs that need to be made to the irrigation lines that have been pulled up.

Management Solutions has requested BRI's estimates for converting the quads that had wood chips placed down, back into lawn areas. Depending upon the cost, which will be quite expensive, your Board of Directors will need to review the estimates thoroughly and discuss the cost, as to adding irrigation back into these areas.

SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Service Request & Comment Form

May 2017

Dear Silvertree Mojave Homeowner,

Please use this form to express your interest to the Board of Directors, report any common area issues, such as lights out or trip hazards, etc. Please either mail, fax or email this form to: Management Solutions – 6200 Buena Vista Drive Newark, CA 94560 (F) 510-656-4495 Email: managementsolutionshoa@gmail.com

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Member No: \_\_\_\_\_

(H): \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Board of Directors Meeting

May 8, 2017

Round Table Pizza

46600 Mission Blvd.

Fremont, CA 94539

7:00 P.M.

MEETING AGENDA

- |       |  |           |
|-------|--|-----------|
| I.    | Roll Call of Board of Directors at:                                | 7:00 P.M. |
| II.   | Call Meeting to Order at:  | 7:01 P.M. |
| III.  | Open Forum at:   | 7:02 P.M. |
| IV.   | Approval of April 10, 2017 Annual & Post Meeting Minutes:          | 7:20 P.M. |
| V.    | Business At Hand at:   | 7:30 P.M. |
|       | 5.1 Positions of Officers to be voted on by the Board of Directors |           |
|       | 5.2 Member's Correspondence  |           |
|       | 5.3 Attorney Correspondence  |           |
|       | 5.4 Contractor Items   |           |
|       | 5.5 Miscellaneous Items  |           |
| VI.   | Review of April 30, 2017 Financials at:                            | 8:15 P.M. |
| VII.  | June 12, 2017 Meeting Agenda Items at:                             | 8:25 P.M. |
|       | 7.1  |           |
|       | 7.2  |           |
|       | 7.3  |           |
|       | 7.4  |           |
| VIII. | Meeting Adjourned at:  | 8:30 P.M. |
|       | Next meeting is: Monday – June 12, 2017                            |           |
|       | 7:00 PM Meeting Begins   |           |
|       | Round Table Pizza – 46600 Mission Blvd.                            |           |
|       | Fremont, CA 94539  |           |



**SILVERTREE MOJAVE  
NEWSLETTER & ATTACHMENT  
RESIDENT REGISTRATION FORM**

MAY 2017

**BOARD OF DIRECTORS**

Lee Adams	President
Tamela Durant	Vice President
Marilyn Black	Secretary
Anand Bhaskaran	Treasurer
Ming Chow	Director
Mehul Shah	Alternate

**Management Solutions**

Donald Murphy Director  
Cindy Murphy / Jaime Voltz: Escrows/HOA Docs  
Peggy Johnson – Office Manager  
McKenzie Johnson – Office Assistant

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- Gates: R&S 510-489-6881
- Hauling Firm: Bill Cotton 510-797-0977
- Committee Communications Contact: Anand Bhaskaran at: E-mail: [abanand@yahoo.com](mailto:abanand@yahoo.com)
- Silvertreemohavefremont@yahoo.com
- I.M.E. Equities Electric: 650-367-9948
- Killroy Pest Control: 888-545-5769
- Landscape: BRI Landscaping 408-515-7278
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**SILVERTREE MOJAVE CALENDAR**

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Monday

June 12, 2017

7:00 PM

Round Table Pizza

46600 Mission Boulevard

Fremont, CA 94539

(510) 490-0440

See You There!

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The “Sports Activity” or “Playing in Common Areas” rules has been rescinded as of April 18, 2016.

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ANNUAL MEETING CORRECTION

Please excuse our error! In our April newsletter we made an error. We left Lee Adams and Marilyn Black off from the Board of Directors. Our sincere apologies.

Your Current Board of Directors are as follows:

Lee Adams	President
Tamela Durant	Vice President
Marilyn Black	Secretary
Anand Bhaskaran	Treasurer
Ming Chow	Director
Mehul Shah	Alternate

TRASH ENCLOSURE AREAS

The onsite maintenance person has reported that residents continue to leave trash bags on the ground outside of the dumpsters and boxes are not being broken down flat. If a person cannot reach high enough to place the trash bag inside of the dumpster, do not send them to take the trash out. The refuse drivers will not pick this up. They will just drive by and not even dump the trash from the dumpsters, as the bags are in the way. Please, place the trash bag **INSIDE THE DUMPSTERS** and **BREAKDOWN ALL BOXES**. Thank you.

LITIGATION UPDATE

The litigation attorney, Lisa Roberts has notified us that there is no settlement of the litigation, as of May 8, 2017.

QUAD AREAS

Your Board of Directors has requested that Management Solutions procure two (2) quotes to return the Quad Areas with grass that were recently taken out and replaced with mulch. One quote has come in at \$14,350.00, due to one quad no longer has a sprinkler system. A new system would have to be installed.

---

RESIDENT REGISTRATION FORM REMINDER

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Management Solutions  
6200 Buena Vista Drive  
Newark, CA 94560  
Fax: 510-656-4495

Email: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

WATER CONSERVATION

Even though Governor Brown has lifted the state requirements for water conservation, the association will still be in water conservation mode. We appreciate everyone's daily efforts. A few helpful hints to follow:

- Limit showers to 10 minutes.
- Don't fill bathtubs to capacity.
- Check toilet's flapper to make sure it works properly and does not run-on, as this wastes up to 200 gallons of water per day.
- Check exterior water valves to make sure they do not leak.
- Check all of your water use fixtures to make sure all caulking is good and valves are not leaking.
- Turn your water heaters down.
- No washing down your patios or balconies,
- No vehicle washing is allowed.
- For the time being, your Board of Directors has decided the exterior patio water spigots will remain capped off.

COMMON AREA

The common area is defined; "the area outside of your building".

