



ALLEGATIONS, LIES, AND RUMORS! FICTION vs. FACT

ALDEA GLEN HOMEOWNERS ASSOCIATION

October 2023

The current Board of Directors constructed this document to address the most harmful and false allegations, lies, and rumors leveled by homeowners and non-homeowners during clandestine gatherings and unofficial and illegally held meetings disguised as official Association meetings.

Whispered, shouted, and maliciously spread allegations, rumors, and lies have been disguised as genuine and accurate, i.e., based on first-hand knowledge! Continued assertions are targeted explicitly against two homeowners/Board members. Suppose you look back and observe the activities that have transpired for the past three months. In that case, the current hostile and aggressive atmosphere is driven by a few individuals with personal grievances, and it is not all about the Association or the actions or lack of action by the Board.

If homeowners have grievances, specific procedures are in place and should be followed; clandestine gatherings and unofficial and illegal meetings are not procedures. The website has five email addresses and a contact form, and there is an Association cellular phone to call or text. Finally, if you want to remain anonymous, send a letter by USPS or place it into the Association Drop-Box.

Due to false rumors, spreading lies, and made-up tales of outrageous behavior, several friendly neighbors no longer speak to each other. This animosity has caused a significant fracture within this once-peaceful community. What has happened to showing respect and listening to each other??

The current President has been on the Board for over 15 years since others did not or would not volunteer. It takes so little energy to complain, bad-mouth, lie, and makeup stories, but it takes a lot of umph to step up, volunteer, assist with projects, and be part of the community in which you live!

This section will provide Aldea Glen Homeowners with facts and the specific regulations that have jurisdiction over Homeowner Associations in the State of Washington.

What does RCW mean?

The Revised Code of Washington (RCW) is the compilation of all permanent laws now in force. It is a collection of Session Laws (enacted by the Legislature and signed by the Governor or enacted via the initiative process) arranged by topic, with amendments added and repealed laws removed. It does not include temporary laws such as appropriations acts.

How are Homeowners' Associations Regulated in Washington State?

Homeowners' Associations developed before July 2018 (Aldea Glen was incorporated in 1984) are governed by RCW Title 64, Chapter 38. The intent is to provide consistent laws regarding the formation of homeowners' associations and legal administration. The Aldea Glen HOA Bylaws were written and updated by RCW 64.38.

What are the definitions of "LOT" / "OWNER"?

Under RCW 64.38.010 Definitions

(13) "Lot" means a physical portion of the real property within an association's jurisdiction designated for separate ownership.

(14) "Owner" means the owner of a lot but does not include a person interested in a lot solely as security for an obligation. "Owner" also implies the vendee, not the vendor, of a lot under a real estate contract.

What constitutes Membership in a Homeowners' Association?

Under RCW 64.38.015, Association Membership

The membership of an association at all times shall consist exclusively of the owners of all real property over which the association has jurisdiction, both developed and undeveloped.

Under Aldea Glen Bylaws Article II: Section I MEMBERSHIP

Membership in the Association is automatic upon purchasing any residential property described in Volume 24 of the Records of Thurston County as included in the Aldea Glen development, such membership is required by deed covenant. Membership in the Association runs with the land and may not be terminated by either the Association or the individual member until or unless the title passes to another party. The Board of Directors relies on the Thurston County Assessors / Auditors Parcel Search portal to confirm the name(s) on the title. ONLY the party's name that appears in the title is considered a member of the Association.

Who can attend official Association Meetings?

Aldea Glen's governing Bylaws stipulate that those homeowners who own lots within the association and whose name(s) appear on the property title can attend. This means spouses, tenants, and attorneys of members cannot attend. 64.38.035 (4) all meetings of the board of directors shall be open for observation by all owners of record and their authorized agents. However, the Board has the authority to authenticate the Power of Attorney prior to an authorized agent(s) can attend an official HOA meeting; And 64.90.445 (2)(a) Meetings must be open to the unit owners except during executive sessions, but the board may expel or prohibit attendance by any person who, after warning by the chair of the meeting, disrupts the meeting. Aldea Glen HOA has been a registered non-profit organization since 1984. Therefore, tenants outside the association, i.e., the public, do not have legal rights to attend official Association meetings.

What are the requirements of an Association regarding General/Special/Board meetings?

Under RCW 64.38.035 Association Meetings – Notice – Board of Directors

A meeting of the association must be held at least once each year. For a General and Special meeting, not less than fourteen nor more than fifty days in advance of any meeting of the association, the secretary or other officers specified in the Bylaws shall cause notice of the meeting to be provided to each. What is the definition of notice? Notice to homeowners is the mailing of a document or other item and must be deposited in the US Mail, sent via first class, and addressed to the member at confirmed in RCW 64.38.015.

