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PLEASE VERIFY BEFORE SENDING

Unverified AI draft. Every fact must be checked against the records before use. It is not legal advice. Fill in every [ADD: …] placeholder, set the demand amount, confirm anything marked [VERIFY], and delete this box before sending.

- The four California items marked [VERIFY] in the letter must be filled in or confirmed: the statute on fines, notice and hearing; owner access to association records; any mediation requirement before suit; and attorney fees. No statute numbers or deadlines are stated.
- Only excerpts of the CC&Rs and Guidelines were provided. Confirm the full documents contain no street-visibility rule, no late-fee authority and no appeal procedure. Citations are to each PDF's page 1, not the Declaration's internal page numbers.
- The site plan shows a 7 ft setback from the west side line only. Confirm the setback from the other side line and that the pergola sits entirely in the rear yard.
- The statement that Mr. Brooks received no notice of any hearing comes from the fine notice document. Confirm with the client that no hearing notice arrived by any channel.
- Other lots: only the client's photo log was provided, not the photographs. Lot 41 is described as white with a solid metal roof, and we don't know whether it was approved or built before the January 2023 Guidelines revision. Lot 22 has no owner statement. Lot 59's owner says the ARC approved it.
- The $575.00 total is the sum of the statement's line items and matches the statement's stated balance. Check it, and obtain an updated statement because fines may have accrued after November 1, 2026.
- The documents don't show whether Mr. Brooks has paid any of the fines or fees. The refund/credit demand is a placeholder.
- The firm notes ask only for reversal of the fines and late fee, written confirmation of approval, and the minutes. The demand is limited to those items, and no separate uniform-enforcement demand was added. Confirm.
- Confirm that no ARC decision was sent between April 6 and July 8, 2026 by any channel. The record shows only the client's May 27 message and the absence of a reply.
- Placeholders remain for the firm address, date, delivery method, Board and manager addresses, demand amount, response deadline, and the client's ZIP code and any association counsel.

Navarro Eastwick LLP
[ADD: firm street address]
[ADD: city, state ZIP]
[ADD: phone] · [ADD: email]

[ADD: date]

VIA [ADD: delivery method]

Board of Directors
Palomar Vista Homeowners Association
c/o Crestline Community Management
[ADD: street address]
[ADD: city, state ZIP]

Re: Nathaniel Brooks, 14 Sagebrush Circle (Lot 63), Palomar Vista. Demand to rescind fines and late fee, confirm architectural approval, and produce Board minutes

Dear Members of the Board:

Introduction

We represent Nathaniel Brooks, owner of 14 Sagebrush Circle (Lot 63), Linda Arroyo, California, in Palomar Vista Homeowners Association (the "Association") [firm notes; architectural_application.pdf p.1]. This letter concerns the fines and late fee the Association has charged Mr. Brooks for his rear yard pergola, the Architectural Review Committee's (ARC) denial of his application, and the Association's failure to provide Board minutes concerning his lot. Mr. Brooks's regular assessments are paid in full [fine_notices_and_statement.pdf p.1]. He asks that the fines and late fee be reversed, that the Association confirm in writing that the pergola is approved, and that it provide copies of the Board minutes about his lot [firm notes].

Governing documents

The Declaration of Covenants, Conditions and Restrictions for Palomar Vista (recorded 2008) and the Architectural Guidelines (revised January 2023) provide in relevant part [governing_documents_excerpt.pdf p.1]:

- Article 7.2 (Architectural Approval): the ARC "shall issue a written decision on a complete application by the response date shown on the application receipt. If the ARC does not issue a written decision by that date, the application shall be deemed approved."
- Article 7.4 (Standards): "The ARC shall apply the Architectural Guidelines uniformly to all Lots."
- Article 12.3 (Fines): "Before imposing any fine, the Board shall give the Owner written notice of the alleged violation and of a hearing before the Board, and an opportunity to be heard. The Board shall give the Owner written notice of its decision after the hearing."
- Article 12.5 (Records): "Owners may inspect and copy Association records, including minutes of Board meetings, on written request."
- Guidelines Section 4.6 (Patio Covers and Pergolas): pergolas are permitted in rear yards if (a) height does not exceed 10 feet; (b) set back at least 5 feet from side and rear property lines; (c) color is from the approved earth tone palette; and (d) the roof is open lattice with no solid cover.

