⚠ WATCHDOG ALERT — ILLEGITIMATE SPECIAL ASSESSMENT ISSUED · DECEMBER 10, 2025

THE HOA JUSTICE WATCHDOG REPORT
Omega Villas Condominium Association · Plantation, Florida · December 10, 2025

BREAKING DEVELOPMENT · UNAUTHORIZED ASSESSMENT · RETROACTIVE LEGITIMIZATION

Assessment First. Meeting Second. That's Not How the Law Works.

> *The Omega Villas board issued a special assessment on November 30th for windows and doors — items the association's own declaration designates as owner responsibility. Only after being publicly challenged did it schedule the required meetings. Florida law demands the opposite order. The evidence suggests this may not be a mistake.*

By Shawn Martin, MBA · Owner, Director & Whistleblower · December 10, 2025 · EXCLUSIVE

ACTIVE ARBITRATION

On November 30, 2025, a special assessment notice was distributed to Omega Villas unit owners for window and door replacements. No board meeting had been held. No owner vote had occurred. No required 14-day advance notice had been given. Only after this whistleblower went public was a "special assessment meeting" scheduled — for December 11th.

The sequence matters. Under Florida Statute §718.112(2)(c), a board must hold a properly noticed meeting *before* issuing a special assessment. What happened at Omega Villas was the reverse — and that reversal may be the key to understanding a pattern that spans nearly two decades.

CRITICAL LEGAL PROBLEM

The Omega Villas Declaration of Condominium designates windows, sliding glass doors, and regular doors as **unit owner responsibility** — not common elements controlled by the association. Under Florida Statute §718.113(5), the board cannot mandate replacement of owner-responsibility items, nor assess owners for that work, without a majority owner vote. That vote was never held.

The Backward Process — Documented

> Nov 30, 2025 — Assessment notice issued and posted at mailboxes under **Your Management Services letterhead** — not the board, not the association's attorney. No meeting preceded it. No 14-day notice. No cost estimate. No legal purpose described.
>
> Dec 5, 2025 — Whistleblower publicly challenges the assessment's legality, distributing formal notice of violations to state regulators, media, legislators, lenders, and federal agencies.
>
> Dec 9, 2025 — Board meeting scheduled. Agenda includes "review and discuss special assessment for unit owner windows and doors." **The assessment had already been issued 9 days prior.**
>
> Dec 11, 2025 — "Special Assessment Meeting" scheduled — **11 days after the assessment was already posted**. A retroactive attempt to legitimize an already-issued financial demand.

Florida law is unambiguous: the meeting must precede the assessment. Scheduling the meeting after the money demand has already gone out to owners does not cure the procedural defect — it highlights it.

"You cannot issue an assessment first, then hold a meeting second to try to legitimize it. The statute requires the process in reverse order."

Who Can Issue a Special Assessment? Not the Management Company.

The November 30th notice was sent under the letterhead and postage of Your Management Services — not the board of directors and not the association's attorney. Under Florida law, only the board can authorize a special assessment, and only after following proper meeting procedures.

Florida Statute §468.436 governs CAM licensing conduct. A community association manager issuing an unauthorized assessment notice may be subject to DBPR enforcement action. The notice sent to owners carried the appearance of official legal authority. That appearance was not earned by any documented board action.

The Engineer's Story — A Decade of Shifting Narratives

The December 11th meeting agenda describes windows as "identified needing replacement by engineer of record during their inspection." The board's own minutes tell a very different story.

> July 2018 — Engineer Farrukh Saveed states windows need **caulking** — not replacement. Structural cost estimate: $75,000–$100,000 per building for all work combined.

Nov 2018	Board directs management to obtain impact window pricing — **before any new engineering report changed the caulking recommendation.**
Feb 2020	Engineer recommends windows "not replaced due to costs but will be resealed and caulked with composite trim instead of wood trim."
Jul–Nov 2025	Three separate engineer letters suddenly appear: a "Windows Evaluation" (July 23), a "Lower Window Inspection Letter" (July 29), and a "Sliders Letter" (November 17) — all **after construction is substantially complete**, all pointing toward mandatory replacement.
Key Question	Phase 4 has the same window series — yet appears to have **no corresponding engineer letters mandating replacement**. If the windows are structurally non-compliant, why only in certain phases?