Clearing up the confusion regarding the Washington Uniform Common Interest Ownership Act (WUCIOA) 64.90 vs. Homeowners' Associations 64.38

WUCIOA replaces the Condominium Acts (both), the Homeowner Association Act and the Land Development Act but it **ONLY** impacts communities with CC&Rs that were recorded **AFTER** July 1, 2018. Aldea Glen's CC&Rs were recorded in 2005; therefore, the Association is regulated by RCW 64.38.

However, the legislature states that Section 326 **supersedes** the governing documents of **ANY** association in order to "protect the public interest." It overrides any conflicting provisions in RCW 64.38 (the "Homeowners Association Act" or "HOAA").

Section 326 of the WUCIOA requires that every budget for every community be ratified by the community.

A budget ratification would happen like this:

1. The board of a homeowner's association adopts a proposed budget.
2. Within 30 days after adoption, the board provides copies of the budget to the members of the HOA along with a summary of the budget.
3. The Board sets a meeting between *fourteen and fifty days* after providing the budget to the members.
4. At the budget meeting, the members have the opportunity to vote to **reject** the budget.
5. The budget is ratified unless a majority of the votes (that is, the total votes for everyone in the HOA, and not just the votes of the members who showed up to the meeting) reject the budget. Even if there is no quorum, the budget is ratified.
6. If the budget is rejected, or if notice is not provided, the last budget to be ratified remains in effect until a new budget is ratified.

Section 326 also sets specific requirements for information that must be contained in the budget summary. These requirements include projected income and common expenses, the amount of assessments per unit and the date the assessments are due, the current amount of regular assessments budgeted for contribution to the reserve account, and the current balance of the reserve funding per unit.

The budget must also contain a statement of whether the association has a reserve study that meets the WUCIOA's requirements and how close the budget is to meeting the recommendations of the reserve study. Section 326 of WUCIOA takes the place of Sections 64.38.025(3) and (4) of the Homeowners' Association Act.

The following section addresses Allegations, Rumors, and Lies.

#1 FICTION: During a clandestine meeting, an accusation was made with an implication of nepotism. A comment was made that Robin Wilson's family owns, operates, and financially benefits from the Aldea Glen HOA website. The homeowner who commented suggested that his wife should be treasurer and he should be a board member. Another homeowner remarked that one of Robin's nephews is running the website. Additional allegations suggested that the HOA funds spent on the website benefited Robin and her family. **All allegations are lies and ridiculous!**

FACT: The domain aldeaglenhoa.com, five email addresses, and the event calendar application were initially purchased on 08/05/2017 on Wix.com, an all-inclusive web builder platform. Wix was founded in 2006 by Israeli developers Avishai Abrahami, Nadav Abrahami, and Giora Kaplan, and is a public company traded on Nasdaq. In 2022, total revenue was just over \$1.38 billion; the company is owned by Baillie Gifford (14.2%), Starboard Value (9%), BlackRock (4.7%), Principal Global (4.3%) and Jackson Square Partners (4.3%).

The Association owns the domain; this will remain true regardless of who is elected to the Board; the site can be transferred to another platform at any time! Finally, for the past four years, Robin has maintained, updated, and managed the website as a volunteer. Neither Robin nor any Board members have received any financial compensation. For the record, Robin's only nephew was born in 2004 and is a freshman at Cal Berkeley.

#2 FICTION: During another clandestine meeting, a few homeowners, along with two current Board members, comments made, "What do they spend the dues on anyway?" with the implication that the Board was misusing the funds if not

outright embezzling. Recently, a homeowner told a Board member that several homeowners have said that Robin, as Treasurer, has been “*cooking the books*” for years. **This is a flagrant lie and will result in slander charges!**

FACT: Robin Wilson is a certified and licensed Forensic and Investigative Accountant, a licensed Private Investigator, a Certified Fraud Examiner, and a Certified Financial Crimes Specialist. She collaborates with Prosecutors, Defense attorneys, local Law Enforcement Agencies, State Agencies, and Federal Agencies, such as the IRS, FBI, Homeland Security, and the DOJ. She has the reputation of being a consummate professional, highly ethical, and an effective expert witness during a trial. Her case reports are beyond reproach and result in convictions and plea bargains.

