



**BETH SANTILLI**  
— LAW, LLC —

**Beth Santilli**  
941 Houston Northcutt Blvd., Suite 204  
Mt. Pleasant, SC 29464  
T 843-216-0009  
F 843-216-1914  
[beth@BethSantilliLaw.com](mailto:beth@BethSantilliLaw.com)

10/12/2018

VIA EMAIL ONLY TO [jmaranville@ravenelassociates.com](mailto:jmaranville@ravenelassociates.com) and [marthahw@gmail.com](mailto:marthahw@gmail.com)

Cambridge Lakes Association Board of Directors  
Martha Williamson, President  
c/o Ravenel Management  
Julie Maranville, Regional Manager  
260 Morrison Drive, Suite 100  
Charleston, SC 29403

Regarding: Issues for the Board of Cambridge Lakes

Dear Ms. Williamson,

Please be advised that I represent George Christodal as an Association Member in this matter. There are several issues that have come to Mr. Christodal's attention in which the Board has an obligation to address. Furthermore, Mr. Christodal would like to have clarification on several items that concern him as an owner of the property.

**DOGS**

**Allowable Size of Dogs**

The Master Deed in Article VII, Use and Occupancy Restrictions, Section 10, Pets, designates that, "Pets shall be limited to no more than two (2) pets in any apartment and shall be limited to *small pets*." (emphasis added). Furthermore, the By-Laws in Article VII, Use and Occupancy Restrictions, Section 10, Pets, designates that, "Pets shall be limited to no more than two (2) pets in any apartment and shall be limited to *small pets*." (emphasis added). However, the Cambridge Lakes Rules and Regulation Article II, General Issues, Section 5, Pets, designates in Sub-Section 5.2 that "Each unit is limited to two (2) dogs. *No dog shall exceed 50 lbs. in weight*." (emphasis added). Sub-Section 5.9 continues by stating that, "At the time of the implementation of these Rules and Regulations, *pets currently residing within the Cambridge Lakes Community are exempt from weight restrictions* as set forth herein and are *thereby grandfathered*." (emphasis added).

The Master Deed in Section (5), Definitions, Sub-Section (t), "Rules and Regulations", defines Rules and Regulations as the duly adopted rules and regulations adopted by the Board for Martha Williamson, President

October 11, 2018

Page 2

the use of the Condominium Property. However, Cambridge Lakes Rules and Regulations do not trump the Master Deed and By-Laws which are duly recorded in the Register of Deeds Office. Specifically, a fifty (50) pound dog or a dog with no weight restrictions is not a small dog. If the Board wishes to change the Master Deed and By-Laws to allow for fifty (50) pound dogs or dogs with no weight restrictions, then an amendment must pass at the Annual Meeting.

According to the Master Deed and By-Laws in Article IX, Amendment, Section 1, "Notice of the subject matter of a proposed amendment to these By-Laws shall be included in the notice of any meeting at which a proposed amendment is considered." Sub-Section (a) requires that, "A resolution for the adoption of the proposed amendment shall be represented to a meeting of the Members approval of any amendment shall be had only upon the affirmative vote of the ***Co-Owners representing at least two-thirds of the total basic value of the Property***, as provided for in the Act." (emphasis added). Without a resolution, Owners with dogs, other than small dogs, are in direct violation of the Master Deed and By-Laws, and thus, should be put on notice that such dogs are not permitted to live on the property.

If anyone is allowed to be "grandfathered" regarding weight restrictions of dogs, then such weight exceptions should be limited to property Owners only. In fact, the Master Deed in Section (20), Restrictions, Sub-Section (4), Animals and Pets, states that, ". . . [D]ogs, cats or other household pets may be kept by the respective ***Owners in their respective residences . . .***" (emphasis added). Accordingly, the Master Deed does not allow lessees to keep household pets." Likewise, the By-Laws in Section 10, Pets, states that, "No animals shall be raised, bred or kept in any apartment, except for dogs, cats or other household pets of a ***Co-Owner . . .***" (emphasis added). If the Board wishes to allow household pets by lessees, then the Master Deed and By-Laws need to be amended to allow such. Otherwise, the Board should begin enforcing the By-Laws and Master Deed.

