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Property Management of Southwest Florida

**BOARD MEETING AGENDA
and Meeting Notice**

Victoria Park II

June 15, 2011 6:30 PM

(North Collier Government Services Building)



1. Call to Order –Establish Quorum –Proof of Posting
2. Approval of Minutes: May 25th
3. Financial Report: May 2011, Balance sheet, income and expense, collections
4. Manager’s Report: maintenance issues, violations
5. Old business:
 - a. Collection policy –approval of letter to residents
 - b. Mail box lighting enforcement –approval of letters to violators
 - c. Selective Clearing Contract –approval of letters to abutting owners
 - d. VP I and Main Entrance
6. New business:
 - a. Discussion and action on Mr. Lam’s request for waiver of fees
 - b. Rule violation enforcement and clarification –approval of letter to violators
 - c. Dock and lake aerator maintenance
 - d. Park Improvements
 1. Sidewalk repairs
 2. Replacement of dead bushes by tennis court fence
 3. Playground equipment repairs –jungle gym
 4. Mulching bed and swing area
 5. Cleaning of lights and bulb replacement
 6. Sodding of dead areas
 7. Irrigation system
 - e. Island Harbor entrance island renovation
7. OWNER SESSION
8. Adjourn – Next Meeting Date July 20, 2011



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Property Management of Southwest Florida

MINUTES OF THE BOARD MEETING

Victoria Park II

May 25th, 2011



BOARD MEMBERS PRESENT: Ray Gonzalez
Don Landers
Michele Boughton
Ed White
Chris Barnabee
Thomas Presti
Drew

BOARD MEMBERS ABSENT:

ALSO PRESENT: Jim Farese, Jeannine Hedberg, Cambridge Management

CERTIFY QUORUM: Five Board Members were present to establish a quorum.

CALL TO ORDER: President Ray Gonzalez called the meeting to order 6:30 PM

PROOF OF NOTICE: The notice of the meeting was posted in accordance with section 720 of the Florida Statutes.

President Ray Gonzalez announced that the meeting agenda had only one item on it and that was to clarify and settle the collection procedures and costs associated with the new attorney.

The Board discussed the charges of Attorney Schelling for \$430 to the owners that did not pay the 2011 assessment. There was no written agreement on that amount and the Board felt the charges were high due to some resident's complaints. The Board did recall a discussion and an e-mail was sent stating a \$300 charge for the lien letter.

A Motion was made to have management request any formal contract from the attorney and then negotiate to accept a \$300 legal fee.

MOTION: Ed White SECOND: Don Landers

Motion carried 6-1, Ray Gonzalez opposed.

Management will draft a collection policy letter to the resident depending on the results of the negotiation with Attorney Schelling. We will also request a refund of \$130 to anyone who already paid the charges.

A Motion was made to send a letter to all residents regarding the potential legal costs for late payments and that if the delinquent owner will pay the fees prior to the lien date they would receive the discounted rate. If not paid by the due date, an additional charge of \$450 would be charged for the filing of the lien.

MOTION: Drew

SECOND: Don Landers

Motion carried, 6-1 with Ray opposed.

Owner Brett Moore was requesting a waiver of his legal charges due to his claim that his payment was made prior to the letter being received. We will need to see the certified letter's date.

There being no further business, the meeting was adjourned.

MOTION: Drew

SECOND: Ed White

Meeting adjourned.

Respectfully submitted,

Jim Farese



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Property Management of Southwest Florida

MANAGERS REPORT

Victoria Park II

June 15, 2011



FINANCIAL:

749 apparently has a tenant. Under the new Florida Statutes, an association has the right to demand the rent from the tenant if the owner is 90 days or more in arrears. If it is not paid, we can seek eviction. All costs are billed back to the owner. If there is no objection I will proceed in this manner.

MAINTENANCE:

Tennis Court –We installed a new center strap on the left tennis court net. We also straightened and secured bottom of the fence that was curling up allowing tennis balls to go through the fence.

