

Summary

- 1) The HOA Board of Trustees (“the Board”) including 6 named past and present Board Members, have caused numerous violations of the HOA Indentures, Bylaws, and Code Of Ethics for Autumn Lakes Association Board. These violations cover a broad range of issues that have undermined the trust and functionality of the Autumn Lakes HOA community. These violations include failures in maintenance, financial mismanagement, inconsistent rule enforcement, lack of transparency, and improper governance. Additionally, violations have arisen from poor communication, privacy breaches, insurance problems, unethical and illegal behavior, and ignoring homeowner concerns. Neglecting environmental responsibility, inadequate emergency planning, and improper meeting conduct are also significant areas of concern.

- 2) Overall, the Board's failure to adhere to the HOA indentures, bylaws, legal requirements, and ethical standards, along with selective enforcement and lack of transparency, have severely impacted the community's well-being. It's crucial that this HOA Board operates responsibly, transparently, and ethically to maintain a positive and functional community environment. This Board has not operated with a focus on the community's well-being and they need to be brought to justice for their actions and behavior.

This is a comprehensive list of HOA violations caused by the Board of trustees

- 1) Failure to Maintain Common Areas
 - a) Neglecting the upkeep of shared spaces
 - i) Pool
 - (1) Leaking of pool
 - (2) Delinquent cleaning of child pool
 - ii) Basketball court
 - (1) No surface cleaning or repairs
 - iii) Tennis court
 - (1) No surface cleaning or repairs
 - (2) No replacement of net
 - iv) Recreation Vehicle (RV) lot
 - (1) Plastic garbage cans full of rain water
 - (2) Tarps, garbage, piles of dirt and debris
 - (3) Piles of tree debris upon removal of commercial yard waste can
 - v) Lakes
 - (1) Spraying of hazardous chemicals on shoreline destroying plant growth

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- (1) Spraying of hazardous chemicals in lakes destroying grass and lilly pads (depositions with subpoenas are being planned for lake companies to determine the chemicals and who approved/requested the applications)
- vi) Clubhouse
 - (1) Trash toters stored in public view
- vii) Maintenance shed
 - (1) Clutter and trash toters stored behind, in member view sides and the street
- 2) Financial Mismanagement
 - a) Misusing HOA funds
 - i) Funds drawn upon banks for payment to Board members
 - b) Not maintaining proper financial reports
 - i) Months without any financial postings
 - ii) Material financial postings forgotten and then posted to subsequent year
 - c) Not providing proper financial reports to members
 - i) Years and months with no financial reports provided to members upon request
 - ii) Years and months with condo financial reports not provided to requesting house owning members
 - iii) Years and months with house financial reports not provided to requesting condo owning members
 - iv) Years and months when amenities (i.e. ACA) financial reports not provided to members
 - d) Failing to budget appropriately
 - i) Providing subsequent year budget reports when current year actual financial reports have not been disclosed to member
 - e) Implementing unaffordable projects knowing the Reserves were insufficiently funded (e.g. new asphalt and/or concrete driveways, application of asphalt weatherproofing to driveways and HOA street and parking lots.)
- 3) Discriminatory Practices and Selective Enforcement
 - a) Enforcing rules inconsistently or targeting specific residents unfairly, and sometimes inconsistently for houses versus condos
 - i) Only certain members allowed to decorate common areas and from view of property
 - (1) Vendor signs in yards (e.g. renovation contractor signs, holiday lighting installers, goat grass-eating service)
 - (2) Signs viewable from HOA property (e.g. realtor marketing magnetic vehicle signs in driveways and streets, member picket signs attached to trees or on driveways)
 - (3) Business vehicles (e.g. box trucks)
 - (4) Flowers beneath trees
 - (5) Ornamental fencing, bricks, edging, around trees
 - (6) Sports flags and signs
 - (7) Lawn ornaments
 - (8) Bird and squirrel feeders
 - (9) Holiday inflatables
 - (10)Lawn furniture
 - ii) Rejecting work order requests -- incorrectly claiming that a common area repair is not HOA responsibility (e.g. landscape bricks repair and replacement)

