

KC and JoLe Wilson

49100 Marimba Court
La Quinta, CA 92253
kcw.plg@pronton.me
760 413-9130

April 6, 2026

Parc La Quinta Home Owners Association
Board of Directors
c/o Professional Property Management
Sierra Carr
68950 Adelina Road
Cathedral City, 92234

REQUEST FOR INTERNAL DISPUTE RESOLUTION

Sierra:

We, KC and JoLe Wilson at 49100 Marimba Court, are submitting (invoking) an Internal Dispute Resolution, per Civil Code § 5910, from the Parc La Quinta Home Owners Association Board of Directors.

Civil Code § 5910. Minimum Requirements for Internal Dispute Resolution

A fair, reasonable, and expeditious dispute resolution procedure shall, at a minimum, satisfy all of the following requirements:

- (a) The procedure may be invoked by either party to the dispute. A request invoking the procedure shall be in writing.*
- (b) The procedure shall provide for prompt deadlines. The procedure shall state the maximum time for the association to act on a request invoking the procedure.*
- (c) If the procedure is invoked by a member, the association shall participate in the procedure.*
- (d) If the procedure is invoked by the association, the member may elect not to participate in the procedure. If the member participates but the dispute is resolved other than by agreement of the member, the member shall have a right of appeal to the board.*
- (e) A written resolution, signed by both parties, of a dispute pursuant to the procedure that is not in conflict with the law or the governing documents binds the association and is judicially enforceable. A written agreement, signed by both parties, reached pursuant to the procedure that is not in conflict with the law or the governing documents binds the parties and is judicially enforceable.*
- (f) The procedure shall provide a means by which the member and the association may explain their positions. The member and association may be assisted by an attorney or another person in explaining their positions at their own cost.*
- (g) A member of the association shall not be charged a fee to participate in the process.*

This internal dispute resolution is submitted to address and resolve the following issues:

1) Alleged violation at 49100 Marimba Court on February 24, 2025 of a contractor performing work on a Sunday,

- The allegation is false.
- The Board member reporting the allegation knew, at all times it to be false, thereby violating the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, used care, including reasonable inquiry, as a prudent person would do.
- There was no documentation or evidence provided, as requested and required, of the alleged violation,
- The Board, nor the management company, as required, did not investigate the validity of the alleged violation,
- The Violation Notice did not provide the required 10 days to cure,
- The Board member acting on his own, making a false accusation, created a liability for the Board and the director personally. The management company and its employee are also liable for the same reasons for their participation.
- The prescribed policy and procedure for enforcing the HOA's rules in Fines and Enforcement of the HOA's governing documents was not followed by the Board, Board member or management company.

The management company acting for the Board did not provide documentation as requested on January 29, 2026 as required by the Davis-Stirling Act requirements that the Board produce documents to a written request for information under Civil Code 5235.

Proposed Resolution: The Board and the management company admit in a written statement that both the Board and the management company did not follow (1) the Business Judgement Rule in the California Corporations Code 7231 whereby Board members, and employees can be held personally liable, (2) the required Parc La Quinta HOA's policies, specifically, that the violation was not investigated as required, there was no evidence of the alleged violation, the violation notice was issued improperly and not in the correct form and (3) that the Board and management company did not follow the Davis-Stirling Act requirements by not complying to a written request for information under Civil Code 5235, and is subject to a mandatory civil penalty of \$500.00 and legal fees for its non-compliance.

2) Not providing homeowner/property file information as requested for 49100 Marimba Court on January 29, 2026.

The management company acting for the Board did not provide documentation as requested on January 29, 2026 but later did note in emails on March 2, 2026 that the subject documentation did exist but still elected not provide as required by the Davis-Stirling Act requirements that the Board produce all documents to our written request for information under Civil Code 5235.

Proposed Resolution: The Board and the management company admit in a written statement that both the Board and the management company did not follow the Davis-Stirling Act requirements, that the Board and management company is subject to a civil penalty of \$500.00 and legal fees for not complying to a written request for information under Civil Code 5235.

3) Not providing requested information of the dry well at Via Corrido and Quimera Court which is located on private property.

The management company acting for the Board did not provide documentation as requested on January 29, 2026 as required by the Davis-Stirling Act requirements that the Board produce documents to a written request for information under Civil Code 5235.

Proposed Resolution: The Board admit in a written statement that the Board did not follow the Davis-Stirling Act requirements, that the Board is subject to a civil penalty of \$500.00 and legal fees for not complying to a written request for information under Civil Code 5235.

4) Not providing requested information concerning street sweeping.

