

Richard D. Holub

78365 Hwy 111 | Suite 455 | La Quinta, CA 92253
C: 760.464.4643 | E: rdholub@dc.rr.com

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Dear Parc La Quinta Homeowners,

Recently, a notice from Personalized Property Management (PPM) on behalf of our HOA Board was emailed to you. This notice is a vain attempt to dispel our efforts to bring important and critical information to light. What we have and continue to state is the truth – the information we have uncovered is factual and we have evidence to support all of the claims made herein.

Do not be swayed by the Board's propaganda and deflections. In their notice there are only thinly veiled contrarian statements and obfuscations. By all accounts, they have not only acted improperly, but in some cases, they appear to have acted illegally, and all to the detriment of the PLQ community.

There is substantial evidence of Board bias in CC&Rs & ARC rulings and enforcement, the unlawful acquisition and disposition of assets without HOA membership approvals, spending over budget limits and not following the California Corporation Code to its highest level, not the lowest, as provided by the Davis-Stirling Act.

HOA Assessments:

To begin, we are nonplussed at the Board's remark regarding **"...HOA fees have become more frequent"**. This statement is not in our records and that isn't our issue:

- Since 2022, our community's HOA assessments have increased by 17.2%. As of 2025, this is a \$49,878 increase for that fiscal year. Our question was, and remains, have you noticed any improvements for those assesment increases?

Regarding the signing of HOA meeting minutes:

- Our point is, and this is undisputable; that a person signing the minutes years later is unable to know for certain what they are signing is true and accurate.
 - Additionally, pursuant to California Corporations Code: ARTICLE 1. General Provisions [7215] requires; Minutes must be **"certified to be a true copy"**.
 - What we have asserted is factual and said motion regarding the Board's attempt to approve the wall improvements in the HOA meeting was required to be recorded in the Minutes.

Regarding the Town Hall meeting request:

- 15 HOA members (as cc'd on the email request to PPM) supported the request for a "Town Hall" meeting to discuss overnight street-parking violation notices and other issues.
 - The Board subsequently denied the homeowner's request.
 - Some HOA members then attempted to contact Board members by phone and email to discuss some of the recent issues and provide constructive feedback.
 - The Board members did not respond to the homeowners.

The restrictive nature and absence of communication between the Board and the PLQ homeowners whose interests they are supposed to represent is palpable.

The HOA Board bias issues:

- The Board does not consistently enforce community rules, violating court rulings and leaving our HOA association vulnerable to lawsuits.
 - Example, the CC&Rs state that all party walls (OEM wood fences) must be replaced with a slump block wall (CC&R Section 6.5.7 & ARC Standards Section 7.0). Over the recent past, the Board has allowed some homeowners to build new wood fences while requiring others to spend \$000s to build block walls and in at least one case, fined two homeowners who attempted to construct OEM wood fences.
 - We believe these mandates should be rescinded as a cost-effective measure for the benefit of the PLQ homeowners.

Regarding the Board's alleged illegal actions:

- The Board acquired and subsequently disposed of, (reportedly, gave them away; as noted in 12/21 Board minutes) over \$20,000 worth of solar streetlights which were the Association's property. Moreover, approx. 18-months of cold storage expenses were incurred while they decided whether or not to install them.
 - Most importantly, before acquisition and disposition of HOA Association assets, the Board is required by law to obtain authorization from the HOA members for expenses over a prescribed percentage amount of the total budget.
- The Board installed a drywell in a homeowner's front yard as part of a street drainage remediation project without their permission (by creating an easement), nor with the approval from the City of La Quinta. Both of these instances are unlawful. As a result of this poorly conceived plan, water regularly pools at the street corner in front of this homeowner's residence creating a hazardous condition as well as a breeding ground for mosquitoes. Consequently, the drywell requires ongoing maintenance by our Association.
 - It should be noted that one of the current Board members has a company that benefits from this annual maintenance. There may be a conflict of interest with this situation as it is difficult to affirm said Board members' consistent abstention from the decision-making process that addresses this on-going issue.

- What should have occurred, and remains as the correct remediation is for the Association to incur a one-time cost to do the following: properly survey the area, obtain all required permits and authorizations, correct the gradient of the gutter section that has a high spot to ensure the water flows correctly and then, eliminate the drywell altogether.

Chronic issues remain unresolved:

- Including the aforementioned dry well issue, for over a decade, money continues to be poured into our security gates. This problem is so chronic that only up until very recently, a “Gate Committee” was put in charge of all the problems. Yet, the gates continue to be unreliable, perpetuating serious security issues and causing inconvenience to homeowners.
 - For all the money that has been spent, we could have had brand new gates with state-of-the-art control systems.
 - Additionally, over a similar time period and costs, the related security camera system is also unreliable and in need of replacement.
- A previous Board (with some of the same members currently serving) installed speed bumps on our streets without first obtaining the Fire Marshal's approval as required by the California Fire Code (per the Riverside County Fire Dept).
 - The June, 2018 Minutes reflect that the Fire Marshal sent a letter to our Board stating that the speed bumps on our streets would not have been approved (if they were made aware of them) and they need to be modified to suit ADA requirements. To date, this corrective measure has not been done.
 - The Board is now planning to install additional speed bumps.

Please be assured that we have supporting documentation for all of the issues outlined above. This detailed information can be provided upon request.

While the issues above are clearly and factually stated, they are not inclusive of all the serious matters within our community. What is also clear; is that our HOA Board has provoked and has allowed many of these issues to fester and plague our community. They have damaged our community's reputation and with that, our home values, as well as leaving our HOA vulnerable to lawsuits due to mismanagement and poor governance.

- When confronted with just a few of these issues at the April 17th HOA meeting, a Board member immediately resigned from the HOA Board.

The California courts have held that if a board acts arbitrarily or capriciously, its enforcement actions may well be invalid. To wit; an HOA Board cannot selectively enforce the CC&Rs based on personal preferences.

- We understand that a recall petition is now being drafted by former Board Members along with other HOA members to elect new leadership for our community.

We would wholeheartedly support this recall effort. Furthermore, we firmly believe that when the PLQ community considers all the facts and consequences thereof, that they, too, will provide a majority vote for a recall and the installation of an entirely new Board of Directors.

Thank you for reading and for your support.

Respectfully,

Richard D. Holub
PLQ Homeowner | La Quinta, CA