

January 19, 2018

To: Glenn Cook  
Drumlins HOA Board  
From: James Meehan  
2 Brookline Ave.

Subject: Drumlins HOA Deck Replacement

I do not believe the Drumlins HOA Declarations of Covenants, Conditions and Restrictions provides for the HOA to replace owners decks.

I am adamantly opposed to the HOA funding and constructing new decks for any resident.

#### Background

For well over a decade HOA Boards have required owners in writing to provide maintenance of their decks ( washing and staining hand rails, posts and decking planks and not causing structural damage through carelessness). This implies ownership and responsibility on HOA members.

Deck repair by the HOA has been on a piecemeal basis except in 2012-13 when the HOA Board authorized Crofton Associates to make structural repairs that were specifically defined in a deck inspection report authorized by the Board. This was a one time good will effort by the Board and did not declare or imply to owners that the HOA was responsible for continuous structural repair or replacement of their decks.

In July and August of 2015, Crofton Memos and HOA Board meeting minutes referenced a legal opinion by Paula Lapin of Woods Oviatt Gilman that the HOA was not responsible for decks. Lapin was requested to investigate the Drumlins Declaration on this matter on request of the HOA Board, The opinion was never forwarded to the HOA owners and the Board did not take any action.

#### Summary

There is no evidence drafted by any past Board or HOA owners meetings to address or amend the Declarations requiring the HOA to provide deck replacement.

To move forward, a legal opinion ( by an attorney) regarding HOA deck

responsibilities as defined in the Drumlins declarations must be provided in writing to the HOA membership at a general meeting to discuss and resolve this matter.