We had the cleaners clean the lantern light poles at the pool parking lot due to exorbitant spider webs.

OLD BUSINESS:

Collection Policy: As per our Board agreement, I was able to get Schelling to accept \$300 for the lien letters he sent out. We received \$390 from him to distribute to the three owners who paid him in full. The rest will receive the letter and hopefully pay the arrears and \$300. Some owners have negotiated with him and he already reduced their fees when they paid.

Going forward, my policy includes having management send out the first 45 day letter for \$50.

Mail Box Lighting and repairs –I am not sure where we are with the owners that are not in compliance. We can send them a demand letter and warning of fine if not in compliance by a certain date. In addition, I was told there is a planned painting of the fittings for the lanterns. I am not sure where we stand with that.

The other issue is the two houses that had their mailboxes knocked down. I am not sure of that status.

VP I Main entrance consultation – I see that as an old business item but I am not sure what this means.

Preserve Cleaning – we need to set the schedule and I suggest we have the dumpster on the property so the vendor can load the debris into it as opposed to having it pile up.

NEW BUSINESS:

Rule Violation – as per our walk through, there are many homes in need of landscape improvements, sod, irrigation, edging, pruning and general clean up. I suggest we send out a warning and if not complied with either do it ourselves and bill back, or issue fines.

There are others with debris, broken basketball poles, boats and trailers, houses that need painting etc.

How does the Board want to proceed?

Dock Maintenance –this should be pressure cleaned and stained. Do we want to get bids?

Sidewalk Repairs –two sections of sidewalk are raised and are a trip hazard along the tennis and handball court. The tree roots will need to be cut out and a root barrier installed, then replace the cement or possible mud jack it so that it is level again.

Bush replacements – there are several missing bushes in the tennis court fence bed that should be replaced.

Playground equipment –the playground should have the mulched freshened and perhaps a wood border to keep the mulch in a make a neat border. Also, the small jungle gym is rusted out at the top. We either need to remove this or replace it.

Island Harbor entrance island –I would like to get some quotes to re-work this island as it does not make a very good first impression on this section.



PROPERTY INSPECTION

June 6, 2011

Pool/Playground area:

Several missing bushes along fence,
2 sidewalk slabs raised, serious trip hazard
Preserve cleanout- provide dumpster
More mulch and possible wood border for playground
Top of smaller jungle gym rusted and jagged edges, should remove or replace.

Dock – power wash and paint
Aerator hose lines have risen above water level, need to be submerged.

Houses:

All of the following need lawn/landscape maintenance, irrigation or new sod, bushes trimming etc.

919
930
1009
1030
1089
\1329
1430
1509
1589
1619
9733 L
9722
9571
9633
9535
1430
10411 W
10410
10310
10211
9590
9750
10030
680 Y
740
760

781

1060 H

1040

Island Harbor entrance island needs landscape renovation.

Right of way needs palms pruned and clean up the bushes, hedges on the common areas.

Other:

1469 needs to be powerwashed or painted

1610 broken and rusted basketball pole

9733 boat and trailer parked in driveway

1510 broken basketball backboard on ground

9722 dumpster on yard, but large amounts of debris, sheetrock junk stacked in front of house, rusted large propane tank in front yard.

Basketball set in Lichfield cul de sac

9555 permanent volley ball net installed in front yard.

749 has tenant that should be paying rent to association due to owners arrears.

760 loose dog running outside

JEFFREY S. SCHELLING, P.A.

Attorney at Law

2223 Trade Center Way

Naples, Florida 34109

Telephone (239) 591-8508

Fax (239) 591-0439

E-mail JSSNAPLES@AOL.COM

June 7, 2011

By Certified and Regular United States Mail

BANKUNITED

C/O Bank United

7815 NW 148th Street

Miami Lakes, Florida 33016

Re: VICTORIA PARK II, PROPERTY OWNERS ASSOCIATION, INC.
Assessments

Demand Letter

Dear Property Owner:

This office has been retained by the above noted Association in regard to your delinquent Assessment. It is your responsibility to timely pay the Assessment to Victoria Park II Property Owners Association, Inc. Pursuant to the Declaration, the property owners of Victoria Park II Property Owners Association, Inc., are required to pay Annual Assessments which are due on 01/01 each year, and are past Due on 01/31..