- During the January Board meeting I questioned the reason for having streets swept the day before trash is picked up in stead of after the trash after trash pickup.
- On January 29, 2026 information and documentation was requested on the street sweeping scheduling.
- The management company acting for the Board did not provide documentation for street sweeping as requested on January 29, 2026 and as required by the Davis-Stirling Act requirements that the Board produce documents to a written request for information under Civil Code 5235.
- The decision to have street sweeping prior to trash pickup does not make sense in that trash pickup produces trash on the street that is left until the next pickup leaving the streets with constant refuse.
- The Board knows of the problem, refuses to communicate and address the problem, and knowingly allows the problem to continue, thereby violating the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, used care, including reasonable inquiry, as a prudent person would do.

Proposed Resolution: The Board changes the pickup schedule, and admits in a written statement that the Board has not met the requirements of the Business Judgement Rule in the California Corporations Code 7231 and that Board members, and employees can be held personally liable for their actions, and that the Board did not follow the Davis-Stirling Act requirements, that the Board is subject to a civil penalty of \$500.00 and legal fees for not complying to a written request for information under Civil Code 5235.

5) Notice of Parking Violation on February 23, 2026 at 49100 Marimba Court

There was no violation, the vehicle Noticed was parked less than 24 hours.

The Board's actions in establishing "parking enforcement" run counter to the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, the Board used care, including reasonable inquiry, as a prudent person would do.

- The Board did not direct, or did not adequately direct or instruct the contractor to follow the HOA's governing documents concerning a violation for parking on the street for a period of 24 hours or more,
- The Violation Notice improperly cited CVC 22658, CVC 22953 and our HOA CC&Rs as legal justification for issuance,
- The contractor did not have a signed agreement with the Board before starting and issuing Notices of Violation, and the Board improperly signed and back dated the contract by 60-90 days to cover its lack of unethical business practices,
- Parking enforcement is not enforced in a consistent and fair manner and equitably with all homeowners as evidenced by testimony at the February Board meeting, and by the greater numbers of Notices issued to my Hispanic neighbors,
- The Board was aware of the enforcement problems and did not take any timely actions to correct.

The prescribed policy and procedure for enforcing the HOA's rules in Fines and Enforcement of the HOA's governing documents was not followed by the Board or management company.

- Notice of Violation was issued without verification of a violation,
- There was no evidence provided of the violation as required,
- The violation was issued without the Board investigating,
- The cure period was not stated,
- The information in the Notice did not conform to the HOA's governing documents,

The management company acting for the Board did not provide documentation as requested on January 29, 2026 as required by the Davis-Stirling Act requirements that the Board produce documents to a written request for information under Civil Code 5235.

Proposed Resolution: The Board admit in a written statement that the Board did not follow (1) the Business Judgement Rule in the California Corporations Code 7231 and that Board members, and employees can be held personally liable, (2) the required Parc La Quinta HOA's Fines and Enforcement policies, were not followed, specifically, that the violation was not investigated as required, there was no evidence of the alleged violation, the violation notice was issued improperly and not in the correct form to meet the HOA's policies and requirements, (3) that the Board did not follow the Davis-Stirling Act requirements by not complying to a written request for information under Civil Code 5235, and is subject to a mandatory civil penalty of \$500.00 and legal fees for its non-compliance, and (4) that the Board void all Notices of Violations and void or refund any penalties assessed to or from any member.

- 6) Board meeting minutes referenced as the Board's response to and fulfilling the documentation request to the Board are incomplete, unsigned, vague and do not reflect what actions were taken or occurred at the meetings, are not responsive, and are not posted and available as required.**

The Board's inadequate response to the request does not meet the standards of the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be

performed in good faith, in the best interests of HOA, the Board used care, including reasonable inquiry, as a prudent person would do.

- The management company acting for the Board has not posted Minutes or drafts of Minutes within the 30 days after meeting as required by Civil Code 4950,
- Minutes referenced to address the document requests did not provide the documentation, detail and information as requested on January 29, 2026 and March 2, 2026.

Proposed Resolution: The Board follow the Business Judgement Rule in the California Corporations Code 7231 and adds greater detail to its meeting minutes in a coherent fashion to provide meeting minutes that reflect the actions and directions of the Board in making decisions including the reports relied on, and admit in a written statement that the Board has not followed the requirements of Civil Code 4950 and 5235, and that the Board is subject to a mandatory civil penalty of \$500.00 and legal fees for not complying to a written request for information under Civil Code 5235.