Attorney Misrepresentation: The NOA Letter

In a June 25, 2025 demand letter, association attorney Rhonda Hollander made several claims to justify the unauthorized furring strip installation. Each claim is directly contradicted by the documentary record.

HOLLANDER'S CLAIM	WHAT THE RECORD SHOWS
"The NOA reflects that the system *requires* furring strips as part of that system."	The NOA uses the word **"may"** — permissive language, not a mandate. Furring strips are optional under the certified system, not required.
"No material alteration vote was required for this system as the case law is clear."	The board's own minutes from **2011 through 2023**, across multiple boards and attorneys, repeatedly document that siding and window changes require a 75% owner vote.
"Previous arbitration decisions determined stucco replacement didn't require owner approval."	If stucco required no vote and was **$7–$8/sq ft cheaper** than Hardie Board, why wasn't it chosen? This admission confirms a cheaper, vote-free option existed — and owners were never told about it.
"Since this was the original agreement… there were no change orders."	Furring strips were **not listed in the original Austro contract** for wall composition on either floor. The absence of a change order does not mean the work was part of the original scope.

The 10-Step Alleged Playbook (2011–2025)

The documented sequence across 17 years suggests a repeating operational pattern:

1. **Identify** owner-responsibility items and material alterations requiring votes.
2. **Acknowledge in minutes** that votes are required — establishing plausible deniability.
3. **Remove items** from the material alterations list or simply ignore vote requirements (Nov 7, 2023 meeting).
4. **Hide cheaper options** — stucco at $7–$8/sq ft vs. Hardie Board at $14–$16/sq ft, never disclosed to owners.
5. **Force the most expensive choice** without required owner votes.
6. **Create manufactured problems** — hidden furring strips cause window flange misalignment, which is then cited as justification for mandatory owner-paid replacements.
7. **Pass inflated costs** to owners through unauthorized assessments for work the board had no authority to mandate.
8. **Retaliate** against owners who question the process using legal threats and selective enforcement.
9. **Retroactively schedule meetings** after being caught to create the appearance of legitimacy.
10. **Repeat** — issue new assessments when more money is needed, and restart the cycle.

> NOTE ON ACTIVE ARBITRATION
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> *Unit 1760, Phase 2 — this whistleblower's unit — is in active DBPR arbitration (Case No. 2025-06-1476) over the window inspection dispute. A hearing was scheduled December 16, 2025 — one day before a surgical procedure. The board appears to have issued this assessment regardless of the pending arbitration proceeding.*

Financial Toll on 128 Families

$10M+	$1M+	$125K+	$175K+
Questioned construction costs	Estimated savings lost on siding options	Unbudgeted legal fees in 2025	Additional 2026 construction assessment

Many residents are retirees on fixed incomes. Many have disabilities. Many hold FHA loans that may be jeopardized by these financial irregularities. The combination of alleged unauthorized mandates, inflated contractor choices, and retroactive legitimization attempts compounds the burden on a community that has already been subjected to over $1 million in city fines since 2008 — fines that prior management allegedly concealed from owners.

What Is Being Requested

DBPR / DBPR-IG

- Investigate unauthorized assessment for owner-responsibility items
- Review YMS CAM authority to issue assessments
- Audit all special assessments and construction costs
- Review board's 14-year pattern of vote evasion

STATE ATTORNEY / AG

- Criminal review of organized vote-bypass scheme
- Potential RICO pattern analysis (17 years, multiple parties)
- Elder abuse investigation — retirees on fixed income targeted
- Wire and mail fraud review of unauthorized notices

HUD / FEDERAL AUTHORITIES

- FHA loan impact review from irregular assessments
- Fair Housing review — disability retaliation documented
- Coordinate with federal banking regulators
- Financial exploitation of protected populations

REQUIRED BOARD ACTIONS

- Withdraw the November 30 assessment immediately
- Provide legal authority to mandate owner-responsibility items
- Document required owner votes — or confirm they never occurred
- Cease operating outside Declaration authority

Full evidence archive — publicly available

Board minutes (2005–2023), engineer correspondence, arbitration filings, contractor records, attorney letters, and 120+ videos are compiled at:

www.HOAJusticeNow.com

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DBPR Arbitration Case No. 2025-06-1476 active. Hearing: December 16, 2025.

Evidence has been transmitted to the U.S. DOJ, FBI, HUD OIG, and federal banking regulators.

All assertions represent the documented opinion and analysis of the author based on official association records.