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- iii) Repeated ignoring “tripping hazard” work order request for patching of a member driveway gap along garage
 - iv) Repeated ignoring of condo member work request for black mold ceiling damage and resulting breathing/health claims
 - v) Ignoring emergency work request of condo broken external water spigot causing HOA water waste and potential condo flooding
 - vi) Allowing HOA water usage for commercial activities (e.g. water-and-growing of plants for harvested product sales)
 - vii) Allowing specific individuals to work or perform commercial activities from their home (e.g. selling realty property, selling marijuana and fruits/vegetables, selling insurance, etc.) in violation of governing documents
 - viii) Allowing some condos to retain grills on their decks
 - ix) Allowing some condos to have decks in disrepair
 - x) Allowing some condos to have clutter on decks or patios, or on common ground
 - xi) No wheelchair ramp to clubhouse where HOA meetings are held
 - xii) No wheelchair ramp to pool or sports courts
 - b) Failure to allow a former Board member to utilize the HOA professional insurance policy coverage to defend that member of HOA subject matter claims by another former Board member, putting both the defending member and the HOA at legal risk for damages
 - c) Board hanging signs on HOA member’s chair and the meeting venue door with Board member’s court Order of Protection filing information, and extending of a 50 foot rope from that Board member’s chair at the Board table to the member’s chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
 - d) Three Board members filing a court Order of Protection against a whistle-blowing former Board member as retaliation for his speaking critically of the Board’s behavior
- 4) Lack of Transparency
- a) Not providing adequate notice of meetings
 - i) Conducting Board meetings without agendas
 - b) Not disclosing adequate decisions
 - i) Conducting Board meetings without maintaining minutes of votes and decisions
 - c) Not disclosing financial matters to homeowners
 - i) Selecting insurance companies and coverage without member vote
 - (1) Board members claiming to members that the HOA has never had government-backed insurance carrier and there was no alternative to the insurance policy having been selected
 - (2) Selecting insurance company without member vote, and selecting insurance policy coverage without member vote and with a material loss to members amenity usage (e.g. loss of deck grill usage and condo woodburning fireplace usage)
 - (3) Selection of property management companies without member vote (e.g. SMG, CPM) including the signing of a 3-year contract at a period of time of high inflation
 - (4) Selecting a snow removal company without member vote including the signing of a 3-year contract at a period of time of high inflation, with material loss to members

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amenity usage (e.g. 50% increase in snowfall height before triggering snow removals; no snow and ice removal of sidewalks)

- 5) Improper Use of Reserve Funds
 - a) Using funds set aside for emergencies or major repairs for non-essential expenses.
 - i) Reserves funds used to fund daily operating expenses
 - ii) Reserves funds being transferred from condo financial statements to house financial statements, and vice-versa
 - iii) Reserves funds being inadequately funded for many years
- 6) Conflict of Interest
 - a) Board members making decisions that benefit themselves personally or financially
 - i) Cross-reference to Board member ethics policy
 - ii) Conflicts of interest in escalating condo building repairs when that building contains units listed for sale that are being represented by a Board member realtor
 - iii) Payments to Board members that perform HOA tasks (e.g. for managing property management companies member app, for managing HOA website)
- 7) Improper communications
 - a) Not keeping residents informed about important issues, changes, or upcoming projects
 - b) Harassing neighbors with HOA fine warnings (e.g. "you have 15 minutes" to rectify the matter, waving violation notices at member doorbell cameras, shouting through doors and on member doorbell cameras, knocking on doors with violation notices instead of mailing them
 - c) No forewarning members of the upcoming all-summer city project of replacing numerous large segments of HOA community streets and sidewalks
- 8) Unauthorized Contracts
 - a) Entering into agreements or contracts without proper approval from the homeowners
 - i) Selecting insurance company and policy/coverage without member vote
 - (1) Board member incorrectly claiming that the HOA had never had a government-backed insurance carrier/policy
 - (2) Board member claiming here was no alternative to the insurance policy and coverages having been signed without a member vote
 - (3) Selecting new insurance company without member vote
 - (4) Selecting new insurance policy/coverage without member vote, and members incurring a material loss of amenity usage (e.g. loss of deck grill usage and condo woodburning fireplace usage)
 - ii) Selecting property management companies and services without member vote
 - (1) Selection of property management companies without member vote (e.g. SMG, CPM) including the signing of a 3-year contract at a period of time of high inflation
 - iii) Selecting vendor companies and services without member vote
 - (1) Selecting a snow removal company without member vote, including the signing of a 3-year contract at a period of time of high inflation, with material loss to members amenity usage (e.g. 50% increase in snowfall height before triggering snow removals; no snow and ice removal of sidewalks)
- 9) Ignoring Homeowners' Concerns
 - a) Failing to address, respond, acknowledge member complaints, questions, suggestions.
 - b) Failing to respond to members submitted work order requests