---

PARKING RULES & POLICY

ALL DAY TOWING

2436 Whipple Road –Suite 2

Hayward, CA 94545

510-471-2500

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- All vehicles must be moved every 96 – hours.
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- No vehicles allowed to be placed up on jacks or have blocks behind the wheels.
- No vehicle maintenance is allowed. (Only exception is: Get it running enough to drive it to a repair shop).
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- No vehicle is permitted to rear-end park into any parking space, as this kills the landscape, as well as, fumes flow into unit' s windows.
- No storing of any items within any parking space.
- Nothing is permitted to be chained to any of the posts in the parking areas.
- No loitering, persons playing in or around the parking areas.
- No revving of vehicle and/or motorcycle engines.
- All motorcycles are to be parked in front of the vehicle in deeded space (if applicable).
- The speed limit within the association is 5 MPH.

First Offense: \$50.00 Fine / Second Offense: \$100.00 Fine / Third Offense: \$200.00 Fine

POOL RULES

Pool & Spa Hours:

Sunday – Thursday 9:00 AM to 10:00 PM

Friday – Saturday 9:00 AM to Midnight

Please be courteous during these hours of all those living near the pool by complying with these hours.

- Pool Key Cost: \$50.00 (Must pick up key at the Management office, located at: 6200 Buena Vista Drive – Newark, CA 94560. Please call first for an appointment and you must bring proof of residency and a drivers license. Make your check payable to: Silvertree H.O.A.
- Residents must bring their own chairs
- There is no lifeguard on duty and great care must be taken when using the pool/spa
- Resident 14 years and under are not permitted in the pool or spa at anytime, unless they are accompanied by a person 14 years or older. No person is allowed to permit any persons under the age of 14 into the pool and/or spa area. This is an automatic \$200.00 fine per under aged persons. The Board of Directors will not waive this fine, nor hold a special hearing
- Proper swim attire must be worn at all times. No cut-offs or persons in diapers. Babies must wear protective swim pants. No nude swimming or sunbathing
- Residents are permitted to bring only two (2) visitors at a time to the pool and visitors must be accompanied at all times by the resident host
- No private pool parties allowed. This is an automatic \$100.00 fine
- No glass of any kind is allowed within the pool, spa or pool area. Paper and plastic goods may be used. Food and drink are not allowed in the pool. Residents are responsible for cleaning up after themselves and/or their visitors
- No soap and/or bubble bath allowed in the spa, as this damages the equipment
- No diving, loud noise, cannon balling, rough play, running, excessive screaming, no Frisbees, balls or flotation devises that hinder the swimming of others are allowed
- No pets of any kind are allowed in the pool area or spa
- No alcoholic beverages allowed in the pool area or spa
- No smoking allowed in the pool or spa areas
- No propping of the pool gates or allowing access to anyone who does not have their own key. Non-residents are not permitted in the pool or spa
- Please make certain that the gates lock securely when entering and exiting the pool and spa areas and report any problems to Management Solutions: 510-659-8969.

ENJOY THE SUMMER & SWIM RESPONSIBILY

PET RULES

- Residents with pets are required to pick up their pet's waste immediately afterwards and dispose of it in a tied baggie. The landscaper's will NOT do this. It's an automatic \$250.00 pet waste fine per pet, per occurrence.
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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Service Request & Comment Form

June 2017

Dear Silvertree Mojave Homeowner,

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Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Member No: \_\_\_\_\_

(H): \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Board of Directors Meeting

June 12, 2017

Round Table Pizza

46600 Mission Blvd.

Fremont, CA 94539

7:00 P.M.

MEETING AGENDA

- |       |  |           |
|-------|--|-----------|
| I.    | Roll Call of Board of Directors at:      | 7:00 P.M. |
| II.   | Call Meeting to Order at:                | 7:01 P.M. |
| III.  | Open Forum at:                           | 7:02 P.M. |
| IV.   | Approval of May 8, 2017 Meeting Minutes: | 7:20 P.M. |
| V.    | Business At Hand at:                     | 7:30 P.M. |
|       | 5.1 Member' s Correspondence             |           |
|       | 5.2 Attorney Correspondence              |           |
|       | 5.3 Contractor Items                     |           |
|       | 5.4 Miscellaneous Items                  |           |
| VI.   | Review of May 31, 2017 Financials at:    | 8:15 P.M. |
| VII.  | July 10, 2017 Meeting Agenda Items at:   | 8:25 P.M. |
|       | 7.1                                      |           |
|       | 7.2                                      |           |
|       | 7.3                                      |           |
|       | 7.4                                      |           |
| VIII. | Meeting Adjourned at:                    | 8:30 P.M. |
|       | Next meeting is: Monday – July 10, 2017  |           |
|       | 7:00 PM Meeting Begins                   |           |
|       | Round Table Pizza – 46600 Mission Blvd.  |           |
|       | Fremont, CA 94539                        |           |

**SILVERTREE MOJAVE  
NEWSLETTER & ATTACHMENT  
RESIDENT REGISTRATION FORM**

JUNE 2017

**BOARD OF DIRECTORS**

Lee Adams	President
Tamela Durant	Vice President
Marilyn Black	Secretary
Anand Bhaskaran	Treasurer
Ming Chow	Director
Mehul Shah	Alternate

**Management Solutions**

Donald Murphy Director  
Cindy Murphy / Jaime Voltz: Escrows/HOA Docs  
Peggy Johnson – Office Manager  
McKenzie Johnson – Office Assistant

E-mails received on Saturdays & Sundays will not be addressed, as the office is closed.

MAILING ADDRESS

Mailing Address: 6200 Buena Vista Drive  
Newark, CA 94560

Telephone: 510-659-8969

Fax: 510-656-4495

New E-mail: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

Web site: [www.ManagementSolutionsHOA.com](http://www.ManagementSolutionsHOA.com)

Office Hours: 1 PM – 5 PM Monday – Friday

Telephone Hours: 10 AM – 5 PM Monday – Thursday

10 AM – 4 PM Fridays

EMERGENCY NUMBERS AFTER HOURS:

925-584-4401 or 925-584-4386

Please leave your name, address, association name, contact telephone number, (with area code) and a detailed message.

