

March 21, 2024

Dear Board of Directors,
Omega Villas Condominium Association, Inc.
c/o Sunrise Management
8181 West Broward Boulevard
Suite #380
Plantation, FL 33324

I have the following issue with the Association: I requested records via two certified letters dated August 28, 2023. I have attached this and the correspondence regarding this request. I received several roadblocks by deferring me to the Condo Association attorney's office then to Sunrise Management and then to Juda Eskew for a total of 5 trips to different office locations. The proper protocol should be to submit requests to Sunrise Management and then they disburse the request to the proper channel(s). If digital records can be submitted, then that should be the first option deployed rather than having to visit Sunrise Management's Office. It was, in my opinion, not proper protocol to defer me first to the Condo Association's attorney's office then to Sunrise Management which took 5 attempts to get the records I requested back in August. This appeared to be an attempt to prevent me from obtaining the records or discourage my efforts. I have all the email documentation of all these transactions and correspondence on file. My records show that the due date was September 11, 2023, for this transaction. The penalty for this matter is \$50 per day, per below:

Revised for 2022 Official Records:

An association must make its books and records available to a unit owner or the unit owner's designated representative within ten (10) working days of the owner's written request. If an association fails to provide requested records within ten (10) working days after receipt of a written request, the association is presumed to have willfully failed to comply with the law. The association's noncompliance entitles the unit owner to seek actual or minimum damages.

Section 718.111(12)(c), Florida Statutes provides for minimum damages of \$50 per calendar day, for up to ten days, beginning on the 11th working day after receipt of the written request. Such damages must be awarded by a court of law. A unit owner who prevails in court may also recover reasonable attorney's fees from the person in control of the records who knowingly denied access. The failure of the board to allow inspection of books and records constitutes a dispute for which a unit owner may either file a complaint with the Division or petition the Division for alternative dispute resolution.

Any person who knowingly or intentionally defaces or destroys accounting records that are required by this chapter to be maintained during the period for which such records are required to be maintained, or who knowingly or intentionally fails to create or maintain accounting records that are required to be created or maintained, with the intent of causing harm to the association or one or more of its members, is personally subject to a civil penalty pursuant to s. 718.501(1)(d).

Destruction of any official record of a condominium association in furtherance of a crime is punishable as tampering with evidence pursuant to s. 918.13, F.S.,(Criminal Procedure & Correction) or as obstruction of justice pursuant to s. 843.02, F.S., (Obstructing Justice).

In order to resolve this issue, the Association must do the following: New procedures/protocols need to be promptly placed into Omega Villas Condo Association's handling of unit owner records requests for any Condo Association records they are lawfully requesting. Currently, Juda Eskew and Sunrise Management both jointly share in who manages which association records such as insurance, condo docs requests, and any other unit owner record request allowable under Florida laws. I would like notice and acknowledgement from Sunrise Management and the new Board of Directors that proper protocols are being implemented and when these protocols/procedures will go into effect. I would also like the payment of any monetary penalties I am due for this violation of my unit owner rights. So, based on my calculations, that would be the maximum penalty of \$500 as the final records received were well past ten days overdue.

The Association must comply with the above requirements by the following date: The must comply within 10 business days or April 5th, 2024 whichever is earlier.

Failure to timely comply with the above requirements will result in an arbitration petition being filed pursuant to Section 718.1255, Florida Statutes.

Thank you for your prompt attention to this matter,

/s/ Shawn Martin

[Signature]
Shawn Martin

Owner of Unit # 48