

# Monthly **Southview** Newsletter

AT AVENTURA

CONDOMINIUM ASSOCIATION INC

*A Newsletter for the residents of the Southview at Aventura Condominium Association*

Volume 11 Issue 4

December 2020

**Southview at Aventura  
Condominium Association**  
3440 & 3350 NE 192 Street  
Aventura, FL 33180

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**Maintenance Staff** ... Jose Montes

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**ASSOCIATION OFFICERS**

**President** ..... Luis De Jesus  
[LuisSouthview@gmail.com](mailto:LuisSouthview@gmail.com)

**Vice Pres.** ..... Genovev Mendoza  
[GenovevSouthview@gmail.com](mailto:GenovevSouthview@gmail.com)

**Treasurer** ..... Howard Borden  
[HowardSouthview@gmail.com](mailto:HowardSouthview@gmail.com)

**Secretary** ..... Marvin Silverman  
[MarvinSouthview@gmail.com](mailto:MarvinSouthview@gmail.com)

**Director** ..... Rhonda Goodman  
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**NEWSLETTER**

**Editor** ..... Genovev Mendoza

**DECEMBER**

**FROM THE BOARD OF DIRECTORS**

This is the last Newsletter of our first year of working assiduously for the community. Our accomplishment for the month of November was to bring the association a \$10,000 savings in the insurance renewal, which was a well-coordinated effort to benefit our community. We have also formed out of four volunteers the Proposals committee. Miguel Martinez is the Committee Chairman who along with Stephen Feeley, Ruben Segal, and Chris Joyce, have been working on interviewing contractors, reviewing their proposals, getting Swaysland Engineer to double check some specific measurements, and preparing their own recommendations based on the proposals collected by the board and some additional proposals collected by themselves. This Committee has been of great help and will increase the transparency that we have been working under.

If you were not aware, please note that on Friday, November 20, 2020, at around 2:30 p.m., the Southview current Board of Directors was served with a recall package. In response to the recall, the Board of Directors, not by choice, was obligated to respond in five days, which landed on Friday, November 27, 2020, before 2:30 p.m. To that effect, the Board of Directors, as required by law, held a Board meeting to whether or not certify the recall.

We received 84 ballots and 84 voting certificates. Out of the 84 voting certificates, only one was correctly filled. Out of the 83 incorrect voting certificates, 71 did not need voting certificates as they defaulted by bylaws on article 3.5. For information about what constitutes a voting member in Southview at Aventura, please see bylaws article 3.5.c Summary of Voting certificates: Single deeded owners and unit owners that are spouses do not need voting certificates. Units owned by multiple owners and corporations need voting certificates. Single deeded owners and spouses need a voting certificate only if they want to give voting privilege to a non-unit owner or spouse. However, in the case of multiple unit owners, all unit owners must sign the voting certificate. Please note that if a voting certificate is not on file for the unit owners, the majority voting interests of the voting members is reduced accordingly. As such, 11 voting certificates were received and accepted to revoke and void previous voting certificates. Voting certificates were incorrect and reduced the majority of interests. As a result of this, we will now audit all voting certificates and each unit will receive information accordingly.

- We received to recall Luis DeJesus, 84 votes
- We received to recall Genovev Mendoza, 84 votes
- We received to recall Howard Borden, 84 votes
- We received to recall Marvin Silverman, 84 votes
- We received to recall Rhonda Goodman, 84 votes

We have also received 4 rescinded ballots from residents who claim they did not know what they were signing, and they did not want to proceed with this recall.

**From the Board** (from page 1)

Ballots facially invalid and incorrect were 16. Those ballots are as follows:

Unit A-1N, not deed owner, does not have authority to vote or to authorize the voting certificate without signature of the deeded owner. Invalid.

Unit A-1Q, voting certificate invalid. No vote can count. Invalid.

Unit A-1R, not legible to vote. Invalid.

