

Catherine & James Hutton

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To: VLC BOD: Richard Aliperti, Brenda Hallihan, Paul Weber, Pamela Decraene, Carol Nelson
Re: Water/Sewer Special Assessment
Date: September 21, 2014

We have received the notice dated September 1, 2014 of "Final Water Calculations", and the September 11, 2014 "PAST DUE" notice, for \$100.97, and were fortunate to attend the 9/9/14 meeting, where 23 persons other than ourselves were in attendance(not including BOD members). We listened to the explanation of "fairness" and also that the "waffling" by the attorneys had rendered the amendment illegal, based upon voting records from December 2010.

We and other owners have several questions regarding this new assessment, referred to as a "betterment fee" (which is not applicable to VLC) and would appreciate your response as we determine whether this invoice should be paid or not.

- 1) Please provide the minutes from the meeting where this calculation and plan was discussed at a board meeting, with owners present.
- 2) Each month, the billing from the City of Cape Coral, was issued per building and the fixed costs were divided among those whose meters were transmitting. An example of this is a friend of ours in Bldg 1137 who received an almost \$250 bill for May 2013, with one person in the unit for the month. No leaks were found and it became apparent that he and perhaps one or two other owners shared the entire \$325 fixed cost for the building, plus their tiered rate usage. Will he be reimbursed by the \$20 payments submitted from building owners, and is this going to be done – reallocated for each month, each building? The fixed costs were unfairly divided yes, but they were collected already from owners or renters, who had usage bills. Any funds collected at this time do not belong to VLC, but to those who bills carried the full charges for their building, if we want fairness.
- 3) If the amendment is currently illegal, why is any billing related to water/sewer being issued at all?
- 4) Since this assessment has now been added to all owner accounts through Sentry's corporate billing system, if an owner pays their Oct 1 dues of \$1,005, will the aging process deduct this amount and leave them with an outstanding balance being carried with interest charges?

We look forward to your response and prefer email to telephone calls, as all owners should be included in Open and Honest communication.

Regards,

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