Maintenance Vendors for Your Information

- Animal Services – Fremont 510-790-6630
- Tri-Cities Animal Shelter – Fremont 510-790-6640
- Background Checks: [www.criminalwatchdog.com](http://www.criminalwatchdog.com)
- Construction: BTC Construction 408-515-7278
- Four Seasons Pool Service: 510-793-5189
- Fremont Police: 510-790-6800
- Gates: R&S 510-489-6881
- Hauling Firm: Bill Cotton 510-797-0977
- Committee Communications Contact: Anand Bhaskaran at: E-mail: [abanand@yahoo.com](mailto:abanand@yahoo.com)
- Silvertreemohavefremont@yahoogroups.com
- I.M.E. Equities Electric: 650-367-9948
- Killroy Pest Control: 888-545-5769
- Landscape: BRI Landscaping 408-515-7278
- Locksmith: Parker Security: 510-659-6939
- M.C.C. Financials: (Members Accts) 408-848-5953
- Post Office: Mission Peaks Station 510-226-0195
- Sinclair – Hall Insurance: Ray Hall 888-803-1790
- Statcomm – Tele-Entry/Directory: 650-988-9508
- Towing: All Day Towing / AA Wheat: 510-471-2500
- The Screen Factory: 510-797-1983
- The Vent Cleaner: 800-793-0333  
(Chimneys & Dryer Vents Cleaning)

This vendor list is not an endorsement of the vendors. Should you select one, any invoice or repairs disputes are between you and the vendor and not the H.O.A.

**SILVERTREE MOJAVE CALENDAR**

Next Board Meeting is:

Monday

July 10, 2017

7:00 PM

Round Table Pizza

46600 Mission Boulevard

Fremont, CA 94539

(510) 490-0440

See You There!

**NEWSLETTER IS LEGAL NOTICE**

Your monthly newsletter is “legal notice” to the membership. If and when possible, notices of work being done throughout the association will be attached to your newsletter, or articles of interest to everyone, as well as, Board Resolutions are placed in your newsletter.

Off-site homeowners who rent their units are required to supply a copy of the monthly newsletter to their tenants, as well, a copy of the association’s governing documents, rules and regulations.

The “Sports Activity” or “Playing in Common Areas” rules has been rescinded as of April 18, 2016.



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LITIGATION SETTLEMENT UPDATE

The latest on the litigation settlement is in it's final session with important sections that remain to be agreed upon. Once agreement is final, the Board of Directors will sign it, hopefully by the July 10, 2017 board meeting.

TRASH ENCLOSURE AREAS

Please be reminded that the Association dumpsters are to be used for household garbage only. The garbage company will not collect furniture or construction debris. Homeowners are required to dispose of large items. If you have items to haul away, we recommend calling Bill Cotton, of Have Truck Will Haul, as his disposal fee is nominal compared to the violation charges to your account.

Bill Cotton  
Have Truck Will Haul  
(510) 797-0977

If a resident cannot reach high enough to place the trash bag inside of the dumpster, do not send them to take the trash out. The refuse drivers will not pick bags left on the outside of the dumpsters. They will just drive by and not even dump the trash from the dumpsters, as the bags are in the way. Please, place the trash bag **INSIDE THE DUMPSTERS** and **BREAKDOWN ALL BOXES**.

In order to prevent unnecessary costs for the Association, please report anyone dumping prohibited items or loitering in the enclosures to Management Solutions at (510) 659-8969 or [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com). Any trespassers should be reported to Fremont Police at (510) 790-6800. We thank everyone for the daily efforts and cooperation.

**FOURTH OF JULY**

We want to remind our residents that ALL fireworks are banned in Fremont. This ban includes the "safe and sane" variety of fireworks, (i.e.: sparklers, fountains, flowers, etc.) that are legal in some other cities. The City of Fremont fines for possession of illegal fireworks start at \$500.00. We wish you all a safe and happy Fourth of July holiday.

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RESIDENT REGISTRATION FORM REMINDER

If you do not have your Resident Registration form turned in, you will not be coded into the new directory system once it's installed. Please be reminded only phone numbers beginning with the "510" area code will be allowed to be coded. No other area code numbers are allowed, as they are long distance for the HOA.

Please get your forms in either by mail, fax or email to:

Management Solutions  
6200 Buena Vista Drive  
Newark, CA 94560  
Fax: 510-656-4495

Email: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

WATER CONSERVATION

Even though Governor Brown has lifted the state requirements for water conservation, the association will still be in water conservation mode. We appreciate everyone's daily efforts. A few helpful hints to follow:

- Limit showers to 10 minutes.
- Don't fill bathtubs to capacity.
- Check toilet's flapper to make sure it works properly and does not run-on, as this wastes up to 200 gallons of water per day.
- Check exterior water valves to make sure they do not leak.
- Check all of your water use fixtures to make sure all caulking is good and valves are not leaking.
- Turn your water heaters down.
- No washing down your patios or balconies,
- No vehicle washing is allowed.

For the time being, your Board of Directors has decided the exterior patio water spigots will remain capped off.

VEHICLE BREAK-IN

It was reported on 6/13/17 that a vehicle was broken into. Please do not keep anything of value or in plain site in your vehicles and report it to the Police.

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PARKING RULES & POLICY

ALL DAY TOWING

2436 Whipple Road –Suite 2

Hayward, CA 94545

510-471-2500

Please remember that all residents are only permitted to park two (2) vehicles within the association and one of the vehicles must be parked in the deeded carport space to the unit and the other in the common area parking and must be registered by completing the Resident Registration and turned into Management Solutions, annually.