Unit A-2R, ballot was pre-filled for the owner, who was told to sign. The unit owner reported this. Invalid.

Unit A-3G, voting certificate invalid. No vote can count. Invalid.

Unit A-3J, voting certificate invalid. No vote can count. Invalid.

Unit A-4L, copied signatures faded. Date not shown. Not legible. Invalid.

Unit A-5M, voting certificate invalid. No vote can count. Invalid.

Unit A-5P, voting certificate invalid. No vote can count. Invalid.

Unit B-1Q, owner recalled the ballot. Invalid.

Unit B-5H, voting certificate invalid. No vote can count. Invalid.

Unit B-1B, owner recalled the ballot and did not want the vote to count to recall the Board. Invalid.

Unit B-2A, owner recalled the ballot and did not want the vote to count to recall the Board. Invalid.

Unit B-2H, owner recalled the ballot and did not want the vote to count to recall the Board.

Unit B-2N, voting certificate invalid. No vote can count. Invalid.

Unit B-3L, voting certificate invalid. No vote can count. Invalid.

Unit B-4N, voting certificate invalid. No vote can count. Invalid.

Unit B-5A, not deed owner, does not have authority to vote or to authorize the voting certificate without signature of the deeded owner. Invalid.

Unit B-5K, not deed owner, does not have authority to vote or to authorize the voting certificate without signature of the deeded owner. Invalid.

Unit B-4F, duplicate vote. Unit owner voted twice. Invalid. Based on the amount, of owners who rescinded their votes and incorrect voting certificates, you did not receive a majority of interests. We received 84 ballots of which 16 were not accepted. After the final count, the recall fell short.

By the way, there is less than 60 days before the next election, so the recall could not be certified because it fell short in time. It is a waste of time for our manager and a waste of association funds to have to prepare a defense for a poorly executed recall, which was formalized by Amelia Salame (B-1C) and who did not properly prepare it.

This Board continues to work in benefit to the entire association by maximizing the existing funds, negotiating services to favor the community, working to preserve and maintain the property values, and staying on top of all that affects Southview at Aventura. We thank all our supporting residents and we sincerely hope that you will allow us to complete the work the property so desperately needs. It took a lot of coordination and many work hours to be able to show to the lending institution that we are financially worth it to be approved a 4 million credit line, when the community has no reserve funds. Once again, thank you for your support and trust.

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December 7, 2020

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Southview at Aventura Condominium Association, Inc.  
3350 NE 192<sup>nd</sup> St.  
Aventura, FL 33180  
Attn: Board of Directors

Re: Board Member Eligibility

Dear Ladies and Gentlemen of the Board:

The following is a reply to your question regarding the eligibility of board members for election. This letter has been prepared following a review of the Declaration of Condominium for the association and Florida Statutes, Chapter 718.

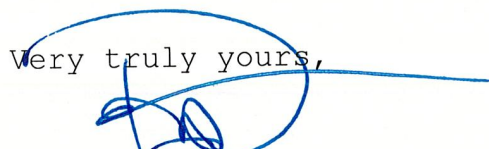
Pursuant to the Florida Statutes the only requirement to be a board member are that the individual must be: 1) a natural person and 2) 18 years of age.

The requirement may be narrowed by the By-Laws or Declaration for a community. Accordingly, a review of the Declaration for the subject association reveals in Article 4.1 of the By-Laws that "Directors need not be Unit Owners." Thereafter, Article 6 authorizes the Board of Directors to elect the officers and again specifically states therein that "Officers need not be Unit Owners."

As such, the current board members and candidates are permitted to be seated as directors and officers of the association.

If you have any further questions regarding this matter please feel free to contact me.

Very truly yours,



David M. Bauman, Esq.  
For the Firm



# MESSAGE FROM THE PRESIDENT

Dear Southview Owners,

There is a lot happening in the community and I am writing to clear up a few rumors going around. I also ask you to keep in mind a few important factors.