The Associations’ current and past budgets are posted on the Homeowner Only section of the website. No homeowner has asked about budgets, income, or expenses for the past seven years. The homeowner who said he heard Robin was “*cooking the books*” was a trustee in the past; therefore, he is fully aware of the Association’s procedures and Bylaws regarding financial records. The Board agrees that financial statements should be audited by an outside source moving forward and is 100% positive that there will be no issues with records. The accusation that the Association’s financial records have been manipulated is absurd and defamatory.

It should be noted that QuickBooks, the software used for the Association financials, was initially purchased in 2020. However, Robin graciously donated an upgraded version (valued at \$525). After the August 29, 2023, Board meeting, in which she was accused of fraud, being a fraudster, and now accused of “*cooking the books*” for personal gain, she decided to remove the upgrade from the laptop. The accusations of fraud, embezzlement, and misappropriation of Association funds are slanderous.

#3 FICTION: It was claimed that the Board of Directors had raised the annual dues more than once over the last few years without the consent or vote of the homeowners. **This claim is false and just plain ridiculous!**

FACT: At the May 2019 General Meeting, the membership ratified annual dues at \$120 for the 2019-2020 fiscal year. Annual dues from July 1, 2019, to June 30, 2024, have remained at \$120. Check your July or August bank statements to confirm the amount. If you cannot find your bank records, the Treasurer has a full accounting of all dues collected since July 01, 2018, when she converted the Association bookkeeping from pen and paper to the QB software platform. As a side note: The average Association annual dues in Washington state are \$4,000.

#4 FICTION: Recently, it was rumored that a homeowner suggested that when a new Board of Directors is elected, it will create a Christmas Decorating Contest; the winner will not have to pay annual dues or have their annual dues reduced. **This action would lead to a charge of religious discrimination against the Association.**

FACT: First, the Board has no authority to reduce or eliminate annual dues for any homeowner, as this would be illegal and unfair to all homeowners. This contest, as stated, would be considered cultural bias, as not everyone celebrates Christmas. Second, the contest, as described, would be insensitive and prejudicial. The concept is promising, but it would need to be promoted as a Holiday contest, in which homeowners who wanted to participate would pay a small entry fee, and these collected funds could be used for prizes.

#5 FICTION: It was claimed that the Board spent \$3,200 with 800GOTJUNK “*just to haul off some garbage*” from a lot inhabited by settlers, and additional monies were paid to Board members for their time on the cleanup. **This accusation has partial truth but suggests false information.**

FACTS: The entire process took the Board and the Police over 18 months to get squatters to vacate the Lynch property. The Police informed the Board that they could not do anything unless they found illegal activity. There were several raids but never enough evidence to evict the people living in the house. Neighbors worked with the Police to allow surveillance cameras to be installed on their property and to report suspicious activity. Two Board members, three homeowners, and the City of Lacey Crime Prevention Officer stood united in confronting the squatters and finally got them all to leave. Furthermore, the Association President went to court twice to push Wells Fargo to foreclose and take possession of the home. Once the final squatter vacated the premises, the Board moved in to secure the property and called 800GOTJUNK. The final cost for GOTJUNK was \$2,800, *as approved by the Trustees*. The additional \$400 was used to pay for window and door locks, signage, cones to block the driveway, and to have a broken, untagged car towed.

Board members were not paid a penny for their efforts. Five to six individuals volunteered for two days to clean up the mess left by 5+ squatters; this included human waste, dead animals, and several *tons* of garbage! The Association's attorney submitted an HOA claim to Wells Fargo; however, WF refused to pay.

#6 FICTION: During the meeting held on September 19th, homeowners who attended elected a new Board of Directors. **The meeting and election were illegal.**

FACT: This meeting was neither legal nor an official Association meeting. The “new” Board of Directors, which was “elected,” is not officially recognized by the Association under RCW 64.38.015 and the Aldea Glen Bylaws. Also, as confirmed, one of the “new” members is not a homeowner; he cannot be elected nor is he a member of the Association.

#7 FICTION: Several homeowners are under the assumption that non-homeowners can be elected to the Association's Board of Directors, attend official meetings, and represent legal homeowners. **This assumption is incorrect and does not coincide with the Association Bylaws.**

FACT: By the Association Bylaws, Article II, Section 1, Membership, and RCW 64.38.015, if an individual's name does not appear on the deed for the lot, they are not a member of the Association. Nonmembers cannot attend official Association meetings, hold Board positions, and be a representative of homeowners. HOA stands for HOMEOWNER ASSOCIATION. The key word is HOMEOWNER. A homeowner can place any individual(s) on the deed at any time. There are specific procedures at the Thruston County Assessor's Office.