- If you have more than 2 vehicles, you must park the others on the street. All vehicles must be listed on the Resident Registration form.
- All vehicles must be moved every 96 – hours.
- All vehicles parked in deeded carport spaces that are being stored, must be kept clean, in good condition, have no flat tires, no oil dripping and must have current license and registration. No exceptions! (They still need to be moved every 96-hours) or off the property. Moving the vehicle to another space will not be okay!
- No damaged or inoperable vehicles are permitted in any space. No RV' s, no commercial vehicles, boats, trailers, or moving trucks.
- No vehicles allowed to be placed up on jacks or have blocks behind the wheels.
- No vehicle maintenance is allowed. (Only exception is: Get it running enough to drive it to a repair shop).
- All vehicle spaces must be kept free from debris and oil stains are to be cleaned up using “Simple Green” to clean them.
- No owner is to dump out their vehicle' s ashtray in any parking space. This is a \$250.00 littering fine.
- No vehicle is permitted to rear-end park into any parking space, as this kills the landscape, as well as, fumes flow into unit' s windows.
- No storing of any items within any parking space.
- Nothing is permitted to be chained to any of the posts in the parking areas.
- No loitering, persons playing in or around the parking areas.
- No revving of vehicle and/or motorcycle engines.
- All motorcycles are to be parked in front of the vehicle in deeded space (if applicable).
- The speed limit within the association is 5 MPH.

First Offense: \$50.00 Fine / Second Offense: \$100.00 Fine / Third Offense: \$200.00 Fine

POOL RULES

Pool & Spa Hours:

Sunday – Thursday 9:00 AM to 10:00 PM

Friday – Saturday 9:00 AM to Midnight

Please be courteous during these hours of all those living near the pool by complying with these hours.

- Pool Key Cost: \$50.00 (Must pick up key at the Management office, located at: 6200 Buena Vista Drive – Newark, CA 94560. Please call first for an appointment and you must bring proof of residency and a drivers license. Make your check payable to: Silvertree H.O.A.
- Residents must bring their own chairs
- There is no lifeguard on duty and great care must be taken when using the pool/spa
- Residents 14 years and under are not permitted in the pool or spa at anytime, unless they are accompanied by a person 14 years or older. No person is allowed to permit any persons under the age of 14 into the pool and/or spa area. This is an automatic \$200.00 fine per under aged persons. The Board of Directors will not waive this fine, nor hold a special hearing
- Proper swim attire must be worn at all times. No cut-offs or persons in diapers. Residents not toilet trained, must wear protective swim pants. No nude swimming or sunbathing
- Residents are permitted to bring only two (2) visitors at a time to the pool and visitors must be accompanied at all times by the resident host
- No private pool parties allowed. This is an automatic \$100.00 fine
- No glass of any kind is allowed within the pool, spa or pool area. Paper and plastic goods may be used. Food and drink are not allowed in the pool. Residents are responsible for cleaning up after themselves and/or their visitors
- No soap and/or bubble bath allowed in the spa, as this damages the equipment
- No diving, loud noise, cannon balling, rough play, running, excessive screaming, no Frisbees, balls or flotation devises that hinder the swimming of others are allowed
- No pets of any kind are allowed in the pool area or spa
- No alcoholic beverages allowed in the pool area or spa
- No smoking allowed in the pool or spa areas
- No propping of the pool gates or allowing access to anyone who does not have their own key. Non-residents are not permitted in the pool or spa
- Please make certain that the gates lock securely when entering and exiting the pool and spa areas and report any problems to Management Solutions: 510-659-8969.

PET RULES

- Residents with pets are required to pick up their pet's waste immediately afterwards and dispose of it in a tied baggie. The landscaper's will NOT do this. It's an automatic \$250.00 pet waste fine per pet, per occurrence.
- No pet is permitted to be left outside on its own to roam about freely in the common areas, tied up in any of the common areas, etc. All pets, including cats must be on a leash and under the owner's control at all times within the common areas of the association. It's an automatic \$250.00 per violation.
- Two pets, per unit are allowed. (i.e. one dog and one cat).
- No birds or farms animals are permitted.
- No pets are permitted to be left out on balconies or patios unattended.
- No large dogs and/or aggressive dogs. Dog size allowed is not more than 25 lbs.
- No dog is permitted to bark constantly, as this is a noise disturbance violation and owners will be fined accordingly. Please do not allow your dogs to bark constantly. You may want to purchase an anti-bark collar to avoid a violation letter and/or possible fine. It's a \$50.00 noise disturbance fine, per occurrence.

SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Service Request & Comment Form

July 2017

Dear Silvertree Mojave Homeowner,

Please use this form to express your interest to the Board of Directors, report any common area issues, such as lights out or trip hazards, etc. Please either mail, fax or email this form to: Management Solutions – 6200 Buena Vista Drive Newark, CA 94560 (F) 510-656-4495 Email: [managementsolutionshoa@gmail.com](mailto:managementsolutionshoa@gmail.com)

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Member No: \_\_\_\_\_

(H): \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Make Your Association Dues Check Payable To: Silvertree H.O.A.

Mail Your Association Dues Payment To: Union Bank – P.O. Box 45447 – San Francisco, CA 94145-5447

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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Board of Directors Meeting

July 10, 2017

Round Table Pizza

46600 Mission Blvd.

Fremont, CA 94539

7:00 P.M.

MEETING AGENDA

- |       |  |           |
|-------|--|-----------|
| I.    | Roll Call of Board of Directors at:        | 7:00 P.M. |
| II.   | Call Meeting to Order at:                  | 7:01 P.M. |
| III.  | Open Forum at:                             | 7:02 P.M. |
| IV.   | Approval of June 12, 2017 Meeting Minutes: | 7:20 P.M. |
| V.    | Business At Hand at:                       | 7:30 P.M. |
|       | 5.1 Member' s Correspondence               |           |
|       | 5.2 Attorney Correspondence                |           |
|       | 5.3 Contractor Items                       |           |
|       | 5.4 Miscellaneous Items                    |           |
| VI.   | Review of June 30, 2017 Financials at:     | 8:15 P.M. |
| VII.  | August 14, 2017 Meeting Agenda Items at:   | 8:25 P.M. |
|       | 7.1  |           |
|       | 7.2  |           |
|       | 7.3  |           |
|       | 7.4  |           |
| VIII. | Meeting Adjourned at:                      | 8:30 P.M. |
|       | Next meeting is: Monday – August 14, 2017  |           |
|       | 7:00 PM Meeting Begins                     |           |
|       | Round Table Pizza – 46600 Mission Blvd.    |           |
|       | Fremont, CA 94539                          |           |

# SILVERTREE MOJAVE NEWSLETTER & ATTACHMENT

Litigation Settlement & Opt Out Form

AUGUST 2017

## BOARD OF DIRECTORS

Tamela Durant	Vice President
Anand Bhaskaran	Treasurer
Ming Chow	Director
Marilyn Black	Alternate
Mehul Shah	Alternate
Lee Adams	Alternate

## Management Solutions

Donald Murphy Director  
Cindy Murphy / Jaime Voltz: Escrows/HOA Docs  
Peggy Johnson – Office Manager  
McKenzie Johnson – Office Assistant

E-mails received on Saturdays & Sundays will not be addressed, as the office is closed.