- 1) Special Assessment Payment Deferment Program – as stated in my previous email, we are working on a deferment program, which is on a final stage with the association’s attorney. The only reason why it has been delayed is because management and the association’s attorney had to stop and dedicate time to assist us responding the recall. Once completed you will hear back from us.
- 2) Voting Certificates – As a result of the recent recall and voting certificates received, this week all unit owners will receive a letter letting you know whether you need a voting certificate or not. We will prepare instructions to properly fill out a voting certificate and provide you with a blank certificate to fill out. If you do not receive the letter, please let Sam know and we will gladly assist you.
- 3) Elections – Our elections are less than 3 weeks away. You will be receiving the ballots in the mail shortly. If you need a voting certificate, it is imperative that you fill it out correctly. Due to the recent actions and claims, the board has not only retain legal counsel specialized in recalls, but also has decided to hire an election auditor; all at the association’s expense and just to ensure that during the election there are no false rumors of any illegal activities. This election will be fair and correct, as it has always been done in the past. This year with COVID-19, we can not have the election in Mystic Pointe,

but we will make all the necessary arrangements to get it done safely and more details to come.

- 4) Recall Information Requests – We have already received verbal and written requests for information from the board’s decision not to certify the recall not only for falling short in facially valid ballots, but most importantly because there is less than sixty days before the next election. Since this is a legal matter, please follow the proper records request documentation required by the DBPR. Thanks for your cooperation on this matter.

The December election is an especially important one and I encourage all residents to vote. The special assessment already passed, and we want to ensure the work is done correctly and complete, for the benefit of everyone’s property values.

On a personal note, I want to address a few rumors that have been brought to my attention about myself and other board members past and present. First, in using the word of the season “Transparency,” I am not the deeded

owner of my unit. I am not a renter. I have been a resident here for about 20 years and I have the voting rights for my unit. As per our bylaws, you do not need to be the deeded owner to be on the Board of Directors. Please read the condo documents and bylaws and get informed before repeating the uninformed comment made by someone. The next rumor I would like to address is about board members being on the take or having a special interest in this assessment. I am going on record and stating that not myself or any other current or past board member has special interest in this special assessment or are on the take. I want to also go on record by saying that myself nor any other member of the board have done nothing illegal. We just want what is best for the community and to keep or increase our property values. It is really a shame that I need to address these types of rumors, but I would rather clear the air of any doubt, than allow these types of rumors and lies to continue to spread.

Sincerely,  
Luis De Jesus,  
The President of the Board





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# From the Property Manager

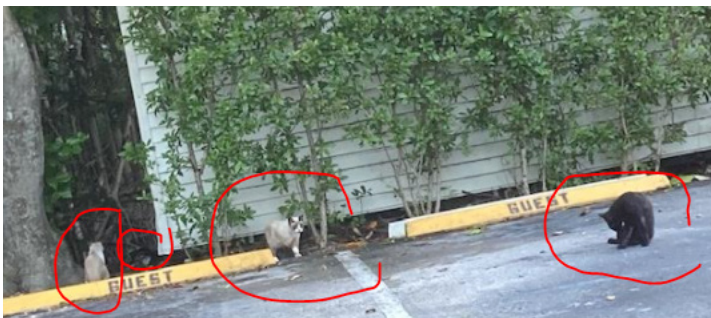
It is unacceptable that residents will leave trash on the floor and outside the trash room. If you are one of the owners who has this bad habit, please remember that we are trying to lift property values, but when people disregard the Rules & Regulations about trash and bulky trash, there is nothing else to do, but start applying fines. The other unacceptable behavior is that people continue to feed cats. If you are doing it, please stop. The number of stray cats has increased and this is becoming a problem. Please stop!



Some common area fixtures condition is very deteriorated, and they have passed their life expectancy. This is another item on the special assessment list to be replaced.



To the residents feeding the cats and the wildlife, please note that you are not helping your community. Please stop!



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