

NEWSLETTER September 21, 2019

As you may be aware, there has been a lot of discussion over recent months about 3 proposals to move fences for properties adjacent to the putting green. After receiving numerous emails, regarding the effect of the fence moves on the putting green, and listening to statements of all concerned homeowners at HOA meetings, the Board temporarily denied all 3 fence move requests until we could determine the legal obligations of the Association while acting in the best interests of the entire community.

After the Board made its decision, 2 of the 3 applicants opted not to wait and relocated their fences. The Association is evaluating its options, rights, remedies, and obligations in connection with the fences that were relocated without approval. Please understand the Board is not able to provide owners with updates on disciplinary action, if such action is taken, so we will be unable to provide further updates to the membership on the steps we take other than to advise we are investigating and will take appropriate action that we feel is in the best interests of the Association as a whole.

On September 10, 2019, homeowners Regina and John Hsu filed a complaint with the U.S. Department of Housing and Urban Development (HUD) as HUD File No. 09-19-7881-8. The claim is against Starlight Mesa Homeowners Association and alleges the Association's temporary denial of their fence move application was discrimination based on their race. The Association adamantly disputes the claim and has tendered it to our insurance carrier to determine whether they will cover this claim.

HUD has referred the matter to the California Department of Fair Employment and Housing, which will begin a process that we understand involves mediation, conciliation and investigation. The Board is conferring with legal counsel and will take steps to protect the Association's liability exposure and act in the best interests of the membership as a whole.

Please do not ask Board members questions regarding this matter as it may compromise defense of the Association. We will provide periodic updates as this matter progresses.