It was confirmed that the individual chosen to be a spokesperson of some homeowners and was illegally elected to the “new” Board of Directors as Treasurer is not listed on the deed where he has indicated he resides; thereby, he is not a recognized homeowner. He has no legal standing in the community, cannot serve on the Board of Directors, or attend any official Association meeting.

He has claimed he holds a Quick Claim Deed; however, as of October 24, 2023, 5:01 p.m., he is not listed on the deed. His second assertion is that he has acquired a Power of Attorney (POA); however, when asked for the documentation, he has not complied. When or if a POA is authenticated and confirmed not to have been signed under duress or via coercion, the Association should recognize him as the homeowner's authorized agent.

#8 FICTION: A homeowner who had lived in the community for several years made the statement at a clandestine gathering as a continuing effort to disparage the Board, “*Aldea Glen used to be pristine, and now the community has gone downhill under the current Board.*” **This statement could be concluded as prejudiced.**

FACTS: A homeowner (who requested not to be identified for fear of retribution) attended this clandestine gathering and sent an email to the Board writing, “*I have lived in this community for over 20 years, in fact, longer than the person who made the statement, I believe that this community still looks much the same. There have been some great additions to our neighborhood in recent years, thanks to the Board, like the dog waste stations, library boxes, benches, new mailboxes, and all the latest items at the community park. The real estate market shows that our properties have increased significantly in the last few years - this is great for all of us. I also understand that the Board has applied to the City of Lacey Neighborhood Grant Program to stretch the budget, and the Association has been granted funds each time!*”

The individual who made this baseless statement must not have considered the major Recession that started in 2008. By 2012, the Recession hit the PNW; the Association had twelve properties in foreclosure or bankruptcy, abandoned, or deceased owners, with their heirs conducting illegal activities, such as forging a lease document, which allowed squatters to move into the property. The Board does its best to monitor distressed properties and keep the Police informed as necessary. Here is a reminder: the streets within this community belong to the City of Lacey, not the Association.

Furthermore, this individual must not have considered the recent economic hardships many homeowners may have faced during the pandemic and lockdowns. The Association does its best to empathize with dues; a few homeowners could pay \$60 in July and \$60 in August without penalty. The Board agreed to this because the homeowner reached out and asked for consideration. The Board was also aware of a few covenant violations and sent letters. Still, the

Association was sympathetic to homeowners who indicated that they lost their jobs and were unemployed and doing their best to follow all covenants. Still, paying the mortgage and keeping food on the table were priorities.

#9 FICTION: An assertion has been made that the Board will make the grassy area in 5th Court a dog park, and this action will raise annual dues to fund. **Untrue, with no fact in reality!**

FACT: The location on 5th Court is owned by the City of Lacey. The city pays annual dues just like all homeowners. The President of the Association, Bridget, has had a few conversations with the City to inquire about their plans for the property. She has asked the city if it would be possible to turn the lot into a city park at the expense of the city, but not a dog park. It is owned and maintained by the City of Lacey; they have not indicated their long-term plans for this lot.

#10 FICTION: An individual who attended the July Board Meeting made an accusation that Robin Wilson has four pets when Bylaws state that only three pets are allowed. It was also inferred that a special dispensation was given by the Board to Robin because of her friendship with the Board President. **The accusation is false, and the question asked was illegal.**

FACT: The Bylaws have no section regarding pets. However, the 2005 Covenants do have a provision in Section 13, but because the Covenants are outdated, it does not consider changes in the federal, state, and city laws. By the Fair Housing Act laws enforced by the US Department of Housing and Urban Development, HUD defines a service animal as an animal that is a necessary reasonable accommodation for a person with a disability. Robin does indeed have four dogs: Bentley (labradoodle), Chuy (chihuahua), and Otis (terrier/chihuahua mix). However, it is crucial to note that the fourth dog, Audi (Belgian German shepherd), is a certified ADA Service Animal as defined by HUD.

The City of Kent Adaptive Sports Program has employed Audi for five years. She works ten months of the year at the Kent YMCA and two tournaments for the Special Olympics of Washington in April and June. Therefore, Robin's fourth dog cannot be counted as a pet, as indicated in the outdated Covenants.

While the Board may consider allowing four pets per lot, the membership must update and approve the Covenants. Robin has not violated the existing Covenant nor received any preferential treatment from the Board of Directors. If concerned individuals had spoken to Robin or the Board, this issue could have been cleared immediately.

Upon being told the truth of the situation, the same individual who made the initial accusation commented, "*Well, what is Robin's disability to warrant that she has a service animal?*" This question was unwarranted and illegal. More importantly, the individual must be unaware that according to the 2019 Washington State Human Rights Commission Guide to Service Animals and The Washington State Law Against Discrimination, you cannot legally (1) ask about the nature or extent of an individual's disability; (2) require proof that the animal has been certified, trained, or licensed as a service animal; (3) require the animal to wear an identifying vest or tag.

