



MEETING MINUTES

EXECUTIVE SESSION MEETING OF THE BOARD OF DIRECTORS OF: MURRAY PARK CONDOMINIUMS

LOCATION: **Zoom Meeting held at remote locations**
 DATE: **09/05/2023**
 CALLED TO ORDER: **06:00 pm**
 QUORUM PRESENT: **Yes**

ATTENDEES (Board Members Bolded)

Gary Hardy	Barbara Renick
Nada Maisse	Rich Renik
Dee Wagoner	
Troy Smith	Mark Vandervest - FSRE
Andrew Kualaa	Cindy Vandervest – FSRE

EXECUTIVE SESSION HEARING

Purpose of Executive Session - This hearing was requested by Unit Owners for the purpose of a Board Hearing of a Smoking Violation reported against their tenant who happens to be their son.

The meeting was called to order by Chairperson, Gary Hardy at 6:00 PM and he then turned the meeting over to Mark Vandervest, Community Manager, from FRESH START Real Estate, Inc. Mark read the violation aloud and reminded the members of the board how Violation Hearings are handled.

The Owner’s stated their tenant, (son) used to smoke but has quit for about 10 years now. They were adamant that he does not smoke, vape, or otherwise partake in any kind of smoking. They stated he does not currently use fragrance or burn incense to mask the smell of smoking. He has burned incense in the past because he enjoys the smell but has stopped doing that as well. They state the shades/blinds are yellow tinged because that is how they came when purchased. They explained his coughing not as a side effect of smoking but because he has asthma.

The owners state their son has earned their trust and they have not seen any positive proof that he is smoking in or around the unit. They insist a photo must be produced in order to prove the charges of smoking.

The meeting was adjourned by Gary at 6:26 pm after stating the board would notify the owners of their decision . The board reconvened at 6:27 pm, in an open session, to discuss the hearing and make a decision. One Board Member stated they have smelled cigarette smoke from that unit on multiple occasions. Another board member noted that they smelled marijuana smoke coming from the unit. Board members have also witnessed the tenant vaping on his way to and from the mailboxes. It was noted that per legal counsel, photo evidence is not required to enforce a violation and fine if the testimony of credible witness(es) is presented to the board’s satisfaction. A unanimous decision was made to uphold the violation and resulting fine due to credible eyewitness of the violation on more than one occasion, and by more than one person. The Board decision will be conveyed to the Unit Owners in writing within 10 days.

ADJOURNMENT

MEETING ADJOURNED: **7:47 PM**

--- END OF MEETING MINUTES ---

MINUTES PREPARED BY: **FRESH START Real Estate, Inc.**
Community Manager