This Letter is sent to you on by the Association since you are the new owner pursuant to the attached Certificate of Title. Pursuant to the Declaration and F. S. 720.3085 you are responsible for the Association's attorneys fees, costs, late fees and interest due to your failure to timely pay the Assessments.

Pursuant to F. S. 720.3085 this notice is sent to you. If these assessments are not paid within 45 days the Association will record a Claim of Lien. Failure to remit payment will require the Association to thereafter foreclose the Claim of Lien after the 45 day notice period has elapsed. Payment should be received by this office no later then March 28, 2011. Any Partial payments not containing a restrictive endorsement will first be applied to interest, late fees, attorney's fees and costs, and then to the outstanding assessment amount. Postdated checks will not be accepted. Please note that Florida Statute 720.3085 contains direction in regard to the placement of a restrictive endorsement on an Assessment payment.

In the Alternative, after sending this Notice the Association may proceed to get a Money Judgment. Pursuant to F. S. 720 and the Recorded Declaration the Association will be entitled to its Attorneys fees and costs in the pursuant of a Money Judgment. Upon entry of a Money Judgment the Association may use any available means to enforce said judgment, including garnish, levy, and a Sheriff's sale of any other property, real or personal owned by the property owner.

2010 Assessment	\$500.00
Late Fee	\$ 25.00
2011 Assessment	\$550.00
Late Fee	\$ 25.00
TOTAL through Certificate of Title	\$1,100.00
Title Search	\$100.00
Preparation of Demand Letter	\$300.00
Costs	\$ 30.00
GRAND TOTAL	\$1,530.00

Upon payment of the above amount along with any accrued interest after 06/07//2011 without further action by the Association to collect this balance due. Should you dispute this debt, or any portion of it, we will suspend collection until we obtain verification of the debt and forward it to you. If you do not dispute the debt within thirty (30) days from your receipt of this letter, we will assume the debt is valid. If you dispute the amount due we would appreciate you submitting any documentation or evidence that you have in support of your contention that the amounts due are not correct.

If you intend to pay the amount claimed as noted above, you will need to request a final balance with accrued interest from this office from the date of this letter until the date full payment is received, make your check payable to Jeffrey S. Schelling, P.A., Trust Account and mail to the undersigned at the address on the letterhead above. If any assessment not yet due should become due between the date of this letter and the date of your payment of the above amount, the amount of the accruing assessment should also be included in your payment.

If you have any questions regarding this matter please contact me at the above telephone number. Please note that we can only discuss this matter with the named property owners.

Sincerely yours,


 Jeffrey S. Schelling
 Attorney for Victoria Park II Property Owners Association, Inc.

PLEASE BE ADVISED THAT THIS FIRM AND THE UNDERSIGNED ATTORNEY REPRESENT VICTORIA PARK II PROPERTY OWNERS ASSOCIATION, INC., AND HAVE BEEN ENGAGED TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF THE SUMS ARE NOT DISPUTED WITHIN THIRTY (30) DAYS FROM RECEIPT OF THIS LIEN, WE PRESUME THE DEBT TO BE VALID. IF YOU DISPUTE THE DEBT OR A PORTION THEREOF, WE WILL SUSPEND COLLECTION UNTIL WE PROVIDE VERIFICATION OF THE DEBT TO YOU BY MAIL.

IN THE CIRCUIT COURT OF THE 20TH
JUDICIAL CIRCUIT, IN AND FOR
COLLIER COUNTY, FLORIDA
CIVIL DIVISION
CASE NO. 1003915CA

FOR CLERK'S USE ONLY

BANKUNITED, ASSIGNEE OF THE FDIC AS RECEIVER
FOR BANKUNITED, FSB

Plaintiff,

COPY

vs.