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- c) Failure to act upon Communication Forum findings and recommendations
- 10) Improper Elections
- a) Conducting Board elections without following proper procedures, resulting in unfair or invalid results.
 - i) Inadequate and untimely publication of upcoming Board member elections
 - ii) Mailing ballots late, causing members inability to cast vote prior to election (i.e. mail-in return of completed ballots for members not able to physically attend in-person vote)
 - iii) Change to voting and ballot rules the night of the 2024 Board member election (e.g. ballots not counted based on color or type of ballot paper, ballots discarded if no proxy name included, restrictions on method of ballot submittal, oversight of ballot count, etc.)
- 11) Failure to follow and make amendments to HOA Indentures and Bylaws
- a) Implementing or changing HOA membership rules without a member vote
 - b) Implementing or changing HOA membership rules without properly communicating to members (i.e. only a mention of the rule in the Gazette Newsletter)
 - c) Implementing or changing HOA rules without filing updates to governing documents at the courthouse
 - d) Board member failure to follow the Indentures, Bylaws, Code Of Ethics for Autumn Lakes Association Board Members
 - i) Cross-reference to specific violations
- 12) Privacy Violations and improper communications
- a) Sharing personal information of homeowners without their consent
 - i) Sharing names of members in HOA meetings who are leading efforts against the Board members (e.g. Facebook Group admins, website admins, authors of filings to Missouri Real Estate Commission, authors of filings to MO Attorney General, authors of filings to entities such as MO Water & Sewer and the EPA, members in legal disputes with Board members and other members.
 - ii) Naming individual members during meetings and social media to discredit the member
 - iii) Defaming a former Board member claiming in multiple meetings that the member had stolen and improperly used HOA documents (e.g. member email distribution list, published financials, etc)
 - iv) Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
- 13) Insurance Mismanagement
- a) Failing to maintain adequate insurance coverage for the association, or failure to utilize the insurance coverage, leaving the community vulnerable
 - i) Selecting insurance company and policy/coverage without member vote
 - (1) Board member incorrectly claiming that the HOA had never had a government-backed insurance carrier/policy
 - (2) Board member claiming here was no alternative to the insurance policy and coverages having been signed without a member vote

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- (3) Selecting new insurance company without member vote
 - (4) Selecting new insurance policy/coverage without member vote, and members incurring a material loss of amenity usage (e.g. loss of deck grill usage and condo woodburning fireplace usage)
 - ii) Roofing storm damage negligently not filed as a storm insurance claim
 - iii) Roofing damage years later filed as a fraudulent insurance claim when it was actually previous storm damage and wear-and-tear
 - iv) Failure to file necessary HOA renewal papers for HUD, GNMA, etc., causing expiry of governmental programs impacting members ability to sell condos
 - v) Failure to allow a former Board member to utilize the HOA professional insurance policy coverage to defend that member of HOA subject matter claims by another former Board member, putting both the defending member and the HOA at legal risk for damages
- 14) Improper Meeting Conduct
- a) Not following proper protocols during Board meetings, such as failing to maintain order or not allowing homeowner participation.
 - i) Selectively or not responding to all member questions who are participating as virtual meeting attendees
 - ii) Naming individual members during meetings and social media to discredit the member
 - iii) Excluding all members or certain members from participating as virtual meeting attendees
 - iv) Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
 - v) Board instructing the insurance broker and lawyer not to engage in conversation with certain members at the upcoming meeting
- 15) Unapproved Assessments
- a) Implementing special assessments or fee increases without proper approval from homeowners.
 - i) Board member claiming on social media that a special assessment is needed
- 16) Failure to Address Safety Issues
- a) Ignoring or delaying action on safety concerns within the community.
 - i) Repeated ignoring "tripping hazard" work order request to patch member driveway gap along garage
 - ii) Storm damage of lake sewer system
 - iii) Unrepaired sinkholes
 - iv) Discarded plastic trash cans in RV Lot accumulating stale mosquito-rainwater
 - v) Requesting that condo members store their propane tanks in their garage
 - vi) Intentionally causing a hazardous condition - Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only