### **Dog Waste**

The Master Deed in Section (20), Restrictions, Sub-Section (4), Animals and Pets, designates that:

No animals, livestock or poultry of any kind shall be raised, bred, or kept on any part of the Condominium Property, except that dogs, cats or other household pets may be kept by the respective ***Owners in their respective residences*** provided that they are not kept, bred or maintained for any commercial purpose and ***do not endanger the health of or, in the sole discretion of the Board of Directors, unreasonably disturb the Owner of any Apartment or any lessee thereof.*** All dogs and cats shall be under leash when walked or exercised upon the Condominium grounds. (emphasis added).

Martha Williamson, President  
October 11, 2018

Page 3

Cambridge Lakes Rules and Regulations does a good job in describing how community associations are coming under the watchful eye of the Environmental Protection Agency (EPA) regarding uncollected animal (pet) waste. However, the Board has fallen short in enforcing its own rules. Specifically, Section 5.3 states that, "You must pick up after your dog. You are responsible for these rules if someone else is walking your dog." Section 5.4 states that, "Handlers must prevent their dogs from walking, defecating, or urinating in any areas surrounding the buildings." Section 5.5 states that, "All pet waste must be collected in plastic bags and placed in "pet waste" disposal stations posted on the property or the trash compactor facility." Section 5.8 states that, "Any pet creating a repeated nuisance or unreasonable disturbance to other residents must be brought into compliance of these policies set forth by the Board."

Unfortunately, these Rules and Regulations have not been adequately enforced by the Board as dog waste permeates Cambridge Lakes. The Board has a duty to keep the property free from dog waste through warnings and fines. If an Owner does not cooperate, the Board has an obligation to refuse to allow the animal to live on the property.

#### COMMON AREAS

Article V, Assessment and Collection of Common Expenses, Section 2, Budget of the Master Deed and By-Laws, states:

The Board of Directors shall cause to be prepared an estimated annual budget for common expenses for each fiscal year of the Association. Such budget shall take into account the estimated common expenses for administration and maintenance and repair of the Common Elements which common expenses shall include but not limited to the following: salaries, wages, payroll taxes, supplies, materials, parts, services, maintenance, repairs, replacements, landscaping, Insurance, fuel, power and other expenses (as distinguished from individual mortgage payments, real estate taxes, and Individual expenses for utility services billed or charged to the separate Co-Owners on an individual or separate basis rather than a common basis). The common expenses shall be those expenses designated by the Board of Directors pursuant to these By-Laws and the Master Deed.

Martha Williamson, President

October 11, 2018

Page 4

### **Landscaping**

Mr. Christodal as well as other property owners are appalled by the current state of the landscaping in Cambridge Lakes. Mr. Christodal has several questions that he wishes to pose to the Board:

1. How were the landscaping contracts negotiated? Please provide copies of the contracts.
2. Out of which budget is the landscaping paid?
3. What priority is landscaping given in the budget?
4. Who has authority to choose the landscaper and landscaping architect?
5. What are the qualifications of the persons who select and oversee the landscaping?
6. What is the detailed plan to remedy the landscaping currently on the property?
7. What is the timeframe for remedying the landscaping?

Mr. Christodal is also concerned about the criteria that the Board uses in determining the amount of the budget to spend on any given area. For transparency, Mr. Christodal recommends that the Board sets a self-imposed limit on spending such as \$25,000 on any one contract. For contracts exceeding \$25,000, the Board should hold a Special Meeting with the Owners for approval of the expenditure. Mr. Christodal would like to place this motion on the agenda for a vote at the Annual Meeting. Please inform Mr. Christodal, through counsel, of any process that needs to be followed in order to place this motion on the agenda for a vote.