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Web site: [www.ManagementSolutionsHOA.com](http://www.ManagementSolutionsHOA.com)

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10 AM – 4 PM Fridays

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- Construction: BTC Construction 408-515-7278
- Four Seasons Pool Service: 510-793-5189
- Fremont Police: 510-790-6800
- Gates: R&S 510-489-6881
- Hauling Firm: Bill Cotton 510-797-0977
- Committee Communications Contact: Anand Bhaskaran at: E-mail: [abanand@yahoo.com](mailto:abanand@yahoo.com)
- Silvertreemohavefremont@yahoogroups.com
- I.M.E. Equities Electric: 650-367-9948
- Killroy Pest Control: 888-545-5769
- Landscape: BRI Landscaping 408-515-7278
- Locksmith: Parker Security: 510-659-6939
- M.C.C. Financials: (Members Accts) 408-848-5953
- Post Office: Mission Peaks Station 510-226-0195
- Sinclair – Hall Insurance: Ray Hall 888-803-1790
- Statcomm – Tele-Entry/Directory: 650-988-9508
- Towing: All Day Towing / AA Wheat: 510-471-2500
- The Screen Factory: 510-797-1983
- The Vent Cleaner: 800-793-0333  
(Chimneys & Dryer Vents Cleaning)

This vendor list is not an endorsement of the vendors. Should you select one, any invoice or repairs disputes are between you and the vendor and not the H.O.A.

## SILVERTREE MOJAVE CALENDAR

Next Board Meeting is:

Monday

September 11, 2017

7:00 PM

Round Table Pizza

46600 Mission Boulevard

Fremont, CA 94539

(510) 490-0440

See You There!

## NEWSLETTER IS LEGAL NOTICE

Your monthly newsletter is “legal notice” to the membership. If and when possible, notices of work being done throughout the association will be attached to your newsletter, or articles of interest to everyone, as well as, Board Resolutions are placed in your newsletter.

Off-site homeowners who rent their units are required to supply a copy of the monthly newsletter to their tenants, as well, a copy of the association’s governing documents, rules and regulations.

The “Sports Activity” or “Playing in Common Areas” rules has been rescinded as of April 18, 2016.

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LITIGATION SETTLEMENT UPDATE & OPT OUT FORM

Attached is a copy of the settlement options. If you are a homeowner between January 1, 2011 and July 16, 2016, please fill out the attached settlement options or the "opt out" form. The opt out form must be sent by first class mail, and postmarked not later than September 11, 2017 to:

The Law Foundation of Silicon Valley  
Fair Housing Law Project  
Attention: Silvertree Mojave Settlement  
152 N. Third Street, 3<sup>rd</sup> Floor  
San Jose, CA 95112

MANDATORY DRYER VENT CLEANING

Management has been instructed by your Board of Directors to contact The Vent Cleaner to get the association scheduled for ALL UNITS dryer vents to be cleaned at a group rate of \$99.00 per unit. The cost of \$99.00 will be assessed to all member's accounts for the month of November. Please check with a family member, or a neighbor to allow them access if you are unable to do it. These cleanings will take place on two Saturdays beginning by 9:00 AM:

Saturday – November 4, 2017      (All Sequim Common Buildings)

Saturday – November 11, 2017      (All Winema Common Buildings)

This is a MANDATORY fire and safety cleaning and all residents are to comply in allowing access into your units for the Vent Cleaner technicians. The technicians will be making a list of NO SHOWS, and the member's accounts will be fined \$50.00 for non-compliance and will need to call The Vent Cleaner to get their vents cleaned by November 30, 2017 so that the completed Vent Cleaner report can be sent to the Insurance firm to provide proof of compliance.

Please mark your calendars for these dates.



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PARKING RULES & POLICY

ALL DAY TOWING

2436 Whipple Road –Suite 2

Hayward, CA 94545

510-471-2500

Please remember that all residents are only permitted to park two (2) vehicles within the association and one of the vehicles must be parked in the deeded carport space to the unit and the other in the common area parking and must be registered by completing the Resident Registration and turned into Management Solutions, annually.

- If you have more than 2 vehicles, you must park the others on the street. All vehicles must be listed on the Resident Registration form.
- All vehicles must be moved every 96 – hours.
- All vehicles parked in deeded carport spaces that are being stored, must be kept clean, in good condition, have no flat tires, no oil dripping and must have current license and registration. No exceptions! (They still need to be moved every 96-hours) or off the property. Moving the vehicle to another space will not be okay!
- No damaged or inoperable vehicles are permitted in any space. No RV' s, no commercial vehicles, boats, trailers, or moving trucks.
- No vehicles allowed to be placed up on jacks or have blocks behind the wheels.
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- The speed limit within the association is 5 MPH.

First Offense: \$50.00 Fine / Second Offense: \$100.00 Fine / Third Offense: \$200.00 Fine

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Pool & Spa Hours:

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Friday – Saturday 9:00 AM to Midnight

Please be courteous during these hours of all those living near the pool by complying with these hours.