- 7) The Board refuses to meet with homeowners in a "town hall" meeting and will not respond directly to homeowner communications and proposals.**

The Board's refusal to meet or communicate directly with members does not meet the standards of the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, the Board used care, including reasonable inquiry, as a prudent person would do.

Proposed Resolution: The Board meet with home owners as requested and communicate in an open and transparent manner.

- 8) Board's refusal to provide information that documents the basis for decisions made by the Board.**

The Board's refusal to provide information does not meet the standards of the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, the Board used care, including reasonable inquiry, as a prudent person would do.

Proposed Resolution: The Board provides to home owners upon request the information and documentation that would be required in a lawsuit, thereby avoiding a potential lawsuit for withholding information, and communicate in an open and transparent manner.

- 9) The Board's capital improvement plan to stucco coat the Washington Street wall that exceeds the financial limits imposed on the Board without member's assent is in violation of our governing HOA Bylaws,**

The Parc La Quinta HOA's Bylaws state in Section 3.10 Limitation on Powers.

Notwithstanding the provisions of Section 3.9, the Board shall be prohibited from taking any of the following actions, except with the vote or written assent of a majority of a quorum of the members of the Association:

And the Bylaws further state in Section 3.10.2

Incurring aggregate expenditures for capital improvements to the Common Area in any fiscal year in excess of five percent (5%) of the gross budgeted expenses of the Association for that fiscal year. This section shall not limit expenditures for repair, maintenance and replacement of reserve line items;

- The Board and at least two Board members knew at the time the March motion was made to vote on approving the expenditure, that the Board did not have the authority to approve capital improvements over \$22,000 in value without a vote and approval by a majority of the members of the HOA, and was not in compliance with Parc La Quinta's HOA's Bylaws.
- The prescribed policy and procedure for capital improvements exceeding 5% of the annual expenses is in the HOA's governing documents and was not followed by the Board, Board members or management company and instead the management company proposed a non-binding survey before moving ahead with the vote scheduled for the April Board meeting.
- The Board was willing to accept a proposal that did not include all costs and thereby the actual total cost was unknown, but was possibly double or triple the proposed bid cost.
- The Board did not have a budget or coherent plan to pay for the improvements.
- Board members have a fiduciary duty to the members that they act in the interest of the members by knowing, enforcing, and following the HOA's governing documents.
- The Board violated the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, that they use care, including reasonable inquiry, as a prudent person would do.

Proposed Resolution: The Board stops all non-conforming capital improvement projects and any proposals until any such proposal is properly presented to the members and approved by the majority of the members, and the Board admit in a written statement that the Board has not followed the legal requirements of our Bylaws.

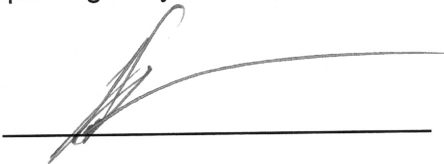
10) The Board incurs legal fees related to their conduct in not following our governing documents, asking for duplicate legal advice on subjects that have been previously addressed, and violating the Business Judgement Rule in the California Corporations Code 7231 requiring acts must be performed in good faith, in the best interests of HOA, that they use care, including reasonable inquiry, as a prudent person would do.

- The mandatory fees imposed by Civil Code 4950, 5200-5235 should be borne solely by the Board members, not the HOA membership.
- The costs of duplicate legal services and related fees are not HOA costs but incurred by the Board not following Best Business Practices

Proposed Resolution: The Board stops all spending for Board member's benefit that does not benefit the HOA membership, repays the HOA for duplicate legal fees and legal fees that benefited them personally, and that the Board admit in a written statement that the Board has not followed the legal requirements the Davis-Stirling Act.

Availability: We are available during business hours excluding April 13 through April 20 and request the meeting be held at neutral location at either the La Quinta Community Center or School District public meeting rooms.

Requesting Party:

A handwritten signature in dark ink, appearing to be 'KC Wilson', is written over a horizontal line.

KC Wilson

Dated: 4.6.26

Acknowledgement/Receipt: This section is for the Board to sign indicating they received the complaint, their proposed times and locations and returned to requesting party.

Parc La Quinta Home Owners Association
Board of Directors
c/o Professional Property Management
Sierra Carr
68950 Adelina Road
Cathedral City, 92234

_____ Dated: _____
Signature

1st Choice of Time and Place: Date _____ Time _____

Location _____

2nd Choice of Time and Place Date _____ Time _____

Location _____

3rd Choice of Time and Place Date _____ Time _____

Location _____

A copy of this page should be returned to:
KC and JoLe Wilson
49100 Marimba Court
La Quinta, CA 92253
kcw.plg@pronton.me
760 413-9130