### **Retention Pond**

Mr. Christodal has concerns regarding the retention pond and the Board's decision to allow an easement from an adjoining property to drain its run-off water into the pond. It is Mr. Christodal's understanding that this easement was provided to the adjoining property owner free of charge. This easement significantly increased the value of the adjoining property without monetary compensation to Cambridge Lakes. The following are questions that Mr. Christodal would like the Board to address:

1. Who made the decision to allow the easement to the retention pond?
2. Did the Board agree to an easement for no monetary compensation?
3. If so, why did the Board agree to an easement without any monetary compensation?

### **Club House**

Cambridge Lakes has a beautiful club house that remains lock and unavailable to the Owners unless they rent the space for special functions. As the club house is a common area of which the Owners collectively own, it seems only right that the Owners should be able to take

Martha Williamson, President

October 11, 2018

Page 5

advantage of the space for small community gatherings without the need to pay for the amenity. Please inform Mr. Christodal, through counsel, of any process that needs to be followed in order to place this motion on the agenda for a vote.

### **Building Security and Cameras**

Cambridge Lakes has over a \$400,000 operating budget. For the security of the community, Mr. Christodal urges the Board to consider taking a small portion of that budget and install building security and cameras throughout the neighborhood. Please inform Mr. Christodal, through counsel, of any process that needs to be followed in order to place this motion on the agenda for a vote.

### **Standard Lease Agreement**

As many of the apartments are rented, Mr. Christodal recommends drafting a standard lease that all Owners use for their tenants. This will ensure that each lessee receives the same information regarding Cambridge Lakes including the By-Laws and Rules and Regulations which could be incorporated into the lease agreement. Please inform Mr. Christodal, through counsel, of any process that needs to be followed in order to place this motion on the agenda for a vote.

### **NUMBER OF BOARD MEMBERS & PROXIES**

The Master Deed states in Section (17), Association, Sub-Section (4), Board of Directors, that, "The affairs of the Association shall be conducted by a Board of Directors *of not less than three (3) nor more than seven (7) directors*, who shall be designated in the manner provided by the By-Laws. (emphasis added). Pursuant to the By-Laws, Article II, Board of Directors, Section 1, Members, "The Board of Directors of the Association shall be the form administration of the Condominium Property and shall consist of *not less than three (3) nor more than seven (7)*, as shall, from time to time, *be determined and fixed by the affirmative vote of the majority of Co-Owners at any annual meeting of the members.*" (emphasis added).

Mr. Christodal would like to move to increase the Board Members from five (5) members to seven (7) members and respectfully asks that this motion be placed on the agenda for a vote during the annual meeting of the members. Please inform Mr. Christodal, through counsel, of any process that needs to be followed in order to place this motion on the agenda for a vote.

In addition, as many Owners vote by proxy, it is only fair that those running for a Board membership be included on the proxy. As of now, existing members are listed with a blank line for a write-in candidate. Mr. Christodal plans on running for the Board and would like his name added to the proxy alongside other candidates.

Martha Williamson, President

October 11, 2018

Page 6

### MEETINGS

According to the By-Laws, Article I, Membership and Membership Meetings, Section 12, Order of Business, "The order of business at annual members' meetings and, as far as practical, at all other members' meetings shall be according to the latest addition of Robert's Rules of Order and shall be presided over by the President of the Association."

In the meetings that Mr. Christodal has attended, Robert's Rules of Order have not been followed. Mr. Christodal requests that the Board follow its own By-Laws and hold the meeting accordingly.

Additionally, a Notice of Board Meetings announcing the date and time of such meeting should be distributed to the Owners, and minutes following all Board Meetings should be made available to the Owners. Mr. Christodal and other Owners desire to be able to attend regular meetings of the Board once private matters, such as discussions of delinquent regime payments, are concluded. In fact, allowing for public comment by the Owners at the end of the Board Meeting would facilitate transparency and good will for the community. Please inform Mr. Christodal, through counsel, of any process that needs to be followed in order to place this motion on the agenda for a vote.

### CONCLUSION

As the Annual Meeting quickly approaches, it is imperative that the Board respond to this correspondence within the next ten (10) days. Please feel free to provide a written response through me, and I will share with Mr. Christodal. Your prompt attention is greatly appreciated.

Sincerely,

Beth Santilli

BS/ve

cc: George Christodal