



EVERYTHING BUT THE KITCHEN SINK

After more than a year of letters back and forth about the repair of a broken kitchen caused by a slab leak, the HOA has agreed to pay the homeowner Jim Gregg for a dishwasher and completion of the baseboards in his kitchen. But the Board refuses to pay for his broken kitchen sink caused by his tile countertop being supported by 2X4's for **four months** while the HOA was deciding what to do.



History

The damaged kitchen occurred more than a year ago in July 2015 when the HOA plumber Scott English was rerouting a drain line in an exposed hole in the cement slab under his kitchen sink. A water line broke next to the exposed work which flooded his kitchen and living room. The kitchen cabinets were destroyed and the restoration company threw away the dishwasher. The tile countertop and the sink remained propped up by 2X4's for three months cracking the tile counter tops and cast iron sink, which were finally declared unsalvageable by the installers. Without a usage sink, the owner was forced to do any dishes in the bathtub.

Partially Repair

The HOA replaced the cabinets and tile countertop, but did NOT furnish a new sink and dishwasher, and did not complete the baseboards work. The homeowner had no insurance. After waiting patiently for more than a year with back and forth letters to the Property Management Company, Jim sent a certified registered letter to the [HOA](#), [Action Property Management](#) and [Scott English Plumbing](#) asking them to install a new dish waster and pay for his cost of a sink that he was forced to purchase to complete the installation of the cabinets and countertops. In his letter, he stated if he could not get satisfaction, he would be forced to take the parties involved to small claims court and ask for a judgment. The total cost he was asking was \$2600.

Pleads Ignorance

At the June 27th Open HOA Meeting, the Board thought this was already completed. The homeowner said he had sent many emails to the property management company with their final response "...that the HOA was not in the remodeling business!" He wants the HOA to finish the job or pay its completion. He wants reimbursed for his out of pocket expenses for the sink. Shortly after this meeting, Jim receive a letter from the Board stating that they would pay for everything except for the reimbursement of the Kitchen Sink.



Three Month Safety Hazard

Why the Board refused to pay for the sink is not stated in their letter. Propping up the countertop and the cast iron sink with 2X4's for three months created condition that cracked the tile and the sink. Most Kitchen remodelers say it is not a good idea to reuse an old sink with total replacement of countertops and cabinets. It is also a safety hazard to have left the countertop propped up for as long as it was. When the new cabinets were installed, the installer who demoed the countertop and broken sink. To complete the work, Jim was forced to purchase the cheaper stainless steal sink with fixtures (\$645) (over cast iron \$1000). With labor the total cost for the sink replacement and fixtures was \$1300.



Partial Responsibility
Jim feels that the HAO wants to just walk over him because he has no insurance. He thinks that taking this before a judge in small claims along with Action Property Management and Scott English Plumbing would bring reasonableness to have the associated parties pay for all the repairs and replacements for the damage they created. ■

July HOA Meeting Highlights

**LARGER DEFICIT
Two Pilots Approved**

For the regular HOA meeting, the old 2015-2016 Board Members were present: Mike Mengel, Ted LaMantia, Mary Williams, Cynthia Lee and Michael Huma till the end of the Open Session when the new Board was seated. See [New Board Seated](#). Action Property Manager Peggy Shaw was present along with ten homeowners.

Open Forum

- A concern was raised by a member about his parking spot being too close to the trash enclosure gate which was denting his car.
- Two members complained about Scott English plumber for turning off the water at the main line and not knowing how to turn on/off the boilers.
- The Rosendahls who were sued by the HOA, for "not asking for permission" asked when the HOA Board will provide official clarification to the HOA's requirements for: special homeowners insurance for their remodeling project, requirements for approved floor [sound proofing](#) materials and installation.

More Rosendahl's More Discussion

The Rosendahls described attending a "[debtor exam](#)" at Orange County court. They spent 2 hours waiting for the HOA legal counsel. The Judge finally dismissed the proceedings and asked the HOA legal counsel to refile again.