The excerpts provided to us do not describe an appeal procedure. [ADD: any appeal or internal review procedure in the governing documents]. California law also governs the Association's imposition of fines and its notice and hearing obligations. [VERIFY: California HOA or condominium statute on fines, notice and hearing]

What happened

Date	Event	Source
April 6, 2026	Mr. Brooks submitted an ARC application for a cedar rear yard pergola through the Crestline owner portal. Crestline issued a receipt at 4:12 PM stating: "Your application is complete and has been forwarded to the ARC. ARC response date: May 21, 2026."	[architectural_application.pdf p.1]
May 21, 2026	ARC response date shown on the receipt.	[architectural_application.pdf p.1]
May 27, 2026	Mr. Brooks wrote through the portal that he had not received a decision, that under the CC&Rs his application was deemed approved, and that he planned to begin work the following month. He received no reply.	[architectural_application.pdf p.1]
June 15 to June 26, 2026	Sandstone Patio Builders built the pergola as shown in the application.	[architectural_application.pdf p.1]
July 7, 2026	Board meeting agenda, Item 6: "ARC report, Lot 63." Minutes were not posted.	[other_lots_photo_log.pdf p.1]
July 8, 2026	ARC decision letter: "Application denied. The committee does not approve pergolas visible from the street." The letter does not refer to the Guidelines.	[architectural_application.pdf p.1]
August 3, 2026	Notice of Fine: $250.00 for an "unapproved structure (pergola)," with a continuing fine of $100.00 per month until removal. No hearing date was listed, and Mr. Brooks received no notice of any hearing before this letter.	[fine_notices_and_statement.pdf p.1]
August 10, 2026	Mr. Brooks wrote to the Board that he was never given notice of a hearing and that his application was deemed approved. He asked the Board to withdraw the fine and send him the minutes of any meeting where his lot was discussed.	[fine_notices_and_statement.pdf p.1]
August 19, 2026	Manager's reply: "The Board's decision stands." No minutes were provided.	[fine_notices_and_statement.pdf p.1]
September 2 and October 2, 2026	Second and third notices of a $100.00 continuing fine.	[fine_notices_and_statement.pdf p.1]
October 20, 2026	Late fee on fines of $25.00 posted.	[fine_notices_and_statement.pdf p.1]

Date	Event	Source
November 1, 2026	Continuing fine of $100.00 posted. The account statement shows a balance of fines and fees of $575.00.	[fine_notices_and_statement.pdf p.1]

Why the action is improper

- **The application was deemed approved.** Article 7.2 required a written ARC decision by the response date on the receipt. That date was May 21, 2026, and the application was confirmed complete [architectural_application.pdf p.1; governing_documents_excerpt.pdf p.1]. Mr. Brooks's May 27 message went unanswered. The only decision in the record is dated July 8, 2026, which is after the response date and after the pergola was completed [architectural_application.pdf p.1]. Under Article 7.2, the application was deemed approved on the response date. The premise of every fine, that the pergola is an "unapproved structure," is therefore incorrect [fine_notices_and_statement.pdf p.1].
- **The pergola meets Section 4.6, and the stated reason for denial is not in the Guidelines.** The July 8 denial rests on the statement that the committee "does not approve pergolas visible from the street" and cites no Guideline [architectural_application.pdf p.1]. Section 4.6, as provided to us, has no street-visibility criterion [governing_documents_excerpt.pdf p.1]. The application shows the following:

Section 4.6 requirement	As shown in the application	Source
Rear yard	Rear yard pergola	[architectural_application.pdf p.1]
Height not over 10 feet	9 ft 6 in	[architectural_application.pdf p.1]
Set back at least 5 feet from side and rear lines	7 ft from the west side line; 11 ft from the rear line	[architectural_application.pdf p.1]
Color from approved earth tone palette	Cedar stained "Desert Sand" from the approved palette	[architectural_application.pdf p.1]
Open lattice roof, no solid cover	Open lattice roof	[architectural_application.pdf p.1]

