



Exhibit #3C-5

March 12, 2021

**VIA E-MAIL ONLY**  
**todd@endreslaw.com;**

Mr. C. Todd Endres, Esq.  
Endres & Elizondo  
1425 Victor Avenue, Suite B  
Redding, CA 96003

RE: Woodridge Mutual Water and Property Owners Corporation:  
Association Records Inspection Request; Action Items Proposed for Membership Vote

Dear Mr. Endres:

As you are aware, this office represents Mr. Kevin Montler, a member of the Woodridge Mutual Water and Property Owners Corporation, a California nonprofit mutual benefit corporation ("*Association*").

We received your letter dated as of March 5, 2021 ("*Response*") and the following documents that were produced in response to Mr. Montler's Association records request, which was sent to you on February 19, 2021 ("*Request*"):

- a) Minutes for meetings of the board of directors for the Association ("*Board*") on January 12, 2021 on February 23, 2021;
- b) A copy of the Association's insurance policy covering the policy period of May 3, 2020 to May 3, 2021; and
- c) Association election procedures.

**I. Violation of Civil Code Section 5210(b).**

Civil Code Section 5210(b) is clear that access to Association records prepared during the current fiscal year shall be granted within ten (10) business days.

The documents from the current fiscal year listed below ("*Missing Association Records*") were noticeably missing from the Response. Also, you were silent in the Response as to whether the documents listed below from the current fiscal year were available.

*Letter continues on the following page.*

**Missing Association Records:**

- a) All executed contracts with current or former directors;
- b) All executed contracts with consultants or vendors, including, but not limited to, any consultant or vendor providing their services in connection with Woodridge Lake;
- c) The budget;
- d) All written studies or reports in connection with Woodridge Lake or the Fire Roads, including all environmental studies;
- e) All Board and committee meetings materials concerning Woodridge Lake or the Fire Roads ;
- f) All committee meeting minutes concerning Woodridge Lake or the Fire Roads;
- g) All financial statements, including all or any of the following:
  - 1) Balance sheet.
  - 2) Income and expense statement.
  - 3) Budget comparison.
  - 4) General ledger
- h) All reports resulting from a reserve study, which is required at least once every three years under Civil Code Section 5550; and
- i) All Association governing documents.
  - 1) (The documents you directed this office to in response to Mr. Montler's request for Association governing documents are inadequate.)

The Association's withholding of the Missing Association Records violates the Davis-Stirling Act.

My client notes that it appears that the Request resulted in a flurry of Board activity to, presumably, retroactively comply, including the following: (i) a letter to the owner of nearby lots ("**Beatty**") to attempt to allow the Board to refer to the Beatty property as a fire exit (to which Beatty apparently responded by rejecting the request and noting the poor maintenance of the fire exits); (ii) multiple emails that appear to be efforts to re-create minutes, research, bids, contracts, and other documents; and (iii) incredibly, movement of boulders on to the fire exit of the dam. The Missing Association Records and the Board's subsequent actions are troubling.

Also, the Association's deadline for providing the requested Association records from each of the previous two years is fast approaching.

**II. Additional Association Records Inspection Request.**

Mr. Montler hereby exercises his rights of inspection of Association records, pursuant to the Davis-Stirling Act, as to additional records and requests that the Association provides the items listed below by email:

- a) General ledger and/or check register of all transactions for fiscal years 2020, 2019, and 2018, for the water company and property owners association;
- b) All bank statements from all banks, including Tri Counties Bank and First Internet Bank of Indiana, for fiscal years 2020, 2019, and 2018, for the water company and property owners association;
- c) Profit & Loss Statement for fiscal years 2020, 2019, and 2018, for the water company and property owners association; and
- d) Balance Sheet for fiscal years 2020, 2019, and 2018, for the water company and property owners association.



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Please send the requested records to the undersigned electronically in compliance with the Davis-Stirling Act.

**III. Action Items Proposed for Membership Vote.**

In addition and in accordance with his right as a member, seconded by Mr. Bob Foote, Mr. Montler is requesting a membership vote on the provisions attached here as **Exhibit A**. These provisions should be sent out to the membership in the materials for the next meeting. Mr. Montler and Mr. Foote note that there is an adequate number of Association members that support their efforts and would join them on a formal petition under the Davis-Stirling Act and the Corporations Code, if necessary.

Thank you for your attention to this matter.

Very truly yours,

SCHERER SMITH & KENNY, LLP



Louis J. Sarmiento, Jr.

Cc: Client