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hazardous, but unethical treatment of a member with the behavior being a violation of governing documents

- 17) Unauthorized Rule Changes
 - a) Making changes to community rules without following proper procedures or notifying homeowners.
 - i) Cross-reference to Gazette of newly published rules without member vote, and not updated within governing documents filed at the courthouse
- 18) Unethical Behavior
 - a) Engaging in dishonest or unethical behavior that undermines the trust of the community
 - i) Cross-reference to Board member ethics policy
- 19) Lack of Record-Keeping
 - a) Failing to maintain accurate and up-to-date records of member issues, complaints, repairs by unit, violation and fine assessments
 - b) Failing to maintain financial transactions for some months and years
 - c) Loss of all property records in transition from one management company to next (i.e. AMC to SMG)
- 20) Unauthorized Rule Enforcement
 - a) Enforcing rules that have not been properly adopted or communicated to residents
 - i) Attempts to ban members from lawful picketing
 - ii) Attempts to ban members from hanging picket signs on common ground
 - iii) Attempts to ban members from leaving lawn furniture on their condo driveway
 - iv) Attempts to ban members from patio furniture on their condo driveway
 - v) Attempts to ban members from displaying sports flags on common ground
 - vi) Attempts to ban members from using bbq grills on their decks or within 10 feet of a condo building, or from storing their grills on their decks
 - vii) Attempts to ban members from using condo woodburning fireplaces
- 21) Lack of Training
 - a) Board members failing to obtain necessary training on their roles and responsibilities
 - i) No training of members on approval process of work order requests
- 22) Legal Noncompliance
 - a) Failing to comply with state or local laws governing HOA
 - i) No financial audit conducted in many years, spanning the service delivery and financial management by three property management companies
 - ii) Ignoring for weeks the member written communication that the HOA was without property or liability insurance due to insurance agent fraud, resulting in the inability for members to transact condo sales, and causing the closure of member HOA amenities (e.g. pool, sports courts, etc.)
 - iii) Failure to file necessary HOA renewal papers for HUD, GNMA, etc., causing expiry of governmental programs impacting members ability to sell condos
 - iv) Roofing damage years later filed as a fraudulent insurance claim when it was actually previous storm damage and wear-and-tear
- 23) Neglecting Environmental Responsibility
 - a) Ignoring environmental guidelines
 - i) Spraying of hazardous chemicals on shoreline destroying plant growth

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- ii) Spraying of hazardous chemicals in lakes destroying grass and lilly pads
- b) Failing to maintain green spaces responsibly.
 - i) Removal of old large trees before organically necessary; the Board disregarding an independent arborist recommendation report that certain trees remain healthy
- 24) Failure to Conduct Regular Inspections
 - a) Not performing routine inspections to identify and address maintenance and non-compliance issues.
 - i) Allowing some condos to retain grills on their decks
 - ii) Allowing some condos to have decks in disrepair
 - iii) Allowing some condos to have clutter on decks or patios, or on common ground
- 25) Ignoring Maintenance Requests
 - a) Failing to address repair and maintenance requests from homeowners in a timely manner
 - i) Work order requests went unrepaired or unresolved for years
 - ii) Work order requests were never acted upon and simply closed
- 26) Inadequate Emergency Planning
 - a) Not having and not following an emergency preparedness plan for the community
 - i) No emergency plan exists
- 27) Poor Vendor Management
 - a) Hiring or retaining vendors who do not perform their duties adequately
 - i) Roofing damage not timely submitted as an insurance claim
 - ii) Roofing damage submitted as a fraudulent insurance claim
 - b) Failing to monitor vendor performance
 - i) Painting rotten wood siding and railings when replacement is needed
 - ii) Replacing a roof shingle when a new roof is needed
- 28) Violating Open Meeting Laws
 - a) Holding Board meetings in private without proper notification
 - i) Conducting Board Meetings without meeting agendas and minutes
 - ii) Conducting ad-hoc Board Meetings without inviting all Board members
 - b) Excluding homeowners from attending Board meetings
 - i) No wheelchair ramp at clubhouse meeting venue for elderly and disabled members
 - c) Conducting meetings or events in which all members have not been invited
 - i) Inviting house owning members but excluding condo owning members (e.g. a material decision/change to reorganize the Indentures and Bylaws without member vote and without filing at the courthouse)
 - ii) Ladies Luncheon hosted by Board members that excluded males
 - iii) Christmas Day Luncheon hosted by a Board member only by personal invite
 - iv) Icecream Social where certain member's grandchildren were denied free icecream

