

## **TO ALL PLUM CREEK HOMEOWNERS:**

Homeowner dissatisfaction with unfinished builder work, promises not kept, sub-standard work, and warranty items not addressed, are all issues homeowners have **against the builder**—not the Plum Creek Owners Association. (It does affect the Association, however, because so many homeowners are having these kinds of builder issues.) Nonetheless, homeowners need to be aware that the Association did NOT take the place of the builder, and your HOA dues do NOT generally cover builder failings. The problems with unsatisfactory construction or unfinished work are primarily warranty issues. Thus, they are issues between the builder and the homeowner.

Nevertheless, the Association's Board of Trustees and Action HOA Management, LLC wish to help in this regard. We have heard that the builder is no longer in business; however, there still may be assets and/or insurance that we can file against. Before we can file a claim against the builder's insurance, we must file a legal claim against the builder. We have contacted the Association's law firm (Vial-Fotheringham). They are willing to file a legal claim against the builder on behalf of the collective Plum Creek homeowners on a contingency basis. This means that the group will not be expected to pay attorneys fees until a successful judgment is entered, however, some costs such as postage, filing fees, etc. will need to be paid along the way.

This is an important first step, but it can't be done without your involvement. To establish the extent of Plum Creek's (and your) damages, each homeowner is asked to submit IMMEDIATELY the attached completed form. The longer we delay, the greater the chance of not recovering damages.

**Plum Creek Homeowners Warranty Issues Form**

YOUR NAME: \_\_\_\_\_ PHONE: \_\_\_\_\_

YOUR PLUM CREEK ADDRESS: \_\_\_\_\_

ORIGINAL OWNER? (Y/N) \_\_\_\_\_ DATE CONSTRUCTION COMPLETED \_\_\_\_\_

YOUR CLOSING DATE: \_\_\_\_\_

LIST ALL OF YOUR CONTACT(S) TO THE BUILDER REGARDING WARRANTY ISSUES:

<b><u>Date</u></b>	<b><u>Description of Issue</u></b>	<b><u>Who you spoke with</u></b>	<b><u>What you were told/Outcome</u></b>
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**LIST WHAT STILL NEEDS TO BE DONE ON YOUR PROPERTY:** (be specific as to builder promises not kept, work not done, or not done properly, etc.)

<b><u>Detailed Description</u></b>	<b><u>What the Builder Promised</u></b>	<b><u>What was Done / Date</u></b>	<b><u>Cost/Amount (if known)</u></b>
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**ATTACH COPIES OF ALL LETTERS, EMAILS, WORK REPORTS, ETC. SENT TO OR RECEIVED FROM THE BUILDER CONCERNING THESE ISSUES.**

Please submit your responses to Rhonda Maxson (unit C4, phone 801-597-8823) **immediately**. Please call Action HOA Management (800-640-9948) if you have any questions. Thanks.