

# *the* Deerfield Resort CONNECTION

June 13, 2020 Issue 2020-9

## IMPORTANT NOTICE

We've had a lot of interest and questions about our efforts to establish a HOA in Deerfield Resort!

The following is a summary of why a legal solution is being sought to resolve the impasse that currently exists between Fields Development and the volunteer committee for the Deerfield Resort Property Owners.

- The 1986 Deerfield Articles of Incorporation, formed the basis for a valid HOA which would provide for the maintenance, preservation and private control of common areas and roadways and promote the health, safety and welfare of the residents.

The first annual meeting of the residents to discuss a functioning HOA was held May 18, 2019. All homeowners were invited to attend. More than 100 were in attendance and there was an expressed desire to have a valid HOA. Similar efforts have been made dating all the way back to the summer of 1997 ([https://3205e20eec2d-49e6-aea4-b3a783b5c613.filesusr.com/ugd/1f87f6\\_1bb44148948941ada6aa169b9f646965.pdf](https://3205e20eec2d-49e6-aea4-b3a783b5c613.filesusr.com/ugd/1f87f6_1bb44148948941ada6aa169b9f646965.pdf)).

- Most property owners, both existing and new, are under the impression that the fees they pay are going to a valid HOA.
- Starting in 2013, along with Security Fees, Resort Maintenance Fees were billed to each property owner stating "payable to Deerfield Resort", (a for-profit corporation). Consequently, the collected funds for maintenance and security have had no property owner oversight in how those funds were spent.

Fields Development's refusal to abide by the Articles of Incorporation of 1986, resulted in the need to take legal action in order to achieve the following:

1. Establish a valid nonprofit HOA following State of Tennessee statutes, allowing each property owner to have a voice in decisions affecting the resort as well as have oversight of the collection and use of funds collected for maintenance and security.
2. Develop a true description of what property is inclusive of the Deerfield Resort including the various Deerfield Condo Associations, obtain an up-to-date listing of all property /

condo owners within the above-described property and a listing of the population currently paying the maintenance and security fees for the resort.

3. Hold valid elections of officers and board members for the HOA with representation for all property owners – this includes condo owners, home owners and undeveloped property owners.
4. Establish Covenants, Conditions and Restrictions that are approved by a majority of property owners of the HOA – provide these documents to EACH current property owner of record and those who purchase property in the future.
5. Hold annual meetings for all property owners allowing them to voice their thoughts and concerns to the board of directors and officers. Provide an annual audited summary of income and expenses to members in conjunction with the meeting.
6. Develop an approved auditable business model for the collection and expenditure of funds.
7. Put all of the disharmony to rest: Working together and understanding what is currently taking place as well as what the plans are for the future – no surprises or running down rumors.

Remember this is your resort, each of you own a piece of this wonderful part of Tennessee and each of you should have an interest in its upkeep and future maintenance and development plans.

Please feel free to contact any one of us in person or through the website, [www.deerfieldtnpoa.org](http://www.deerfieldtnpoa.org). If you would like to talk directly to the attorney handling our case, that can be arranged as well.

Our 2nd annual meeting is June 27, 2020 and the Agenda will be posted to the website ahead of time. In keeping with social distancing guidelines, we are doing our best to accommodate everyone who'd like to attend. Funds are not available for us to host this meeting in a larger facility. **Note:** we have changed our plan to now use the hangar normally used for church services. Hope to see you there!

Stay well,

Bob and Maryann Hilty (28 years)    Maryanne Rykulski (13 years)

Loel Crawford (32 years)

Dan Valle (13 years)

Fran Painter (34 years)

Steve Wentzel (17 years)

Georgia Sergent (26 years)

Steve Dehler (18 years)

Lori and Dan Langford (28yrs)

Tom/Merrilee Peck (21 years)

Barb/Greg Whitehead (28yrs)

Kris/Van Hopkins (28yrs)

Doug Hoover (17 years)

Issue: 2020-9