This is the Code of Ethics for Autumn Lakes Association Board Members, with cited violations by the Board

Board Members Agree to:

- b) 1. Act within the boundaries of their authority as defined by law and the governing documents of the association.
 - i) Violations
 - (1) The Board (i.e. Laura Farkas and Charlotte Smith) discriminated against a member by telling him at multiple HOA meetings where to sit while possessing no legal authority to do so, and calling the police on member on multiple occasions knowing that no law had been broken
- c) 2. Strive at all times to serve the best interests of the association as a whole regardless of their personal
 - i) Violations
 - (1) The Board President (i.e. Charlotte Smith) had a conflict of interest by escalating condo building repairs for buildings containing listed condos for sale that were being represented by herself as both an HOA Board member and realtor, to the detriment of other members awaiting the same or other repairs submitted as work order requests for earlier.
- d) 3. Use sound judgement to make the best possible business decisions for the association, taking into consideration all available information, circumstances, and resources.
 - i) Violations
 - (1) The Board made material business decisions impacting the member community without regard to the governing documents mandating a vote for such material decisions or changes that impact the community (e.g. insurance carrier, insurance policy/coverage, snow removal provider and services, selection of multiple property management companies)
 - (2) Board disregarded independent arborist recommendation that certain old large trees not be removed.
 - (3) The Board chose not to commission a financial audit despite an audit not having been performed for numerous years and also spanning three different management companies maintaining the financial books, having periods of time where financial reporting did not occur (i.e. months without postings), material incorrect postings across financial yearends, material reclass and transfer-postings from one HOA legal entity to the other, a realignment of the HOA legal structure requiring corresponding financial restructuring of the books, withholding financial statements from the members for months and years, not distributing financial statements to members and requiring them to visit the AMC property management office and pay a \$100 fee to view them and without being provided a hardcopy.
- e) 4. Always speak with one voice, supporting all duly adopted Board decisions – even if the Board member was in the minority regarding actions that may not have obtained unanimous consent.
 - i) Violations

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- (1) Board repeatedly named a former whistle-blowing Board member (and certain other members) at HOA meetings for having opposing views from their own, in an attempt to demean credibility and harm reputations amongst the HOA body
 - (2) Board repeatedly naming members who had posted opposing viewpoints on social media or who were conducting HOA campaigns that the Board disagreed with (e.g. desires to oust the Board, the 51% petition to oust SMG as property management company, the filing of MO Attorney General complaints against the Board and SMG property management company).
- f) 5. Provide opportunities for owners to comment or question Board actions during the open forum of any scheduled meeting.
- i) Violations
 - (1) Questions were submitted by certain members and not read.
 - (2) Questions were submitted by certain members in the virtual meeting chat session and not read.
 - (3) Members were cutoff by the Board while speaking, that there was not enough time or that the topic had already been addressed or decided or discussed or voted upon.
 - (4) Members were given opportunities to speak after key decisions were already made, vendors selected, management companies selected, contracts or policies already signed.
- g) 6. Perform their duties without bias for or against any individual or group of owners or non-owner residents.
- i) Violations
 - (1) Discriminatory Practices and Selective Enforcement
 - (a) Enforcing rules inconsistently or targeting specific residents unfairly, and sometimes inconsistently for houses versus condos
 - (i) Only certain members allowed to decorate common areas and from view of property
 1. Vendor signs in yards (e.g. renovation contractor signs, holiday lighting installers, goat grass-eating service)
 2. Signs viewable from HOA property (e.g. realtor marketing magnetic vehicle signs in driveways and streets, member picket signs attached to trees or on driveways)
 3. Business vehicles (e.g. box trucks)
 4. Flowers beneath trees
 5. Ornamental fencing, bricks, edging, around trees
 6. Sports flags and signs
 7. Lawn ornaments
 8. Bird and squirrel feeders
 9. Holiday inflatables
 10. Lawn furniture
 - (ii) Rejecting work order requests -- incorrectly claiming that a common area repair is not HOA responsibility (e.g. landscape bricks repair and replacement)
 - (iii) Repeated ignoring "tripping hazard" work order request for patching of a member driveway gap along garage

