

the Deerfield Resort CONNECTION

January 26, 2021 Issue 2021-01

The Volunteer Steering Committee would like to wish everyone a Happy New Year – we are looking forward to a very productive year and hopefully successfully resolving our complaint concerning the lack of a fully representative and legal home owner’s association for Deerfield property owners.

Deerfield Property Owners Complaint (Suit) Update

We still do not have a date for the first hearing with the Honorable Beth Boniface in Morristown. However, on January 7, 2021 our attorney filed a “Memorandum in Support of Plaintiff’s Motion for Receivership, or to Suspend Fees” with the court along with a request to set a hearing date. Following the filing of the Memorandum the defendant’s attorney made an inquiry if we would be open to mediation concerning the complaint. Our attorney acknowledged the inquiry indicating we would be open to mediation in order to resolve the complaint.

Our attorney is moving forward with the hearing date. If the defendant’s attorney arranges for mediation, it will take place just prior to the hearing date. We will update this matter as soon as there is new information.

2021 Annual Security and Maintenance Invoices

The annual statements for maintenance and security have been mailed and are payable to Deerfield Resort. We had hoped the courts would have appointed a third party to collect these fees by now and distribute them as needed for justifiable expenses. The January 7 Memorandum specifically visits this subject stating “that there is no document which creates the obligation of the owners to pay the fees to the developers...” see the Memorandum on page 8 of 12 at the link:

https://3205e20e-ec2d-49e6-aea4-b3a783b5c613.filesusr.com/ugd/5c2e37_fdc65759d35a454aa8c6451449eef69c.pdf

It is not our intent to disrupt any of the current services provided through these fees, just full accounting transparency for the funds collected and assurance everyone is paying their fair share. It is a personal decision what to do concerning paying the current fees.

Surprise Fees Experienced at Real Estate Closings

Since our last Connection, Deer Lake Condo owners have indicated that they were totally unaware of the \$900 wall assessment charged to residents who sold their condos. It is estimated that it equates to over \$50,000 if all Deer Lake condo owners are charged the same amount. Purchasers and sellers have been told this fee is for the failed retaining wall that collapsed last year.

If you or anyone you know has been charged any questionable/non-disclosed fees at closings, a complaint can be filed with the Knoxville Area Association of Realtors (<https://www.kaarmls.com/sites/default/files/ethicspackage2014.pdf>) and/or file a complaint with the Real Estate Commission, Tennessee Department of Commerce and Insurance (<https://www.tn.gov/commerce/regboards/trec/consumer-resources/file-a-complaint.html>). Buyers and sellers of properties are entitled to a complete explanation of fees and who authorized them to be included in the closing documents.

Volunteer Committee Representatives

We are looking for additional volunteers for committees that will represent their interests. We have representatives for houses, condos, Villas and hangers. Still needed are vacant lot owner representatives. The balanced input from every group of property owners is needed to make sure we cover issues from all aspects. If you want to volunteer please send us a note using the website (<https://www.deerfieldtnpoa.org>).

If you are selling your property, it would be a great help if you could leave a note on the website giving us the name of the new owners of your property, contact information if you have it and most importantly if you wish to stay on the contact list.

General Information

Keep up to date by checking our website: <https://www.deerfieldtnpoa.org/documents> We will be migrating to a new and improved website shortly. Information concerning this move will be published – we look forward to seeing you there!!!

We've had questions regarding whether smaller villas are being built. The Villas depicted on the map furnished to justify additional boat slips is now a

reality: <https://www.deerfieldtnpoa.org/documents>

Referencing the 1985 original "rules", the minimum square footage for housing is 800 SF main floor, later changed to 1000 SF main floor however, this requirement exempts "multi-family dwellings". There was no indication that this exemption was presented to or approved by a Homeowners Association. High density home building maximizes land use but can bring larger home/condo values down due to less demand.

A reminder, donations to our legal fund are extremely important as we move forward. If you support our efforts to make Deerfield Resort THE premier resort on Norris Lake, please forward your donation payable to: Deerfield TN POA, and mail to P.O. Box 922, LaFollette, TN 37766.

Annual Meeting

We are targeting a date in mid to late May for our annual meeting. Look for more details for the date and time of the meeting.

We would like to hear your feedback; your comments can be submitted through our website: <https://www.deerfieldtnpoa.org/about-us>

Stay safe and healthy; practice social distancing, wear your face coverings and keep your hand clean by washing or using sanitizers. Simple solutions to help prevent bigger problems.

Stay well,

Your Volunteer Committee

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)

Doug Hoover (17 years) Tom/Merrilee Peck (21 years)

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