

5/22/26

Registered Agent – Mark Van Haaren  
Pinnacle Estates Association  
4040 Riversites Dr.  
Omer, Michigan 49749

CC: Sharon Williams, President

Dear Registered Agent,

I am writing regarding prior requests for association records and the Association's subsequent partial responses.

While certain records have been produced, including membership meeting minutes, membership sign-in sheets, membership lists, and annual reports, significant records relating to governance authority, enforcement procedures, operational practices, board actions, and insurance administration remain outstanding.

At this point, the issue is not merely generalized governance ambiguity. The issue is that the documented operational actions of the Association conflict with later statements denying the existence of formal procedures or operational practices.

Specifically:

- In 2025, Mark Van Haaren publicly instructed members to utilize a "Confidential Complaint Form" rather than publicly discussing complaints within the Association Facebook group.
- The complaint form described a structured complaint and enforcement intake process directed through the Association P.O. Box.
- Sharon Williams later stated by email that the Association had implemented the complaint form process as the first step in enforcement, followed by certified letters and possible court action. Sharon Williams also stated that requests were being directed through the Association P.O. Box so the Secretary could track requests and respond accordingly.
- Mark Van Haaren separately publicly discussed trailer enforcement matters, prior enforcement history, conversations with owners, attempts to prevent placement of trailers, and possible court action relating to enforcement matters.

- Despite these documented operational practices and enforcement discussions, later statements asserted that there were “no formal voting procedures, enforcement actions, communication practices etc.”

The contradiction is therefore operationally concrete rather than theoretical. Formalized enforcement and communication procedures were publicly described and operationally implemented while later statements denied the existence of formal procedures.

In addition, the current bylaws state that they were adopted on August 3, 2019 and became effective upon recording with the Arenac County Register of Deeds. However, the versions provided and publicly referenced appear to have been recorded approximately five (5) years later in 2024. Additional records are therefore necessary to establish the authority, adoption history, amendment chain, and operational validity of the current bylaws and related governance actions.

Accordingly, I am demanding production of records sufficient to establish the authority, implementation, administration, and operational use of those procedures and practices.

This includes, but is not limited to, the following:

### **1. Complaint Form and Enforcement Procedure Records**

- copies of all complaint forms utilized by the Association
- records reflecting implementation or approval of the complaint form process
- records reflecting enforcement workflows or procedures
- records relating to complaint intake, tracking, investigation, enforcement, or disposition
- records relating to certified letters or enforcement escalation
- records relating to decisions to pursue or not pursue enforcement actions
- records relating to possible or contemplated court enforcement actions

### **2. Land Use Enforcement Records**

Records relating to enforcement or interpretation of:

- trailer restrictions
- camping restrictions
- short-term rental restrictions
- building or use approvals

- complaints
- violation notices
- waivers
- variances
- selective enforcement determinations
- decisions not to enforce alleged violations

This request specifically includes records reflecting situations where the Association or Board determined not to pursue or continue enforcement of alleged violations.

### **3. Association Communication Records**

Because the Facebook group appears to have functioned as the primary or only practical communication channel for Association-related information and events, please preserve and retain all governance-related Facebook content, including:

- announcements
- event postings
- moderation actions
- member bans or removals
- governance discussions
- enforcement discussions
- complaint-related discussions
- records relating to use of the Facebook group for Association operations or communications

### **4. Board Authority and Governance Records**

Please provide:

- complete board meeting minutes for the past three (3) years
- records relating to board actions
- board elections
- appointments
- officer selections

- vacancies
- actions relating to board size or composition

The current bylaws state that the number of directors shall be six (6). Additional records are therefore necessary to establish the authority for the governance structure reflected in recent Association records and annual reports.

### **5. Bylaw and Amendment Authority Records**

Please provide:

- original bylaws
- all amendments or restated versions
- records evidencing adoption or approval of bylaws or amendments
- notices
- motions
- quorum verification
- vote counts
- membership eligibility verification
- records identifying members entitled to vote
- records relating to recording or re-recording of bylaws or restrictions with the Arenac County Register of Deeds

This request specifically includes:

- copies of notices sent to members calling meetings for purposes of voting on bylaw amendments, bylaw modifications, restriction amendments, restriction restatements, or governance changes
- records reflecting when and how those notices were distributed to the membership
- records reflecting the stated purpose of those meetings
- records reflecting whether the membership was informed in advance that a vote relating to bylaw changes, restriction changes, or governance modifications would occur
- records reflecting whether proposed amendment language or rewritten language was distributed to members prior to any vote

- records reflecting whether members were informed that existing bylaws or restrictions would be replaced, rewritten, restated, or materially modified
- records reflecting the voting threshold represented to the membership as necessary for approval
- records reflecting the quorum calculations used for those meetings
- records reflecting the actual vote counts for approval or rejection of proposed amendments or modifications
- records reflecting the identity or eligibility status of members whose votes were counted
- records reflecting whether proxy voting, absentee voting, or other voting methods were utilized
- records reflecting certification or tabulation of votes
- records reflecting final approval, adoption, or authorization of amended or restated governing documents

Because the current bylaws state that they were adopted on August 3, 2019, yet appear to have been recorded approximately five (5) years later in 2024, these records are necessary to establish the chronology, authority, notice procedures, voting procedures, and operational validity underlying the current governing documents.

#### **6. Membership Eligibility and Voting Authority Records**

Please provide records, procedures, or policies relating to:

- membership eligibility
- voting eligibility
- quorum determination
- member good-standing status
- preparation of voting eligibility lists

#### **7. Financial and Insurance Records**

Please provide financial records for the past three (3) years, including:

- annual financial statements
- treasurer reports

- budgets
- bank statements
- records of assessments collected
- records of expenditures
- reserve-related records
- financial reports presented to the Board or membership

In addition, please provide records relating to Association insurance coverage, including:

- general liability policies
- directors and officers (D&O) policies
- property or casualty policies
- declarations pages
- coverage summaries
- policy periods
- records reflecting approval or renewal of insurance coverage

Under the Michigan Nonprofit Corporation Act, the Association is required to maintain minutes and records relating to member and board actions. Michigan courts have also recognized that members are entitled to inspect corporate records and that associations must act consistently with their governing documents and operational authority.

Please provide the requested records within ten (10) days of this letter. In order to avoid ambiguity or incomplete responses, please address each numbered category and requested record item on a line-by-line basis, indicating whether:

- the record is being produced,
- the record does not exist,
- the record is no longer maintained,
- or the Association contends that the record is not subject to inspection, along with the basis for that position.

If any requested records are unavailable, please clearly indicate that in writing.

Failure to adequately respond may require further action to obtain records necessary to verify the authority and operational practices of the Association.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Langlois', with a long horizontal flourish extending to the right.

John Langlois

Dated: 5/22/26

**Sent via Certified Mail**