#11 FICTION: A claim by the recently resigned Vice President and two current Board members (Secretary and Member at Large) has caused an exaggerated rumor to spread. All three have accused that their names were **signed** without consent on the letter addressed to homeowners dated September 5, 2023. The resigned vice president has also claimed that the board president is harassing her. That is **100% Not actual. This action would have been illegal and forgery.**

FACT: No signatures on the September 5, 2023, mailed letter. This action would have been considered forgery and illegal if signatures had been done. Please look at the letter again! Names of the Board of Directors and Trustees were included in the footer as the letter was sent as a collective. The HOA Management Consultant advised this decision so that all homeowners know who is on the Board. The Board functions as a unit, not as individuals. The Board President has stated on the record that the former Vice President called her first, confronting her about 'signing her name' to the letter. The VP has made a misleading claim. Although voices were raised on both sides of this conversation, that does not constitute harassment, as the VP initiated the first communication.

#12 FICTION: Allegations have been made that Robin Wilson assaulted two homeowners on their property driveway because their two dogs were off-leash and were attacking Chuy and Otis, who were on leash being walked by Robin's 83 yr. old mother. **True: Their two dogs were off-leash and were attacking Chuy and Otis.**

False: Robin never touched any homeowners who were standing on their driveway.

Every story has two sides, with the truth somewhere in the middle. Here is Robin and her mother's side.

Robin's mother was walking Chuy and Otis (small dogs 10lbs); each was in a harness and on leashes. Robin had stopped speaking with a homeowner and was a bit behind. Robin was walking her two larger dogs in harnesses and leashes. As Robin's mother continued to walk down the street, she was passing the homeowner's lot when suddenly, two dogs rushed over and started to chase/attack Chuy & Otis, causing them to wrap around her mom's legs.

Robin's mother has a brain tumor pushing on her ear muscles, which has caused her to be unsteady on her feet, hearing loss, and vision issues. Due to this tumor, her mother has experienced two falls with injuries. As Robin came around the corner, she admitted that she started to run and yell for the homeowners to get their unleashed dogs under control. Robin's only thought was that she was terrified that her mom could fall face-first onto the asphalt since her legs were tied, which could have killed her! **Question: If this were your mother, would you not do the same??**

The female homeowner abused Robin verbally, with many f-bombs peppering her comments. According to Robin, her mother, a witness, and even the husband, every other word was F***, such as: "Who the f*** are you," "Where the f*** do you live?" and "Do you even f***ing belong in this Community?", and "f*** off." Robin confronted the female homeowner, asking her to stop yelling and swearing.

According to Robin, her mother, and witnesses, she never stepped onto the driveway; she remained on the street and kept her arms and hands up so everyone could see that she was not touching the female homeowner. Robin did not physically assault anyone; words were exchanged. Multiple witnesses have verified and confirmed the details. The male homeowner apologized to Robin's mother about the language being used by his wife. According to Robin, her mother, and a witness, the female homeowner was the aggressor; she used her chest to push Robin to engage her in an altercation. Robin was seen walking backward (in the street) to avoid further aggression by the female homeowner.

Last week, the female homeowner and another female homeowner went door to door to generate interest in the October 24 Special Meeting; they spoke to a homeowner, and when asked about the dog incident, the homeowner continued to make false accusations that Robin attacked her. Robin, her mother, and witnesses are eager to speak to the Police. Note: no legal action has been initiated against Robin. The matter would be a civil issue, and the Association does not have jurisdiction. Question: Did anyone ask Robin, her mother, or other witnesses what happened? NO!

#13 FICTION: Rumors are spreading that Robin recently pulled a gun on someone after the dog issue involving Robin and the two homeowners. **This is false – 100% untrue, Slanderous statement.**

FACT: Robin has a concealed pistol permit and sometimes carries it when working a case or riding her motorcycle alone. However, she 100% denies ever pulling a weapon on anyone. If this action had occurred, it should be assumed that the individual would have called the Police to report the incident. Since there are so many nosy neighbors in this community, it would have been reported that the Police were in her driveway! At this point, she challenges the individual(s) making this accusation to come forward...as she would like to confront and then have her legal counsel file a slander case. However, she believes these individuals have no courage or integrity to face her. Shame on whoever you are!!

"Think before you act. "When a thoughtless or unkind word is spoken, best tune out. Reacting in anger or annoyance will not advance one's ability to persuade." – From Ginsburg's biography My Own Words.