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** MEMBER D. C. BAR
*** MEMBER P. A. BAR

Oct. 1, 2008

Ms. F. Olivia Whitters, Esq.
Glantz & Glantz, P.A.
7951 S.W. 6th Street
Suite 100
Plantation, Florida 33324

RE: Omega Villas Condominium Assoc.
Your Client: Shawn Martin
Our File: 12751,000

Dear Ms. Whitters:

Please be advised that I represent the Omega Villas Condominium Association, Inc., (the "Association"), with respect to your letters dated September 11, 2008 and September 18, 2008 to All Florida Management Services, Inc.

With respect to your letter dated September 11, 2008, please be advised that the Association is attempting to investigate the alleged leak into Shawn Martin's unit. First, you have indicated in your letter that "Not only was there no permit for the work, our client discovered that Gould Roofing did not have the appropriate licensing to complete the repairs they were contracted to do". It is my understanding that the City of Plantation has indicated that the work performed by Gould Roofing did require a separate and distinct permit, and that such work and the nature that it was not solely related to roofing work, should have been permitted separately by a general contractor. To accomplish the resolution of this issue with the City of Plantation, Gould Roofing has obtained the services of a licensed contractor by the name of PMG Enterprises, Inc. who is submitting appropriate permits with the City of Plantation and accepting the responsibility for the work performed subject to the permit in that such work conforms with appropriate construction industry standards and city building codes. Thus, the Association is attempting to remediate this issue with the City of Plantation.

REPLY

621 N.W. 53RD STREET • SUITE 420 • BOCA RATON, FL 33487
TELEPHONE (561) 886-5570 • FAX (561) 886-5571

REPLY 

7805 S.W. 6TH COURT • PLANTATION, FL 33324
BROWARD (954) 474-8000 • FAX (954) 474-9850

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Second, with respect to the allegation of poor workmanship, be advised that the general contractor will also be reviewing whether such work actually performed by Gould Roofing was a result of the alleged leaks. It should be noted that the work completed by Gould Roofing was done approximately one (1) year ago, and the leaks are just now being reported by Mr. Martin. Therefore, I cannot correlate that the leaks were caused by the work or lack of work by Gould Roofing, nor can I determine that the leaks were caused by the negligent management and/or maintenance of the buildings under the control of the Association. Therefore, until I do so, I cannot admit any responsibility of the Association to pay for the damages resulting from such leaks. Your client should have appropriate insurance and should make a claim to his insurance carrier accordingly. The insurance carrier will then have the rights of subornation if they wish to proceed in this manner.

With respect to your letter of September 18, 2008, please be advised that my response above adequately sets for a response to the first paragraph of your letter.

With respect to the contents of your second and third paragraphs of your letter of September 18, 2008, please be advised it is your client who is extremely contentious in his actions, statements and e-mails concerning the business of the Association. There are many Board members who are tired of this belligerent behavior and would prefer that all of the communication with Mr. Martin be controlled under proper procedures for communicating between the Board members, both as to Mr. Martin being a Board member and as to him being an owner of a unit. I have advised the Association to communicate this issue to the entire Board that it is my recommendation, and I would respectfully request that you advise your client to adhere to this protocol that any communication regarding the conducting of business of the Association as it relates to him being a member of the Board, that such communication be in writing to All Florida Management Services, Inc. Upon receipt of such issue in writing by Mr. Martin, then All Florida Management Services, Inc. will place such matter for discussion at the next scheduled Board meeting. It appears from the communication that I have reviewed that there is much dissension and animosity through Mr. Martin's communication. Thus, if all of his actions taken as a Board member are discussed in open Board meetings, then there can be no mis-communication among the Board members.

Furthermore, please let this letter serve as formal notice that should your client desire to communicate with the Association as a unit owner, then he can submit, in writing, a request to the undersigned and an appropriate response will be prepared in accordance with the time periods as set forth in Florida Statute 718. It appears in communicating with individuals in the Association, that this course of conduct will better serve Mr. Martin's appearance on the Board of Directors and as a unit owner. By way of example of Mr. Martin's behavior, I would request that you review the attached e-mail dated September

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26, 2008 at 5:10 p.m. wherein Mr. Martin is threatening the management company to cease and desist any work projects without Board approval. In fact, he even threatens that the Board will be served by a police officer should they not concede to his request. Third, I would suggest that your review of the e-mail would cause concern that this type of communication is not only inappropriate but is taken as a threat. The Association Board members are not taking personal attacks on your client, it is your own client's behavior and threat that is causing this type of reaction. Again, in order to further control communication, I would request that your client adhere to the protocol set forth above. Any Board information for discussion will take place with Mr. Martin only at a scheduled Board meeting. Any information requested by Mr. Martin as a homeowner must be directed to the undersigned.

I look forward to any further response you may have and I remain,

Sincerely,

FRANK, WEINBERG & BLACK, P.L.



Steven A. Weinberg,
For the Firm

SAW/km

cc: Omega Villas Condominium Assoc. Board of Directors
All Florida Management Services, Inc