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- (iv) Repeated ignoring of condo member work request for black mold ceiling damage and resulting breathing/health claims
- (v) Ignoring emergency work request of condo broken external water spigot causing HOA water waste and potential condo flooding
- (vi) Allowing HOA water usage for commercial activities (e.g. water-and-growing of plants for harvested product sales)
- (vii) Allowing specific individuals to work or perform commercial activities from their home (e.g. selling realty property, selling marijuana and fruits/vegetables, selling insurance, etc.) in violation of governing documents
- (viii) Allowing some condos to retain grills on their decks
- (ix) Allowing some condos to have decks in disrepair
- (x) Allowing some condos to have clutter on decks or patios, or on common ground
- (xi) No wheelchair ramp to clubhouse where HOA meetings are held
- (xii) No wheelchair ramp to pool or sports courts
- (b) Failure to allow a former Board member to utilize the HOA professional insurance policy coverage to defend that member of HOA subject matter claims by another former Board member, putting both the defending member and the HOA at legal risk for damages
- (c) Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
- (d) Three Board members filing a court Order of Protection against a whistle-blowing former Board member as retaliation for his speaking critically of the Board's behavior
- h) 7. Disclose personal and professional relationships with any company or individual who has or is seeking to have a business relationship with the association.
 - i) Violations
 - (1) Depositions with subpoenas are being planned for key 3rd parties
- i) 8. Conduct open, fair, and well-publicized elections.
 - i) Violations
 - (1) Conducting Board elections without following proper procedures, resulting in unfair or invalid results.
 - (a) Inadequate and untimely publication of upcoming Board member elections
 - (b) Mailing ballots late, causing members inability to cast vote prior to election (i.e. mail-in return of completed ballots for members not able to physically attend in-person vote)
 - (c) Change to voting and ballot rules the night of the 2024 Board member election (e.g. ballots not counted based on color or type of ballot paper, ballots discarded if no proxy name included, restrictions on method of ballot submittal, oversight of ballot count, etc.)

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Board members agree not to:

- j) 1. Advocate or support any action or activity that violates a law or regulatory requirement.
 - i) Violations
 - (1) Fraudulent storm insurance claim was filed.
 - (2) Discrimination against certain members and member classes (e.g. whistleblower, elderly, disabled, ethnic/asian/black)
 - (3) Environmental infractions of polluting common grounds and lakes with chemicals
- k) 2. Divulge personal information about any association owner, resident, or employee that was obtained in the performance of Board duties.
 - i) Violations
 - (1) Sharing names of members in HOA meetings who are leading efforts against the Board members (e.g. Facebook Group admins, website admins, authors of filings to Missouri Real Estate Commission, authors of filings to MO Attorney General, authors of filings to entities such as MO Water & Sewer and the EPA, members in legal disputes with Board members and other members.
 - (2) Naming individual members during meetings and social media to discredit the member
 - (3) Defaming a former Board member claiming in multiple meetings that the member had stolen and improperly used HOA documents (e.g. member email distribution list, published financials, etc)
 - (4) Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
- l) 3. Share preliminary/final financial information or preliminary/final decision making prior to an agreement by the majority of the Board that information is ready to be disclosed, and how to disclose it.
 - i) Violations
 - (1) The Board accused former Board member of stealing financial statements while serving on the Board and distributing it to other members, when the Board had posted the financial statement themselves on the member portal
 - (2) The Board failed to produce accurate financial statements and also refused to distribute the financial statements to the member community upon their request
 - (3) The Board instructed the property management company (SMG) to not disclose financial statements to homeowners
 - (4) The Board instructed the property management company (CPM) to not disclose financial statements to members, then only distributed the condo statements to the condo owners but not the house/ALA statements to the condo owners, and only distributed the house/ALA statements to the houses owners but not the condo statements to the house/ALA owners. This lack of transparency prevented any member from seeing the consolidated financial statements and knowing how much was "overall" being earned by dues, spent by operating expenses, and how much retained in Reserves.

