

I did not respond with my Referendum in the Spring 2016!

What Happens if I Don't Respond Now?

The present circumstance is the Association's reality:

- The membership set the stage for action when a large number of members failed to respond appropriately to the 2016 annual billing of fees.
- This event created a state of Emergency for the Association, which required a response by the Board of Directors. The Board's response was the creation of an official Referendum in March 2016.
- The Referendum went to ALL members, regardless of account status, as an attempt to communicate the circumstances. Of the members who were entitled to cast their Ballot in the Referendum, the huge member majority was in favor of terminating the business affairs of the Association and dissolving the MPIOA, Inc. entity, and liquidating its assets. In so doing, the MPIOA membership determined support for the Board of Directors in taking the required actions toward the member-determined objective.
- The Referendum and its enclosed letter advised the members of the options available to them. Those options were simple: members may choose to continue their support of the Association by maintaining a current balance on their account, or choose to convey their deed to the Association to be exempt from any further responsibility or charges.
- **ANY** of the members who are unresponsive or fails to respond timely, significantly increases the Association's expense and time in its efforts, at the expense of its membership.
- Therefore, when one or more of the members fail to timely respond by the set deadline(s), then the Association, through its Board of Directors, must turn to the Courts to assist the Association in reaching its objective. In such a circumstance, the Board has the duty to take any necessary steps to ensure the Association's goals are met.
- Should the Association be able to collect all interval deeds without court action, a title transfer will more easily be provided as a single real estate asset, which is then liquidated on behalf of its members. This was the preference as indicated by a majority of the members in their March Referendum response. With this goal, the Association can take the logical steps for attempting a private sale. Once this is accomplished, the Association simply dissolves after all expenses are satisfied, with any remaining net proceeds to be pro rata funded to all participating members according to the Interim Membership Agreement.
- If a court action **becomes necessary** due to non-responsive members, the Association would request the Court to assume control of the issues at hand, and 'Order' the steps necessary to facilitate the goals of the Association for the benefit of its members. In order to ensure the court's objectives are met, the court may appoint various people or agents at different steps during this process, and each of which will have their own fee for their services. This logically reduces any amount for distribution significantly, as the process is concluded. Should Court enforcement become necessary to meet the goals of its members, the Association will timely address with its participating member any additional injury and damages suffered as a result of this prolonged process and the additional financial liability imposed thereon.

- Regardless of the court outcome, the difference in a public sale through the court versus private sale can involve a significant difference in the sale price of property. With a public sale so determined, the chance for a private sale generally disappears, as potential parties of interest will settle back to wait on the Auction, and bid competitively against other bidders in a 'fire-sale' environment. If a public sale occurs through the courts, it may be late 2017 before any sale could occur due to the legal processes required.
- Unresponsive accounts create avoidable extraneous delays, expensive legal fees, court fees, and essentially cause ALL members to suffer the damaging effects. Such losses would also necessitate extraneous special assessments to assist with interim expense, and possibly loss of opportunity for a private sale.

Thankfully, the majority seek to do that which is appropriate and in the best interest of the membership in responding to the needs of the Association, which is limited in options. This speaks well for our Association and the Board of Directors as the elected representatives of the membership. These men have committed their uncompensated time and support to this Association, with risk and personal sacrifice in the effort as necessary to fulfill their obligations to serve the membership with diligence, as responsible caretakers of the interest of the membership.

For a member of the association who may prefer to remain uninformed regarding the facts of their Association's circumstances, such is their privileged prerogative. The only force they must be accountable to is their own conscious. The members of the Board do not have such luxury, and would not preference such option had they the opportunity. The approach to life for each of these men has never been as one to shy away from responsibility regarding a position of accountability, nor to avoid the opportunity to benefit their fellow humans in the performance of their duty, nor to sidestep their roll call rather than stand to be counted among those who choose to live their life according to the moral and ethical principles of their faith.

Unfortunately, this is not necessarily a consistent circumstance for most circles of life in today's society. As such, this fact has given rise to skepticism and suspicion as the new norm, regardless of decades of history to the contrary for those serving. For anyone who voluntarily commits himself or herself to service for the needs of and benefits to others while uncompensated, is nonsensical to the expectations of many in today's society. As such, it is reasonable to expect that in circumstances such as those of the Association today, a few members will determine to remain unresponsive out of skepticism. The result is predictable. **All the Association's membership**, the majority **and** the minority, must endure the increased expense, loss of positive opportunities, and the negative effects created by extended delays upon the Exit process as a result.