

P.E.A.
P.O. Box 141
Sterling, MI

Dear Board of Directors,

I am writing to follow up on my prior requests for association records and to clarify the specific records that remain necessary to understand the authority for the association's current governance structure and actions.

I appreciate that partial responses have been provided, including membership lists, membership meeting minutes, membership sign-in sheets for 2023–2025, and annual reports. However, significant governance and authority records remain outstanding.

The membership list provided appears to be out of date and may not reflect changes in ownership or membership occurring since my initial request and the association's response. In addition, while sign-in sheets reflect attendance at meetings, they do not clarify how membership eligibility or voting eligibility was verified. Board meeting minutes and records reflecting board actions have also not been provided.

At this point, the primary issue is the ability to verify the authority underlying the association's current bylaws, board structure, voting procedures, governance actions, land use enforcement actions, member communications, and financial administration.

Accordingly, I am requesting the following records:

1. Bylaw and Amendment Chain

Please provide copies of the association's original bylaws and all subsequent amendments, revisions, or restated versions, including any documents reflecting repeal or replacement of prior bylaws.

2. Records Supporting Bylaw Adoption and Amendments

Please provide all records evidencing the adoption or approval of the bylaws and any amendments, including:

- meeting notices
- meeting minutes
- motions
- vote results
- quorum verification

- membership eligibility verification
- records identifying members entitled to vote

The current bylaws state that they were adopted on August 3, 2019 and became effective upon recording with the Arenac County Register of Deeds. Supporting records relating to that adoption are therefore necessary to establish the authority and validity of the current bylaws.

3. Membership Eligibility and Voting Authority Records

Please provide any records, procedures, or policies used to determine:

- membership eligibility
- voting eligibility
- quorum
- member good-standing status

The bylaws reference voting by members in good standing and require preparation of voting eligibility lists for meetings. Records supporting those determinations are therefore necessary to verify voting authority and quorum.

4. Board Authority Records and Board Meeting Minutes

Please provide complete minutes of all board meetings for the past three (3) years, along with records reflecting:

- board elections
- appointments
- vacancies
- officer selections
- board actions
- any action relating to board size or composition

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

5. Financial 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
- records relating to reserve funds
- any financial reports presented to the membership or board

6. Land Use Enforcement and Restriction Enforcement Records

Please provide records relating to enforcement or interpretation of subdivision restrictions, bylaws, land use provisions, camping restrictions, short-term rental restrictions, building or use approvals, violation notices, complaints, enforcement actions, fines, waivers, variances, selective enforcement determinations, decisions not to pursue enforcement, or similar governance actions during the past three (3) years.

This request includes records reflecting situations where the association or board determined not to enforce, pursue, or continue enforcement of an alleged violation.

7. Association Communication and Facebook Group 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 association-related Facebook group content, including posts, comments, announcements, membership moderation actions, member bans or removals, and records relating to association-related events communicated through the Facebook group.

In addition, please provide records relating to:

- members being banned or removed from the group
- moderation policies or practices
- association announcements or notices posted through the group
- association-related events posted or communicated through the group
- any use of the Facebook group for official association communications

Under the Michigan Nonprofit Corporation Act, the association is required to maintain minutes and records of member and board actions. Michigan courts have recognized that

members are entitled to inspect those records (see *Bafna v Echo Valley Condominium Association*) and that associations must act in accordance with their governing documents and required procedures (see *Magnolia Park Condominium Association v Dugas*). Courts have also emphasized that governance authority and restrictions must be properly established and supported (see *Conlin v Upton*).

Without records sufficient to establish the authority underlying the current bylaws, voting structure, governance actions, enforcement actions, communications practices, and financial administration of the association, it may not be possible to verify compliance with the governing documents and applicable law.

This is my final request for these records. Please provide the requested records within ten (10) days of this letter. If any requested records are unavailable, please clearly indicate that in your response. If the association contends that any requested records are not required to be maintained or that I am not entitled to inspect particular records, please identify those records specifically and state the basis for that position.

Sincerely,



John Langlois
313-492-7143

5/8/26

Sent via Certified Mail