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- m) 4. Misrepresent known facts in any issue involving association business.
 - i) Violations
 - (1) Board miscommunications regarding insurance status and coverages, loss of coverages, whether rule changes were included in the insurance policy or was only Board guidance, and other lack of transparency and mistruths.
 - (2) Board ignoring written violation warnings to them and the Board President for her displaying vehicle realtor marketing signage in violation of indentures and bylaws. The warning letters and fine violation letters were issued to Board President and Board who all ignored them. Board included a note in the Gazette Newsletter that the vehicle signage was not a violation of the indentures and bylaws when clearly the Board was misrepresenting known facts and the governing documents.
- n) 5. Reveal to any owner, resident, or other third party, the discussions, decisions, and comments made at any meeting or discussion of Board members regarding association issues.
 - i) Violations
 - (1) Routing behavior
- o) 6. Reveal confidential information provided by contractors or share information with those bidding for association contracts unless specifically authorized by the Board.
 - i) Violations
 - (1) Depositions with subpoenas are being planned for key 3rd parties
- p) 7. Make unauthorized promises to a contractor or bidder.
 - i) Violations
 - (1) Depositions with subpoenas are being planned for key 3rd parties
- q) 8. Use their positions or decision-making authority for personal gain.
 - i) Violations
 - (1) Board President conflicts of interest in being a realtor member that created work requests and approved same requests, expediting building repairs for condos in which she was the listing agent or was trying to be the listing agent, putting her deals ahead of member repair requests
- r) 9. Spend unauthorized association funds for their own personal use or benefit.
 - i) Violations
 - (1) Risks from Board receiving cash payments from members being issued pool keycards and sports courts padlock keys
 - (2) Board receiving payments from HOA bank accounts (e.g. for managing property management company app, HOA website, other reimbursements
 - (3) Deposits, payments, refunds, reimbursements, any transfer payments or any kind, to be addressed by subpoenas being planned for key 3rd parties
- s) 10. Accept any gifts – directly or indirectly – from owners, residents, contractors, or suppliers, except for inconsequential gifts (under \$25) given to all Board members.
 - i) Violations
 - (1) Depositions with subpoenas are being planned for key 3rd parties regards cash transfers, gifts, meals, expedited work order requests, etc.
- t) 11. Make personal attacks on colleagues, staff, employees, owners or residents through any means.
 - i) Violations

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- (1) Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
 - (2) Board President repeatedly calling police on former whistleblower Board member for attending meetings in which she knew he was legally entitled
 - (3) Board President repeatedly calling police on former whistleblower Board member for legal picketing
 - (4) Harassing neighbors with HOA fine warnings (e.g. "you have 15 minutes" to rectify the matter, waving violation notices at member doorbell cameras, shouting through doors and on member doorbell cameras, knocking on doors with violation notices instead of mailing them
 - (5) Three Board members filing a court Order of Protection against a whistle-blowing former Board member as retaliation for his speaking critically of the Board's behavior
 - (6) Harassment of members via discrimination and selected violation enforcement
- u) 12. Harass, threaten, or attempt through any means to control or instill fear in any Board member, owner, resident, employee, or contractor.
- i) Violations
 - (1) Board hanging signs on HOA member's chair and the meeting venue door with Board member's court Order of Protection filing information, and extending of a 50 foot rope from that Board member's chair at the Board table to the member's chair outside of the building. Rope extended across every row of seating, across the entire room, across the doorway and the steps to the building. Not only hazardous, but unethical treatment of a member with the behavior being a violation of governing documents
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 - (5) Three Board members filing a court Order of Protection against a whistle-blowing former Board member as retaliation for his speaking critically of the Board's behavior
 - (6) Harassment of members via discrimination and selected violation enforcement

[Additional Policies Communicated on 6/23/23](#)

- v) 1. All communications with SMG must go through the Board President unless coordination has been assigned to another trustee by the President.
 - i) Violations
 - (1) Board's placing of a gag order against Board member who then quit and became whistleblower of Board's improper behavior

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- w) 2. All vendor communications, for example, current contracts, bids, direction to workers, etc must go through SMG or the Board President unless coordination has been assigned to another trustee by the President.
 - i) Violations
 - (1) Board's placing of a gag order against Board member who then quit and became whistleblower of Board's improper behavior
- x) 3. Any trustee in violation of the Code of Ethics for Autumn Lakes Board Members will be assessed a \$50 fine per occurrence. Continued violations may result in Board sanctions.
 - i) Violations
 - (1) Board's placing of a gag order against Board member who then quit and became whistleblower of Board's improper behavior