WILLIAM H. SCHNORBACH; UNKNOWN SPOUSE OF
WILLIAM H. SCHNORBACH; VICTORIA PARK II
PROPERTY OWNERS ASSOCIATION, INC.; UNKNOWN
PERSON(S) IN POSSESSION OF THE SUBJECT
PROPERTY;

Defendants.

2011 MAY 24 AM 8:50
CLERK OF COURT
COLLIER COUNTY
FLORIDA

CERTIFICATE OF TITLE

The undersigned, DWIGHT E. BROCK, Clerk of the Court, hereby certifies that a certificate of sale has been executed and filed in this action on May 12, 2011, for the property described herein and that no objections to the sale have been filed within the time allowed for filing objections.

The following property in COLLIER County, Florida:

LOT 18, BLOCK A, HIDDEN HARBOUR AT VICTORIA PARK, ACCORDING TO THE
PLAT THEREOF, AS RECORDED IN PLAT BOOK 19, PAGES 52 AND 53, PUBLIC
RECORDS OF COLLIER COUNTY, FLORIDA

Folio Number: 4980000643
was sold to:

BANKUNITED
c/o BankUnited
7815 NW 148TH STREET
MIAMI LAKES, Florida 33016

WITNESS my hand and the seal of the court this 24th day of May, 2011,

DWIGHT E. BROCK

By [Signature]
As Deputy Clerk

This Document Prepared by:
Attorney for Plaintiff
Kahane & Associates, P.A.
8201 Peters Road, Ste. 3000
Plantation, Florida 33324
Telephone: (954) 382-3486
Telefacsimile: (954) 382-5380

SERVICE LIST

MD
5/25/11

Kahane & Associates, P.A.
8201 Peters Road, Ste.3000
Plantation, FL 33324
Telephone: (954) 382-3486
Telefacsimile: (954) 382-5380

✓ WILLIAM SCHNORBACH
740 HIDDEN HARBOUR DRIVE
NAPLES, FLORIDA 34109

✓ UNKNOWN PERSON(S) IN POSSESSION OF THE SUBJECT PROPERTY
740 HIDDEN HARBOUR DR
NAPLES, FLORIDA 34109

✓ VICTORIA PARK II PROPERTY OWNERS ASSOCIATION, INC.
c/o ASHLEY D. LUPO, ESQ.
850 PARK SHORE DRIVE
NAPLES, FLORIDA 34103



cambridge
Property Management of Southwest Florida

June 10, 2011

TO: Victoria Park II Homeowners

FROM: The Board of Directors

RE: Collections Policy

Dear Victoria Park II Homeowner:

Recently a new Attorney was hired to handle the collections from delinquent owners. Due to the fact that in recent years there was a non-aggressive approach to the owners in arrears for the current year, many owners were surprised at the attorney letter and charge of \$430. This has created a hardship on the delinquent owners and our primary goal is to collect what is due the association.

As a result, the Board has negotiated with the Attorney and the fee will be reduced to \$300, payment terms can also be arranged for the legal fee if necessary. Anyone that already paid the \$430 will receive a refund of \$130. However, if you have not paid your 2011 fee, and have not contacted the attorney, it is imperative that you do so now. There was a 45 day notice of lien in your collection letter and if not paid, there will be a lien placed on your house and an additional \$450 fee, plus a \$100 fee to remove the lien after payment.

Moving forward, if the annual fee is 30 days late, you will receive a 45 day intent to lien letter from Cambridge Management which will have a charge of \$50. After the 45 day period it will be turned over to the attorney for lien and the \$450 charge will take effect.

Please understand that in the current economic climate, we are experiencing many more foreclosures and delinquent payers. If we cannot minimize the arrears, it could lead to higher fees for everyone else. Be assured, the Board and Management are doing everything we can to keep the fees as low as realistically possible.