The Rosendahls express concern that the Board was [misappropriating funds](#) with the heavy handiness of legal counsel, hiring a court recorder, and a party to personally serve them instead of the 6 identical letters that they normally receive.

The property manager Peggy Shaw took offense to the comment [misappropriating funds](#). She warned the Rosendahls that they might be [sued for slander](#).

The Rosendahls stated that the HOA had *ruined their family's lives*. A member of the Board stated that this was justified because the HOA had *spent a large amount of money as the Plaintiff*.

Financial Report

The HOA operating funds deficit has increased by 19% from previous month. The expense increase is attributed to General Administrative Cost (includes General Legal) and common area repairs.

Committee Reports

- Air conditioner pilot was approved.
- An awning pilot was approved.
- The parking committee is proposing to implement a two placard system for parking in visitor parking spots.
- Unfinished Business**
- Grunion Boiler replacement was again tabled.
- Clubhouse Chairs Upholstery was again tabled.

New Business

- Artistic landscaping proposal was tabled.
- 16551 Grunion concrete replacement was approved.
- Ordering of new Speed Limit Signs were approved.
- A boiler check valve replacement was approved.
- Two wood repair items were approved and one deferred
- Janitorial proposal was approved which will include the hallways.
- Renewal of HOA Insurance was approved.

The next meeting of the HOA will be Monday August 22nd at 6:30m in the Cabana Clubhouse. ■

See <http://harbourvistanews.com> for more coverage

**Dinning Around Harbour Vista
RACKHOUSE FOR THE BETTER**



by Jim Gregg

The old "House of Brews" is now the new "Harbour Rackhouse" for the better. Located at the corner of the Huntington Harbour mall at Davenport street, this quant sports bar has the Leisure environment that you're looking to relax and unwind, with pool tables and electronic games, and you might just rub elbows with one or two millionaires to boot, and we found the food to be was quite good as well, when I ordered a king sized cheeseburger that came with world class French fries, our other choice was a *(continued on next page)*

Architectural/Parking/Board Committees Highlights

**Awning Pilot
Broken Door Frame
No Beige Windows**

A combined architectural and parking committees meeting was held on July 6th in "[emergency executive session](#)" with the HOA Board. All Board members were present plus the committee members. The Board told the committee that they were being split into two committees.

Awning Pilot

A pilot was approved to allow a homeowner to install awning shades on their balcony. The



recommended color will be *beige* since it would be the lease obtrusive to the architecture of the *(continued on next page)*

(Dinning Around continued)

super thick steak that was juicy and good, which reminded us of filet mignon that came with



mashed potatoes and fresh asparagus that was out of this world!



Many Appealing Choices

The menu had many appealing choices which I was eager to try, but your stomachs can only take the food that's at hand for one sitting. To be sure, we will be visiting Rackhouse again in the near future. We visited this place for lunch, and we had a pleasant conversation without the loud boisterous crowd, But the night time could be a different story. They had many nice booths to sit in, with



adequate spacing between booths so we wouldn't be overheard, and with a wide open floor plan felt very comfortable. The Rackhouse has everything you would ever want to drink, and a full bar and appetizers if you want to stop by for happy hour.

Harbour Rackhouse

16903 Algonquin Street
Huntington Beach, CA, 92649
Phone: (714) 377-3893
Web: <http://www.hbrackhouse.com>

Upcoming HOA Meetings
Cabana Club House
Monday August 22, 2016 at 6:30pm

On Our Web Site This Month

- The Comedy Meeting
- Soundproofing Attorney' Warning
- Real Estate
- Rentals
- Air Conditioning Pilot Results.
- Agenda
- Extended Versions of Articles.

