

Dear Kings Lake Property Owner

On February 17th, a six (6) page letter entitled: **PROTECT OUR COMMUNITY AND YOUR PRIVATE PROPERTY RIGHTS**, was mailed in hard copy to all owners of Kings Lake. **Considering the content and upcoming important vote to adopt proposed revised documents, this letter is in direct response to misleading and manipulated information designed to encourage a no vote.**

This letter referenced was sent to you from:

Ms. Kristen Jasinski, **Naples Florida Vacation Homes.Com**, 2218 Kings Lake Blvd., and from Mr. Dino Massimi, 3031 Round Table Ct., also a vacation home available for daily rental.

The “group” of owners they represent are largely the now many short-term rentals owners that own single family home properties in Kings Lake.

A similar letter was sent last year in opposition of the proposed documents; this year’s letter is more of the same misinformation designed to intimidate owners to influence the vote. It was sent to all owners, condominium and single-family owners **while only focusing on single family issues.**

Here are some facts in direct contrast to points in the letter:

The documents review committee has seven, all volunteer members, six of which are single family homeowners in Kings Lake. Since the last annual meeting well over **one hundred** changes were made, in response to owner comments, to the documents presented last year. This is a completely reworked document and has been posted on our website since November of 2022.

The letter cites many provisions as problematic, but **conveniently** leaves out portions of each. The following is just an example of **a few** of the manipulated statements in their 6-page document. It certainly supports this letter’s intent to fear monger throughout.

In section **ARC 6.1**, after the words “**alters exterior physical appearance,**” the letter states that this would require you to get permission from ARC to repaint your house. It **leaves out** that **plans, specifications, and location of the change must be submitted to ARC. There are no architectural plans required for you to paint your house.** Plans are also required by the County so if you are putting on an addition or adding a pool and cage to your property, this same packet is part of the existing ARC process. Our existing Architectural Review Committee and its application and approval process **has always been in place at Kings Lake.** Please look at the current ARC application available online at kingslake.today.

The letter goes on to state that ARC approval is needed for a **gardening shed.** This actually has been **added** to the new documents to allow for the inclusion of sheds because in the past **no** sheds, gazebos or other structures were allowed to be constructed unattached from the house.

Pets 7.4. This statement complains that there is no definition of what a common household pet is. Why? Does the author want the board to say you can have a bird but not a fish? The actual provision goes on to state that **no livestock or poultry shall be kept, raised, or bred.**

Mailboxes and attached post lamps mentioned in **7.23 and 7.24.** Kings Lake has **always** had a **standard** unit and they have **always been purchased** through our maintenance personnel. An 800-lumen light is simply an 8.8 watt led bulb or a 60-watt incandescent bulb. The lighting standard serves a safety purpose as well as contributes to the esthetics of the community.

6.9 Restoration in case of destruction. The letter suggests strict timelines and “what ifs,” in cases of insurance issues or contractor unavailability. **This provision provides for extensions and exceptions for those very circumstances as well as others.**

9.3 (c) The letter states the board can disapprove a transfer of ownership with simply “good cause.” Again, **conveniently omitting** “after receiving written opinion of counsel that good cause exists.” This clearly means that it must be able to stand up in a court.

The most troublesome statements refer to Fines and Assessments which have been lumped together in the letter. **Section 3.7** refers to unpaid assessment fees and removal of personal property that an owner has left behind or not disposed of after a foreclosure. The letter **instead implies seizure** of your personal property. The letter also states that “if you disagree with fines levied against you, or are unable to pay them, the new documents give the HOA the authority to place a lien on your property.” **It completely ignores section 8.1 Fines and Suspensions of the bylaws** which provides for a member to have a hearing held before a committee of **non-board member owners** which are not related in any way to a board member. The role of the committee is to determine whether to confirm or reject the fine. **All owners must receive proper notice of an impending fine. They also have the right to due process, performed by a panel of peers, in matters of disagreement with a board action to levy a fine.**

Another troubling statement is that “our current association fees won’t be enough for the board to enforce the new rules, so it is only a matter of time before our fees are significantly increased.” May we point out that all board members, committee members and owners who serve on any other type of review committees are **unpaid volunteers who give their time to work for our community.** It is important to note that this due process is far less expensive than the court and attorney fees we are now faced with in trying to enforce our rules.

The crux of the matter for the people petitioning you to vote no is the inclusion of **rental restrictions** limiting rentals to six times a year with a minimum lease of 30 days, **and** provision for enforcement of these restrictions with fines. It **erroneously states** that they may be forced to keep a home empty for 6 months of the year. This is blatantly incorrect because the **minimum** lease is 30 days, but it could certainly be for more than that, 2 months, 3 months or even a year. And yes, if an **owner opts** to do **only** 30-day rentals they will be restricted to 6 a year.

The **State of Florida** considers rentals of **less than 30 days to be transient rentals** such as are provided by hotels and motels, and they are treated as such by statute. **The community has been**

loud and clear that these short-term rentals are not desirable in a residential family community. Please also note that Florida HOA statutes supersedes all outdated, missing, or vague provisions in community governing documents. It is irresponsible not to bring our documents current.

Finally, and **most concerning**, this letter encourages you to **give up your proxy rights to the authors.**

This is your vote, please read the documents for yourself so that you are making **your own informed decision**. If you still have questions , resources and opportunities are available to speak with those who are knowledgeable about voting process and content in the documents.

A list of the members of the document review committee and contact info can be found on our website [kingslake.today](https://kingslake.today/doc_rev_committee.htm). (https://kingslake.today/doc_rev_committee.htm)

Once you are on the **home screen**, select “**committee**” menu on the left and then select **documents** option. Alternatively, simply **contact Seacrest/Southwest Mgmt. at 239-261-3440**, and the customer service representative will forward your questions for reply.

We are also working on a **town hall open house in early March** for the purpose of answering questions and early voting. Watch your email for details as they come together, and we confirm a venue. **There will not be any official program, just an opportunity to pick up document package and instructions, ballot envelopes, talk to committee members and property management.**

Finally, you will also be able to return your filled out and signed proxy in person at the annual meeting, Monday March 13th at New Hope Event Center, 7675 Davis Blvd . **Registration begins at 5:30 and be sure to bring your ID in case it is requested. You may also bring your proxy directly** to Seacrest/Southwest Property Mgmt. Instructions are on your proxy.

Please remember that the standards you have already set in our community are reflected in these long overdue, updated documents. As been said on several occasions, the documents committee will remain a standing committee to continually review and recommend updates as is warranted and respond to input from our member communities.

Thank you for your consideration.

Your Kings Lake Board of Directors