- Pool Key Cost: \$50.00 (Must pick up key at the Management office, located at: 6200 Buena Vista Drive – Newark, CA 94560. Please call first for an appointment and you must bring proof of residency and a drivers license. Make your check payable to: Silvertree H.O.A.
- Residents must bring their own chairs
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- Residents 14 years and under are not permitted in the pool or spa at anytime, unless they are accompanied by a person 14 years or older. No person is allowed to permit any persons under the age of 14 into the pool and/or spa area. This is an automatic \$200.00 fine per under aged persons. The Board of Directors will not waive this fine, nor hold a special hearing
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PET RULES

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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Service Request & Comment Form

September 2017

Dear Silvertree Mojave Homeowner,

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Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_ Member No: \_\_\_\_\_

(H): \_\_\_\_\_ (W) \_\_\_\_\_ (C) \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Make Your Association Dues Check Payable To: Silvertree H.O.A.

Mail Your Association Dues Payment To: Union Bank – P.O. Box 45447 – San Francisco, CA 94145-5447

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SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

Board of Directors Meeting

September 11, 2017

Round Table Pizza

46600 Mission Blvd.

Fremont, CA 94539

7:00 P.M.

MEETING AGENDA

- |       |  |           |
|-------|--|-----------|
| I.    | Roll Call of Board of Directors at:  | 7:00 P.M. |
| II.   | Call Meeting to Order at:  | 7:01 P.M. |
| III.  | Open Forum at:   | 7:02 P.M. |
| IV.   | Approval of July 10, 2017 Meeting Minutes (No Quorum for August 14, 2017 board meeting)  | 7:20 P.M. |
| V.    | Business At Hand at:<br>5.1 Member' s Correspondence<br>5.2 Attorney Correspondence<br>5.3 Contractor Items<br>5.4 Miscellaneous Items                       | 7:30 P.M. |
| VI.   | Review of 7/31/17 & 8/31/17 Financials at:   | 8:15 P.M. |
| VII.  | October 9, 2017 Meeting Agenda Items at:<br>7.1<br>7.2<br>7.3<br>7.4   | 8:25 P.M. |
| VIII. | Meeting Adjourned at:<br>Next meeting is: Monday – October 9, 2017<br>7:00 PM Meeting Begins<br>Round Table Pizza – 46600 Mission Blvd.<br>Fremont, CA 94539 | 8:30 P.M. |

**SUMMARY OF YOUR OPTIONS IN THIS SETTLEMENT:**

<p align="center"><b>1. AGREE WITH THE SETTLEMENT</b></p>	<p>If you read the notice and decide you agree with the settlement, just fill out the enclosed form with your household information and send it back in the enclosed envelope. If the Court decides that the settlement is fair to all class members (such as yourself), then, by providing proof of membership in the class, you will receive a settlement amount according to the table below, and you and the other class members of your family will be bound by the terms of the settlement agreement, including a release of the claims against Defendants as set forth in the agreement.</p>
<p align="center"><b>2. OPT OUT OF THE SETTLEMENT</b></p>	<p>If you "opt out" of the settlement, you will reserve your individual right to file a separate court case and seek individual relief. This will be your own case, separate from the class, for any individual claims you have against one or all of the Defendants relating to what Defendants did or did not do that is at issue in this class action. If you do not wish to be part of the class settlement and decide to opt out, you will not receive any money from the class settlement.</p> <p>In order to opt out of the class settlement, you must send a letter to the attorneys for the Plaintiffs explaining that you wish to "opt out" of the settlement. <b>This letter must be sent by September 11, 2017</b>, per the instructions in #8 below.</p>
<p align="center"><b>3. OBJECT BUT DO NOT OPT OUT</b></p>	<p>If, after reading this notice, you decide that you do not agree with the class settlement, you can object while remaining a member of the class. In order to object, you must first object in writing by sending a letter to the attorneys for the Plaintiffs (the Law Foundation of Silicon Valley), explaining why you do not agree with the settlement generally, or why you do not agree with any individual term or terms of the settlement. <b>You must send this letter by September 11, 2017</b>. We explain how to do this below at #9. Objecting to the settlement is not the same as opting out of the settlement (as described above).</p> <p>After you object in writing, you may go to the final fairness hearing to tell the Court in person why you don't think the settlement is fair to the class members.</p> <p><b>You must first object in writing as explained in #9 below.</b> The hearing will be on October 26, 2017, at 8:00 a.m. in Courtroom 8, which is on the 19th floor of the U.S. District Court for the Northern District of California, located at 450 Golden Gate Ave., San Francisco, CA 94102.</p> <p>Under this option, if your objection is overruled (not allowed by the Court), then you will be bound by the settlement agreement. If you wish to preserve your rights to file your own separate court case in the event your objection is overruled, then you must also opt out as described in #8 below.</p>
<p align="center"><b>4. OBJECT AND OPT OUT</b></p>	<p>You may both object and opt out. Doing so preserves your right to file your own case if the Court overrules your objection. You must both opt out in writing as described in #8 below <b>and</b> object in writing as described in #9 below. You must do both by September 11, 2017.</p>



1. **Why are you sending me this notice?**

Federal Law requires us to send you this notice because it is likely that the class settlement in this case will affect your legal rights. This notice is to tell you about the court case, the class settlement we agreed to, and what to do if you agree or disagree with the settlement. You have a right to get this information and give your opinion before the Court decides whether or not to finally approve the class settlement. The Court has preliminarily approved the settlement, but will make a final decision after the hearing on October 26, 2017. The Court in charge of the case is the United States District Court of the Northern District of California. United States District Court Judge William Alsup is the judge overseeing the case. His court is located in San Francisco.

2. **What is this case about?**

In this case, Dominica and Jerrold Lewis (and their two minor children) and Project Sentinel (Plaintiffs) argued that Defendants imposed unreasonably restrictive rules against families with children and prohibited children from playing in the residential common areas, in violation of fair housing laws.

3. **Why is this a class action?**

In a class action, one or more people, called class representatives, sue on behalf of all people who have similar claims (a "class"). The Class Representatives in this case are Dominica Lewis, Jerrold Lewis, and their minor children. Project Sentinel, a local nonprofit organization dedicated to eliminating housing discrimination, is also an individual plaintiff in this case. Usually, class actions happen when the same issue affects a lot of people and it wouldn't make sense for everyone to file their own lawsuit.

