

**RUXTON VILLAGE AT TALL PINES HOA, INC**  
**Wednesday, May 4, 2022**  
**Board of Directors' Meeting Minutes**  
**Tall Pines Clubhouse**

**Call to order:** Pres. June Stanislaw at 4:00 PM

**Present Board Members:** June Stanislaw, President, William Martin, Treasurer, Dana Ringewald, Secretary and **Directors:** Bud Johnson, Paula Morin  
**Member residents present:** Sharon Crawley, Betty Ditzenberger, Dawn Horvath

**Also present:** Craig Kirby for Park Lane

**Proof of notice:** Sign at entrance to Tall Pines and on our calendar page at the Tall Pines at River Ridge website.

**Minutes:** June moved to approve and waive reading of minutes of Feb 23, 2022, seconded by Paula, and all in favor.

**Treasurer:** Report of Feb 23, 2022 was presented by Bill Martin, and accepted as written.

**Old Business:**

Draft of an Animal Restriction Amendment, as written by attorney and mailed to members for the Annual Meeting of Feb 23, 2022, was considered unnecessary by Bill Martin as the general provisions are included in the Rules of the HOA.

Draft of a revised Lease Restrictions Amendment was rewritten by a new attorney and was mailed to Members with public notice given. A quorum and new proxies were required when put to a vote.

**New Business:**

Board and Members had lengthy, robust discussion regarding the rewritten Lease Amendment, and the letter of opinion of Cianfrone, Nikoloff, the new attorney. Dana had previously requested the attorney opinion be sent to all Member-owners by Park Lane though this was not done which lead to misunderstandings regarding various provisions.

Sharon was strongly in favor of a minimum 2-year residence by owner prior to ability to lease based on past experience and to discourage investment buyers altogether.

Betty voiced concern about whether an heir is considered a new owner and required to live in the unit 2-years before leasing. Board agreed Betty's heir would not be considered a new owner as no sale would be involved, consistent with the attorney's opinion letter.

Dana questioned whether her son, owner of the unit, would be limited to sell to a buyer who would be an owner-occupant with no intention to lease. Based on attorney's letter of opinion, so long as his proxy vote was 'no,' his potential buyer could not be so limited. Dana noted that a future market may not be as robust as the current one and if mortgage rates are higher, limiting the pool of buyers would potentially create a hardship at such time as a Member needs to sell, especially. for medical and/or financial reasons.

Dawn's concerns were related to the Cianfrone, Nikoloff attorney letter of opinion of March 29, 2021 noting FL Statutes Sec 720.306 in effect July 1, 2021, as well as the HOA documents: the question regarding number of members for a quorum for an Amendment was debated. The question regarding the percent of votes required for passage was debated. The HOA Declaration Article VII Sect 3 indicates that amendments require approval of 75% of the Unit-owners, or 18 Owners. Are rentals of Unit-owners voting 'No' counted in the four-Unit limit? Dawn questioned how will the limit be enforced. And what rules will be used to vet tenants?. Board's intention was to use criminal background and credit checks, if it has not been done by owner.

The allowable number of units rented at any given time was at issue. Per the attorney's letter, the leasing cap of 4 units does not include those Members' units who vote 'No' on the Amendment. The restriction to 4 units only applies to those Member-owners who voted 'Yes.'

Votes and proxies were tallied individually on the 4 page attachment which will be retained with the Secretary's records. The Cianfrone, Nikoloff, Grant & Greenberg attorney letter of opinion of March 26, 2022 will be retained with the Secretary's records as well.

The tally was 11-YES, 7-NO with 6 who did not cast votes, and counted as NO, per attorney opinion. The final tally of record at the meeting was: 11-YES, 13-NO. The vote for the Lease Amendment failed as it did not YES votes from 75% or 18 units. Additional votes may be submitted during the following 90 day period as allowed.

Bill moved, Paula seconded to table the Lease Amendment until the next meeting as additional votes can be submitted during the following 90 days, as allowed.

Adjournment at 5:30 PM.

Respectfully submitted,  
Dana Ringewald, Secretary