

Date: January 19,2010

To: Board of Directors, SLOA
From: Laura Croft, SLOA Member/Homeowner

First, I want to say, I appreciate the work of the Sunland Facts group that provided some important information to SLOA homeowners, and I also want to say that my issue is with the SLOA Board, not with the golfers. I have friends who are golfers, and I know that the game is an important part of their lives. Obviously, Sunland golfers who can play practically in their own backyard wouldn't want anything to change that lifestyle, so it's easy to understand that the club's financial situation is difficult for them to face, and that they would turn to whatever might be out there to try to keep the club going. But the club is a separate legal entity, and the fact that it is separate underpins every property purchase made in Sunland.

My issue is with the SLOA Board. This entire divisive controversy could have been so easily nipped in the bud if the SLOA Board had simply told the golf club -- as they were advised in a legal opinion in 2006 -- that SLOA homeowners cannot legally be forced to support the club and the course. As a separate corporation, the club would have to find ways to meet its own financial obligations.

I was in a similar situation a few years ago in another neighborhood, and I got legal advice at the time. The assessment could not be legally done, and the corporation that had been formed to assess homeowners had to be dissolved. Recently I've spoken with two attorneys, and researched legal cases specific to private golf clubs and surrounding homeowners' associations, and confirmed that such assessments don't hold up in court. Even in cases where homeowners voted to merge with the golf club, the changes didn't hold up when legally challenged. Here in Sunland, our CC&R's can be changed with a 2/3 vote of members, but they can't be changed in ways that conflict with state law. RCW's don't allow a change to the basic scheme that purchasers buy into, and the basic scheme that Sunlanders buy into is a homeowners' association separate from the golf club. As a homeowner, I expect the SLOA Board to work in the best interests of all homeowners, not just club members. No one would object if people want to voluntarily help the golf club. But the SLOA Board should communicate to homeowners -- as I know it was advised in 2006 -- that mandatory assessments to support the club will not be attempted. An attempt to do so is certain to be legally challenged, and would create even more divisiveness in the Sunland community than the Board has already caused by its ineffective and unbalanced approach to handling this matter.

If the Board continues with its divisive action, I request that:

- 1) The necessary special meetings be held in a facility large enough for everyone entitled to attend.
- 2) That there be full communication from the SLOA board to all homeowners about any scheduled meetings, with complete procedural details about any potential vote.