4. **Why is there a settlement?**

The case did not get decided by the Court. Instead, the Plaintiffs and Defendants negotiated a settlement agreement. This does not mean that Defendants admit that they did anything wrong. The Plaintiffs and their attorneys think the settlement is fair and is in the best interests of everyone.

5. **What are the terms of the settlement?**

A copy of the class settlement agreement is located at: <http://www.silvertreemohavesettlement.com>. Below is a summary of the relief granted to class members:

- Defendants will permanently rescind and not enact any rule in the future that prohibits children from playing in the common areas of Silvertree-Mohave.
- Defendants will post signs in the Silvertree-Mohave common areas stating that "Any resident, including children, are permitted to play in common areas of the Complex." This information will also be published in the Silvertree-Mohave Homeowners Association's monthly newsletters. The signs and newsletter announcement will be maintained for at least three years from the date of the settlement agreement.
- Defendants will pay the total sum of Eight Hundred Thousand Dollars (\$800,000) to the class, as a whole, as damages to be allocated among all class members as described in section 6.
- Defendants will pay the sum of Thirty-Five Thousand Dollars (\$35,000) to class representatives Dominica and Jerrold Lewis for their individual damages related to their separate and individual claims, not class claims.
- Defendants will pay Plaintiff Project Sentinel Nineteen Thousand Dollars (\$19,000) for its damages related to its individual claims.
- Lee Adams and Marilyn Black will step down from the Board of Directors of Silvertree-Mohave.
- The current board members and all future board members will receive fair housing training.
- The Board will evaluate the need for better play areas for children and their families with input from the residents of Silvertree-Mohave, in order to determine what the residents want and need.
- No member of the Association will be assessed directly or indirectly for any of the costs of this lawsuit.

If you do not have access to the internet to obtain a copy of the settlement, you may contact Class Counsel to request a copy be mailed to you. You can either write:

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The Law Foundation of Silicon Valley  
 Fair Housing Law Project  
 Attn.: Silvertree-Mohave Settlement  
 152 N. Third Street, 3rd Floor  
 San Jose, CA 95112

Or call (408) 280-2444. You may also contact the Claims Administrator to request a copy of the settlement agreement:

*Lewis v. Silvertree-Mohave Homeowners Association* Claims Administrator  
 P.O. Box 404000, Louisville, KY 40233-4000  
 Phone: 1-866-763-9501 (toll free number)

We will send a copy of the settlement agreement and the Complaint to you.

**6. How much should I expect to get?**

The cover letter included with this notice specified the amount of damages we expect you to receive based on the information that we have. The amount of damages each class member will receive depends on the total number of class members. Each household will receive a check based upon the number of class members in the household, namely, the number of persons in your family who (1) lived at Silvertree-Mohave at any time between January 1, 2011 and July 16, 2016 with children under the age of 14, or (2) who were themselves children under the age of 14 living at Silvertree-Mohave during that time. Based upon the information we currently have, we estimate that there are approximately 334 class members. After deducting the costs of administering the settlement (currently estimated to be just under \$20,000) from the total settlement amount (\$800,000), and dividing the remaining \$780,000 by 334 class members, we estimate that each class member will receive approximately \$2,335.00 per person. This amount may vary slightly depending on whether there are more or less class members after we verify the class. Here are the current estimated amounts per household:

Household Composition	Expected Settlement Amount (per household)
Five class members (e.g. 2 adults, 3 children < 14)	approximately \$11,675
Four class members (e.g. 2 adults, 2 children < 14)	approximately \$9,340
Three class members (e.g. 2 adults, 1 child < 14 or 1 adult and 2 children)	approximately \$7,005
Two class members (e.g. 1 parent, 1 child < 14)	approximately \$4,670

**You must fill out the Household Information Form to ensure you get the appropriate amount of the settlement.** If you are not sure whether you are a class member, you may contact the Claims Administrator at the number listed in section 16 below for more information.

**To assist us in determining the amount of your household's damages:**

- Complete the enclosed "Household Information Form" and mail it to the address provided on the form.
- Mail the "Household Information Form" by first class mail, using the enclosed envelope and postmarked no later than **September 11, 2017** to:

The Law Foundation of Silicon Valley  
 Fair Housing Law Project  
 Attn.: Silvertree-Mohave Settlement  
 152 N. Third Street, 3rd Floor  
 San Jose, CA 95112.

- Carefully follow the instructions on the "Household Information Form," and complete all the information

**7. What happens if there are any funds left over after all of the settlement disbursements?**

If there are any remaining funds after the disbursements to the known class members, depending on the amount, the remaining money will either be redistributed to the class, or it will be distributed as "cy pres" to a not-for-profit organization to be determined by agreement of counsel for the parties and approved by



The Law Foundation of Silicon Valley  
 Fair Housing Law Project  
 Attn.: Silvertree-Mohave Settlement  
 152 N. Third Street, 3rd Floor  
 San Jose, CA 95112

Or call (408) 280-2444. You may also contact the Claims Administrator to request a copy of the settlement agreement:

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Household Composition	Estimated Settlement Amount (per household)
Five class members (e.g. 2 adults, 3 children < 14)	approximately \$11,675
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**You must fill out the Household Information Form to ensure you get the appropriate amount of the settlement.** If you are not sure whether you are a class member, you may contact the Claims Administrator at the number listed in section 16 below for more information.

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 Fair Housing Law Project  
 Attn.: Silvertree-Mohave Settlement  
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- Carefully follow the instructions on the "Household Information Form," and complete all the information

**7. What happens if there are any funds left over after all of the settlement disbursements?**

If there are any remaining funds after the disbursements to the known class members, depending on the amount, the remaining money will either be redistributed to the class, or it will be distributed as "cy pres" to a not-for-profit organization to be determined by agreement of counsel for the parties and approved by



the Court. If the amount is less than an additional \$25 per class member, the agreement states that the money be distributed as a *cy pres*. *Cy pres* awards are distributions of the remaining funds from class action settlements or judgments that cannot be distributed to class members. *Cy Pres* awards are usually given to not-for-profit organizations.