Go to <http://harbourvistanews.com>

The website and newsletter contents of Harbour Vista News is **NOT** an official or legal entity of the Harbour Vista Homeowner's Association, LLC. The content has not been approved by, nor are the views, expressed or implied, those of the Harbour Vista HOA Board of Directors or the membership.

(committee highlights continued)

building. The homeowner accepted all costs associated for the installation and its removal, if necessary. The Board will vote to suspend the rules for this pilot.

Broken Door Frame

The Board informed the architectural committee that it was unnecessary to submit an architectural request form for replacement of a broken door frame. The HOA would pay for the purchase of a new door frame and pay for all labor cost associated with the installation of the frame and door. The cost of the door is the members responsibility. A shared expense agreement may need to be made with this homeowner who has the broken door.

Architectural Guidelines Change

Even though the architecture committee had agreed on beige and white vinyl retrofit windows for the architectural guidelines, the Board removed *beige*. The guidelines will take affect when they are mail to the members and will not be retroactive. Michael Barto informed the Board that the Aime Rosendahl (the recent litigation defendant) had contributed about 80% to the writing of the "architectural guidelines" that he had submitted.

Architectural Committee Charter

Michael Barto expressed concern that the new architectural committee charter that Mary Williams wrote did not mention what the architectural committee was responsible for approving inside a unit. He had requested a revision to the old charter to avoid entrapment issues since the inside approval requirements are blurry in the poorly readable CC&R's document with obtuse language. He was asked to submit his suggestions to the Board.

Architectural Guidelines

Michael Barto expressed concern that the new architectural committee charter that Mary Williams wrote did not mention what the architectural committee was responsible for approving inside a unit. He had requested a revision to the old charter to avoid entrapment issues since the inside approval requirements are blurry in the poorly readable CC&R's document from 1980 with obtuse language. He was asked to submit his suggestions to the Board.

Parking Committee

The parking committee and the Board had complex discussion for new parking rules and enforcement procedures which were adopted (we think). ■

Guide to Harbour Vista News Web Repository

Harbour Vista News web repository includes documentation sets and discussion. Many Documents are provided as both PDF's and easily displayed html versions. Included are:

- By Laws
- Meeting Agenda
- Builders Plans
- Amendment to Sub Lease
- Remodeling Guidelines
- Real Estate Information
- Rules and Regulations
- CCR&R
- Ground Lease
- Maps
- Sub Lease

August Maintenance Happenings

IT'S BACK???



With the appearance of another leak at the Lago Gate on Wednesday when water once again trickling down the street, residents of 4861 Lago and Cabana Buildings became concerned.

Back in November

Last November (See [November Maintenance](#)), residents of these buildings experienced water shut offs about every three days for a similar re occurring leak (sometimes unannounced) which would get fixed and then break again at the same Lago Gate entry. Residents complained about the work of the plumber [Scott English Plumbing](#) which culminated in a meeting with the vendor at the [February HOA Meeting](#).



Repeat of the Same Thing?

Is this going to be repeat of the same thing? Not exactly. This time it is a leak caused by the



irrigation system. Our landscapers [Artistic Maintenance](#) is now the responsible vendor. Water has been turned off only to the landscaping parts of the buildings. Of course, Artistic is the same landscapers with ongoing complaints at the Board meetings for the last couple of months. As the plants die, members will observe if this vendor will be more competent in completing the repairs than [Scott English Plumbing](#). Our money is on slightly in favor of the landscapers. ■

Notice: If you do not wish to receive a copy of **Harbour Vista News**, simply contact the Newsletter by phone (714-883-1949), by mail (mbarto@logiqwest.com) or by mail 16548 Bolsa Ave #15, HB 92649.



Harbour Vista News
16458 Bolsa Avenue #15
Huntington Beach, California 92649
Phone: 714-883-1949
<http://harbourvistanews.com>

Publisher/Editor
Michael Barto
mbarto@logiqwest.com

Harbour Vista News provides news and community information for the owners of **Harbour Vista** properties in Huntington Beach.