If you need to contact the attorney, please call Jeff Schelling at 591-8508.

Should you have any other concerns, please call Jim Farese at Cambridge Management at 249-7000.

VICTORIA PARK II HOMEOWNERS ASSOCIATION, INC.
c/o Cambridge Property Management of SW Florida
2335 Tamiami Trail North, Suite 402
Naples, FL 34103
Telephone: (239) 249-7000
Email: JamesF@cambridgeswfl.com

June xx, 2011

RE: Notice of Violation

Dear Homeowner:

Article 8.18 of the Declaration of Protective Covenants for Victoria Park II reads as follows:

8.18 Mailboxes, Lamp Posts. The Association has provided uniform mailbox assemblies for all Parcels which include pre-wired light fixtures, light bulbs and photocells. The mailbox assemblies shall be maintained, repaired and/or replaced by the Association at its sole discretion or as otherwise provided herein. By April 1, 2011 or when a parcel is sold, whichever occurs first, Owners are required to extend power to the assemblies to energize the light fixture provided, however, that all permitting and initial construction and power costs are borne by Owners. The Association shall replace burned out light bulbs and malfunctioning photocells as part of its maintenance obligations, as well as replacing entire assemblies that are damaged, except where such damage is the result of intentional or negligent act of the Owner or its agents.

An inspection of your property indicates that you are not compliant with this requirement. This is your written notice of noncompliance pursuant to Article 10 of the Declaration.

The Declaration grants the Association the authority to compel compliance by a number of means which includes legal action, correction at the homeowner's expense or by the imposition of fines. You are encouraged to read the entire Article 10 of the Declaration which may be found in the Association's website, www.victoriapark2.com under "Covenants" and VPII_Amended_and_Restated_Decs_Covenants_as_of_3-17-08.pdf. Unless remedial action has begun within 30 days from the date hereof and has been completed within 15 days thereafter, the Board of Directors will be forced to begin compliance action all of which will involve significant costs to you including, but not limited to, fines, construction costs and legal fees. You will receive no other notice prior to the Association taking action.

Sincerely,

For the Board of Directors of
Victoria Park II Homeowners Association

James Farese, CAM
Property Manager

Certified Mail – Return Receipt Requested

VICTORIA PARK II HOMEOWNERS ASSOCIATION, INC.
c/o Cambridge Property Management of SW Florida
2335 Tamiami Trail North, Suite 402
Naples, FL 34103
Telephone: (239) 249-7000
Email: JamesF@cambridgeswfl.com

June xx, 2011

RE: Selective Clearing of Wooded Area in Sherwood Park

Dear Homeowner:

The Victoria Park II Homeowners Association has hired a specialized contractor, Environmental Mowing, to conduct selective clearing of the wooded area in Sherwood Park with which your property shares a portion of its boundary. This is to advise you of such activities and to solicit both your indulgence and cooperation.

The clearing work, which has been permitted by Collier County, will begin on xxx and is scheduled to be completed within two weeks, weather permitting. This work will be preceded by the staking of the boundaries of the park by a registered surveyor. You are encouraged to review the staked boundary and to remove any personal property which encroaches on the park's boundary as it will be otherwise destroyed by the clearing operations. Removing survey markers is a violation of State law.

The clearing of the area is a routine maintenance operation financed by the yearly assessment. It is designed to remove exotic species as well as dead vegetation which could provide dry fuel to any fires which could spread and damage your property. None of the existing trees or native understory bushes will be removed although dead fronds will be removed from the palmetto plants. The operation is one which will involve heavy-duty mowing and mulching of vegetation and tree stumps which, of necessity, will create some noise as well as dust. It is believed that the inconvenience to you and your neighbors is far outweighed by the benefits.

It is imperative that you stay clear of the boundary of the park while the work is going on and keep children and pets away as well.

You may direct any specific questions to the undersigned.

Sincerely,

James Farese, CAM
Property Manager