- **No hearing was given before the fines.** Article 12.3 requires written notice of the alleged violation and of a hearing, and an opportunity to be heard, before any fine is imposed [governing_documents_excerpt.pdf p.1]. The August 3 Notice of Fine states that the Board "has imposed" the fine, lists no hearing date, and Mr. Brooks received no notice of a hearing [fine_notices_and_statement.pdf p.1]. When he raised this on August 10, the response was that "The Board's decision stands" [fine_notices_and_statement.pdf p.1]. The continuing fines and the late fee derive from a fine imposed without the required process. [VERIFY: California HOA or condominium statute on fines, notice and hearing]
- **The rules have not been applied uniformly.** Article 7.4 requires uniform application of the Guidelines [governing_documents_excerpt.pdf p.1]. Mr. Brooks photographed three pergolas

from the public sidewalk on September 12, 2026 [other_lots_photo_log.pdf p.1]:

- 22 Sagebrush Circle (Lot 59): a wood pergola of similar size and height, visible from the street over the side fence. Its owner, Teresa Huang, states in a signed statement dated September 14, 2026 that the pergola was built in 2024, that the ARC approved it, and that they never received a violation notice.
- 8 Cholla Court (Lot 41): a painted white pergola with a solid metal roof, visible from the street. Its owner, Gordon Pike, states in a signed statement dated September 15, 2026 that the pergola went up in 2023 and that no one from the Association has contacted him about it.
- 31 Mesquite Lane (Lot 22): a pergola attached to the rear of the house, visible from the corner.

Mr. Brooks's pergola is visible from the street, and the denial cites that as the reason. The Association has approved, or taken no action against, other street-visible pergolas.

- **The records request has not been honored.** Article 12.5 entitles owners to inspect and copy Board minutes on written request [governing_documents_excerpt.pdf p.1]. Mr. Brooks asked in writing on August 10, 2026 for the minutes of any meeting where his lot was discussed, and none were provided [fine_notices_and_statement.pdf p.1]. The July 7, 2026 agenda listed "ARC report, Lot 63," and no minutes were posted [other_lots_photo_log.pdf p.1]. [VERIFY: California rule on owner access to association records]

Amounts at issue

Item	Date	Amount	Source
Fine, unapproved structure	August 3, 2026	$250.00	[fine_notices_and_statement.pdf p.1]
Continuing fine	September 2, 2026	$100.00	[fine_notices_and_statement.pdf p.1]
Continuing fine	October 2, 2026	$100.00	[fine_notices_and_statement.pdf p.1]
Late fee on fines	October 20, 2026	$25.00	[fine_notices_and_statement.pdf p.1]
Continuing fine	November 1, 2026	$100.00	[fine_notices_and_statement.pdf p.1]
Total (as read from the bills)	As of November 1, 2026	**$575.00**	[fine_notices_and_statement.pdf p.1]

The August 3 notice states that a $100.00 fine will be charged each month until the structure is removed [fine_notices_and_statement.pdf p.1]. Our demand covers any fines or fees posted after November 1, 2026.

Demand

On behalf of Mr. Brooks, we demand that the Association:

- Rescind the August 3, 2026 fine, every continuing fine, and the October 20, 2026 late fee ($575.00 as of November 1, 2026, as read from the statement), including any amounts posted since. The Association should also remove them from Lot 63's account and impose no further fines or late fees for the pergola.
- Withdraw the July 8, 2026 denial and confirm in writing that the pergola described in the April 6, 2026 application is approved, having been deemed approved under Article 7.2 on the May 21, 2026 response date.
- Provide copies of all Board meeting minutes that refer to Lot 63 or Mr. Brooks. These include the minutes of the July 7, 2026 meeting and of any meeting at which the fine was discussed or imposed, as Article 12.5 requires. This letter renews Mr. Brooks's August 10, 2026 written request.
- Refund or credit [ADD: demand amount] for any portion of the fines and fees Mr. Brooks has paid.
- Respond in writing by [ADD: response deadline].

Without waiving our position that the fines are void for lack of the notice and hearing Article 12.3 requires, if the Board contends that any fine may still be imposed, we request written notice of the alleged violation and of a hearing before the Board, an opportunity for Mr. Brooks to be heard, and written notice of the Board's decision. We ask that collection and further fines be suspended until that process is complete.

Mr. Brooks reserves all rights and remedies, including those under the governing documents and California law. We are willing to discuss resolution and will participate in any alternative dispute resolution that is required. [VERIFY: whether California law requires mediation before suit] He also reserves any claim for attorney fees and costs. [VERIFY: California rule on attorney fees in association disputes] Please direct all further communications about this matter to our office.

Sincerely,

Celeste R. Navarro
Navarro Eastwick LLP