8. **Can I decide to not be a part of the class settlement?**

Yes. To take yourself out of the class settlement, you must:

- 1) Send a letter to the address below stating that you wish to "opt out" and provide the names and ages of all members of your household choosing to opt out.
- 2) Be sure that all adult household members sign the letter and state their relationship to any child that is also seeking to opt out of the settlement.
- 3) Mail the "Opt-Out" letter by first class mail, using the enclosed envelope and postmarked no later than **September 11, 2017**, to:

The Law Foundation of Silicon Valley  
Fair Housing Law Project  
Attn.: Silvertree-Mohave Settlement  
152 N. Third Street, 3rd Floor  
San Jose, CA 95112.

9. **What if I want to stay a part of the case, but I don't agree with some parts or all of the class settlement?**

This is called objecting to the settlement. You have a right to tell the Court your opinion on the class settlement. To do this you must:

- 1) **First**, write a letter to the address below stating that you object to the settlement and giving **all the reasons** you object to the settlement.
- 2) Be sure that all adult household members seeking to object sign the letter and state their relationship to any child in the household who is also a member of the class.
- 3) Send the letter by first class mail, using the enclosed envelope and postmarked no later than **September 11, 2017**, to:

The Law Foundation of Silicon Valley  
Fair Housing Law Project  
Attn.: Silvertree-Mohave Settlement  
152 N. Third Street, 3rd Floor  
San Jose, CA 95112.

- 4) Come to the Court hearing on October 26, 2017, if you wish (see below at #10).

10. **How do I object to the class settlement in person?**

The Court will hold a Fairness Hearing on **October 26, 2017, at 8:00 a.m.**, at the U.S. District Courthouse located at 450 Golden Gate Avenue, San Francisco, CA 94102 (Courtroom 8, 19th Floor). At this hearing, the Court will consider whether the settlement is fair, reasonable and adequate. If there are objections, the Court will consider them. The Court may listen to people who have asked to speak at the hearing. **You must first object in writing (see above #9) in order to be heard at the hearing.** We do not know when the Court will make a decision, following this hearing, on the request to approve the settlement and any amount of attorneys' fees to be awarded to the class.

11. **Do I have to come to the hearing?**

No. You only have to come to the hearing if you want to object to the settlement in person. Remember, you can object solely in writing by taking the steps at #9 above.

**12. What happens if I do nothing at all?**

If you read the notice and decide you agree with the settlement, you are entitled to receive an amount of money for damages (as estimated above). In order to confirm class membership, simply complete and send in the enclosed Household Information Form in the pre-paid envelope. If the Court decides that the settlement is fair, then you will be awarded money damages discussed above. If you fail to provide the Household Information Form, you may receive a check anyway, but only if we have sufficient information to know that there were children under the age of 14 in your household during the class period (Jan. 1, 2011 – July 16, 2016). If you are in the class and cash the check you receive in the mail, this also means that you cannot sue the Defendants in the future regarding this same fair housing issue and you will be bound by the terms of the settlement agreement. If you are unsure what to do, please call the Claims Administrator toll-free at 1-866-763-9501.

**13. What are the important dates in this case?**

There are only two dates for you to remember:

- 1) **September 11, 2017** – Deadline to object, opt out (or both object and opt out), or submit Household Information Forms.
- 2) **October 26, 2017** – Date of the Fairness hearing

**14. Do I have an attorney in this case?**

The Court has appointed the Law Foundation of Silicon Valley and Winston & Strawn LLP as class counsel, to represent all members of the Class collectively. If you want to be represented individually by your own attorney, you can hire one at your own expense. To contact the Law Foundation please write to:

The Law Foundation of Silicon Valley  
Fair Housing Law Project  
Attn.: Silvertree-Mohave Settlement  
152 N. Third Street, 3rd Floor  
San Jose, CA 95112.

Or call: (408) 280-2444.

**15. How will the attorneys be paid?**

You will not be required to pay class counsel for their work on this case. The Court will decide how much class counsel will get paid. This amount is separate from the \$800,000 in damages awarded to the class and will not be taken from the amount of the settlement to the Class.

**16. Where can I get additional information?**

If you have questions about this Class Settlement or this notice, contact the Claims Administrator for this lawsuit: *Lewis v. Silvertree-Mohave Homeowners Association* Claims Administrator, P.O. Box 404000, Louisville, KY 40233-4000. The toll free telephone number is 1-866-763-9501.

The complete terms of the settlement are at: <http://www.silvertreemohavesettlement.com>

There, you will find the settlement agreement, this notice, a copy of the Complaint filed in Court and a reminder of important dates.

You can also look the case up on the Court's website here: <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, on the 16th floor of 450 Golden Gate Avenue, San Francisco, CA 94102 on weekdays between the hours of 9:00 a.m. and 4:00 p.m.

**17. What if I am still not sure if I am a member of the class?**

If you are not sure whether you are a class member you can contact the Claims Administrator at:

*Lewis v. Silvertree-Mohave Homeowners Association* Claims Administrator  
P.O. Box 404000, Louisville, KY 40233-4000  
Toll Free Phone: 1-866-763-9501

**PLEASE DO NOT CALL THE COURT**



SILVERTREE MOJAVE HOMEOWNERS' ASSOCIATION

CIVIL CODE SECTION 5220 "OPT OUT"

LITIGATION SETTLEMENT

Pursuant to Civil Code Section 5220: If you "opt out" of the settlement, you will reserve your individual right to file a separate court case and seek individual relief. This will be your own case, separate from the class, for any individual claims you have against one or all of the Defendants relating to what Defendants did or did not do that is at issue in this class action. If you do not wish to be a part of the class settlement and decide to opt out, you will not receive any money from the class settlement.

In order to opt out of the class settlement, you must send a letter to the attorneys for the Plaintiffs explaining that you wish to "opt out" of the settlement. **This letter must be sent by September 11, 2017, per the instructions in #8.**

Dated: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Property Address: \_\_\_\_\_

\_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_